

ALABAMA LEGISLATURE COMMITTEE FILES 1997-1998 00/2

9333 HOUSE LABOR & COMMERCE

2/11/98

To Whom It May Concern:

Please enter into record my testimony to the House Labor and Commerce Committee concerning HB 323, February 11, 1998.

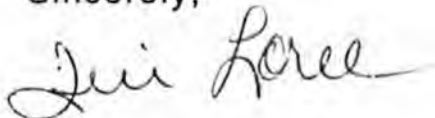
I support HB 323 for the following reasons:

1. We need equity for ALL school district employees. Certified staff already receive the full 12 months credit for 9 months of service. Classified should be treated the same.
2. Unlike other "seasonal" employees, school district employees are not eligible for unemployment benefits during the summer months.
3. Elected officials receive 12 months credit. They clearly do NOT put in as many hours per day that classified employees do, yet they receive the full credit toward their retirement.

Please, let's make this equitable.

Thank you for the opportunity to voice my concerns.

Sincerely,



Teri Loree
PO Box 756
Sitka, AK 99835
(907) 747-5825

Feb. 12, 1998

Please enter into record my
testimony to the House Labor
and Commerce Committee
concerning HB 323.

We need equity for all school district
employees. There is no reason for certified staff
and elected officials ~~also~~ to receive 12 month
credit toward retirement for 9 & 10 month
~~employment~~ when classified staff is not.

Unlike other "seasonal" employees, school district
employees are not eligible for unemployment
benefits during the summer months.

I support HB323 which would provide
12 month credit towards retirement for 9 and
10 month employees.

Elizabeth Vanik
P.O. Box 2286
Sitka, AK 99835
(907)-747-7457

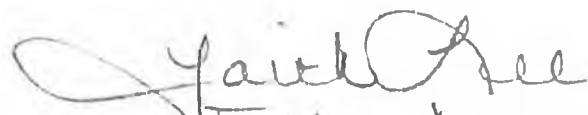
Feb 11, 1998

Please enter into record my testimony
to the House Labor & Commerce Committee
Concerning HB 323;

We need equity for all school employees.
Classified work the same number of days
per year as certified staff. Yet classified
don't receive the same credit as certified.

Unlike other "Seasonal" workers, school
district employees are not eligible for
unemployment benefits during school
breaks.

I feel a strong need for equity as
classified employees work hard and
are an asset to our schools and
should be treated equally!


Faith Lee
141 Wolf Dr
SINKA AK
99835

1-907-747-3039

February 12, 1998

Please enter into record my testimony to the House Labor and Commerce Committee concerning House Bill 323.

HB 323 is an issue of equity. Certified school district staff members receive twelve months of retirement credit for the same number of days worked as classified staff members who only receive nine months of retirement credit. This is not equitable.

I strongly urge you to support HB 323.
Thank you for your time.

Paula Hardy
Box 6032
(110 Shuler Drive)
Sitka, Alaska 99835
907-747-6525



Alaska State Legislature

Please enter into the record my testimony to the House Labor & Commerce
 committee name
 committee on HB 323, dated 2/11/98
 bill/subject

Mr. Chairman, Committee Members. I have been a public employee in Alaska since 1982. I have worked in the Court System, the Department of Administration and now the Kenai Peninsula Borough School District. As a professional, I earned one year credit for each year I worked, until I worked for the School District. Other employees in the School District receive one years credit for each school year they work. As support staff, I work more days in a calendar year then other employees, yet receive less retirement credit. I would happily pay my share of retirement benefits into PERS to receive the full years credit. Thank you, Representative Brice, for introducing this bill and I ask the committee members to pass it out of committee to the full House

Signed: Cynthia Fierens
 Testifier

Representing (Optional)
PO Box 3831, Homer, AK 99603
 Address
907 235-2166
 Phone No.

Please enter my testimony to the House Labor & Commerce Committee on HB 323
on 2/11/98:

I am in support of HB 323. I have been a public school employee for 6 years
working 10 months per year. I work four weeks longer than certified staff but
do not receive 12 months credit towards my retirement. I cannot get
unemployment compensation for the 2 months I am not working and there are no
positions to which I could be hired for those months to increase retirement.

Doris Bailey
PO Box 953
Sitka, AK 99835
907-747-5794

A handwritten signature in cursive script that reads "Doris Bailey". The signature is written in dark ink and is positioned to the right of the typed name and address.

Please enter my testimony to the House
Labor and Commerce Committee on HB 323.

02-11-98

Barbara J. Arndt
P.O. Box 543
Sitka, Alaska 99835

These are my issues:

1. We need equity for all school district employees. There is no reason for Certificated staff to receive this credit and not classified staff.
2. Unlike other "seasonal" employees, school district employees are not eligible for unemployment benefits during the summer months.
3. Elected officials receive 12 months credit. They clearly do NOT put in as many hours per day that classified employees do, yet they receive the credit towards their retirement. Let's have some equity here, also.

Please enter my testimony to the House Labor & Commerce Committee on HB 323 on 2/11/98:

I am in support of HB 323. I have been public school employee for 10 years, working 10 months a year alongside my colleagues, certified teachers. I work 4 weeks longer than certified staff, however do not receive 12 months credit towards my retirement. I feel this is an equity issue. Why should one group of employees be treated preferentially?

Classified employees working 9 and 10 months a year are considered "seasonal" employees, but are not eligible for unemployment benefits during the summer months. We do not have the option of being hired for 2 or 3 months to increase our retirement amounts.

Also, it seems inequitable that our city assembly members, who are elected officials working an average of 5 hours per week, receive 12 months credit towards their retirement. As a classified employee working 40 hours per week, 10 months a year, I find this an insult.



Sally Dehnke
302 Islander Drive
Sitka, AK 99835
907-747-6956

Please enter my testimony to the House
Labor and Commerce Committee on HB 323.

02-11-98

Carrie Spackman
2924 H.P.R.
Sitka, Alaska 99835

These are my issues:

1. We need equity for all school district employees. There is no reason for Certificated staff to receive this credit and not classified staff.
2. Unlike other "seasonal" employees, school district employees are not eligible for unemployment benefits during the summer months.
3. Elected officials receive 12 months credit. They clearly do NOT put in as many hours per day that classified employees do, yet they receive the credit towards their retirement. Let's have some equity here, also.

Please enter my testimony to the House
Labor and Commerce Committee on HB 323.

02-11-98

Betty Jo Johns
1972 H. P.R.
Dutton, Ala. 99835

These are my issues:

1. We need equity for all school district employees. There is no reason for Certificated staff to receive this credit and not classified staff.
2. Unlike other "seasonal" employees, school district employees are not eligible for unemployment benefits during the summer months.
3. Elected officials receive 12 months credit. They clearly do NOT put in as many hours per day that classified employees do, yet they receive the credit towards their retirement. Let's have some equity here, also.

Betty Jo Johns

Kathy Van Horn

515 Verstovia

Sitka, AK 99835

Please enter my testimony to the House Labor and Commerce Committee on HB 323 on February 11, 1998:

I am in support of HB 323. I have been an employee of the Sitka School District, working as a classified employee for 14 years. I work ten months per year and only receive retirement benefits for those ten months. The teachers I work with only work 9 months per year, yet are credited with 12 months of retirement. Our City Assembly members receive 12 months of retirement credit, but only meet twice a month for the Assembly meetings. I feel that nine and ten-month employees have been taken unfair advantage of. It is time to rectify this inequality.

Kathy Van Horn

Jane Marie Seesz
114 Harbor Mountain Road
Sitka, AK 99835
(907) 747-5998

February 11, 1998

To: The House Labor and Commerce Committee
RE: HB 323

This letter is in support of HB 323. I have worked as a classified employee at Sitka High School for almost six years, working 9.5 months alongside the certified teachers. I work two weeks more each year, however, I do not receive a full year's credit towards my retirement as they do. I think this is unfair.

Please enter this letter as testimony in support of HB 323.

Thank you.

Sincerely,



Jane Marie Seesz

Please enter my testimony to the House
Labor and Commerce Committee on HB 323.

02-11-98

Oliver Chuseman

*708 Lake St., #B, Dutton, AL
99835*

These are my issues:

1. We need equity for all school district employees. There is no reason for Certificated staff to receive this credit and not classified staff.
2. Unlike other "seasonal" employees, school district employees are not eligible for unemployment benefits during the summer months.
3. Elected officials receive 12 months credit. They clearly do NOT put in as many hours per day that classified employees do, yet they receive the credit towards their retirement. Let's have some equity here, also.



Alaska State Legislature

Please enter into the record my testimony to the HB 323 (House Labor
 committee name
and Commence on P.E.R.S.) dated Feb 11-98
 committee on _____, bill/subject

Please Allow 9 month Employees
 That are Permanent to enjoy The
 Benefit of 9 months = 1 year under
 P.E.R.S. This would MEAN a lot at
 Retirement Time! These Folks do
 Not have Summer employment in
 Small Villages and Towns and must
 stretch their paychecks over a
 Full 12 months. Most do not work
 during School Vacations, also. Please
 Give School Employees A BREAK.

Signed: [Signature]

Testifier

Delta Creek School District Support Staff

Representing (Optional)

Box 186 Delta Junction, Alaska

Address

Message 907-895-4813

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the _____

committee name

committee on HB 323, dated 2/11/98
bill/subject

Please consider passing this bill - it is the only way to make this situation equitable for school employees & others that are affected. We do not qualify for unemployment or a full years PERS as part-year employees. Other season employees across the state are compensated in some way. Please look closely at this bill - Thank you

Signed: Melinda Eggleston
Testifier

Representing (Optional)

P.O. Box 702 Delta Jct - AK

Address

907 845 4332

Phone No.

TESTIMONY IN SUPPORT OF HB 323

In asking for your SUPPORT of HB 323, non-certificated school employees are seeking a move toward EQUITY with other education, state and seasonal employees. You, as legislators are afforded this benefit for a 121 day work year, as are your legislative aides and other legislative employees. City and Borough elected officials receive a full year's credit in PERS unless otherwise compensated when by their choice they have the option to waive out of PERS. School Board members who meet an average of two (2) to (3) times a month receive a full year's retirement under PERS. We work approximately 180 days plus and DO NOT receive a full year's credit in PERS!

Other seasonal employees across the State, such as those employed by the Highway Department, Fish and Game, Forestry, do not receive a full year's credit under PERS, but they are otherwise compensated by being ELIGIBLE for UNEMPLOYMENT BENEFITS when they are NOT working. We are NOT even allowed to collect unemployment. Even the most aggressive job seekers amongst us cannot find employers, who pay more than the minimum wage, to hire us (no matter how qualified) for a two (2) to three (3) month period in the Summer!

Privately contracted school employees, such as bus drivers work less hours per day, as a rule, but the exact same work year, and though not in PERS, they too are eligible for UNEMPLOYMENT COMPENSATION, while we are NOT!

Prior to about 1992, many more non-certificated school employees were twelve-month employees thereby eligible for a year-for-a-year's credit in PERS. With Districts receiving less and less funding for education year after year, they have sought to recoup financially by slashing our hours, benefits, and work years, etc. I began nineteen years ago as a nine-month school employee and my work year has been methodically eroded to a bare eight (8) months for my efforts! As education continues to be inadequately funded, we see more and more districts, with your support looking to the RIP to alleviate their financial stress by having more and more employees of longevity, certificated and non-certificated, retiring. These are usually the folks at the top of the salary schedule, so the savings can be tremendous. What some people don't realize is that unlike certificated employees, it can cost the districts more to pay our three (3) years than they save by offering us the RIP because they have to pay PERS for a full twelve month year for each of the three years whether we work twelve (12) months or NOT. Usually NOT.

Non-certificated employees have been penalized long enough! When there are budget crunches in school districts, we are "selected" as the first to be hit. We have a history of being discriminated against in the areas of benefits, unemployment compensation, job security, contracting out, the right to bargain, and this, retirement credit in PERS!

We are not asking for charity, but simply a benefit afforded other education, state and seasonal employees! After working in the same school job for nineteen (19) years, I currently only have just over seven and a half (7 1/2) year's retirement credit in PERS! I had to wait until I was "permitted" to bargain, in 1989, before I even got into PERS. Non-certificated school employees with twenty (20) to thirty (30) years in their jobs can't AFFORD to retire unless they brought PERS credit with them from a previous employer. I am almost fifty (50) and after nineteen years have only 7 seven plus years of retirement credit. You do the math, I figure that I may not even LIVE LONG ENOUGH to see retirement!!

I am a professional as are my co-workers and members. We only ask that you treat us as professionals with EQUAL RIGHTS under the law. Please don't continue this INEQUITY. Let this Legislature be known as a body of fairness and foresight, NOT one that chooses to continue the INEQUITIES of the past!

PLEASE DO PASS HB 323!! Thank you for your time.

Jackie Nelson-Lizardi Jackie Nelson-Lizardi
President, DEESPA
HC 60 Bx 4180
Delta Jct, AK 99737
(907) 895-4317



Alaska State Legislature

Please enter into the record my testimony to the House Labor + Commerce
 committee name
 committee on HB 323, dated 2/11/98
 bill/subject

Dear Members of the House Labor & Commerce Committee:

Thank you for listening to testimony from Delta Junction this afternoon. I am submitting my written statement rather than taking the chance that our site would not be called on once more for testimony. I will be brief with this written statement.

You have been listening to logical rationale to support HB 323. I agree with these support comments submitted. The inequity issues need to be corrected because it is the right thing to do. Passing HB 323 out of your committee with your personal and collective support will do away with our classified school district employees from having to work 18 years to earn a meager 7 years of retirement credit. It should not take 45 school calendar years to earn a retirement for one category of employees.

*Thank you,
 Mary Bohanan*

Signed: Mary Bohanan
 Testifier

teachers + all school employees
 Representing (Optional)

P.O. Box 1164, Delta Junction, AK 99731
 Address

(907) 895-4379
 Phone No.



Alaska State Legislature

Please enter into the record my testimony to the House Labor + Commerce
 committee on HB 323, dated Feb 11, 1998.
committee name House Hess
bill/ subject

In support of this HB 323 we ask that you please pass this so we as non certificated can get proper retirement from pens when we are eligible. I feel as if I am a 2nd rate employe. I work 9 months a year as Ies teachers and other state employes but they get a years credit for retirement. I am in pens and have been since 1989 which we had to fight to get. During the summer we can not get un employment. it is hard to make it on what we make and then have to work longer before we can retire. please pass this HB 323

Signed:

David B. [Signature]

Testifier

Representing (Optional)

P.O. Box 1095, Delta Jet

Address

895-4710

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the House/Labor Commerce
committee name
committee on HB 323, dated Feb. 11, 1998.
bill/ subject

I am asking for your support of HB 323.
It is frustrating to see others receiving a full years credit
in PERS and they are only seasonal workers, such as legislators
and their aides.

Teachers receive a full year in TRS, but do not work a full year.
Why am I receiving less. I am a teachers aide and have worked
13 years in our school district. I am just now vested in PERS.
I began working when I was 24 years old I am now 38 and have
only 5 years into a retirement system. That is not right.

I am not even eligible for unemployment and it is difficult, almost
impossible to find decent employment for the 2 and a half summer
months that school is out.

I put in 180 working days per school year, sometimes more, yet other
state employees and elected officials put in only 121 days per year
and receive credit for a full year.

I am only asking for the same. No more, no less.

PLEASE PASS HB 323 OUT OF COMMITTEE

Thank you for your time.

Signed:

Jan B. Wiegley
Testifier
ESP

Representing (Optional)
PO. B. 1036 Delta Jct., Alaska 99737

Address
895-4033

Phone No.

02-11-98P04:57 RCVD

Please fax this letter to the House, Labor and Commerce Committee regarding HB323. Thank you for your assistance.

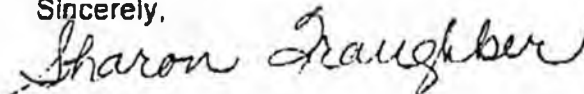
February 11, 1998

To Whom It May Concern,

It has come to my attention that HB323 addresses the issue of PERS participants receiving a year's credit for a year's employment. This has been an area that I believe is an inequity for many employees throughout the State of Alaska. This is my fourteenth year to work for the Kenai Peninsula Borough School District and currently I have credit for only 10 years. When I realize that my contract is actually longer than teachers in the same district I feel a sense of resentment. As I get closer to a retirement age I realize that this issue truly needs to be resolved. I would encourage you to pass this bill with a wording for retroactive capabilities that would restore the months each year that have not been credited to me.

Thank you for your consideration.

Sincerely,



Sharon Traugber
907-776-3456 (daytime number)
907-776-8295 (evening number)

02-11-98 04:57 RCVD

Date: February 11, 1998

To: House/Labor and Commerce Committee

From: Support Staff
North Star Elementary
Kenai Peninsula Borough School District

Phone: 907-776-5575

We strongly support HB 323 and urge you to pass this. As it stands now when we work 9 or 10 months out of the year we only are credited with just that. Whereas, teachers, school board member, etc. work like we do and get one full year credited to their retirement. This is an inequitable sitting for us that are the support staff.

Thank you for your hard work and supporting us as a group.

Celestina L. Stano	Celestina L. Stano	P.O. Box 3570 Kenai, 99611 776-8871
Joan L. Kimball	Joan L. Kimball	P.O. Box 8066 Nikiski, AK 99635-7284
Patricia L. Gallien	Patricia L. Gallien	P.O. 3243 Kenai, AK 99611
Robin L. Traxinger	Robin L. Traxinger	P.O. Box 8094 Nikiski, AK 99635

Marty Ragan

P. O. Box 7592

Nikiski, Alaska 99635

February 10, 1998

House Labor & Commerce Committee
Juneau, Alaska

RE: H. B. #323
"Year for School Year Retirement Credit"

Dear Legislator:

I ask for your support on the passage of H.B. #323.

I have been a secretary for the Kenai Peninsula Borough School District for the past fourteen (14) years.

During this time I have witnessed the dedication and selflessness displayed by the secretaries in the school district. Overtime is a thing of the past - but the work load keeps increasing. Many secretaries are putting in endless hours of overtime just to keep things flowing and on an even keel - while still having time to deal with students, parents, and various community and intervention agencies. There have been many times that I've put in 10-12 hour days. Some times to complete scheduling, or do grades for Parent/Teacher Conferences so the report cards will be ready for them. But mostly, it is just to keep up with the day-to-day work. (Approximately 50 hours/week - sometimes even more.)

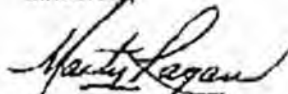
I contacted the Public Employees Retirement System recently. After deducting for the supplemental health care & indebtedness for the RIP, I would receive approximately \$270 per month. (Under PERS my credited service is 11 years towards retirement.)

A little known fact is that while we may elect to have our salaries distributed to us over twelve months instead of nine, (contrary to popular belief) we are not paid for the summer months, nor are we eligible to draw unemployment.

It is time that these dedicated professionals be given credit for their service and contribution to our students, schools, and communities by giving them a full years retirement credit for each school year served.

I would like to thank Rep. Tom Brice for sponsoring this bill and the rest of the committee for giving me a chance to voice my support for H.B. #323.

Sincerely,



Marty Ragan
Counseling Secretary
Nikiski High School
Nikiski, Alaska
(907) 776-9435

02-11-98P02157 RCVD

2/11/98

I SUPPORT HOUSE BILL 323

Murphy & Patterson ~~En~~

INSTRUCTIONAL AIDE

NOOVIK SCHOOL

2-11-98 P.03

I Support House Bill 323

02-11-98 11:02 / RCV

Panel Board
Custodian
Mason School

02-11-98P02:58 RCVD

February 11, 1998

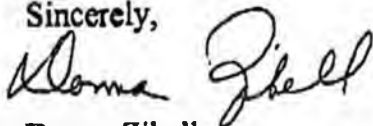
Re: House Bill 323

I would like to express my support of House Bill 323 regarding calculating credit for noncertificated employees.

Having been employed in the school system since August 1974, I favor any recognition and benefits that can be afforded noncertificated employees since they are a vital support system in our schools.

Thank you for your consideration in this matter.

Sincerely,



Donna Zibell
Secretary
Noorvik Schools

Author: kathyh@northstar.k12.ak.us (kathy hughes) at CC2MHS1

Date: 2/11/98 3:40 PM

Priority: Normal

TO: Representative Norman Rokeberg at LAA_TRANS

CC: fssba@aurora.alaska.edu at CC2MHS1

Subject: HB 323 - PERS - Retirement Credit for School-Term Employees

When school classified employees ask what benefit improvements they would like to see, the #1 response that we get is FULL YEAR RETIREMENT CREDIT FOR EACH SCHOOL YEAR WORKED!

This bill is very workable and employees are willing to make the contribution required to make it actuarially sound. School classified employees are unfairly disadvantaged when they cannot receive unemployment pay like other seasonal workers nor can they receive a full year credit for having worked a school year.

There are numerous exceptions within the PERS to accommodate other groups of employees. This bill would affect over 2,000 dedicated classified school workers who have to work 40 school years to earn the full 30 years worth of credit for retirement.

Thank you.

Susan Annis

348 Terrace Drive

Fairbanks, AK 99712

(907) 457-5726

February 12, 1998

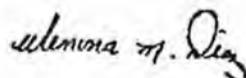
House Labor and Commerce Committee
REF: HB 323

Dear Representative:

Please submit this as written testimony in support of HB 323.

I am an Administrative Secretary I for the Student Nutrition Services/Kenai Peninsula Borough School District. I am a 10 month employee and strongly believe that all nine, ten and eleven month employees should receive one year credit towards retirement for each school year worked, along with their certificated counterparts.

Sincerely,



Wenona M. Diaz
P.O. Box 885
Kenai, AK 99611
(907) 283-4244

February 12, 1998

House Labor and Commerce Committee
REF: HB 323

Dear Representative:

Please submit this as written testimony in support of HB 323.

I am a *Free/Reduced National School Meals Benefits Administrative Secretary* for the Student Nutrition Services/Kenai Peninsula Borough School District. I am a 9 month employee and strongly believe that all nine, ten and eleven month employees should receive one year credit towards retirement for each school year worked, along with their certificated counterparts.

Sincerely,



Teena H. Bunnell
P.O. Box 728
Sterling, AK 99672
(907) 262-7909

February 12, 1998

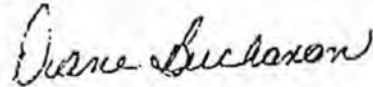
House Labor and Commerce Committee
REF: HB 323

Dear Representative:

Please submit this as written testimony in support of HB 323.

I am the Cashier Coordinator for the Student Nutrition Services/Kenai Peninsula Borough School District. I am a 10 month employee and strongly believe that all nine, ten and eleven month employees should receive one year credit towards retirement for each school year worked, along with their certificated counterparts.

Sincerely,



Diane Buchanan
P.O. 4438
Soldotna, AK 99669
(907) 262-1466

Author: fgwd@dgsdmail.dgsd.k12.ak.us (Bill Dunham) at CC2MHS1

Date: 2/11/98 9:11 PM

Priority: Normal

TO: Representative Norman Rokeberg at LAA_TRANS

Subject: HB 323

Dear Mr. Rokeberg:

I am writing in support of HB 323 which gives a year's credited service in PERS for an academic year in a school system.

Other state employees have this benefit, and rightfully so since it is very difficult to find short term summer work which augments PERS benefits to any meaningful degree.

Non-certificated employees are extremely valuable to all school districts who need the best that they can get. Working eight years to get six years' PERS credit is unattractive, at best, to the most qualified of these employees, and makes hiring good people more difficult.

Please get this bill passed so that our non-certificated school personnel can get what they deserve, and what others have already received.

Sincerely,
William F. Dunham

February 12, 1998


House Labor and Commerce Committee
REF: HB 323

Dear Representative:

Please submit this as written testimony in support of HB 323.

I am a Storekeeper for the Student Nutrition Services/Kenai Peninsula Borough School District. I am a 10 month employee and strongly believe that all nine, ten and eleven month employees should receive one year credit towards retirement for each school year worked, along with their certificated counterparts.

Sincerely,

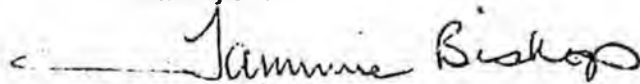


Kirk Williams
P.O. 7405
Nikiski, AK 99635
(907) 776-5455

Please submit this comment to the House Labor and Commerce Committee:
Norm Rokeberg, Chair
John Cowdry
Bill Hudson
Joe Ryan
Jerry Sanders
Tom Brice
Bene Kubina

I urge you to support HB 323 recalculating the retirement credits for the educational support staff to receive a **FULL** year of credit for one year of work. The support staff at the schools are full time employees. We are not eligible to apply for unemployment while we are off during the summer. Teachers, administrators and School Board Members receive a **FULL** year of credit to their retirement account for each school year ~~that~~ that they work. I feel that is in only fair and equitable for the support staff in public service to receive a **FULL** year of credit in PERS. I thank you for your consideration to this bill and for passing HB 323.

Thank you.



Tammie Bishop
PO Box 453
Homer, AK 99603
235-1520

wk - 235 - 5186

Please submit this comment to the House Labor and Commerce Committee
Norm Rokeberg Chair
John Cowdry
Bill Hudson
Joe Ryan
Jerry Sanders
Tom Brice
Bene Kubina

I strongly urge you to support HB 323 recalculating the retirement credits for the educational support staff to receive a full year of credit for one year of work. The support staff at the schools are full time employees. We are not eligible to apply for unemployment while we are off during the summer. School Board Members receive a full year of credit to their retirement account for each school year. I feel this is grossly unfair. I thank you for your consideration to this bill and for passing HB 323.

Thank you.

Emma Borok (Morris)
PO Box 1410
Homer, Alaska 99603
235-8024

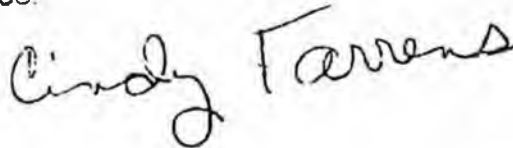
Emma Borok

wk 235-8786

Please submit this comment to the House: Labor and Commerce Committee
Norm Rokeberg Chair
John Cowdry
Bill Hudson
Joe Ryan
Jerry Sanders
Tom Brice
Bene Kubina

Please support HB 323 to recalculate retirement credits for educational support staff to receive one years credit for one years work. School support staff are full time employees that are not eligible for unemployment while not working in the summer. All other school staff receive a full years credit to their retirement for each school year worked. Also School Board members receive this credit for each school year. For each year in public service, we would like a full years credit in PERS. Thank you for passing HB 323 from your committee.

Thank you, Cindy Farrens
PO Box 3821
Homer, AK 99603
235-2166



The following comment is in regards to HB 323. Please submit to the house Labor and Commerce Committee:

Norm Rokeberg, Chair
John Cowdry
Bill Hudson
Joe Ryan
Jerry Sanders
Tom Brice
Bene Kubina

I urge you to support HB 323 which would allow school district employees who are under PEFS to get one year's credit for each school year worked. All other PERS employees get a full year's credit for each school year worked. Also, other seasonal school district employees can apply for unemployment when they are not working. That is not an option for school support staff. We would like a full year's credit in PERS for each year in public service. Thank you for passing HB 323 from your committee.

Daryl Farrons
PO Box 3821
Homer, AK 99603
235-2166

lk - 235-6090

FAX

PO Box 5022
Nikolaevsk, AK 99558-5022

Date 02/10/98
Number of pages including cover sheet 2

To: Rep. Norman Rokeberg
House Labor &
Commerce Committee
State of Alaska
House of
Representatives
Juneau, AK
Phone _____
Fax Phone (907) 465-2040
CC: _____

From: Karson D. Dorvall
Leobof A. Dorvall

Phone (907) 235-6983
Fax Phone (907) 235-2731

REMARKS:

Urgent For your review Reply ASAP Please comment

Please include the accompanying letter in the public hearing on HB 323

Thank You

Karson D. Dorvall
Leobof A. Dorvall
PO Box 5022
Nikolaevsk, AK 99556-5022
February 10, 1998

House Labor & Commerce Committee
Representative Norman Rokeberg - Chairman
Juneau, AK

Mr. Chairman & Committee

I write to you today to voice my support for HB323. I feel it is past time that this unfairness in the Public Employees Retirement System (PERS) is made right. I call it unfair for a number of reasons:

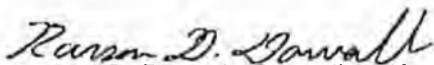
- Myself, a support employee of the Kenai Peninsula Borough School District (KPBSD), I must work 24 school years to earn a 20 year retirement. Many of my coworkers must work longer (26 - 28 years) to earn a 20 year retirement. Those employees who work less than 8hrs a day, (6 -7) even longer. I say 8 hour employees, but ask any of them and they'll tell you they put in a lot more than that, in which they receive no compensation at all.
- Being a 9 -10 month employee it is difficult if not impossible to find work during the summer break. Conflicts with starting dates, and dates we must report back for work, make us an unlikely candidate for hire. (not all school employees run charter boats or are commercial fishers)
- Being a school district employee, we cannot collect unemployment compensation during this down time, even though we have it deducted from our checks. This period is in actuality a forced layoff, and should qualify.

The school district employees have suffered for years with minimal wage increases, while the cost of living has eroded their purchasing power. Myself, my wife and I both work, over half of my wife's paycheck goes to pay for child care, I have to work another part time job to make ends meet. Depriving my children of the quality time they deserve with their parents.

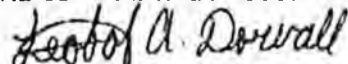
HB 323 will not solve all the problems of public employees, but it will go a long way in setting this right.

I ask that you support this Bill.

Respectfully



Karson D. Dorvall - Custodian, Kenai Peninsula Borough School District



Leobof A. Dorvall - Bilingual Instructor, Kenai Peninsula Borough School District

0125-00001 82
39410 Strawberry Road
Kenai, Alaska 99611
March 30, 1998

House Labor and Commerce Committee
Alaska House of Representatives
Juneau, Alaska

Dear Chairman Rokeberg, Vice-Chair Cowdery, and Committee members:

I am writing to protest the disrespectful manner in which Mrs. Karen Mahurin and Ms. Sharon Cartner were treated when they flew to Juneau to testify in person regarding the retirement bill that was before your committee. Both of these citizens are elected representatives of hundreds of public employees. They took time away from their jobs to fly to Juneau. Mrs. Mahurin, representing the Kenai Peninsula Educational Support Employees, is from Kenai and Ms. Cartner is from Fairbanks. The committee was informed of their presence and desire to be heard by Rep. Brice after the bill was brought to the table and opened for discussion.

Before they spoke, while testimony from the call-in sites was being taken, five of the committee members left the room! At 5:05 P.M. when Mrs. Mahurin and Ms. Cartner were asked to testify, only Chairman Rokeberg and Rep. Brice remained. Their testimony was completed by 5:20. No matter what the excuse was to leave, consideration should have been given to the circumstances. The treatment of these two women was rude. Who hasn't "stayed late" out of courtesy to a client, patient, or visitor who traveled to get there?

All of us who work for the public OWE them our attention, even when it's not convenient. That's just the way it is. When we tell people to get involved and to make their voices heard, we have to be there to listen. It cost someone time and money for these two people to travel to where your committee is meeting. No doubt, they thought that traveling the distance would give weight to their words. Only two of you heard what they had to say and one of those, Rep. Brice, already knew. This is not the way Alaskans treat each other. We don't have to agree on everything, but we do have a right to be heard and to be treated with respect. This didn't happen to Mrs. Karen Mahurin and Ms. Sharon Cartner.

Yours truly,


Sherry Innes

GASTINEAU SCHOOL
10014 CRAZY HORSE DRIVE
JUNEAU, AK 99801

FACSIMILE TRANSMISSION

DATE: 3/24/98

FAX 465-2040
OF PAGES 2

TO: Office of
Norman Rokelberg

FROM: Juneau Education
Support Staff

REGARDING: Support for HB 323 & 322

IF YOU HAVE TROUBLE RECEIVING THIS FACSIMILE
TRANSMISSION PLEASE CALL GASTINEAU SCHOOL AT
(907) 463-1999

FAX # 463-1997 PRINCIPAL: KATHY ODEGAARD

State Capitol

Representative Tom Brice

Alaska State Legislature

March 23, 1993

The classified staff at Gastineau Elementary who work nine, ten, or eleven months out of the year support HB 323 and HB 322.

Karla L. Maior, Deaf Education
Sign Language Interpreter

Jason A. Thomas, Special Education Assistant

Aaron J. D. Clair Clerk Assistant

Toni Mallott

Arlene Fiel - Admin. Assistant

Christine Conway Special Education Assistant

Darren Snyder - Recess Duty Aide and RALLY Rec. Leader

Robert Colton

Vera Ballou ESL

Pat Marlin ESL

Ken Campbell - Special Education Asst./Speech asst.

Kathleen Lyden Clerk

Marvin A. Kenter Technology Assistant

Rosemary Enderle - Sp. Ed. Asst.

Author: susana@northstar.k12.ak.us at CC2MHS1

Date: 2/11/98 4:34 PM

Priority: Normal

TO: Representative Bill Hudson at LAA_CAP, Representative Joe Ryan at LAA_TRANS,
Representative Jerry Sanders at LAA_TRANS, Representative Norman Rokeberg at LAA_TRANS,
Representative John Cowdery at LAA_TRANS, Representative Tom Brice at LAA_TRANS,
Representative_Gene_Kubina@legis.state.ak.us at CC2MHS1

Subject: HB 323 - PERS Retirement Credit for School Term Employees

When school classified employees are asked what benefit improvements they would like to see, the #1 response that we get is FULL YEAR RETIREMENT CREDIT FOR EACH SCHOOL YEAR WORKED!

This bill is very workable and employees are willing to make the contribution required to make it actuarially sound. School classified employees are unfairly disadvantaged when they cannot receive unemployment pay like other seasonal workers nor can they receive a full year credit for having worked a school year.

There are numerous exceptions within the PERS to accommodate other groups of employees. This bill would affect over 2,000 dedicated classified school workers who have to work 40 school years to earn the full 30 years worth of credit for retirement. Please support this bill.

Thank you.

Susan Annis
348 Terrace Drive
Fairbanks, AK 99712
(907) 457-5726

AGENDA
February 11, 1998

Good Afternoon

This Meeting Of The House Labor & Commerce Committee Is Called To Order
On February 11, 1998 At 3:15 P.M.

For The Record The Committee Members Present or on Teleconference are:

Rep. Norman Rokeberg, Chairman

Rep. John Cowdery, Vice Chairman

Rep. Bill Hudson

Rep. Joe Ryan

Rep. Jerry Sanders

(Time).

Rep. Tom Brice

Rep. Gene Kubina

Committee Secretary, Paula Smedley

If A Committee Member Arrives Late Announce:

Representative (Name) Has (Joined) (Left) The Committee At

A Quorum (Is) (Is Not) Present.

On Today's Calendar We Have:

SB 110 Licensing of Landscape Architects

***HB 225 Approval of Public Employees Agreements 1st Hearing**

***HB 323 PERS Credit For Noncertificated Employees 1st Hearing**

Anyone Wishing To Testify On SB 110, HB 225 or HB 323 and Who Has Not Already Done So, Please Sign The Witness Register For The Secretary, Printing Your Name, Address, Telephone Number, Agency Or Business And Title.

Witness Testimony Will be Limited To 3 to 5 minutes

- 1. SB 110 Licensing of Landscape Architects**
Sponsor: Sen Jerry Mackie

We have a House Labor and Commerce Committee substitute today for SB 110. The CS contains the amendments we talked about at our meeting last week and again on Monday.

Unless anyone has anything further to add I will close the public hearing on SB 110.

The Chair will entertain a motion to adopt Version O-LS0634\Q, dated 2/11/98 for SB 110.

Are there any objections? Hearing no objections Version Q is adopted.
Is there further debate by members of the committee? (YES NO)

The Chair will entertain a motion to adopt House Labor and Commerce Committee Substitute for SB 110 with individual recommendation and the attached fiscal note.

2. HB 225 Approval of Public Employees Agreements 1st Hearing
Sponsor: Rep Bill Hudson
Teleconference

3. HB 323 PERS Credit For Noncertificated Employees 1st Hearing
Sponsor: Rep Tom Brice
Teleconference

Take Testimony In Order, Recognizing Each Witness By Name:

1. Other Legislators (Ask Other Legislators To Join The Committee At The Table)
2. Individuals With Time Constraints
3. Individuals In Order On Witness List.
4. Teleconferenced Testimony Should Be Rotated Between Locations.
(Teleconference Moderator Will Provide You With A List Of Witnesses
At The Various Locations)

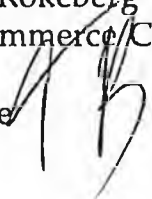
THIS COMMITTEE STANDS AJOURNED AT (time)

Representative Tom Brice
ALASKA STATE LEGISLATURE

119 N. Cushman, Ste. 205
Fairbanks, AK 99701
907-456-7423 / Fax: 451-9293
While in Juneau
State Capitol
Juneau, AK 99801-1182
907-465-3466

Memorandum

To: Representative Norman Rokeberg
Chairman, Labor and Commerce Committee

From: Representative Tom Brice 

Date: February 5, 1998

RE: HB 323: PERS Credit for noncertificated employees

I respectfully request that this bill is scheduled for a hearing in your committee.



02-05-98 10:31:23 RCVD



Representative Tom Brice

ALASKA STATE LEGISLATURE

119 N. Cushman, Ste. 205
Fairbanks, AK 99701
907-456-7423 / Fax: 451-9293
While in Juneau
State Capitol
Juneau, AK 99801-1182
907-465-3466

REPRESENTATIVE TOM BRICE SPONSOR STATEMENT for HB 323

Alaska has many noncertificated employees in our schools who work nine, ten or eleven months out of the year along with thier certificated counterparts. These noncertificated employees however are not allowed to receive the full year toward retirement as their counterparts.

This bill addresses the inequity in State law and PERS system by placing noncertificated school district employees who work a comparable amount of days in the same category of certificated employees. This bill will allow those noncertificated school district employees to receive the same amount of credit toward retirement as those certificated employees who work the same amount of time and receive a full year of credit toward retirement.

Thank you for your consideration.



LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

January 21, 1998

SUBJECT: Sectional Summary of HB 323. (Calculation of credited service in PERS for noncertificated employees of schools)

TO: Representative Tom Brice
Attn: Scott

FROM: Teresa B. Cramer *TBC*
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1 amends AS 39.35.300, concerning employment with the state, to require that when determining how long a noncertificated employee of a state boarding school has worked in a year, the formula that is set out in the Teachers' Retirement System (TRS) for figuring credited service for members of TRS is to be used. Under that formula, an employee who works 172 days or more in a year is entitled to a full year of credited service. A year is figured from July 1 to June 30.

Sec. 2 makes similar changes to AS 39.35.310, concerning employment with other employers under the Public Employees' Retirement System. As amended by sec. 2, it requires that when determining how long a noncertificated employee of a school district or regional educational attendance area has worked in a year, the formula that is set out in TRS for figuring credited service for members of TRS is to be used.

Sec. 3 provides that the Act takes effect July 1, 1998.

TC:jdr
98-024.jdr

HB

324

HOUSE COMMITTEE REPORT

(7)
Date Referred to Committee: January 16, 1998

FURTHER REFERRALS:

Judiciary

Date of Committee Action: 3/28/98

The LABOR AND COMMERCE Committee considered:

HB 324

HOUSE BILL NO. 324

MUNICIPAL LIEN FOR UTILITY IMPROVEMENTS

"An Act relating to liens for municipal assessments for certain utility improvements."

recommends it be replaced with the following committee substitute CS HB 324 (NC) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) DCRA

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>John J. Condeery</i>	✓			
<i>Gene Keckman</i>			✓	
<i>Joe Ryan</i>	✓			
<i>Bill Huds</i>			✓	
<i>Norm Roky</i>	✓			

CHAIR'S SIGNATURE

Norm Roky

3-27-98



REPRESENTATIVE SCOTT OGAN

Alaska State Legislature

House District 27 • Palmer • Greater Palmer • Sutton • Chickaloon • Sheep Mountain

SPONSOR STATEMENT HB-324

A handwritten signature in blue ink, appearing to be "S. Ogan", written over the title of the statement.

I have introduced HB-324 for two reasons.

First, I heard from a number of constituents who stated they did not feel they could afford the Borough assessment on their property as a result of Enstar running a gas line they neither, wanted or needed across their land.

The second reason has to do with a private company directly benefiting from leverage by a public government through a process of attaching liens to property when owners fail to pay the assessment fee established by the Borough.

Other procedural matters such as citizen's failure to provide a written objection to LID plans being counted as support for the plan are also troubling. Imagine if every person who did not vote was counted as a tally for political incumbents.

I support affordable energy. I support utility development. I support free enterprise.

I am hopeful the Borough can work with citizens and develop a program to protect those who can not afford the assessment for a service they neither need nor want.

It is my understanding that in Alaska assessments for public utilities must be fair and equitable based on the benefits that accrue to the parties involved. Unlike a paved road or other improvement which people might derive an equal benefit from, a gas line is not of the same benefit to someone who does not hook up as it is to one who does. Therefore the equal assessment / benefit clause is not entirely applicable.

It would seem there are other alternatives to provide assessments (based on benefits) for this type of situation which are permissible under the law.

I have no problem with providing incentives to those who hook up early or penalties for those who hook up late. I have no problem with applying a higher value to property if a public improvement indirectly adds value to the owner.

I do have a problem with forcing a person to choose to either hook up to a private utility or lose their property. Especially, when they do not need, desire, nor can afford either the hook up or the assessment. There is no legislative precedent, nor history to support this type of action by any subdivision of the State.

Bill Text



BILL ID: HB 324

00 HOUSE BILL NO. 324

01 "An Act relating to liens for municipal assessments for certain utility
02 improvements."

03 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

04 * **Section 1.** AS 29.10.200 is amended by adding a new paragraph to read:

05 (54) AS 29.46.080(d) (limitation on assessment liens).

06 * **Sec. 2.** AS 29.46.080(c) is amended to read:

07 (c) **Except as provided in (d) of this section, assessments [ASSESSMENTS]**
08 are liens on the property assessed and are prior and paramount to all liens excep
09 municipal tax liens. They may be enforced as provided in AS 29.45.320 - 29.45.47
10 for enforcement of property tax liens.

11 * **Sec. 3.** AS 29.46.080 is amended by adding a new subsection to read:

12 (d) A municipality may not, under (c) of this section, place a lien on th
13 property assessed for utility improvements unless the utility service is provided
14 municipally owned utility or an organization, including a cooperative, that requi
01 membership as a condition of obtaining utility service from the organization. Th
02 subsection applies to home rule and general law municipalities.

Bill Root:

[Return to BASIS Main Menu\(20th Legislature\)](#)
BASIS Last Updated 1/19/98 10:51 AM

Thomas and Shirley Armstrong
6430 East 9 th Avenue
Anchorage, Alaska 99504

September 16, 1996

Matanuska-Susitna Borough
Attn: Ms. Cindy Zinck, Finance Division
350 East Dahlia Avenue
Palmer, Alaska 99645-6488

Subject: Seymour Lake Natural Gas Local Improvement District for Natural Gas Distribution Lines Installation.

Dear Ms. Zinck:

In accordance with your notification letter dated August 9, 1996, please consider this letter our formal notification of objection to the creation of the improvement district and the assessment for this district.

Our property is recreational property with a rustic log cabin without utilities. This property is not utilized as a primary dwelling. This property and others used as recreational properties should not be included in the proposed improvement district. We are convinced that the footprint of the proposed district was designed to take advantage of those property owners who do not reside or vote in the Mat-Su borough by including non resident owners recreational property to defray local resident's cost.

In addition it appears to us that the ordinance allowing creation of capital improvement districts does not specifically allow the borough to create an improvement district for a private business. The ordinance and state law AS 29.46.010 allowing improvement districts was enacted to allow cities and boroughs to provide water and sewer, sidewalks, storm drains, sidewalks, roads, etc. as public facilities. (In the notes to the law by the attorney general the only distinction between taxes and special assessments is that tax expenditures must benefit the whole and special assessments benefit a particular property but both must be expended for a governmental purpose.) Utility projects such as those listed above are normally provided by cities, municipalities, and boroughs to advance a public purpose. The difference here is that the borough is not building the project, bonding the project, and will not own the project. What we have is the property owners are building a pipeline for a private business, the borough is acting as the go-between, and we property owners will not own nor will we have a say in how the pipeline is built and operated. When the borough collects our money, assessments like taxes come under borough management and carry with it certain responsibilities to the property owners. It is not appropriate for the borough to involved with a for profit venture.

It appears to us that the borough maybe stretching the application of the state law by including natural gas pipelines as allowable under the AS 29.46.010. For example the borough did not intervene on behalf of Matanuska Electric and create a special improvement district when property owners around the lake wanted electricity. If property owners wanted electricity, they had to pay the cost of placing poles. The property owners got their neighbors together who wanted electricity and were willing to participate and pay for the poles and the poles were placed.

The Mat-Su borough is not building the pipeline and is clearly acting to provide a private business with preferential treatment by allowing that business to utilize a law that was created for the specific use of a governmental unit to provide for utilities and the borough is also acting as the collection agency for that company.

From the standpoint of public policy, it seems to us that the very first public works project that should be scheduled for this area is sewer because of the number of year around housing units that have been built over the years. Pollution of the lake should be your number 1 priority.

Sincerely,

Thomas & Shirley Armstrong

0-LS1150B
Cook
3/25/98

CS FOR HOUSE BILL NO. 324(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered:
Referred:

Sponsor(s): **REPRESENTATIVES OGAN, Kohring**

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to deferral of certain municipal assessment payments."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1. AS 29.46.020 is amended by adding a new subsection to read:**

4 (d) A municipality may by ordinance provide for deferral of payment of all or
5 part of the assessments on real property owned and occupied as the primary residence
6 and permanent place of abode by a resident who is elderly or economically
7 disadvantaged as determined under criteria established in the ordinance. The
8 assessment becomes due when the property ceases to be owned by the resident who
9 qualified for the deferral.

word in this sense is particularly defined by the statute 5 & 6 Wm. IV, c. 76, §§ 9, 13. A representative of a borough or town, in parliament. The term now has no local government significance.

Burgess roll. A roll, required by the St. 5 & 6 Wm. IV, c. 76, to be kept in corporate towns or boroughs, of the names of burgesses entitled to certain new rights conferred by that act.

Burgh-breche /bǝrg-briych/. A fine imposed on the community of a town, for a breach of the peace, etc.

Burgh English /bǝrg ɪŋglɪsh/. See **Borough English**.

Burgh Engloys /bǝrg ɪŋglɔɪz/. **Borough English** (q.v.).

Burghmote /bǝrgmōwt/. In Saxon law, a court of justice held semi-annually by the bishop or lord in a *burg*, which the thanes were bound to attend without summons.

Burglar. One who commits burglary.

Burglariously /bǝrglɛriəsli/. See **Burglariter**.

Burglariter /bǝrglɛrɛdɪt/. L. Lat. (**Burglariously**). In old criminal pleading, a necessary word in indictments for burglary.

Burglary. At common law, the crime of burglary consisted of a breaking and entering of a dwelling house of another in the nighttime with the intent to commit a felony therein. The modern statutory definitions of the crime are much less restrictive. For example, they commonly require no breaking and encompass entry at all times of all kinds of structures. In addition, certain state statutes classify the crime into first, second, and even third, degree burglary.

A person is guilty of burglary if he enters a building or occupied structure, or separately secured or occupied portion thereof, with purpose to commit a crime therein, unless the premises are at the time, open to the public or the actor is licensed or privileged to enter. It is an affirmative defense to prosecution for burglary that the building or structure was abandoned. Model Penal Code, § 221.1.

See also **Breaking**.

Burglary tools. Any implement which may be used to commit burglary though, of itself, it is designed for legitimate use, and possession of which is a crime if accompanied by the intent to use for such illegal purpose and the knowledge of its illegal use.

Burgomaster /bǝrgmæstɜr/. The title given in Germany to the chief executive officer of a borough, town, or city; corresponding to our "mayor."

Burgundian law /bǝrgændiyan lɔ/. See **Lex Burgundionum**.

Burgwhar. A burgess (q.v.).

Burial. Act or process of burying a deceased person; sepulture, interment, act of depositing a dead body in the earth, in a tomb or vault, or in the water. The act of interring the human dead.

Burial insurance. A contract based on legal consideration whereby obligor undertakes to furnish obligee or one of latter's relatives at death burial reasonably worth fixed sum.

Burial place. A portion of ground set apart for or occupied by grave, or as a grave or graveyard.

Burial purposes. Continuing care, preservation, and ornamentation of the place of interment as included in term. *People v. Rosehill Cemetery Co.*, 371 Ill. 510, 21 N.E.2d 766, 770.

Burking, burkism. Murder committed with the object of selling the cadaver for purposes of dissection, particularly and originally, by suffocating or strangling the victim.

Burning in the hand. In old English criminal law, laymen, upon being accorded the benefit of clergy, were burned with a hot iron in the brawn of the left thumb, in order that, being thus marked, they could not again claim their clergy. 4 Bl.Comm. 367. This practice was finally abolished by Stat. 19 Geo. III, c. 74; though before that time the burning was often done with a cold iron.

Bursar. A treasurer of a college.

Bursaria /bǝrsəriyɔ/ or **bursary** /bǝrsəriy/. The treasurer of collegiate or conventual bodies; or the place of receiving, paying, and accounting by the bursars. Also, monetary grant to a needy student.

Burying-ground. A place set apart for the interment of the dead; a cemetery.

Buscar /bǝskɑr/. In Saxon and old English law, seamen or mariners.

Bushel. A dry measure, containing four pecks, eight gallons, or thirty-two quarts. But the dimensions of a bushel, and the weight of a bushel of grain, etc., vary in the different states in consequence of statutory enactments.

Bushido /bu(w)shiydow/. *Jap.* The unwritten code of conduct of the *Samurai* demanding loyalty to superiors only, simplicity of living and military valor. Treachery and brutality against one's enemies, and self-sacrifice, blind loyalty and unquestioning obedience to one's superiors are cardinal characteristics of the code.

Business. Employment, occupation, profession, or commercial activity engaged in for gain or livelihood. Activity or enterprise for gain, benefit, advantage or livelihood. *Union League Club v. Johnson*, 18 Cal.2d 275, 108 P.2d 487, 490. Enterprise in which person engaged shows willingness to invest time and capital on future outcome. *Doggett v. Burnet*, 62 App.D.C. 103, 65 F.2d 191, 194. That which habitually busies or occupies or engages the time, attention, labor, and effort of persons as a principal serious concern or interest or for livelihood or profit.

See also **Association**; **Company**; **Corporation**; **Doing business**; **Joint enterprise**; **Partnership**; **Place of business**; **Trade**.

Business agent. Agent having some general supervision over general affairs. Person employed by union members to represent them in relations with business-employer.

Business bad debt. See **Business bad debts**.

Business corporation. A corporation organized for the purpose of carrying on a business for profit. *City*

A NEW CS FOR HB-324 WHICH SIMPLY AMENDS AS 29.10.200 BY ADDING:

- 1. THE AUTHORITY FOR MUNICIPALITIES TO DEFERR ASSESSMENTS INDEFINITELY FOR SENIOR CITIZENS DEEMED QUALIFIED BY THE MUNICIPALITY.**
- 2. THE AUTHORITY FOR MUNICIPALITIES TO DEFERR ASSESSMENTS FOR UP TO FOUR YEARS FOR DISADVANTAGED PROPERTY OWNERS AS IDENTIFIED BY THE MUNICIAPALITY.**

LID
Bill

Shirley

Here's the new Committee
 language for A
 CS. for HB-324
 Just have TAM delete
 all old language and
 put this in -
 Thanks
 Dave

Resolution may change borough LID process

By PAUL STUART
Frontiersman reporter

*Clarified
Meeting 9/24/97*

PALMER — An answer may be in the works to end the long struggle between neighbors that has characterized Mat-Su Borough's involvement in natural gas local improvement districts (LIDs).

The solution may lie in a resolution being drafted by Borough Manager Don Moore that would put the emphasis on looking for ways to privately finance natural gas service, before looking for help from the borough.

The struggle has been between the many residents of the borough who want natural gas service extended to their neighborhoods and those in the same areas who don't want it, or who can't afford the extra property taxes that pay for the mains to make the service available.

Presently, once the assembly approves a natural gas LID, all property owners within the LID, whether they choose to hook up to the gas or not, are assessed on their borough tax bills for equal shares of Enstar Natural Gas Co.'s costs in installing the gas main.

The money is collected by the borough to pay off bonds sold to pay Enstar for the installation.

Under the resolution being drafted by Moore, residents in an area seeking natural gas service would have to explore all possible ways to finance the needed gas line connections privately, before they could petition the assembly to form a LID.

"It's just become too comfortable for people to say that forming an LID is the only way to get gas," Moore said Sunday. "That's just not so. There are other ways." If the resolution wins as-

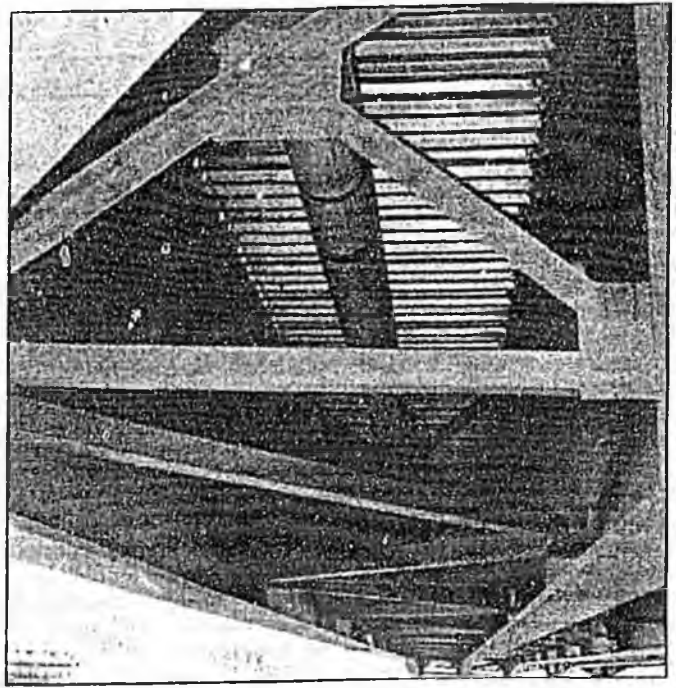
sembly passage, then only after all other reasonable ways to finance natural gas service for a neighborhood have been explored, would residents be allowed to petition the borough for formation of an LID.

Moore is hoping to bring the resolution to the assembly for consideration at its Oct. 21 meeting. He said the kinds of options he means for private financing of new gas service could be explored in meetings between Enstar, interested banks and residents who want the gas.

At the same time, the staffs of at

least two Valley legislators, Reps. Vic Kohring, R-Wasilla, and Scott Ogan, R-Palmer, are exploring possible changes to state law to give local governments more flexibility in the ways they can assess for LIDs.

Moore said if the Legislature comes up with changes in the next regular session that allow for hardship or other exemptions in assessing LID taxes, that would give the borough time to exempt qualified people, if the law is revised, in the hotly contested Falk



PAUL STUART/Frontiersman

Natural gas line crossing the Matanuska River under the recently completed George W. Palmer Bridge was paid for by Enstar Natural Gas Co. But the mains that run into subdivisions where residents want gas service must be paid for, under present law, by all the property owners — including those who don't need or want to hook up to the gas.

interest, at the end of 10 years. These are LIDs where Enstar deems at the beginning it will make up for construction costs by the sale of gas.

In the other type, contribution-in-aid LIDs, Enstar has determined it will not recover construction costs in 10 years with gas sales, and no funds are returned after 10 years, except

sometimes small amounts accrued by contributions from property owners who hook up after the LID is formed and receiving service.

These late-hookup contributions are usually about \$700, and can provide money for small refunds to customers who hooked up when the LID was formed.

PROCESS

Continued from Front Page

Lake-to-Plumley Road LID, approved by the assembly in a 4-3 vote Sept. 16.

The long-simmering natural gas LID dilemma was brought to a head this year, when Enstar was able finally to get a gas line across the Matanuska River into the Butte and Lazy Mountain area. The company paid for the state to hang it under the recently completed George W. Palmer Bridge.

This made neighborhood natural gas service possible for the first time for many neighborhoods in the Butte and Lazy Mountain, and large numbers of residents who had long wanted gas jumped at the chance to petition the assembly for formation of LIDs.

At the same time, the proposed LIDs, as usual, snagged a few residents who say they can't afford and don't want natural gas. And this time, large numbers of property owners who do want the gas told the assembly Sept. 16 they would be willing to pay extra, rather than cause hardship for their neighbors who don't want the service.

There are two basic types of natural gas LIDs. One, the refundable account type, provides for repayment of assessed money to contributors, sometimes with a small amount of

See PROCESS, Page 12

Resolution may change borough LID process

By PAUL STUART
Frontiersman reporter

PALMER — An answer may be in the works to end the long struggle between neighbors that has characterized Mat-Su Borough's involvement in natural gas local improvement districts (LIDs).

The solution may lie in a resolution being drafted by Borough Manager Don Moore that would put the emphasis on looking for ways to privately finance natural gas service, before looking for help from the borough.

Moore
Frontiersman
9/29/97

The struggle has been between the many residents of the borough who want natural gas service extended to their neighborhoods and those in the same areas who don't want it, or who can't afford the extra property taxes that pay for the mains to make the service available.

Presently, once the assembly approves a natural gas LID, all property owners within the LID, whether they choose to hook up, or the gas or not, are assessed on their borough tax bills for equal shares of Enstar Natural Gas Co.'s costs in installing the gas main.

The money is collected by the borough to pay off bonds sold to pay Enstar for the installation.

Under the resolution being drafted by Moore, residents in an area seeking natural gas service would have to explore all possible ways to finance the needed gas line connections privately, before they could petition the assembly to form a LID.

"It's just become too comfortable for people to say that forming an LID is the only way to get gas," Moore said Sunday. "That's just not so. There are other ways." If the resolution wins as-

sembly passage, then only after all other reasonable ways to finance natural gas service for a neighborhood have been explored, would residents be allowed to petition the borough for formation of an LID.

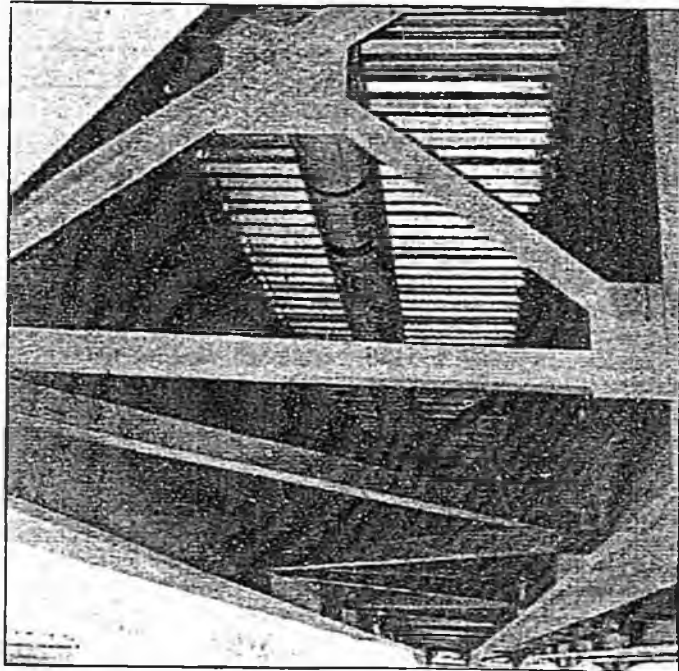
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See PROCESS, Page 12



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LID *Wassilla*
Frontiersman
9/26/97

plan works

Excluded plot hooks to gas

By PAUL STUART
Frontiersman reporter

PALMER — Last Sunday, Borough Manager Don Moore argued that natural gas service can be brought into neighborhoods using private financing, and without involving the borough government. Only two days later, Moore's point seemed to be proven, when a Butte property owner arranged to pay Enstar Natural Gas Co. to be hooked up to gas service without being part of a local improvement district (LID).

Moore made the argument in announcing he was drafting a resolution for consideration on Oct. 21 by the borough assembly for property owners who want natural gas service extended into their neighborhoods to make reasonable efforts to finance the project privately, before petitioning the borough to form an LID.

Tom Williams, owner of the Reindeer Farm in the Butte, originally was one of those protesting the formation of a natural gas LID that the borough assembly approved Sept. 16. But, as it turned out, Williams explained he was protesting on principle, not wanting to hurt his neighbors who didn't want the gas and would still be assessed if the LID was approved.

Williams, unbeknownst to the assembly, actually wanted natural gas service.

See LIDS, Page A11 .

LIDS: Customer added

Continued from Front Page

The assembly members, after Moore informed them four of the parcels owned by protesters were clustered at the end of the proposed gas transmission line, agreed to keep those parcels out of the LID. One of those parcels was Williams' Reindeer Farm property.

Once it was learned Williams actually wanted the gas service, it was too late. Not enough time remained to revise the LID, or to create a new LID in time for construction of the gas line to Williams' property before winter. Plus, his parcel is at the very end of the proposed gas main. In an LID situation, since the main would run by the other three protesting parcels, the owners of those parcels would normally have been assessed in their tax bill for the LID, too.

What happened, though, was Williams got together with Enstar, and an agreement was reached whereby Enstar will extend the main to Williams' property, so he can hook up to the gas, without being part of any LID. Under the agreement, Williams is to pay Enstar within about \$5 of the \$1,697 he would pay if his prop-

'This situation kind of proves my point about the possibilities of private financing.'

Don Moore

erty were part of the Falk Lake-to-Plumley Road LID.

The other three property owners, if they do not choose hook up to the gas, will pay nothing. If they choose to hook up later, Moore said, they will each pay about \$790. Out of that money, part of what Williams paid would be reimbursed to him.

"This situation kind of proves my point about the possibilities of private financing," Moore said Wednesday.



MATANUSKA-SUSITNA BOROUGH
350 E DAHLIA PALMER AK 99645

Tel: 745-9610

Payment # 5 of 20

NOTICE OF PAYMENT DUE

Date 1/22/98

LID Account # LID1926162

SUN VALLEY/FISHHOOK EST

TAX Account # 1280B02L003

NATURAL GAS Assessment

Property Description HATCHER VW
BLOCK 2 LOT 3

Return Top Copy
With Payment By 3/01/98
Make check payable to:
Matanuska-Susitna Borough

Mail To: COWDERY JOHN J & JUANITA N

8120 LAKE OTIS PKY
ANCHORAGE AK 99507-3114

Interest Through	3/01/98	Principal Amount Due	116.73
		Administrative Fee Due	.00
		Interest Amount Due	68.19
		Penalty Amount Due	.00
		Other Charges Due	.00
		***** PAYMENT DUE	184.92
		***** PAYOFF AMOUNT	1539.57

Note:
NEXT INSTALLMENT WILL BE DUE IN SIX MONTHS. THIS ACCOUNT WILL BECOME DELINQUENT IF INSTALLMENTS ARE NOT RECEIVED BY DUE DATE. DELINQUENT ACCOUNTS ARE SUBJECT TO PENALTY AND DAILY INTEREST.



REPRESENTATIVE SCOTT OGAN

Alaska State Legislature

House District 27 • Palmer • Greater Palmer • Sutton • Chickaloon • Sheep Mountain

SPONSOR STATEMENT HB-324

I have introduced HB-324 for two reasons.

First, I heard from a number of constituents who stated they did not feel they could afford the Borough assessment on their property as a result of Enstar running a gas line they neither, wanted or needed across their land.

The second reason has to do with a private company directly benefiting from leverage by a public government through a process of attaching liens to property when owners fail to pay the assessment fee established by the Borough.

Other procedural matters such as citizen's failure to provide a written objection to LID plans being counted as support for the plan are also troubling. Imagine if every person who did not vote was counted as a tally for political incumbents.

I support affordable energy. I support utility development. I support free enterprise.

I am hopeful the Borough can work with citizens and develop a program to protect those who can not afford the assessment for a service they neither need nor want.

It is my understanding that in Alaska assessments for public utilities must be fair and equitable based on the benefits that accrue to the parties involved. Unlike a paved road or other improvement which people might derive an equal benefit from, a gas line is not of the same benefit to someone who does not hook up as it is to one who does. Therefore the equal assessment / benefit clause is not entirely applicable.

It would seem there are other alternatives to provide assessments (based on benefits) for this type of situation which are permissible under the law.

I have no problem with providing incentives to those who hook up early or penalties for those who hook up late. I have no problem with applying a higher value to property if a public improvement indirectly adds value to the owner.

I do have a problem with forcing a person to choose to either hook up to a private utility or lose their property. Especially, when they do not need, desire, nor can afford either the hook up or the assessment. There is no legislative precedent, nor history to support this type of action by any subdivision of the State.




*received
2/9/98 slo*

REPRESENTATIVE SCOTT OGAN

Alaska State Legislature

House District 27 • Palmer • Greater Palmer • Sutton • Chickaloon • Sheep Mountain

MEMORANDUM

TO: REP. NORM ROKEBURG / CHAIR - LABOR AND COMMERCE
FROM; REP. SCOTT OGAN 
DATE: JANUARY 27, 1998
RE: HB-324 / IMPROPER LIENS

.....

I respectfully request at your earliest possible convenience a hearing on HB-324.

This is a very straightforward bill. I have constituents who are having their property attached by the Borough for failing to cooperate with a private utility and this bill would prevent foreclosure in such instances.

Thank you for your assistance in this request.



02-09-98P04:13 RCVD

Alaska State Legislature

Please enter into the record my testimony to the

HLC

committee name

committee on

House Bill 324

dated

Feb 9th, 1998

bill # / subject

We on Betty Lou Dr. (Steering) worked
 Effortlessly (2yrs) on Supplying the Soldotna
 Assembly with all their requests on getting
 the format established for gas lines allowed
 in Semiregular area. We have proven this
 method works, is fair to the majority & opened
 a way for others to follow our format in
 getting gas to their properties. We oppose
 Bill HB 324 and will help anyone with
 obtaining a gas line by way of our format.

Signed:

Betty Lou Dr. (Steering)
Testifier

Representing (Optional)

P.O. Box 4510, Stealing AK 99672

Address

(907) 262-1310

Phone number

(d) Within 30 days after a petition is certified as containing the required number of signatures or the assembly proposes the acquisition of a power, at least one public hearing shall be held in the borough on the question. The assembly shall then evaluate the ability of the borough to exercise the power and make its findings public. Within 60 days after its findings have been made public, the assembly shall order an election on the question. (§ 10 ch 74 SLA 1985)

Sec. 29.35.330. Election. (a) If more than one power is proposed for acquisition under AS 29.35.320, each shall appear separately on the ballot.

(b) If a power is proposed for exercise by a third class borough in a service area, only voters residing in the proposed service area may vote.

(c) A vote on the question of adding an areawide power in a first or second class borough shall be tabulated in two separate classifications. One shall consist of all votes cast in all cities located in the borough. The other shall consist of all votes cast in the borough area outside all cities. If the majority of the votes cast in each classification is favorable, the borough shall assume the added power within 30 days after certification of the election results.

(d) If a majority of the votes cast on the question of adding a nonareawide power in a second class borough or a power to be exercised in a service area in a third class borough is favorable, the borough shall assume the added power within 30 days after certification of the election results.

(e) The borough mayor shall certify the election results to the department. (§ 10 ch 74 SLA 1985)

Sec. 29.35.340. Effect of acquiring an areawide power. (a) On acquisition of an areawide power the first or second class borough succeeds to all of the rights, powers, and duties of any city or service area with respect to that power. The borough succeeds to claims, franchises, and other contractual obligations, liability for bonded and all other indebtedness, and to all of the right, title, and interest in the real and personal property held by a city or service area for the exercise of the power.

(b) The assembly may levy and collect special charges, taxes, or assessments including interest for the purpose of amortizing bonded indebtedness previously incurred by a city or service area for exercising an areawide power acquired by the borough. When a city or service area had previously incurred bonded indebtedness, all property that was in the city or service area at the time the bonds were issued remains subject to taxation to pay the principal of and interest on the bonds.

(c) On acquisition of an additional areawide power the first or second class borough, in consultation with the city or service area personnel, shall arrange for an orderly and equitable transfer of rights, assets, liabilities, powers, duties, and other matters related to acquisition of the areawide powers.

(d) This section applies to home rule and general law cities. (§ 10 ch 74 SLA 1985)

Sec. 29.35.350. Definition. In AS 29.35.200 — 29.35.350, "power" means the provision of a public facility or service, or the exercise of a regulatory power. (§ 10 ch 74 SLA 1985)

Sec. 29.35.400. General construction. A liberal construction shall be given to all powers and functions of a municipality conferred in this title. (§ 10 ch 74 SLA 1985)

Sec. 29.35.410. Extent of powers. Unless otherwise limited by law, a municipality has and may exercise all powers and functions necessarily or fairly implied in or incident to the purpose of all powers and functions conferred in this title. (§ 10 ch 74 SLA 1985)

NOTES TO DECISIONS

The city may exercise implied authority in police control where the exigencies of municipal life seem to require more rigid regulation than is required in the state at large. *Guidoni v. Wheeler*, 230 F. 93 (9th Cir. 1916), decided under former, similar law.

Sec. 29.35.420. Enumeration of powers. Specific examples in an enumerated power or function conferred upon a municipality in this title is illustrative of the object and not a limitation on or exclusion from the exercise of the power or function. (§ 10 ch 74 SLA 1985)

Article 7. Service Areas.

Section
430. Service areas
460. Service area boards
470. Financing

Section
480. Service areas in first class boroughs
490. Service areas in second and third class boroughs

Sec. 29.35.450. Service areas. (a) A service area to provide special services in a borough may be established, operated, altered, or abolished by ordinance. Special services include services not provided on an areawide or nonareawide basis in the borough, or a higher or different level of service than that provided on an areawide or nonareawide basis. The borough may include a city in a service area if

- (1) the city agrees by ordinance; or
- (2) approval is granted by a majority of voters residing in the city, and by a majority of voters residing inside the boundaries of the proposed service area but outside of the city.

(b) A new service area may not be established if, consistent with the purposes of Alaska Const., art. X, the new service can be provided by an existing service area, by annexation to a city, or by incorporation as a city. (§ 10 ch 74 SLA 1985)

Opinions of attorney general. — While local emergency planning districts may have the same geographical boundaries as service areas, the districts and the LEPCs cannot take the form of service areas. May 29, 1992 Op. Att'y Gen.

NOTES TO DECISIONS

AS 29.05.021(b) is not in conflict with either subsection (b) or Alaska Const., art. X, § 5; rather subsection (b), which follows the language of the Alaska Constitution is a limitation on the creation of service areas and in contrast, AS 29.05.021(b) is

Boundary Comm'n, 833 P.2d 1239 (Alaska 1995).

An ordinance was valid without voter approval where it was merely an "alteration" of existing service areas. The governing board changed from elected to appointed, which was an alteration in the

Sec. 29.35.460. Service area boards. The assembly may provide for an appointed or elected board to supervise the furnishing of special services in a service area. (§ 10 ch 74 SLA 1985)

Sec. 29.35.470. Financing. The assembly may levy or authorize the levying of taxes, charges, or assessments in a service area to finance the special services. If the assembly authorizes the levying of taxes, charges, or assessments, the rate of taxation and the issuance of bonds are subject to assembly approval. (§ 10 ch 74 SLA 1985)

Sec. 29.35.480. Service areas in first class boroughs. In a first class borough, the assembly may exercise in a service area any power granted a first class city by law. The assembly may exercise in a service area any nonareawide power that may be exercised by a first class borough. (§ 10 ch 74 SLA 1985)

Sec. 29.35.490. Service areas in second and third class boroughs. (a) A second class borough may exercise in a service area any power granted a first class city by law or a nonareawide power that may be exercised by a first class borough if

- (1) the exercise of the power is approved by a majority of the voters residing in the service area; or
- (2) all owners of real property in the service area consent in writing to the exercise of the power if no voters reside in the service area.

(b) If the exercise of the power is approved by a majority of the voters residing in the service area, a third class borough may exercise in a service area any power not otherwise prohibited by law.

(c) A second or third class borough may establish a service area that includes only vacant, unappropriated, and unreserved land owned by the borough. A second or third class borough may establish a service area, with the concurrence of the commissioner of natural resources, that includes only vacant, unappropriated, and unreserved land owned by the state and classified for disposal to individuals. By ordinance a second or third class borough may provide the services in a service area established under this subsection necessary to develop state or municipal land as required by the planning, platting, and land use regulations of the borough. (§ 10 ch 74 SLA 1985)

NOTES TO DECISIONS

When voter approval not required. — Where a mayor and assembly are exercising the same powers within the same geographical area and are subject to the same constraints with respect to approval and

appropriation that existed before the alteration, voter approval of an ordinance is not required. *North Kenai Peninsula Rd. Maintenance Serv. Aren v. Kenai Peninsula Borough*, 850 P.2d 636 (Alaska 1993).

Article 8. Hazardous Chemicals, Materials, and Wastes.

- Section**
 600. Reporting
 610. Inspections; penalties
 620. Fees
 630. Duties of division of fire prevention

- Section**
 640. Public access to information
 650. Application
 660. Municipal liability
 690. Definitions

municipality shall require a business or a government agency that handles hazardous chemicals, hazardous materials, or hazardous wastes to submit to a designated person or office of the municipality, on a form approved by the Department of Public Safety, division of fire prevention, an inventory of the hazardous chemicals, hazardous materials, and hazardous wastes the business or government agency handles.

(b) An inventory required under this section must include

- (1) the name and address of a facility, and of the owner and operator of the facility, at which the hazardous chemicals, hazardous materials, or hazardous wastes are handled;
- (2) the names and telephone numbers of persons connected with the facility who are to be contacted in an emergency;
- (3) the chemical name or other descriptive information about each hazardous chemical, hazardous material, or hazardous waste handled;
- (4) the location and maximum estimated quantity of the hazardous chemicals, hazardous materials, and hazardous wastes handled in a single day;
- (5) with respect to a transshipment facility; instead of the information required under (3) and (4) of this subsection, the following information:

- (A) a list of the classes of hazardous chemicals, hazardous materials, and hazardous wastes handled;
- (B) a site layout and floor plan showing the usual locations of the hazardous chemicals, hazardous materials, and hazardous wastes handled at the facility; and
- (C) the method of marking or warning used for hazardous chemicals, hazardous materials, and hazardous wastes at the facility.

(c) The following quantities of hazardous chemicals, hazardous materials, and hazardous wastes shall be reported in an inventory required under this section, and the division of fire prevention or a municipality may require the reporting of smaller quantities:

- (1) any quantity of a hazardous material of the hazard class of
 - (A) Poison A;
 - (B) Poison B;
 - (C) Class A explosive;
 - (D) Class B explosive;
 - (E) Flammable solid (dangerous when wet); or
 - (F) Radioactive;
- (2) a consumer commodity of a hazardous material in a quantity of more than 1,000 pounds;
- (3) a hazardous chemical, or a hazardous material other than one described in (1) of this subsection, if handled in a single day in an amount equal to or greater than 500 pounds;
 - (4) acute hazardous waste in a quantity of 2.2 pounds or more;
 - (5) hazardous waste in a quantity of 220 pounds or more;
 - (6) extremely hazardous substances in a quantity equal to or more than 500 pounds or the threshold planning quantity, whichever is less; and
 - (7) compressed gasses equal to or more than 200 cubic feet at standard temperature and pressure.
- (d) A business or government agency required to submit an inventory under this section shall submit the first inventory within 90 days after the municipality's reporting

Article 5. City Sales and Use Tax.

Section

- 700. Power of levy
- 710. Combining sales and use tax with incorporation of a second class city

Sec. 29.45.700. Power of levy. (a) A city in a borough that levies and collects areawide sales and use taxes may levy sales and use taxes on all sources taxed by the borough in the manner provided for boroughs. Except as provided in (d) of this section, the assembly may by ordinance authorize a city to levy and collect sales and use taxes on other sources.

(b) A city in a borough that does not levy and collect sales and use taxes for areawide borough functions may levy and collect sales and use taxes in the manner provided for boroughs.

(c) A city outside a borough may levy and collect sales and use taxes in the manner provided for boroughs.

(d) A city that levies and collects sales and use taxes under (a) of this section may not levy and collect a sales tax on a purchase made with (1) food coupons, food stamps, or other types of certificates issued under 7 U.S.C. 2011 — 2025 (Food Stamp Act); or (2) food instruments, food vouchers, or other type of certificate issued under 42 U.S.C. 1786 (Special Supplemental Food Program for Women, Infants, and Children). This subsection applies to home rule and general law municipalities. (§ 12 ch 74 SLA 1985; am § 5 ch 38 SLA 1986; am §§ 51, 52 ch 14 SLA 1987; am § 2 ch 20 SLA 1987)

Legislative history reports. — For an analysis of the amendments to this section made by §§ 51 and 52, ch. 14, SLA 1987, see 1987 House Journal Supplement No. 11, May 17, 1987, p. 7.

Sec. 29.45.710. Combining sales and use tax with incorporation of a second class city. A petition for incorporation of a second class city may request that a sales and use tax proposal be placed on the same ballot. The petition must state the proposed tax rate. The petition may request that incorporation be dependent on the passage of the tax proposition. If so, the incorporation proposition fails if the tax fails. (§ 12 ch 74 SLA 1985)

Article 6. General Provisions.

Section

- 800. Applicability of AS 29.45.010 — 29.45.560

Sec. 29.45.800. Applicability of AS 29.45.010 — 29.45.560. AS 29.45.010 — 29.45.560 apply to home rule and general law municipalities. (§ 12 ch 74 SLA 1985)

Revisor's notes. — Formerly AS 29.45.570. Renumbered in 1992, at which time the internal reference was changed from "AS 29.45.010 — 29.45.570" to "AS 29.45.010 — 29.45.560" to reflect the renumbering.

Chapter 46. Special Assessments.

Section

- 10. Assessment and proposal
- 20. Procedure

Section

- 80. Payment
- 100. Reassessment

Sec. 29.46.010. Assessment and proposal. A municipality may assess against the property of a state or federal governmental unit and private real property to be benefited by an improvement all or a portion of the cost of acquiring, installing, or constructing capital improvements. The state shall pay an assessment levied, except as otherwise provided by law and subject to its right of protest under AS 29.46.020(b). If a governmental unit other than the state benefited by an improvement refuses to pay the assessment, it shall be denied the benefit of the improvement. An improvement proposal may be initiated by

- (1) petition to the governing body of the owners of one-half in value of the property to be benefited; or
- (2) the governing body. (§ 13 ch 74 SLA 1985)

Opinions of attorney general. — Special assessments are usually distinguished from general taxation. Special assessments are levied for improvements which benefit particular individuals or property and are levied with reference to, and in proportion to, the special benefit conferred. General taxes, on the other

hand, are imposed for the purpose of raising moneys to be expended for governmental purposes without regard to special benefits conferred on a particular group or class of persons or property. 1966 Op. Atty Gen. No. 10, decided under former, similar law.

NOTES TO DECISIONS

Annotator's notes. — The cases cited in the notes below were decided under former, similar law.

This section does not constitute a special or local law. *Kissane v. City of Anchorage*, 159 F. Supp. 733 (D. Alaska 1958).

Except in the case of flagrant inequality amounting to confiscation. — The principle is firmly established that only where an assessment imposed clearly results in such a flagrant and palpable inequality between the burden imposed and the benefits received that it amounts to an arbitrary taking of property without compensation, does it violate the due process guaranty of the 14th amendment. *Kissane v. City of Anchorage*, 159 F. Supp. 733 (D. Alaska 1958).

Improvements and assessments against abutting property, not provided for by ordinance or resolution, are void. *In re Ketchikan Delinquent*

Tax Roll, 293 F. 577 (9th Cir. 1923).

The power to locate, construct, and maintain streets, and more especially the power to impose a tax upon abutting property owners, is a legislative one and can only be exercised by ordinance or resolution. *In re Ketchikan Delinquent Tax Roll*, 293 F. 577 (9th Cir. 1923).

Town may recover value of requested improvements under implied contract. *Town of Nome v. Lang*, 1 Alaska 593 (1902).

Invalid petition will be presumed. — Unless its records disclose a failure on the part of the common council to take all of the jurisdictional steps required by law, it will be presumed approval for the construction and widening of a street was passed pursuant to a petition sufficient in law to give the council jurisdiction to pass such an ordinance. *Town of Ketchikan v. Zimmerman*, 4 Alaska 336 (1911).

Collateral references. — 70 Am. Jur. 2d, Special or Local Assessments, § 1 et seq.

63 C.J.S., Municipal Corporations, Counties, and Other Political Subdivisions, § 1290 et seq.

Power to remit, release, or compromise assessments

for public improvements. 28 ALR2d 1425.

Widening of city street as local improvement justifying special assessment of adjacent property. 46 ALR3d 1275.

Sec. 29.46.020. Procedure. (a) A municipality may prescribe by ordinance the procedures relating to creating special assessment districts, making local improvements, levying and collecting assessments, and financing improvements, including the following:

- (1) a procedure for filing petitions;
- (2) a survey and report by the mayor concerning the need for, desirable extent of, and estimated cost of each proposed local improvement;
- (3) a public hearing on the necessity for the proposed local improvement;
- (4) a resolution or ordinance determining to proceed or not to proceed with the

(7) a resolution or ordinance confirming the special assessment roll for the proposed local improvement.

(b) If protests as to the necessity of a proposed local improvement are made by owners of property that will bear 50 percent or more of the estimated cost of the improvement, the governing body may not proceed with the improvement until the objections have been reduced to less than 50 percent, except on approval of not fewer than three-fourths of the governing body.

(c) To the extent that a municipality does not prescribe a procedure for special assessments as permitted by this section, the municipality shall comply with the special assessment procedures set out in AS 29.46.030 — 29.46.100. (§ 13 ch 74 SLA 1985)

Sec. 29.46.030. Creation of district. (a) When an improvement proposal is filed with the municipal clerk and presented to the governing body, the municipality shall find by resolution or ordinance whether (1) the improvement requested is necessary and should be made, and (2) if by petition, the request has sufficient and proper petitioners. The findings under this section are conclusive.

(b) If the municipality approves an improvement proposal, it shall develop a proposed improvement plan including the total cost estimate and the percentage of the cost to be assessed against the benefited property. The improvement plan shall be filed with the municipal clerk.

(c) The governing body shall set a time for public hearing on the improvement plan and the period for filing objections to the plan. The governing body shall publish a notice of the hearing and of the period during which objections may be filed at least once a week for four consecutive weeks in a newspaper of general circulation if distributed in the municipality and shall send notice by mail to every record owner of property in the special assessment district. (§ 13 ch 74 SLA 1985)

NOTES TO DECISIONS

Levy of assessment must be made when petition heard. — See *In re Ketchikan Delinquent Tax Roll*, 293 F. 677 (9th Cir. 1923); *Ashley v. City of Anchorage*, 95 F. Supp. 189 (D. Alaska 1951), *aff'd*, 196 F.2d 809 (9th Cir. 1952), decided under former, similar law, 196 F.2d 809 (9th Cir. 1952).

And assessment may not be made by another

council. — Most assuredly one city council cannot make an improvement, and some other city council, at some later day, exercise the discretion to impose a part of the burden upon abutting property owners. *Ashley v. City of Anchorage*, 95 F. Supp. 189 (D. Alaska 1951), 196 F.2d 809 (9th Cir. 1952).

Collateral references. — 70 Am. Jur. 2d, Special or Local Assessments, § 133 et seq.

63 C.J.S., Municipal Corporations, § 1097.
Withdrawal of signer of petition. 27 ALR2d 604.

Sec. 29.46.040. Record owner. The person in whose name property is listed on the municipal property tax roll as owner is conclusively presumed to be the legal owner of record. If the owner is unknown, the assessment roll may designate "unknown owner". (§ 13 ch 74 SLA 1985)

Sec. 29.46.050. Objections and revision. (a) Objections to an improvement plan may be filed during a period of 60 days after publication of notice. The municipality may by resolution or ordinance approve the plan and order the improvement subject to the limitation of (b) of this section.

Sec. 29.46.060. Assessment roll. (a) At any time after approval of an improvement plan, the governing body shall assess the authorized percentage of the cost against property in the district included in the plan in proportion to the benefit received.

(b) The special assessment roll shall contain property descriptions, names of record owners, and assessment amounts.

(c) The governing body shall fix a time to hear objections to the roll. The municipal clerk shall send an assessment and hearing notice by mail to each record owner of an assessed property not less than 15 days before the hearing. (§ 13 ch 74 SLA 1985)

Collateral references. — 70 Am. Jur. 2d, Special or Local Assessments, § 146 et seq.
63 C.J.S., Municipal Corporations, § 1097.

Sec. 29.46.070. Hearing and settlement. After the public hearing, the governing body shall correct errors and inequalities in the roll. If an assessment is increased, a new hearing shall be set and notice published, except that a new hearing and notice is not required if all record owners of property subject to the increased assessment consent in writing to the increase. Objections to the increased assessment shall be limited to record owners of property on which the assessment was increased. When the roll is corrected, it shall be confirmed by resolution or ordinance. (§ 13 ch 74 SLA 1985)

Sec. 29.46.080. Payment. (a) The governing body shall fix times of payment, penalties on delinquent payments, and the rate of interest on the unpaid balance of the assessment. Payment may be in one sum or by installments. If payment is to be in one sum, payment may not be required sooner than 60 days after mailing of the assessment statement. The entire assessment may be prepaid without interest or penalty within 30 days after mailing of the assessment statement, and thereafter the assessment may be prepaid in whole or in part with interest to the payment date.

(b) Within 30 days after fixing the time of payment the municipal clerk shall mail a statement to the record owner of each property assessed. The statement designates the property, the assessment amount, method of payment, rate of interest on the unpaid balance of the assessment, the time of delinquency, and penalties on delinquent payments. Within five days after the statements are mailed, the clerk shall have notice published that the statements have been mailed.

(c) Assessments are liens on the property assessed and are prior and paramount to all liens except municipal tax liens. They may be enforced as provided in AS 29.45.320 — 29.45.470 for enforcement of property tax liens. (§ 13 ch 74 SLA 1985)

NOTES TO DECISIONS

Property must be described with certainty. — To create a lien on real estate, the property must be described with reasonable certainty, sufficient for identification. *In re Ketchikan Delinquent Tax Roll*, 6

Alaska 653 (1922), *aff'd* sub nom. *City of Ketchikan v. Furnivall*, 293 F. 577 (9th Cir. 1923), decided under former, similar law.

Collateral references. — 58 Am. Jur. 2d, Notice, § 27 et seq.; 70 Am. Jur. 2d, Special or Local Assess-

ment, § 146 et seq.; Superiority of special or local assessment lien over earlier private lien or mortgage, where statute creat-

Sec. 29.46.100. Reassessment. (a) The governing body shall within one year correct any deficiency in a special assessment found by a court. Notice and hearing must conform to the initial assessment procedures.

(b) Payments on the initial assessment are credited to the property upon reassessment. The reassessment becomes a charge upon the property notwithstanding failure to comply with any provision of the assessment procedure. (§ 13 ch 74 SLA 1985)

Collateral references. — 70A Am. Jur. 2d, Special or Local Assessments, § 141 et seq.
63 C.J.S., Municipal Corporations, § 1541 et seq.

Sec. 29.46.110. Allowable costs. (a) When a special assessment district is created, there may be included in the assessments

(1) all of the cost of acquiring, installing, making, or constructing the local improvement;

(2) the costs of all engineering and surveying to be done in connection with creating the district or improvement;

(3) the cost of mailing and publishing notices;

(4) interest on interim financing;

(5) the cost of legal services and other expenses incurred in the formation of the special assessment district;

(6) the cost of completing the improvement and financing the improvement, including the issuance of bonds.

(b) The total amount of the assessment roll may not exceed actual costs, but actual costs may include reasonable estimates of the costs to be incurred in connection with issuance of bonds. (§ 13 ch 74 SLA 1985)

Sec. 29.46.120. Objection and appeal. (a) The validity of an assessment may not be contested by a person who did not file with the municipal clerk a written objection to the assessment roll before its confirmation.

(b) The decision of the governing body on an objection may be appealed to the superior court within 30 days after the date of confirmation of the assessment roll. If no objection is filed or appeal taken within that time, the assessment procedure is considered valid in all respects. (§ 13 ch 74 SLA 1985)

Sec. 29.46.130. Interim financing. (a) A municipality may provide by resolution or ordinance for the issuance of notes in payment of the costs of a local improvement project, payable out of special assessments for the improvement. The notes shall bear interest at a rate or rates authorized by the resolution or ordinance, and shall be redeemed either in cash or bonds for the improvement project.

(b) Notes issued against assessments shall be claims against the assessments that are prior and superior to a right, lien or claim of a surety on the bond given to the municipality to secure the performance of its contract for a local improvement project, or to secure the payment of persons who have performed work or furnished materials under the contract.

(c) The municipal treasurer may accept notes against special assessments on conditions prescribed by the governing body in payment of

(1) assessments against which the notes were issued in order of priority

of an improvement in a special assessment district. The principal and interest of bonds issued shall be payable solely from the levy of special assessments against the property to be benefited. The assessments shall constitute a sinking fund for the payment of principal and interest on the bonds. The benefited property may be pledged by the governing body to secure a payment.

(b) On default in a payment due on a special assessment bond, a bondholder may enforce payment of principal, interest, and costs of collection in a civil action in the same manner and with the same effect as actions for the foreclosure of mortgages on real property. Foreclosure shall be against all property on which assessments are in default. The period for redemption is the same as for a mortgage foreclosure on real property.

(c) Before the governing body may issue special assessment bonds, it shall establish a guarantee fund and appropriate to the fund annually a sum adequate to cover a deficiency in meeting payments of principal and interest on bonds if the reason for the deficiency is nonpayment of assessments then due. Money received from actions taken against property for nonpayment of assessments shall be credited to the guarantee fund. (§ 13 ch 74 SLA 1985)

Chapter 47. Municipal Debt.

Article

1. Revenue Anticipation Notes (§§ 29.47.010 — 29.47.040)
2. Bond Anticipation Notes (§§ 29.47.080 — 29.47.140)
3. General Obligation Bonds (§§ 29.47.180 — 29.47.200)
4. Revenue Bonds (§§ 29.47.240 — 29.47.260)
5. Refunding Bonds (§§ 29.47.300 — 29.47.340)
6. Miscellaneous Provisions (§§ 29.47.390 — 29.47.470)

Collateral references. — 56 Am. Jur. 2d, Municipal Corporations, Counties, and Other Political Subdivisions, § 579 et seq.

64 C.J.S., Municipal Corporations, § 1833 et seq.
Validity of municipal bond issue as against owners of property annexation to municipality which became effective after date of election at which issue was

approved by voters. 10 ALR2d 559.

Adverse impact upon existing business as factor affecting validity and substantive requisites of issuance, by state or local governmental agencies, of economic development bonds in support of private business enterprise. 39 ALR4th 1096.

Article 1. Revenue Anticipation Notes.

Section

10. Borrowing in anticipation of revenue
20. Issuance of notes
30. Issuance of notes in anticipation of state or federal grants

Section

40. Priority of repayment

Sec. 29.47.010. Borrowing in anticipation of revenue. A municipality that is authorized to incur indebtedness may borrow money to meet appropriations for any fiscal year in anticipation of the collection of the revenues for that year, but all debt so contracted shall be paid before the end of the next fiscal year. Negotiable or nonnegotiable revenue anticipation notes may be issued as evidence of the borrowing. (§ 14 ch 74 SLA

HB

330

STATE OF ALASKA
1998 LEGISLATIVE SESSION

FISCAL NOTE

Bill Version: HB 330
(H) Publish Date: 1/16/98

Revision Date:
Title: State Training and Employment Program

Dept. Affected: Community & Regional Affairs
BRU: Empicymen! Training/Rural Development
Ccmponent: Statewide Service Delivery

Sponsor: Rules Committee
Requestor: Governor

COMPONENT SERIAL NO. 1178

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
----------------	------------	------------	------------	------------	------------	------------

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

Estimate of current (FY98) impact \$ 0.0

ANALYSIS: (Attach a separate page if necessary)

See attached page 2.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 455-4708

Division: Administrative Services Date: 1/14/98

Approved by Commissioner: Mike Irwin, Commissioner *[Signature]* Date: 1/14/98

Agency: Department of Community & Regional Affairs

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Fiscal Note Analysis Continued

Title: State Training & Employment Program

Date: 1/14/98

This bill repeals the termination date of the State Training and Employment Program (STEP) to retain the program in permanent law.

The STEP program generates restricted revenue through the collection of 0.1 percent of employee unemployment insurance contributions for employment and training programs.

The Department of Community and Regional Affairs receives STEP funds through an inter-agency transfer from the Department of Labor. These funds are budgeted in two components, the State Training and Employment component and the Statewide Service Delivery (SSD) component. The Department's FY 99 budget request for all STEP funds is currently \$3,431.0 (STEP \$1763.3; SSD \$1,667.7). Subsequent to the introduction of the Governor's budget, it has come to the Department's attention this number is higher than the amount documented as an inter-agency transfer of \$3,268.5 in the Department of Labor's budget request. The Department plans to submit a budget amendment to reduce its request by (\$162.5) in line with the Department of Labor.

STATE OF ALASKA
1998 LEGISLATIVE SESSION

FISCAL NOTE

Bill Version: HB 330
(H) Publish Date: 1/16/98

Revision Date: _____
Title: State Training and Employment Program

Dept. Affected: Community & Regional Affairs
BRU: Employment Training/Rural Development
Component: State Training & Employment Program

Sponsor: Rules Committee
Requestor: Governor

COMPONENT SERIAL NO. 1012

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
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REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

Estimate of current (FY98) impact \$ 0.0

ANALYSIS: (Attach a separate page if necessary)

See attached page 2.

Prepared by: Remond Henderson, Director *Remond Henderson* Phone: 465-4708
Division: Administrative Services Date: 1/14/98
Approved by Commissioner: Mike Irwin, Commissioner *MI* Date: 1/14/98
Agency: Department of Community & Regional Affairs

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FISCAL NOTE

No: 3

B. Version: HB 350

(H) Publish Date: 1/15/98

**STATE OF ALASKA
1998 LEGISLATIVE SESSION**

Revision Date (Note if correction) _____	Dept. Affected _____	Office of the Governor _____
Title "An Act repealing the termination date of the state training and employment program..."	BRU	Commissions and Special Offices
Sponsor Rules Committee	Component	Human Resource Investment Council
Requester Governor	Component Serial No.	2055

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: 0.0

POSITIONS

Full-time					
Part-time					
Temporary					

ANALYSIS: (Attach a separate page if necessary)

This bill repeals the termination date of the State Training and Employment Program (STEP) to retain the program in permanent law. The Alaska Human Resource Investment Council (AHRIC) receives STEP funds via a budgeted RSA with the Department of Labor. AHRIC's FY99 operating budget request includes 106.8 in STEP funds. Assuming approval of this bill, there will be no fiscal impact for AHRIC.

Prepared by <u>Michael A. Nizich, Administrative Director</u> <i>MN</i>	Phone <u>465-3878</u>
Division <u>Division of Administrative Services</u>	Date <u>1/15/98</u>
Approved by <u>Jim Ayers, Chief of Staff</u> <i>J Ayers</i>	Date <u>1/15/98</u>
Agency <u>Office of the Governor</u>	

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FISCAL NOTE

No: 4

F Version: HB 330

(H) Publish Date: 1/16/98

**STATE OF ALASKA
1998 LEGISLATIVE SESSION**

Revision Date (Note if correction): _____
 Title: State Training & Employment
 Program
 Sponsor: Rules Committee
 Requestor: Governor

Department Affected: Labor
 BRU: Employment Security
 Component: State Training &
 Employment Program
 COMPONENT SERIAL NO. 1184

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
---------	--	--	--	--	--	--

CHANGE IN REVENUE FUND SOURCE #						
------------------------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

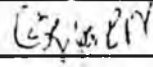
POSITIONS:


FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY98) impact: \$ 0.0

ANALYSIS: (Attach a separate page if necessary)

(See attached)

Prepared by:  Rebecca Nance, Director Phone: 465-2711
 Division: Employment Security Date: 10/28/97

Approved by Commissioner:  Tom Cashen, Commissioner
 Agency: Department of Labor Date: 10/28/97

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
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Title: State Training & Employment Program

Date: 10/28/97

This bill repeals the termination date of the State Training and Employment Program (STEP) to retain the program in permanent law.

The Department of Labor, Employment Security Division will be submitting it's FY99 Operating Budget Request for the STEP component at the same level as the approved FY98 budget - \$4,046.1, assuming approval of this bill.

The STEP program generates restricted revenue through the collection of 0.1 percent of employee unemployment insurance contributions for employment and training programs, an occupational database, and accounting and collection activities.

Bill Text



HB330

BILL ID: CSSB 245(L&C)

language

00 CS FOR SENATE BILL NO. 245(L&C)

01 *An Act extending the termination date of the state training and employment
02 program; and providing for an effective date.*

03 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

04 * **Section 1.** Section 6, ch. 116, SLA 1996, is amended to read:

05 Sec. 6. AS 23.15.620, 23.15.625, 23.15.630, 23.15.635, 23.15.640, 23.15.64
06 23.15.651, and 23.15.660 are repealed June 30, 2002 [1998].

07 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).

Bill Root:

Display History/Action

Clear Bill Root

[Return to BASIS Main Menu\(20th Legislature\)](#)

BASIS Last Updated 4/14/98 8:03 AM

*4/14/98 - Dwight
Would like to have scheduled
next week -
- Sunset Provision -*

TONY KNOWLES
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

48 330
P O Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500
Fax (907) 465-3532

January 12, 1998

The Honorable Gail Phillips
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Phillips:

The state training and employment program (STEP) has demonstrated its value as one means to help Alaskans achieve worthwhile employment. I transmit this bill to continue this vital program, now due to sunset on June 30, and maintain it in permanent law to ensure it will be available to Alaskans in the future.

The STEP was enacted in 1989 as a temporary, two-year pilot program. Its success led to the Legislature extending its existence three more times in subsequent years. With its last extension, in 1996, the STEP became a permanent program, but remains subject to a sunset provision. Since its last extension, the STEP has made great strides in addressing legislative concerns with the program.

This program is financed with a 0.1 percent contribution from employees' share of unemployment insurance. The STEP job training provided with this small contribution to the unemployment fund results in more working Alaskans and a decreased need to pay out unemployment insurance benefits. The program also assists Alaskans who need to upgrade their job skills in order to maintain their employability.

In fiscal year 1997, more than 1,500 individuals were enrolled in the STEP, an increase of 500 enrollees over the previous year. In one year, STEP clients have reduced claims for unemployment insurance resulting in about a \$1.5 million saving to the unemployment insurance trust fund. Along with the increased use of the program, the STEP administrators were successful in reducing federal recapture of unemployment insurance trust funds by 60 percent while holding administrative costs below 20 percent.

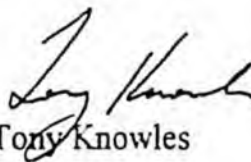
The Honorable Gail Phillips

January 12, 1998

Page 2

It makes good sense to ensure the future existence of the STEP. The program enjoys widespread support from both labor and industry because it offers a vital component of a healthy economy -- preparing Alaskans for good jobs.

Sincerely,



Tony Knowles
Governor

State Training & Employment Program
Program Review for FY95 - FY97

Prepared by:
Brian Rae

Alaska Department of Labor,
Research & Analysis Section and the
Employment Security Division

In cooperation with the
Alaska Department of Community & Regional Affairs,
Job Training Partnership Office
and the respective Service Delivery Areas

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INTRODUCTION

This document is a continuation of the series of reports prepared by the Alaska Department of Labor reviewing the performance of the State Training and Employment Program (STEP). Information on STEP clients was provided to the Research and Analysis Section by the Department of Community and Regional Affairs' Job Training Partnership Office. This data provides the basis for analyzing the types of clients being served by STEP and their success in completing the program.

Research and Analysis staff also collected clients' employment and earnings histories and their use of unemployment insurance benefits from databases maintained by the Department of Labor. This information was used to quantify the benefits of STEP program participation for clients. Comparisons of a client's use of unemployment insurance prior to entering STEP and after leaving STEP give an indication as to the client's ability to find and maintain a job. Similarly, comparisons of a client's employment history and earnings pre- and post-STEP serve as an indicator of employability and value of their job skills.

SCOPE OF THIS REPORT

This report focuses on clients who entered the program during the last three complete fiscal years -- FY95 through FY97. Similar reports on the program's performance in earlier years are available for review.

Clients applying to STEP in FY96 were the most current group for which complete data was available to calculate such before-and-after performance measures. Insufficient time has elapsed to collect post-STEP employment and unemployment usage data for FY97 participants, although pre-STEP participation wages, UI usage data and clients' demographic information are available and were included in the analysis.

The reader should note that wage and unemployment insurance usage information is available only for those clients remaining in Alaska. For that reason, pre- and post-STEP results for those clients who entered or left the state within one year of STEP participation cannot be accurately compared. To get some indication as to the extent STEP participants entered and left Alaska, Permanent Fund Dividend records were used to track clients' residency.