

ALASKA LEGISLATURE COMMITTEE FILES 1999-2000 8672

10023 HOUSE STATE AFFAIRS

SB

155

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

No. 1
Bill Version: SB 155
(S) Publish Date: 5-7-99

Revision Date: _____
Title: "An Act relating to methods of payment of and reports concerning certain state salaries and business expenses"
Sponsor: RULES
Requestor: (S) STA

Department Affected: Administration
BRU: Centralized Administrative Services
Component: Finance
COMPONENT SERIAL NO. 59

Expenditures/Revenues: (Thousands of Dollars)
Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2000	FY 2001	FY2002	FY 2003	FY 2004	FY 2005
PERSONAL SERVICES	18.2	18.2	18.2	18.2	18.2	18.2
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	18.2	18.2	18.2	18.2	18.2	18.2

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE: (Thousands of Dollars)

FUND SOURCE	FY 2000	FY 2001	FY2002	FY 2003	FY 2004	FY 2005
1002 Federal Receipts						
1003 GF Match						
1004 GF	18.2	18.2	18.2	18.2	18.2	18.2
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	18.2	18.2	18.2	18.2	18.2	18.2

Estimate of any current year (FY 99) cost: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

This bill will require the Department of Administration to prepare a report containing detailed information on salaries, per diem, travel expenses, relocation expenses, etc. for: the governor, lieutenant governor, chiefs of staff, commissioners or other executive heads of departments, deputy commissioners, and division directors; the University president, vice president, chancellors; and executive heads of public corporations created by law. To compile this information will require gathering wage information from the payroll system, as well as gathering the travel information from each individual's travel records. We estimate this will take the equivalent of approximately three months time of an Accountant IV.

Prepared by: David Essary, Director
Division: Finance

Phone: 465-2240
Date: _____

Approved by Commissioner: Robert Poe Jr.
Agency: Department of Administration

Date: 5/6/99 5/6/99

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(7) HOUSE COMMITTEE REPORT

Date Referred to Committee: May 13, 1999

FURTHER REFERRALS: Finance

Date of Committee Action: 5/15/99

The STATE AFFAIRS Committee considered: CSSB 155(FIN)

CS FOR SENATE BILL NO. 155(FIN) SALARY REPORTS: LEG/EXEC/JUDICIAL BRANCH

"An Act relating to methods of payment of and reports concerning certain state salaries and business expenses."

recommends it be replaced with the following committee substitute _____ [] 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) Admin

[] zero fiscal note(s) _____ [] zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<u>Janette James</u>			<input checked="" type="checkbox"/>	
<u>John Colby</u>	<input checked="" type="checkbox"/>			
<u>Bill Hedson</u>			<input checked="" type="checkbox"/>	
<u>M. H. H.</u>	<input checked="" type="checkbox"/>			

CHAIR'S SIGNATURE Janette James

ALASKA STATE LEGISLATURE LEGISLATIVE COUNCIL

SENATOR MIKE MILLER, CHAIR

State Capitol Juneau, AK 99801-1182 (907) 465-4920

Legislative Council Members:

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Chair*

*Representative Ramona Barnes
Vice Chair*

Senator Dave Donley

Senator Tim Kelly

Senator Loren Lemman

Senator Drue Pearce

Senator John Torgerson

Senator L. Ian Hoffman

Representative John Cowdery

Representative Scott Ogan

Representative Gail Phillips

Representative Brian Porter

Representative Norman Rokeberg

Representative Ethan Berkowitz

Sponsor Statement Senate Bill 155

"An Act relating to methods of payments of and reports concerning certain state salaries and business expenses."

This bill would expand the number of state entities, in addition to the legislature, required to report travel and compensation annually. Detailed information for the previous calendar year of the salaries, per diem, travel expenses, relocation expenses and any additional allowances received would be the required from the following people:

- governor;
- lt. governor;
- chiefs of staff of the governor and lieutenant governor;
- supreme court justices;
- court of appeals judges;
- administrative director of the court;
- legislative affairs executive director;
- president and vice president of the University and the chancellors of the individual campuses of the university;
- commissioners and deputy commissioners and division directors;
- and the executive heads of public corporations created by law.

The reports, one from the executive branch and one from the judicial branch will be sent to the legislature by January 31 each year for the previous calendar year coinciding with the date the legislative fiscal officer is required to file an annual travel and compensation report on members of the legislature.

10:00 a.m. Saturday

Subject: 10:00 a.m. Saturday

Date: Thu, 13 May 1999 15:15:32 -0800

From: Barbara Cotting <Barbara_Cotting@legis.state.ak.us>

Organization: Alaska State Legislaturc

To: Shannon Grynkewich <Shannon_Grynkewich@legis.state.ak.us>,
Paulyn Swanson <Paulyn_Swanson@legis.state.ak.us>,
David Stancliff <David_Stancliff@legis.state.ak.us>,
Rynniewa Moss <Rynniewa_Moss@legis.state.ak.us>,
Jennifer Adzima <Jennifer_Adzima@legis.state.ak.us>,
Linda Hay <Linda_Hay@legis.state.ak.us>,
Walter Wilcox <Walter_Wilcox@legis.state.ak.us>,
Gretchen Keiser <Gretchen_Keiser@legis.state.ak.us>

Yep, that's what it is - - -

State Affairs will be meeting at 10:00 a.m. Saturday, hearing SB 155.
Packets will be in your boss's folder Friday morning.

By the way, session will be at 11:00 a.m. Saturday.

Barbara

ALERT!!

Subject: ALERT!!

Date: Thu, 13 May 1999 09:31:22 -0800

From: Barbara Cotting <Barbara_Cotting@legis.state.ak.us>

Organization: Alaska State Legislature

To: Shannon Grynkeiwich <Shannon_Grynkeiwich@legis.state.ak.us>,
Paulyn Swanson <Paulyn_Swanson@legis.state.ak.us>,
David Stancliff <David_Stancliff@legis.state.ak.us>,
Rynnieva Moss <Rynnieva_Moss@legis.state.ak.us>,
Jennifer Adzima <Jennifer_Adzima@legis.state.ak.us>,
Linda Hay <Linda_Hay@legis.state.ak.us>,
Walter Wilcox <Walter_Wilcox@legis.state.ak.us>,
Gretchen Keiser <Gretchen_Keiser@legis.state.ak.us>

OK, it happened - we've just been asked by leadership to hear a priority Senate bill in House State Affairs ASAP. The meeting will have to be some time Saturday, to conform with the 24 hour notice.

We're working with Speaker Porter's office right now to see what time will work relative to the floor session.

For now, just alert your bosses that we will be hearing SB155 some time Saturday - my GUESS is 10:00 a.m. but we'll have to wait and see.

Thanks.

Barbara

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

No. 1
Bill Version: SB 155
(S) Publish Date: 5-7-99

Revision Date: _____
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Requestor: (S) STA

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CONTRACTUAL						
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LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	18.2	18.2	18.2	18.2	18.2	18.2

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

CHANGE IN REVENUES ()						
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1003 GF Match						
1004 GF	18.2	18.2	18.2	18.2	18.2	18.2
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OTHER						
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Estimate of any current year (FY 99) cost: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
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Prepared by: David Essarv, Director Phone: 465-2240
Division: Finance Date: _____

Approved by Commissioner: Robert Poe Jr. *Alison M. Elace*
Agency: Department of Administration Date: 5/6/99 5/6/99

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SB

236

As On House Floor Today

Alaska State House of Representatives
STATE AFFAIRS COMMITTEE
Representative Jeannette James, Chair



Rm 102, Capitol Building, Juneau

Phone 465-3743, Fax 465-2381

We the undersigned agree to waive the following bill from our House State Affairs Committee:

BILL: SB 236, POW/ MIA Day & Women Veterans Day

DATE: March 21, 2000

Representative Jeannette James, Chair

Representative Joe Green

Representative Bill Hudson

Representative Beth Kerttula

Representative Scott Ogan

Representative Harold Smalley

Representative Jim Whitaker

Jeannette James
Joe Green
Bill Hudson
Beth Kerttula
Scott Ogan
Harold Smalley
Jim Whitaker

Alaska State House of Representatives
STATE AFFAIRS COMMITTEE
Representative Jeannette James, Chair



Rm 102, Capitol Building, Juneau

Phone 465-3743, Fax 465-2381

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Jeannette James

Representative Joe Green

Joe Green

Representative Bill Hudson

Bill Hudson

Representative Beth Kerttula

Beth Kerttula

Representative Scott Ogan

Representative Harold Smalley

Harold Smalley

Representative Jim Whitaker

(7)

HOUSE COMMITTEE REPORT

Date Referred to Committee: February 28, 2000

FURTHER REFERRALS:

Date of Committee Action: 3/21/00

The STATE AFFAIRS Committee considered:

HB 330

HOUSE BILL NO. 330

POW/MIA DAY & WOMEN VETERANS DAY

"An Act establishing Prisoners of War and Missing in Action Recognition Days and Women Veterans Day; and providing for an effective date."

recommends it be replaced
with the following committee substitute _____

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) _____

zero fiscal note(s) DMVA

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Jeanette James</i>	<input checked="" type="checkbox"/>			
<i>Hal Swales</i>	<input checked="" type="checkbox"/>			
<i>Beth Bartula</i>	<input checked="" type="checkbox"/>			
<i>Bob Hudson</i>			<input checked="" type="checkbox"/>	
				<input checked="" type="checkbox"/>

CHAIR'S SIGNATURE Jeanette James

TONY KNOWLES
GOVERNOR
2000, 1994, 1998, 2002, 2006, 2010

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

PO BOX 11000
Juneau, Alaska 99801
(907) 586-2300
Fax (907) 586-2300
www.gov.alaska.gov

February 1, 2000

SB 236

The Honorable Drue Pearce
President of the Senate
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear President Pearce:

American members of the military forces, men and women, have stood proudly against the forces of tyranny and oppression throughout the world. Many tragically suffered as prisoners of war or remain missing in action. Alaska should honor these brave men and women and it is fitting they be recognized in state law. This bill I transmit today formally establishes days to honor prisoners of war, persons missing in action, and women in the military.

This bill establishes three days in law. To honor all former prisoners of war (POWs) who have returned home from our nation's wars, April 9 will be known as Former POW Recognition Day. The third Friday in September will be known as POW and MIA Recognition Day to commemorate all prisoners of war and persons missing in action (MIAs) unaccounted for or who died in captivity. November 9 of each year will be recognized as Women Veterans Day.

Veterans groups have for some time observed a former POW recognition day to primarily honor all POWs who have returned home. More recently, those groups have observed a POW/MIA recognition day as a day to honor Vietnam War POWs and especially MIAs. Over time this day has become a day to honor all POWs, including those who died in captivity, and a day to make a special effort to remember all persons who remain missing in action.

Countless courageous servicemen and women have sacrificed their lives for our nation, and many others have lost their own freedom as prisoners of war. Exhibiting patience and determination, prisoners of war are a powerful reminder that the spirit of the

The Honorable Drue Pearce
February 1, 2000
Page 2

American soldier cannot easily be broken, even by brutal treatment in violation of international law and the laws of common decency.

These brave soldiers, some of who died in captivity, and who, in many cases, spent years captive under the most reprehensible conditions, deserve our gratitude and commendation. The search for unaccounted for and missing soldiers from our nation's wars continues. Their unknown fate causes considerable uncertainty for their families, friends, and fellow veterans. By establishing these recognition days in their honor, Alaska will not forget the lives of these extraordinary heroes and the stories of their dedication to the people of America.

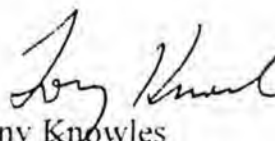
Because the number of women in the military -- and their roles in it -- is growing, it is important to publicly recognize women as they leave the armed forces and serve the communities to which they return.

Women currently constitute four percent of all veterans. By the end of the next decade, women will comprise 17 percent of veterans, and the percent of women in the active military is projected to grow from its current 14 percent. Although the history of women in the military is relatively recent, and they were not recruited to join the armed forces until World War I, some disguised themselves as men to join the Continental Army. The first female officers were appointed during World War II. During the Vietnam era, over a quarter of a million women served as military nurses or physicians, or in intelligence, supply, administration, and air support.

There is a need to identify and revise policies and practices in the military and veterans-related agencies that were developed at a time when women in the service were a rarity, and to assure that women veterans' issues are incorporated into future planning efforts. Designating a specific day to conduct programs and celebrations to honor and remember women veterans will hasten these efforts.

In honor to our veterans, I urge your prompt and favorable action on this bill.

Sincerely,


Tony Knowles
Governor

Subject: fiscal notes

Date: Thu, 09 Mar 2000 11:19:12 -0900

From: Barbara Cotting <Barbara_Cotting@legis.state.ak.us>

Organization: Alaska State Legislature

To: shari_kochman@gov.state.ak.us

I've scheduled the following bills for hearing on March 16 and need fiscal notes:

HB 330, POW/MIA Dday & Women Veterans Day
HB 331, Alaska Natl Guard/ Naval & State Militia

*Per Carol Carrall -
I have the 2 I
need -
Shel tell Shari,
3/9/00*

Subject: Re: fiscal notes

Date: Thu, 09 Mar 2000 11:54:32 -0900

From: Shari Kochman <shari_kochman@gov.state.ak.us>

Organization: Alaska Office of the Governor

To: Barbara Cotting <Barbara_Cotting@legis.state.ak.us>

CC: Carol B Carroll <carol_carroll@dnr.state.ak.us>,
Tyson C Fick <tyson_fick@gov.state.ak.us>

there were no changes made made to hb 330 in military veteran affairs committee, so the original note (which you should have) still applies we'll get you an updated fiscal note for the cs on hb 331 thanks.

Barbara Cotting wrote:

- > *I've scheduled the following bills for hearing on March 16 and need*
- > *fiscal notes:*
- >
- > *HB 330, POW/MIA Dday & Women Veterans Day*
- > *HB 331, Alaska Natl Guard/ Naval & State Militia*

STATE OF ALASKA

DEPARTMENT OF MILITARY & VETERANS AFFAIRS
OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

P.O. BOX 5800

FT. RICHARDSON, AK 99505-5800

PH: (907) 428-6003

March 2, 2000

The Honorable Jeannette James, Chair
House State Affairs Committee
House of Representatives
Alaska State Capitol
Juneau, AK 99811



RECEIVED BY

MAR 07 2000

Rep. Jeannette James

Dear Representative James:

The Department of Military and Veterans' Affairs requests that the Committee schedule a hearing on the following bills. These bills are very important to our veterans and the active members of the National Guard, Naval Militia and the Alaska State Defense Force.

HB 330 "An act establishing Prisoners of War and Missing in Action Recognition Days and Women Veterans Day" would formally set special days to recognize the service and sacrifice of members of the Armed Forces of the United States and Alaska and their families.


CSHB 331 (MLV) "An act relating to compensation of members of the Alaska National Guard and Alaska Naval Militia in active service", changing the name of the Alaska State Militia to the Alaska State Defense Force: relating to compensation and work status for members of the Alaska State Defense Force".

This bill would streamline the process for paying members of the Guard and Naval Militia when called to active duty. Members are called to active duty during times of disaster or state emergency. The current process is manual, time consuming and subject to errors. The process outlined in this bill would greatly reduce the time involved in calculating state active duty pay and reduce the chance for errors. It would also enhance the timeliness of payment for active duty.

This bill also changes the name of the Alaska State Militia to the Alaska State Defense Force the name commonly used to refer to this volunteer force. In addition, it clarifies the status of the Alaska State Defense Force when called to state active duty. The Alaska State Defense Force (ASDF) is a part of the organized militia of the State of Alaska. However, they are not members of the Alaska National Guard or Naval Militia and are not paid unless they are called to active duty. In the past, the department has paid the ASDF as if they were members of the Guard. The Department of Law determined that no statutory authority existed for the department to do so. This bill identifies that the department will pay the ASDF when called to active duty in accordance with state pay scales (level of work performed) but recognizes that the ASDF is subject to the ASDF command structure and discipline.

I look forward to working with you on these bills. If you have questions or if I can provide further information, please call my legislative staff, Carol Carroll at 465-4730 or me at 428-6003. Thank you for this opportunity to address your committee.

Sincerely,



Phillip Oates, Commissioner
Department of Military and Veterans Affairs

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

NO. 1
Bill Version: SB 236
(S) Publish Date: 2-2-00

Revision Date/Time (Note if correction) _____ Dept. Affected Military and Veterans Affairs
Title POW/MIA/Women's Veterans Days BRU Alaska National Guard
Component Office of the Commissioner
Sponsor Rules Committee
Requester Governor Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2002	FY 2004	FY 2005	FY 2006
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)

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 (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will formulize in statute specific days to recognize the men and women of our Nation's Armed Forces who were either Prisoner's of War (POW) or Missing in Action (MIA). It also set a day to recognize women veterans.

Prepared by: Carol B. Carroll Phone 465-4730
Division Administrative Services Date/Time 12/2/99 11:52 AM
Approved by Commissioner [Signature] Date 12/2/99
Agency Military and Veterans Affairs

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SB

247



Alaska State Legislature

Senator Loren Leman
District G - Republican

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State Capitol, Room 115
Juneau, AK 99801-1182
Phone: (907) 465-2095
Fax: (907) 465-3810
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Interim:
716 W 4th Avenue, Suite 520
Anchorage, AK 99501-2133
Phone: (907) 269-0240
Fax: (907) 269-0242

Sponsor Statement for CSSB 247 (FIN) Veterans' Eligibility for Longevity Bonus

An Act relating to eligibility of certain veterans for longevity bonus payments; and providing for an effective date.

Updated: March 29, 2000 by Marie Cook, Staff Aide to Senator Loren Leman.

Senate Bill 247 restores the eligibility of certain veterans who are being cared for in nursing homes to receive longevity bonus payments.

Under AS 47.45.070, a person who resides in a nursing home can receive the longevity bonus only if "the costs of care of the person at the nursing home are paid for entirely from private sources." As a result, persons living in nursing homes receiving veterans' benefits are denied longevity bonus payments. Veterans' benefits are federal benefits earned by those who have served our country in the armed forces. It is not fair to include veterans' benefits in the same category as needs-based state benefits such as Medicaid, the receipt of which disqualifies a nursing home patient from receiving longevity bonus payments.

SB 247 amends the eligibility criteria for nursing home patients, to allow the cost of care to be paid for from private sources, veterans' benefits, or a combination of private sources and veterans' benefits. Those veterans disqualified under the existing statute will be permitted to reapply for qualification for bonus payments beginning July 1, 2000. Eligible veterans who reapply will receive the longevity monthly bonus that they would have received had they not been disqualified. The longevity bonus payments are prospective from the time of re-qualification.

###

[| Top | Senator Leman's Page |](#)

(7)

HOUSE COMMITTEE REPORT

Date Referred to Committee: March 30, 2000

FURTHER REFERRALS:

Finance

Date of Committee Action: 4/6/00

The STATE AFFAIRS Committee considered:

CSSB 247(FIN)

CS FOR SENATE BILL NO. 247(FIN)

VETERANS' ELIGIBILITY FOR LONGEVITY BONUS

"An Act relating to eligibility of certain persons who receive veterans' benefits for longevity bonus payments; and providing for an effective date."

recommends it be replaced with the following committee substitute _____ 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) ADMIN

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Shannette James</i>	<input checked="" type="checkbox"/>			
<i>John Swalley</i>	<input checked="" type="checkbox"/>			
<i>Ben Kentner</i>	<input checked="" type="checkbox"/>			
<i>Joseph [unclear]</i>	<input checked="" type="checkbox"/>			
<i>Scott [unclear]</i>	<input checked="" type="checkbox"/>			

CHAIR'S SIGNATURE *Shannette James*

ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE



Division of Legislative Finance

P.O. Box 113200
Juneau, AK 99811-3200
(907) 465-3795
FAX (907) 465-1327

MEMORANDUM

DATE: February 2, 2000
TO: Senator Loren Leman
FROM: *ldw* Danith Watts, Legislative Fiscal Analyst
SUBJ: Longevity Bonus Legislation Fiscal Impact

The following information is provided in response to your inquiry regarding potential legislation and the relationship of veterans residing in Alaska nursing homes and longevity bonus eligibility. Sources for information include Health Facilities Licensing & Certification (Health & Social Services), Longevity Programs (Administration), and the Director of Administrative Services for H&SS. Numbers are taken from the December 1999 census received by the certification office. (A list of Alaska's nursing homes and the veteran information by location is attached for your information [Attachments A and B]).

Total numbers of Alaska nursing homes: 15
Total number of beds statewide: 717
Total number of Veterans reported: 7 (or less than 1% of the total beds)
Specific locations with count:

Denali Center, Fairbanks	1
Providence Extended Care Center, Anchorage	5
Sitka Community Hospital (Long Term Care), Sitka	1

Without a specific analysis by individual (probably with each person's release of confidential information), it is difficult to ascertain the overall impact of legislation allowing veterans' the opportunity to receive monthly longevity bonus checks. The pure dollars expended from the system to seven individuals would range from \$21,000 down to \$8,400 annually or less dependent upon the individuals involved (monthly benefits ranging from \$100 - \$250). Since the longevity bonus program is being phased out and is closed to new applicants, a case by case analysis would have to be formulated to determine the exact figure.

There is another side to this potential legislation that you may have already considered but the issue arose in my conversations with H&SS and Administration. The receipt of a monthly longevity bonus check would impact a recipient's eligibility for funding in Medicare, Medicaid, or General Relief programs. The ALB Hold Harmless program in H&SS (originally designed to protect Supplemental Security Income eligibility) may cover a change contemplated for veterans in nursing homes, but a statutory revision may be necessary to cover all of the bases.

Attachments as noted.

cc: Marie Cook, Staff Assistant to Senator Leman

Robert F. NESVICK
 2500 FORAKER DR.
 ANCHORAGE AK 99517
 Phone 907-243-6308
 Feb. 28, 2000

Senator Loren Leman
 State Office Building
 JUNEAU AK FAX # 907-465-3810

Re: The state statute that addresses a recipient of the Longevity Bonus receiving the monthly bonus while admitted to either a long term care facility or nursing home for one or more days:

As a disabled veteran I strongly object to this action when the V.A. is paying the entire cost of admission. Although the V.A. is not a private source it is federally funded and does not rely on state resources.

Veterans receiving service connected disability payments should not have to forfeit their monthly Longevity Bonus when admitted for a service connected disability.

Thank You

Robert F. Nesvick

Incl 1 ATCh

STATE OF ALASKA

DEPARTMENT OF ADMINISTRATION
DIVISION OF ALASKA LONGEVITY PROGRAMS

*Pioneers' Homes & Advisory Board
Longevity Bonus*

Tony Knowles, Governor

PO Box 110211
Juneau, AK 99811-0211
Phone: (907)465-4400
FAX (907)465-4108
(907)465-8886

March 6, 2000

The Honorable Jerry Ward
Chair
Senate State Affairs Committee
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Mr. Chair:

This past Thursday at a hearing of your committee you requested that I provide to you the number of Alaska Longevity Bonus recipients who are temporarily disqualified for the Bonus since they are receiving Medicare benefits in skilled nursing care facilities.


As of this date there are 159 Bonus recipients who are disqualified by statute for the Bonus since they are presently receiving Medicare benefits in skilled nursing care facilities.

Since the percentage of Medicare residents in Alaska's skilled nursing care facilities appears to remain fairly constant, this number could be used as a monthly norm.

If the Bonus was paid to this group the cost to the state could be as much as \$477.0 per year.

I hope that this information is helpful. Please contact me if I can provide any further information.

Sincerely,


James L. Kohn
Director

cc: Robert Poe, Jr
Alison Elgee

Post-It® Fax Note 7671		Date	# of pages 1
To Sen Lorenna Office	From	James Kohn	
ATT: Marie	Co.		
Phone #	Phone #		
Fax #	Fax #		

Sheet1

Facility	Medicaid
Heritage Place	40
Mary Conrad Center	32
Petersburg Gen Hospital	12
Providence Extended Care Unit	164
Wrangell General Hospital	1
Wesley Rehab Center	31
St. Ann's	0
Denali Care Center	0
Central Peninsula General	1
Cordova Community Medical	7
South Peninsula Hospital	21
Ketchikan General Extended Car	7
Quyana (Norton Sound) Care	14
TOTAL:	330

- Bonus Recipients receiving VA benefits for skilled nursing care and ineligible for the bonus.

date of birth	city	zip	age
1/26/23	Anchorage	99509	77
8/14/18	Homer	99603	82
5/1/17	Fairbanks	99701	83
3/19/19	Fairbanks	99707	81
7/17/23	Delta Jct	99737	77
11/10/24	Ketchikan	99901	76
12/1/25	Wasilla	99654	75

Post-It Fax Note	7671	Date	# of pages 2
To <i>Sen. Lemons Office</i>		From <i>Jim Kohn</i>	
Co./Dept. <i>None</i>		Co.	
Phone #		Phone #	
Fax #		Fax #	

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Juneau, Alaska 99801-1182
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MEMORANDUM

March 21, 2000

SUBJECT: Longevity bonus payments for certain nursing home residents that are receiving veterans' benefits (SB 247)

TO: Senator Loren Leman

FROM: Tamara Brandt Cook
Director *TBC*

Under existing law a person who resides in a nursing home is not qualified for a longevity bonus payment unless the costs of nursing home care are paid for entirely from private sources. (AS 47.45.070(a)(2) and(c)). SB 247 will also permit persons whose nursing home care is paid for from veterans' benefits, or a combination of veterans' benefits and private sources to qualify for longevity bonus payments. You ask whether this change which would permit some persons in nursing homes who receive veterans' benefits to also receive longevity bonus payments would give other nursing home residents, such as Medicaid recipients, a cause of action against the state.

The only cause of action that I can think of would be based on equal protection, asserting that the state is improperly discriminating in favor of persons who receive veterans' benefits. The first step in equal protection analysis is to determine the nature of the interest impaired by the challenged enactment, in this case, receipt of longevity bonus payments. The right to receive a longevity bonus payment is merely an economic interest entitled only to minimum protection under Alaska's equal protection analysis. (*Maggard v. Sipe*, Superior Court, Third Judicial District, Case No. 3AN-94-03935 CI, Order dated June 6, 1996; *State v. Anthony*, 810 P.2d 155 (Alaska 1991)) To survive challenge the state need only show that extending the benefit to people who receive veterans' benefits serves a legitimate purpose.

There is an obvious purpose in extending special benefits to veterans and their dependents--to encourage people to serve in the military. There are a great many state programs that already single out veterans' for special treatment. (AS 09.25.121, providing certain public records to veterans without charge; AS 16.05.341, free hunting and sport fishing licenses for disabled veterans; AS 18.55.330, veterans' preference in certain housing projects; AS 26.15. housing loans for veterans; AS 26.10.080, veterans' death gratuity; AS 28.10.421, special rates for vehicle registration; AS 29.45.030(e)-(i), property tax exemption for disabled veterans; AS 38.05.067, veterans' preference in purchase of residential land; AS 38.05.940, land discount for veterans; AS 39.25.159, state employment preference for veterans; AS 41.21.026(d), free state park campsite permit for disabled veterans)

Senator Loren Leman

March 21, 2000

Page 2

I believe that extending eligibility for longevity bonus payments to individuals who pay for nursing home costs with veterans' benefits while not extending that eligibility to all other nursing home residents would survive an equal protection challenge.

You also question whether other nursing home residents would have standing to bring suit. There is no reason to expect standing to be a problem, since these potential plaintiffs clearly have an interest that is adversely affected. (Trustees for Alaska v. State, 736 P.2d 324 (Alaska 1987) cert. denied, 486 U.S. 1032 (1988))

TBC:jdr

00-116.jdr

During Session, January - May:
State Capitol, Room 115
Juneau, Alaska 99801
(907) 465-2095
465-3810 FAX

During Interim, June - December:
716 W 4th Ave, Suite 520
Anchorage, Alaska 99501
(907) 269-0240
269-0242 FAX

Senator Loren Leman

TO: Representative Jeannette James, Chairman
House State Affairs Committee

FROM: Senator Loren Leman
Sponsor

DATE: March 30, 2000

RE: Request For Hearing - Senate Bill 247: Veterans' Eligibility For Longevity Bonus

Please schedule SB 247: "regarding eligibility of veterans for longevity bonus payments" for a hearing in the House State Affairs Committee at your earliest convenience.

SB 247 allows veterans who qualified to receive a monthly longevity bonus payment under AS 47.45.010 before January 1, 1997, but were later disqualified under AS 47.45.070 to reapply for qualification for bonus payments. AS 47.45.070 declares that a person who resides in a nursing home can receive the longevity bonus only if "the costs of care of the person at the nursing home are paid for entirely from private sources." SB 247 changes the language allowing the cost of care to be paid for from private sources, veterans' benefits, or a combination of private sources and veterans' benefits.

This bill affects six veterans currently in skilled nursing facilities.

I have attached to this memo a copy of the legislation and sponsor statement.

*Jeannette -
This bill passed the Senate by
a 20-0 vote yesterday.
Thanks,
Loren*

FISCAL NOTE

No. 1
 Bill Version: CS5B247(STA)

**STATE OF ALASKA
 2000 LEGISLATIVE SESSION**

BILL NO. (S) Publish Date: 3/20/00

Revision Date/Time (Note If correction) _____	Dept. Affected _____	Administration _____
Title <u>Veteran's Eligibility for Longevity Bonus</u>	BRU <u>Alaska Longevity Programs</u>	
	Component <u>Longevity Bonus</u>	
Sponsor <u>Senator Leman</u>		
Requester <u>(S) STA</u>	Component No. <u>26</u>	

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	12.0	12.0	12.0	12.0	12.0	12.0
Miscellaneous						
TOTAL OPERATING	12.0	12.0	12.0	12.0	12.0	12.0

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

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

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
1002 Federal Receipts						
1003 GF Match						
1004 GF	12.0	12.0	12.0	12.0	12.0	12.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	12.0	12.0	12.0	12.0	12.0	12.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill allows a longevity bonus recipient who is also a veteran to remain eligible and receive the longevity bonus while residing in an Alaska skilled nursing facility if the veteran's care is paid for by veterans' benefits or a combination of private sources and veterans' benefits.

During the past calendar year, 2/99 through 1/00, an average number of 4* veterans were disqualified from the longevity bonus program due to residence in an Alaska skilled nursing facility during which time the care was paid for by veterans' benefits.

If each of the disqualified veterans normally received the maximum longevity bonus of \$250.00, the cost to the state in an average year would be \$12.0

*Average number is 3.6 rounded up to 4

Prepared by: <u>Jim Kohn</u>	Phone <u>465-2159</u>
Division <u>Alaska Longevity Programs</u>	Date/Time _____
Approved by Commissioner <u>Robert Poe, Jr.</u> <i>Robert Poe, Jr.</i>	Date <u>2/28/00</u> <i>2/28/00</i>
Agency <u>Department of Administration</u>	

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SB

294

ALASKA STATE LEGISLATURE

Sen. Robin Taylor, Chair
Sen. Rick Halford, Vice-Chair
Sen. Dave Donley
Sen. John Torgerson
Sen. Johnny Ellis



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Interim
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Anchorage, AK 99501
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Senate Judiciary Committee

Sponsor Statement CS FOR SENATE BILL 294

“An Act relating to the possession of concealed handguns and to concealed handgun permits”

Since its passage, Alaska’s concealed carry law has been one of the most successful programs in the United States. That success is based, in part, on the original intent of the legislation to allow only knowledgeable, law-abiding citizens to obtain state permits to carry concealed handguns. Although the program has been successful, there are several recurring problems with the implementation and management of the state’s program. SB 294 proposes statutory changes to improve and streamline the process to obtain and renew a concealed handgun permit.

CS for SB 294 will eliminate some of the cumbersome and unnecessary language written into the statute: applicants will no longer be required to have a sworn application; permit holders will be allowed to submit their renewal applications up to 60 days after expiration, rather than 30 days. This allows more time to complete the renewal process before the expiration date; a new photograph will be required every ten years, instead of every five (same as for a state driver’s license); additional thumb prints will no longer be required during the renewal process, as prints never change.

The bill also makes changes to some of the training and education statutes, streamlining the process and making reciprocity with other states more attainable. The applicant will be required to provide evidence of completion of a handgun or firearms safety course, but eliminates the more subjective requirement by eliminating the specific statutory definition of “competence,” which is causing problems with reciprocity and/or recognition with other states. Alaska State Troopers now will be authorized by statute to help teach handgun courses, which may generate additional revenue.

In addition, SB 294 makes the statute apply equally to all citizens statewide and clarifies the standards for recognition of permits from other states.

SB 294 streamlines and improves a program that has been, and will continue to be, a success for Alaska.

(7)

HOUSE COMMITTEE REPORT

Date Referred to Committee: April 12, 2000

FURTHER REFERRALS:

Judiciary

Date of Committee Action: 4/15/00

The STATE AFFAIRS Committee considered:

CSSB 294(JUD)

CS FOR SENATE BILL NO. 294(JUD)

CONCEALED HANDGUNS

"An Act relating to the possession of concealed handguns and to concealed handgun permits."

recommends it be replaced with the following committee substitute CSSB 294 (STA) the same title a new title

additional referral to _____ Committee

attaches 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) DPS

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Donnette James</i>	✓			
<i>Bill Hudson</i>	✓			
<i>M. [unclear]</i>	✓			
<i>[unclear]</i>	✓			

CHAIR'S SIGNATURE *Donnette James*

A M E N D M E N T

1 ✓

OFFERED IN THE HOUSE
TO: CSSB 294(JUD)

- 1 Page 6, lines 13 - 14:
- 2 Delete "shall be submitted under oath and"
- 3 Insert "[SHALL BE SUBMITTED UNDER OATH AND]"

- 4 Page 6, line 22:
- 5 Delete "and"

- 6 Page 6, line 23:
- 7 Delete "[(5)]"
- 8 Insert "[AND (5)]"

- 9 Page 6, line 23, following "AS 18.65.720":
- 10 Insert "and
- 11 (5) the warning listed in AS 18.65.710(a)(6)"

adopted

- 1 (2) be eligible to own or possess a handgun under state or federal
- 2 law;
- 3 (3) successfully complete some type of handgun or firearms safety
- 4 course; and
- 5 (4) be subject to a fingerprint-based criminal records search.

6 * Sec. 14. AS 18.65.700(a) is amended to read:

7 (a) The holder of a permit issued under AS 18.65.700 - 18.65.790 may not

8 (1) alter the permit;

9 (2) allow another person to use the permit;

10 (3) possess or display a suspended or revoked permit; or

11 (4) display an expired permit, unless the holder has submitted a

12 complete, timely renewal form under AS 18.65.725 and the renewal process has

13 been delayed due to circumstances not under the control of the applicant.

14 * Sec. 15. AS 18.65.778 is amended to read:

15 **Sec. 18.65.778. Municipal preemption.** A municipality may not restrict the
16 carrying of a concealed handgun by permit under AS 18.65.700 - 18.65.790 [EXCEPT
17 AS PROVIDED IN AS 18.65.780 - 18.65.785].

18 * Sec. 16. AS 18.65.715(c), 18.65.725(b), 18.65.765(a)(4), 18.65.780, 18.65.785,
19 18.65.790(2), 18.65.790(5), and 18.65.790(6) are repealed.

*Then add (B)
Am. # 4*

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education & Early Development
State of Alaska

CS FOR SENATE BILL NO. 294(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/4/00
Referred: Rules

Sponsor(s): SENATE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the possession of concealed handguns and to concealed
2 handgun permits."

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

4 * Section 1. AS 11.61.220(b) is amended to read:

5 (b) In a prosecution under (a)(1) of this section, it is an affirmative defense
6 that the defendant, at the time of possession, was

7 (1) in the defendant's dwelling or on land owned or leased by the
8 defendant appurtenant to the dwelling;

9 (2) actually engaged in lawful hunting, fishing, trapping, or other lawful
10 outdoor activity that necessarily involves the carrying of a weapon for personal
11 protection;

12 (3) the holder of a valid permit to carry a concealed handgun under
13 AS 18.65.700 - 18.65.790 and [,] the weapon was a concealed handgun as defined in
14 AS 18.65.790 [, AND THE POSSESSION DID NOT OCCUR IN A MUNICIPALITY

1 OR ESTABLISHED VILLAGE IN WHICH THE POSSESSION OF CONCEALED
2 HANDGUNS IS PROHIBITED UNDER AS 18.65.780 - 18.65.785]; or

3 (4) considered a permittee under AS 18.65.748 and

4 [(A)] the weapon was a concealed handgun as defined in
5 AS 18.65.790 [; AND

6 (B) THE POSSESSION DID NOT OCCUR IN A
7 MUNICIPALITY OR ESTABLISHED VILLAGE IN WHICH THE
8 POSSESSION OF CONCEALED HANDGUNS IS PROHIBITED UNDER
9 AS 18.65.780 - 18.65.785].

10 * Sec. 2. AS 11.61.220(d) is amended to read:

11 (d) In a prosecution under (a)(2) of this section, it is

12 (1) an affirmative defense that

13 (A) the defendant, at the time of possession, was the holder of
14 a valid permit to carry a concealed handgun under AS 18.65.700 - 18.65.790
15 or was considered a permittee under AS 18.65.748;

16 (B) the loaded firearm was a concealed handgun as defined in
17 AS 18.65.790; and

18 (C) the possession occurred at a place designated as a restaurant
19 for the purposes of AS 04.16.049 and the defendant did not consume
20 intoxicating liquor at the place; [AND

21 (D) THE POSSESSION DID NOT OCCUR IN A
22 MUNICIPALITY OR ESTABLISHED VILLAGE IN WHICH THE
23 POSSESSION OF CONCEALED HANDGUNS IS PROHIBITED UNDER
24 AS 18.65.780 - 18.65.785;]

25 (2) a defense that the defendant, at the time of possession, was on
26 business premises

27 (A) owned by or leased by the defendant; or

28 (B) in the course of the defendant's employment for the owner
29 or lessee of those premises.

30 * Sec. 3. AS 18.65.700(a) is amended to read:

31 (a) The department shall issue a permit to carry a concealed handgun to a

1 person who

2 (1) applies in person at an office of the Alaska State Troopers;

3 (2) qualifies under AS 18.65.705;

4 (3) submits a completed application on a form provided by the
5 department, that provides the information required under AS 18.65.705 and 18.65.710
6 [AND IS EXECUTED UNDER OATH]; with each application form provided by the
7 department, the department shall provide a copy of the state laws and regulations
8 relating to concealed handguns, which must include a concise summary of where,
9 when, and by whom a handgun can be carried under state and federal law;

10 (4) submits two complete sets of fingerprints on Federal Bureau of
11 Investigation approved fingerprint cards that are of sufficient quality so that the
12 fingerprints may be processed; the fingerprints must be taken by a person, group, or
13 agency approved by the department; the department shall maintain a list of persons,
14 groups, or agencies approved to take fingerprints and shall provide the list to the
15 public upon request;

16 (5) submits evidence of successful completion of a handgun course
17 [COMPETENCE WITH HANDGUNS] as provided in AS 18.65.715;

18 (6) provides two frontal view color photographs of the person taken
19 within the preceding 30 days that include the head and shoulders of the person and are
20 of a size specified by the department;

21 (7) shows a valid Alaska driver's license or identification card at the
22 time of application;

23 (8) does not suffer a physical infirmity that prevents the safe handling
24 of a handgun; and

25 (9) pays the application fee required by AS 18.65.720.

26 * Sec. 4. AS 18.65.700(d) is amended to read:

27 (d) A permit issued under (a) of this section is valid for five years from the
28 date of issue. [THE PERMIT MUST SPECIFY THE ACTION TYPES AND
29 MAXIMUM CALIBERS OF HANDGUN DESCRIBED IN THE PERMITTEE'S
30 CERTIFICATE OF COMPETENCY UNDER AS 18.65.715 BUT MAY NOT
31 SPECIFICALLY IDENTIFY A HANDGUN BY MAKE, MODEL, OR SERIAL

1 NUMBER.]

2 * Sec. 5. AS 18.65.705 is amended to read:

3 Sec. 18.65.705. **Qualifications to obtain a permit.** A person is qualified to
4 receive and hold a permit to carry a concealed handgun if the person

5 (1) is 21 years of age or older;

6 (2) is eligible to own or possess a handgun under the laws of this state
7 and under federal law;

8 (3) is a resident of the state and has been for the 90 days immediately
9 preceding the application for a permit;

10 (4) has not been convicted of two or more class A misdemeanors of
11 this state or similar laws of another jurisdiction within the six years immediately
12 preceding the application;

13 (5) is not now in and has not in the three years immediately preceding
14 the application been ordered by a court to complete an alcohol or substance abuse
15 treatment program; and

16 (6) has successfully completed a handgun course [DEMONSTRATED
17 COMPETENCE WITH HANDGUNS] as provided in AS 18.65.715.

18 * Sec. 6. AS 18.65.710(a) is amended to read:

19 (a) The application for a permit to carry a concealed handgun must contain the
20 following information:

21 (1) the applicant's name, physical residence, mailing address, place and
22 date of birth, physical description, including height, weight, race, hair color, and eye
23 color, Alaska driver's license or identification card number, and the city and state of
24 each place the applicant has resided in the five years immediately preceding the
25 application;

26 (2) a statement that the applicant qualifies under AS 18.65.705;

27 (3) a statement that the applicant has been furnished with a copy of the
28 state laws and regulations relating to concealed handguns, has read those sections, and
29 understands them;

30 (4) a statement that the applicant desires a permit to carry a concealed
31 handgun for a lawful purpose, which may include self-defense;

1 (5) a [SWORN] statement by the applicant that all statements, answers,
2 and attachments to the application are true and complete;

3 (6) a conspicuous warning that [THE APPLICATION IS EXECUTED
4 UNDER OATH AND THAT] an applicant who supplies a false statement, answer, or
5 document, in connection with the application that the applicant does not believe to be
6 true, may be prosecuted for unsworn falsification [PERJURY UNDER AS 11.56.200]
7 and, if found guilty, may be punished for violation of a class A misdemeanor [B
8 FELONY], and that, in such cases, the permit shall be revoked and the applicant may
9 be barred from any further application for a permit; and

10 (7) a statement that the applicant understands that a permit eligibility
11 investigation will be conducted as a part of the application process, that this may
12 involve computerized records searches, and that the applicant authorizes the
13 investigation.

14 * Sec. 7. AS 18.65.715(a) is amended to read:

15 (a) An applicant for a permit to carry a concealed handgun shall provide a
16 certificate of successful completion of a handgun course that is approved by the
17 department. [THE CERTIFICATE MUST STATE THE ACTION TYPE AND
18 CALIBER OF HANDGUN OR HANDGUNS THE APPLICANT HAS
19 DEMONSTRATED COMPETENCE WITH AND THAT THE APPLICANT MAY BE
20 PERMITTED TO CARRY. A PERMITTEE MAY ONLY CARRY AS A
21 CONCEALED HANDGUN AN ACTION TYPE OF HANDGUN DESCRIBED IN
22 THE CERTIFICATE. A PERMITTEE MAY ONLY CARRY AS A CONCEALED
23 HANDGUN THE CALIBER OF THE ACTION TYPE THAT THE PERMITTEE
24 DEMONSTRATED COMPETENCE WITH OR ANY LESSER CALIBER OF THE
25 SAME ACTION TYPE.] The handgun course must have been completed within the
26 12 months immediately preceding the application. The department shall approve a
27 handgun course, including the personal protection course offered by the National Rifle
28 Association, if the course tests the applicant's

29 (1) knowledge of Alaska law relating to firearms and the use of deadly
30 force;

31 (2) familiarity with the basic concepts of the safe and responsible use

1 of handguns; and

2 (3) knowledge of self-defense principles [; AND

3 (4) PHYSICAL COMPETENCE WITH EACH ACTION TYPE OF
4 HANDGUN THE APPLICANT WISHES TO CARRY UNDER THE PERMIT AND
5 THE MAXIMUM CALIBER FOR EACH ACTION TYPE THE APPLICANT
6 WISHES TO CARRY UNDER THE PERMIT].

7 * Sec. 8. AS 18.65.715 is amended by adding a new subsection to read:

8 (e) A member of the Alaska state troopers may participate in or conduct
9 handgun courses.

10 * Sec. 9. AS 18.65.725(a) is amended to read:

11 (a) A permittee shall apply in person for renewal of a permit to carry a
12 concealed handgun within 90 days before the expiration of the permit and shall present
13 a complete renewal form provided by the department. The renewal form shall be
14 submitted under oath and must include

15 (1) any change in the information originally submitted under
16 AS 18.65.710;

17 (2) a statement that the person remains qualified to receive and hold
18 a permit to carry a concealed handgun under AS 18.65.705;

19 (3) [REPEALED

20 (4)] two frontal view photographs of the person taken within the
21 preceding seven years [30 DAYS] that include the head and shoulders of the person
22 and are of a size specified by the department; and

23 ~~(4) [(5)]~~ the renewal fee required under AS 18.65.720.

24 * Sec. 10. AS 18.65.725(c) is amended to read:

25 (c) A renewal of a permit to carry a concealed handgun submitted on or after
26 the expiration date is subject to a late fee of \$25. The department may not accept a
27 renewal for a permit that is submitted more than 60 [30] days after the expiration date
28 of the permit. Nothing in this subsection prohibits the holder of an expired permit
29 from applying for a new permit.

30 * Sec. 11. AS 18.65.730 is amended to read:

31 **Sec. 18.65.730. Replacement of permit.** The department may replace a

1 permit that the permittee certifies under oath has been lost, stolen, or destroyed,
2 provided the permittee applies in person and

3 (1) provides two frontal view photographs of the permittee taken within
4 the preceding seven years [30 DAYS] that include the head and shoulders and are of
5 a size specified by the department;

6 (2) [SUBMITS TO THE TAKING OF A SINGLE THUMB OR
7 FINGERPRINT BY THE DEPARTMENT TO COMPARE AGAINST THE
8 FINGERPRINT ORIGINALLY SUBMITTED WITH THE APPLICATION; AND

9 (3)] pays the replacement fee required under AS 18.65.720.

10 * Sec. 12. AS 18.65.740(a) is amended to read:

11 (a) A permit to carry a concealed handgun shall be immediately revoked by
12 the department when the permittee

13 (1) becomes disqualified to receive and hold a permit under
14 AS 18.65.705;

15 (2) is convicted of two class A misdemeanors of this state or similar
16 laws of another jurisdiction within a six-year period if at least one of the convictions
17 occurs after the application;

18 (3) knowingly supplied a false or fraudulent answer, statement, or
19 document, or made a material misstatement or omission, in connection with an
20 application for a permit or renewal or replacement of a permit.

21 * Sec. 13. AS 18.65.748 is amended to read:

22 **Sec. 18.65.748. Permit holders from other jurisdictions considered Alaska**
23 **permit holders.** ^(a) A person holding a valid permit to carry a concealed handgun from
24 another state or a political subdivision of another state with permit requirements
25 similar to [AT LEAST AS STRICT AS] those in AS 18.65.700 - 18.65.790 is a
26 permittee under AS 18.65.700(b) for purposes of AS 18.65.750 - 18.65.765 if the
27 person has not been in Alaska for more than 120 consecutive days. **In this section,**
28 **"permit requirements similar to those in AS 18.65.700 - 18.65.790" means that,**
29 **in order to receive and hold the permit in the other state or political subdivision,**
30 **the person must**

31 (1) be at least 21 years of age;

- 1 (2) be eligible to own or possess a handgun under state or federal
- 2 law;
- 3 (3) successfully complete some type of handgun or firearms safety
- 4 course; and
- 5 (4) be subject to a fingerprint-based criminal records search.

6 * Sec. 14. AS 18.65.760(a) is amended to read:

7 (a) The holder of a permit issued under AS 18.65.700 - 18.65.790 may not

8 (1) alter the permit;

9 (2) allow another person to use the permit;

10 (3) possess or display a suspended or revoked permit; or

11 (4) display an expired permit, unless the holder has submitted a

12 complete, timely renewal form under AS 18.65.725 and the renewal process has

13 been delayed due to circumstances not under the control of the applicant.

14 * Sec. 15. AS 18.65.778 is amended to read:

15 **Sec. 18.65.778. Municipal preemption.** A municipality may not restrict the
16 carrying of a concealed handgun by permit under AS 18.65.700 - 18.65.790 [EXCEPT
17 AS PROVIDED IN AS 18.65.780 - 18.65.785].

18 * Sec. 16. AS 18.65.715(c), 18.65.725(b), 18.65.765(a)(4), 18.65.780, 18.65.785,
19 18.65.790(2), 18.65.790(5), and 18.65.790(6) are repealed.

*Then add (B)
Am. # 4*

Conceptual Amendment to SB294(JUD)

#3 ✓

Offered by Representative Jeannette James

April 15, 2000

Delete lines 7-9, page 6

(This deletes section 8 of the bill, removing any appearance of state employees on state time competing with commercial trainers.)

Adopted

Conceptual Amendment to SB294(JUD)

#4

Offered by Representative Jeannette James

April 15, 2000

AP 748 - OR

Amend AS 18.65.748 to read: A person holding a valid permit or license to carry a concealed handgun from another state or political subdivision of another state is a permittee under AS 18.65.700 (a) for purposes of AS 18.65.700-18.65.765, if the person has not been in Alaska for more than 120 consecutive days; provided that the state or political subdivision of the state that issued the permit or license recognizes a valid Alaska Concealed Handgun Permit issued under AS 18.65.700. The Alaska State Troopers shall make a determination as to which states will be recognized in Alaska and provide that list to every law enforcement agency within the state.

given reciprocity with

(This amendment will serve to increase reciprocal agreements with other states and afford the citizens of Alaska the opportunity to have their permits recognized when they are in jurisdictions outside Alaska.)

adopted -

2029
Jerry Luckhaupt

The following amendments are recommended to CSSB 294 (JUD):

- Remove the deletions from the CS reference competency (this has worked well for the last 5 years and should not be deleted)
- Eliminate the amendment which adds "Alaska State Troopers may participate in or conduct handgun courses" (If a trooper wishes to teach a course on his/her own time this is presently acceptable; however, it is inappropriate for state employees on state time to be in competition with commercial trainers)
- Change the requirement for a photograph to be taken within 7 years to (previous requirement) within 30 days for renewal
- Change all references to "two" frontal view photographs to "one" (technology has changed and only one is needed)
- Amend AS 18.65.725 (a) to delete "shall be submitted under oath" (this will eliminate the need for a notarized statement)
- Amend AS 18.65.748 to read: A person holding a valid permit or license to carry a concealed handgun from another state or political subdivision of another state is a permittee under AS 18.65.700 (a) for purposes of AS 18.65.700-18.65.765, if the person has not been in Alaska for more than 120 consecutive days; provided that the state or political subdivision of the state that issued the permit or license recognizes a valid Alaska Concealed Handgun Permit issued under AS 18.65.700. The Alaska State Troopers shall make a determination as to which states will be recognized in Alaska and provide that list to every law enforcement agency within the state. (This amendment will serve to increase reciprocal agreements with other states and afford the citizens of Alaska the opportunity to have their permits recognized when they are in jurisdictions outside Alaska.)
- Changes crime of "perjury" to "unsworn falsification" during the initial application process; additionally, this also negates need to have the application notarized
- Eliminates requirement for the Department to take a thumbprint to be processed with renewal application

*From Rayce
at DPS*

CSSB 294 (JUD)
**“An Act relating to the possession of concealed handguns & to
concealed handgun permits.”**

Bill does the following

- * Eliminates municipalities' ability to prohibit carrying concealed handguns
- * Eliminates mandatory requirement to demonstrate competency with a handgun
- * Eliminates mandatory requirement to qualify with an action-type or maximum caliber handgun
- * Changes crime of “perjury” to “unsworn falsification” during the initial application process; additionally, this also negates need to have the application notarized
- * Adds amendment which states that Alaska State Troopers may participate or conduct handgun courses
- * Eliminates requirement to require a photograph taken within 30 days prior to submitting a renewal package
- * Eliminates requirement for the Department to take a thumbprint to be processed with renewal application
- * Changes the words “at least as strict as” to “similar to” as in reference to permit requirements for the purpose of reciprocity
- * Defines “permit requirements similar to...” to mean that a person must be at least 21 to be eligible to own or possess a handgun under state and federal law, successfully complete some type of handgun or firearms safety course and be subject to a fingerprint-based criminal records search

Bill repeals the following statutes:

- 18.65.715 (c) deals with competency
- 18.65.725 (b) deals with thumbprint for renewal
- 18.65.765 (a) (4) deals with action and caliber type
- 18.65.780 deals with municipal prohibition of handguns
- 18.65.785 deals with local option for municipal prohibition
- 18.65.790 (2) deals with definition of competence
- 18.65.790 (5) deals with definition of established village
- 18.65.790 (6) deals with definition of governing body



NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
555 CAPITOL MALL, SUITE 455
SACRAMENTO, CALIFORNIA 95814
(916)446-2455 voice ■ (916)448-7469 fax

Fax Transmittal Cover Sheet

Message To Be Delivered To: House State Affairs Committee Members
cc: Senator Robin Taylor

Message From: Brian Judy, Alaska State Liaison

Date and Time Message Sent: April 14, 2000 4:30 p.m.

Regarding: CSSB 294 - SUPPORT

Number of Pages Including Cover Sheet: 2

On behalf of the more than 20,000 members of the National Rifle Association who live in Alaska, I strongly urge your support for Senate Bill 294.

The changes proposed to the concealed weapon permit law by this legislation fall into three categories: 1) technical changes; 2) process efficiency modifications and 3) substantive changes.

The technical change made by SB 294 is deletion of the requirement that permit applications be "sworn" and changes the crime from "perjury" to "unsworn falsification" with a corresponding penalty modification. It is my understanding that this amendment was recommended by legislative counsel and NRA is fine with this change.

SB 294 would also allow trooper participation in familiarity courses, allow use of the previous photo for permit renewal and replacement, extend the period for renewal after permit expiration from 30 to 60 days, delete the requirement that thumbprints be given when permits are renewed or replaced and extend the validity of expired permits when the renewal process is delayed. These "process efficiency" amendments are all proposed with the intent of making the permit issuance process run more smoothly and NRA is in full support of all these changes.

The National Rifle Association also strongly supports the three substantive changes proposed by SB 294:

1) *Clarification of the requirements for recognition of other states' permits.*

This change will allow more law-abiding citizens to be able to provide a means of self-defense while visiting Alaska. Such recognition by Alaska will, in turn, cause more states to recognize the permits of Alaskans when they are in those states.

2) *Deletion of the virtually unused and unconstitutional municipal opt-out provisions.*

Since 1994, when the concealed weapon law was enacted, only one municipality has attempted to restrict law-abiding citizens' ability to carry a means of self-defense concealed. In 1998, firearm prohibitionists in the City of Haines put a measure on the ballot and were rejected by a 3-1 margin. If a restrictive ordinance was adopted at some point in the future, it would be violative of Article I, Section 19 of the Alaska State Constitution which provides that "The individual right to keep and bear arms shall not be denied or infringed by...a political subdivision of the state."

3) *Deletion of the "competency" requirement and action/caliber specifications.*

While the NRA is the foremost advocate of safe and responsible firearm use, these statutory mandates are unnecessary. If you look at the range of states which allow concealed carry, from Vermont, which doesn't even require a permit to carry a concealed firearm for self-defense, to Washington, which issues permits (over 200,000 issued currently) with no training requirement of any kind, to Utah, which requires familiarity with no live-fire requirement, to Alaska, which does require live-fire, the empirical outcome is the same: law-abiding citizens are safe and responsible and do not cause problems, training-related or otherwise. In Alaska, law-abiding citizens can carry firearms *openly* without a permit, without being fingerprinted, without paying fees and without costly, government-mandated training programs. Although there is no practical reason why individuals who submit to licensing and background checks in order to carry *concealed* should be treated differently than those who choose to carry *openly*, this bill maintains the requirement that permit applicants take a familiarity course; it only deletes the unnecessary and arbitrary competency standards.

The National Rifle Association urges your support for Senate Bill 294.

CSSB 294
SECTIONAL

From Bartea

- Section 1-2** Deletes criminal offense of possession of a concealed handgun while in a local community with an opt-out ordinance.
- Section 3** Deletes statutory requirement that the application be executed under oath.
- Section 4** Deletes requirement to list specific action type and caliber on permit.
- Section 5** Amends qualifications to obtain a permit to: "has successfully completed a handgun course."
- Section 6** Deletes warning that the application is executed under oath and changes the penalty for providing known false or inaccurate information from perjury to unsworn falsification
- Section 7** Deletes requirement for specific action type and caliber of handgun and deletes the requirement that the applicant physically demonstrate competence with specific action type and caliber.
- Section 8** Gives statutory authority for Alaska State troopers to participate in handgun courses.
- Section 9** Amends permit renewal requirements to provide a new photograph every seven years (every other renewal), instead of every five years.
- Section 10** Amends permit renewal process to allow an applicant to file for a renewal of the permit for up to 60 days after the expiration date of the permit.
- Section 11** Amends replacement of permit process to provide a photograph taken within the previous seven years, instead of within the preceding 30 days.
- Section 12** Revocation of permit (no changes to current law).
- Section 13** Expands and better defines guidelines for recognition of permit holders from other jurisdictions.
- Section 14** Provides for an exception to expired permit penalty if the applicant has filed in a timely manner for a permit renewal and has not yet received the permit from the state of Alaska.
- Section 15** Deletes local opt-out provisions of municipal preemption statute.
- Section 16** Repeals sections to conform to the changes made throughout the bill.

- 1 (2) be eligible to own or possess a handgun under state or federal
 2 law;
 3 (3) successfully complete some type of handgun or firearms safety
 4 course; and
 5 (4) be subject to a fingerprint-based criminal records search.

6 * Sec. 14. AS 18.65.760(a) is amended to read:

- 7 (a) The holder of a permit issued under AS 18.65.700 - 18.65.790 may not
 8 (1) alter the permit;
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18 * Sec. 16. AS ~~18.65.715(c), 18.65.725(b), 18.65.765(a)(4), 18.65.780, 18.65.785,~~
 19 ~~18.65.790(2), 18.65.790(5), and 18.65.790(6)~~ are repealed.

*See
Attached*

Lt. David Hudson

off net 9:30 Sat.

from Seattle Airport
Boardroom

(Royce 2649)

604-662-8111

Vancouver

Lt. David Hudson

8:15

(Eleanor 4322)

Calling off-net

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. HCS for CSSB 294(ST/A)

Revision Date <u>4/14/00</u>	Dept. Affected <u>Public Safety</u>
Title <u>An Act relating to the possession of concealed handguns . . . handgun permits.</u>	BRU <u>AK. State Trooper - Detachments</u>
Sponsor <u>Senate Judiciary</u>	Component <u>AK. State Trooper - Detachments</u>
Requester <u>House State Affairs Committee</u>	Component No. <u>2325</u>

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
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						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

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 (FY2000) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill is not expected to have a budgetary impact.

Prepared by: <u>Royce Weller, Special Assistant</u>	Phone <u>465-2649</u>
Division <u>Office of the Commissioner</u>	Date/Time <u>4/14/00 12:00 AM</u>
Approved by Commissioner <u>Ronald L. Otte</u>	Date <u>4-14-00</u>
Agency <u>Department of Public Safety</u>	

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FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. HCS for CSSB 294(STA)

Revision Date <u>4/14/00</u>	Dept. Affected <u>Public Safety</u>
Title <u>An Act relating to the possession of concealed handguns . . . handgun permits.</u>	BRU <u>AK. State Trooper - Detachments</u>
Sponsor <u>Senate Judiciary</u>	Component <u>AK. State Trooper - Detachments</u>
Requester <u>House State Affairs Committee</u>	Component No. <u>2325</u>

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
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)

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 (FY2000) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill is not expected to have a budgetary impact.

Prepared by: <u>Royce Weller, Special Assistant</u>	Phone <u>465-2649</u>
Division: <u>Office of the Commissioner</u>	Date/Time <u>4/14/00 12:00 AM</u>
Approved by Commissioner: <u>Ronald L. Otte</u>	Date: <u>4-14-00</u>
Agency: <u>Department of Public Safety</u>	

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FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

No. 1
Bill Version: CSSB 294 (JUD)

Revision Date _____ Dept. Affected Public Safety
Title Relating to the possession of concealed handguns BRU AK. State Trooper - Detachments
and to concealed handgun permits. Component AK. State Trooper - Detachments
Sponsor Senate Judiciary Committee
Requester Senate Judiciary Committee Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
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						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

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 (FY2000) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill is not expected to have a budgetary impact.

Prepared by: Royce Weller, Special Assistant Phone 465-2649
Division Office of the Commissioner Date/Time 3/29/00 12:00 AM
Approved by Commissioner Ronald L. Otte Date 3/29/00
Agency Department of Public Safety

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SCR

16

(7)

HOUSE COMMITTEE REPORT

Date Referred to Committee: April 10, 2000

FURTHER REFERRALS:

Date of Committee Action: 4/13/00

The STATE AFFAIRS Committee considered:

SCR 16

SENATE CONCURRENT RESOLUTION NO. 16

AVALANCHE AWARENESS MONTH

Relating to Avalanche Awareness Month.

recommends it be replaced
with the following committee substitute _____

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) _____

zero fiscal note(s) See STA

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Shannette James</i>	✓			
<i>Hal Smalley</i>	✓			
<i>Bern Bertal</i>	✓			
<i>Joseph B. Brown</i>	✓			
<i>M. A. ...</i>	✓			
<i>Scott Dyer</i>	✓			

CHAIR'S SIGNATURE *Shannette James*

ALASKA STATE LEGISLATURE



Interim:
600 East Railroad Avenue
Wasilla, Alaska 99654
(907) 376-3370
(907) 376-3157 Fax

Session:
State Capitol
Juneau, Alaska 99801-1182
(907) 465-6600
(907) 465-3805 Fax

SENATOR LYDA GREEN
SENATE DISTRICT N

SPONSOR STATEMENT SCR16

Alaska is avalanche country. Each year Alaskans lose their lives as a result of avalanches. One of the worst years was 1999, when 14 people were killed by avalanches in Alaska. While often little or nothing can be done to prevent the occurrence of an avalanche, much can be done to prevent the loss of life from avalanches.

Senate Concurrent Resolution 16 would proclaim November as "Avalanche Awareness Month." This proclamation would raise public awareness of the hazards associated with avalanches, and the opportunities to participate in avalanche safety training at the beginning of the winter recreation season. It is hoped that public participation in avalanche safety programs would be increased and that this increased participation would result in saved lives during the winter.

The need for this resolution was brought to our attention by the Backcountry Avalanche Awareness Response Team (BAART).

AVALANCHE AWARENESS MONTH

RESOLUTION/PROCLAMATION REQUESTED

In 1999 fourteen lives were lost in avalanches in Alaska; by February 6, 2000, two more lives were taken by avalanches. In memory of these loved ones, we encourage the governor and Alaska State Legislature to declare November as AVALANCHE AWARENESS MONTH in support of efforts to educate Alaskans about avalanche awareness and safety measures.

RATIONALE

This declaration/resolution would support the efforts of educators, recreation groups, and concerned Alaskan citizens to educate Alaskans of all ages on the subjects of avalanche awareness, safety measures, proper equipment and how to use it, and how to initiate immediate emergency response in avalanche situations. November is an optimum time to emphasize awareness and safety equipment as this is when Alaskans' thoughts turn to winter activities and many begin purchasing outdoor equipment. Emphasizing these topics in November would allow time for people to think about purchasing safety equipment (such as probes, shovels, avalanche beacons, etc.) as Christmas gifts.

November is also a prime time for the presentation of awareness and safety classes in schools and community school classes, by recreation groups, and other related organizations. Many response teams also begin practicing at this time; by raising public awareness of the importance of these groups, perhaps even more members of the public will become trained to help in emergency situations.

If these combined efforts help to save one Alaskan life, then the loss of loved ones in recent Alaskan avalanches would have had at least one positive outcome.

LIVES LOST IN 1999 ALASKAN AVALANCES

Aaron Joseph Arthur (age 29), Palmer
Jodi Combs (age 26), Anchorage
Dan Demers (age 37), Eagle River
Tech. Sgt. Victor Jones, Elmendorf, family in Wasilla
Jeff Saunders (age 29), Anchorage
Chris Scott (age 28), Anchorage

Odman Schmalzried, Wasilla

Gary Stone, Cordova

K. J. Hayes, Healy

Katrina Winchell, Juneau
Matthew Brakel, Juneau

Jim Haberl, Canadian, lost in Wrangell, St. Elias National Park

Jikolai Metashvili, University student, Sitka

Keith Coyne, Wasilla

LIVES LOST THUS FAR BY FEBRUARY 14, 2000

Martha Quales (age 63), Cordova

Kerry Brookman (age 53), Wasilla

**SOME OF THE
ALASKAN FAMILIES AFFECTED BY THE LOSS OF LOVED
ONES IN RECENT AVALANCHES**

Aaron Joseph Arthur

Trina (Devries) Arthur (wife)

Jerry and Aedene Arthur (parents)

Beth Arthur (sister) and Medzit Limani

Brenna Arthur

Tana Arthur-Blum (sister) and Charles Blum

Zaya Arthur-Gunton and Aaron Arthur Blum

Burton and Delta Jensen (grandparents)

Families by Marriage

Lee and Maralyn Hartley

Sig and Mike Wellman

Clare and Kevin McClure

Brenda Hartley

Eric and Tamara Moffitt

Jessie, Maralyn, Kassi, Jeanie

Krystal Moffitt

Chloe, Travis, Tyler

Randy Moffitt

Cory, Levi

Denise and Lloyd Hubbard

Holly, Tara, Heidi, Willow, Lukas, Naomi

Grant and Susan Dunnigan

Hannah, Jeffrey

Andrea Dunnigan

Nicole, Jasmine, Reuben

Alice and Marty Mobley

Michael, Austin

Jamie Davis and James Wolsterman

Brandon, Stormy

Grace Valley

Jessie Devries

Andy and Dawn Devries

Breann, Jason, Megan, Tristan

David Devries
Rocky and Barbara Morin
John Devries
Marie Keene

(The Arthur family added that there are hundreds of family/friends who also mourn Aaron's death from the communities of Tanana, Ruby, New Stuyahok, Dillingham, Anchorage, and the Mat-Su Valley)

Jodi Combs

Lisa Combs (wife) and daughter Korah

Richard and Nancy Combs (parents)

 Sherri, Brenda, and Theresa (sisters)

 Shantelle, Dianna, Alexis (nieces)

Malen and Adella Combs (grandparents)

 Robert and Madonna Combs

 Ralph and Kathy Combs

 Tracy, Todd, Amanda, Evan, Melissa, Ken

Vic Jones

Dawn (wife) and Sarah (daughter)

Chris Scott

Ed and Linda Scott (parents)

 Brian (brother)

Odman Schmalzried

Kelli (wife)

Karen ; Shawn and Cheyanne (son and daughter)

George and Mildred Schmalzried (parents)
Georgia (sister) and Tom Flood
Richard, Ryan, Randon, Robert
Rhonda (sister) and Bob Koski
Christopher, Robin, Brittany, Curtis
David Schmalzried (brother)

JoAnn Warren
Jane and Pete Guzialek
Glenn and Carol Kooly
Paula Smith
Kent and Carol Seibert
Pam, Corbin, Darre.

K.J. Hayes

Angel (wife) and son David

Gina Moreno (sister)
Jessica
Richard and Sophie (sister) Dickman
Eric and Nevera, Andrew
Dakota
Mark Moreno (brother)
Travis, Joshua, Alex, Justine

(Angel wanted the communities of Cantwell, Healy, and Denali National Park to be added as family who grieve the loss of K.J.)

Keith Coyne

Heidi (wife) and children Gregory and Amanda

Robert R and Patricia G. Coyne (parents)
Cleve Z. Coyne (brother)
Angela (sister) and Ed Reavis
Nathan, Jeremy, Heather, Edward

Wesley (brother) and Michelle Coyne
Jonathan
O'Neal (brother) and Wendy Coyne
Sierra, Colton
Andy (brother) Coyne
Jason
Herbert, Angelie, Kathy

Families by Marriage

Richard and Susan Rinio
Earl and Sabra Rinic
Dave and Jeanne Mumford
Rolland Kennerson
Lori Kneflekamp

FINAL NOTE

These are just a few of the families affected by the loss of loved ones. If you add the names to this list of family members that could not be contacted at this time, as well as the hundreds of Alaskan friends and communities that grieve these losses, the list would be be gigantic.

Those lost in avalanches thus far in 1999-2000 lived in many different communities; avalanches can occur throughout many areas of this great state. Loved ones can be lost whether enjoying the outdoors in a variety of ways, working, or relaxing at home. Hopefully through education and awareness, Alaska will not lose so many of its loved ones in this manner in the future.

(ps. Any mistakes in spelling of names or of relationship was unintentional, and the typist apologizes for any mistakes that were made.)

*Respectfully submitted on behalf of the families
listed, and in memory
of the loved ones lost
in avalanches,*
Amy R. Arthur
Ardene L. Arthur
February 15, 2000

FISCAL NOTE No. 1

STATE OF ALASKA
2000 LEGISLATIVE SESSION

Bill Version: SCR 16
(S) Publish Date: 4-7-00

Revision Date/Time (Note if correction) _____ Dept. Affected _____
 Title "Relating to Avalanche Awareness Month." BRU _____
 Sponsor Senate State Affairs Com. Component _____
 Requester _____ Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
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 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
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 (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

No Fiscal impact.

Prepared by: Brown - Senate State Affairs
 Division: _____
 Approved by Commissioner: _____
 Agency: _____

Phone: 465-4940
 Date/Time: _____
 Date: 3-28-00

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SJR

3

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: March 24, 1999

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 4/8/99

The STATE AFFAIRS Committee considered:

SJR 3

SENATE JOINT RESOLUTION NO. 3

REPEAL OF REGULATIONS BY LEGISLATURE

Proposing an amendment to the Constitution of the State of Alaska relating to the repeal of regulations by the legislature.

recommends it be replaced with the following committee substitute _____ 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) GOV

zero fiscal note(s) _____ zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Jannette Jones</i>	✓			
<i>Hal Smalley</i>		✓		
<i>Ben Bestul</i>		✓		
<i>John Carlisle</i>	✓			
<i>Bill Hudson</i>			✓	
<i>AA. [Signature]</i>	✓			
<i>Scott Dyer</i>	✓			

CHAIR'S SIGNATURE Jannette Jones

Headquarters:
217 2nd Street, Suite 201
Juneau, Alaska 99801
(907) 586-2323 FAX 463-5515



Representative Jeannette James
Chair, House State Affairs Committee
Alaska State Capitol
Juneau, Alaska

Re: SJR3, Legislative Repeal of Regulations

Dear Representative James:

The Alaska State Chamber of Commerce, representing approximately 700 member businesses, as well as a network of local chambers of commerce statewide, supports SJR 3, relating to the repeal of regulations by the Legislature.

The volumes of regulations produced by the bureaucracy are beyond the checks and balances that are part of the legislative process. It is essential that the elected leaders of Alaska, rather than the anonymous members of the bureaucracy, have the final say on the laws Alaskans live by and the regulations that implement those laws. SJR 3 would return the system of checks and balances to the regulatory process that was intended by the creators of Alaska's Constitution.

SJR 3 is a straight forward and clearly worded proposal that the ASCC membership believes should be put before the public. We urge the Committee's support of SJR 3.

Sincerely,

Pamela La Bolle
President

Headquarters:
217 2nd Street, Suite 201
Juneau, Alaska 99801
(907) 586-2323 FAX 463-5515



URGING YOUR SUPPORT FOR SJR 3

Calling for a constitutional amendment to allow Legislative repeal of regulations

The Alaska State Chamber of Commerce, representing approximately 700 member businesses as well as a network of local chambers of commerce statewide, urges your support of SJR 3, relating to the repeal of regulations by the Legislature.

The volumes of regulations produced by the bureaucracy are beyond the checks and balances that are part of the legislative process. It is essential that the elected leaders of Alaska, rather than the anonymous members of the bureaucracy, have the final say on the laws of the land and the regulations that implement those laws. SJR 3 would return the system of checks and balances to the regulatory process that was intended by the creators of Alaska's Constitution.

SJR 3 is a straight forward and clearly worded proposal that the ASCC membership believes should be put before the public. We ask for your support of SJR 3.

*Submitted by Pamela La Bolle, President, Alaska State Chamber of Commerce
Distributed by Senator Robin Taylor*

NFIB Alaska



National Federation of Independent Business

Statement of Support

of SJR 3

A resolution calling for a constitutional amendment to allow the legislature to annul regulations found to be inconsistent with the intent of the law.

January 29, 1999

The Alaska Chapter of the National Federation of Independent Business has 3,000 members, making it the largest small-business advocacy group in the state.

The legislative agenda of NFIB is determined by ballot. The ballot is our poll of members on a series of state legislative and regulatory issues.

NFIB/Alaska ballot results have shown very strong support for giving the voters the chance to amend the constitution to allow repeal of regulations by the legislature. Following are the ballot results on this issue:

Should the State of Alaska place a proposed constitutional amendment before the voters to decide whether the legislature should be given the authority to repeal regulations found to be improper or inconsistent with the law?

73 % YES

15 % NO

12 % Undecided

NFIB/Alaska urges support for SJR 3.

Submitted by Thyres Shaub on behalf of NFIB/Alaska.

Alaska State Legislature

Chairman,
Judiciary Committee
State Capitol
Juneau, Alaska 99801-1182
(907) 465-3873
Fax: (907) 465-3922



50 Front Street
Suite 203
Ketchikan, Alaska 99901
(907) 225-8088
Fax: (907) 225-0713

Senator Robin L. Taylor

Sponsor Statement

Senate Joint Resolution 3 - Repeal of Regulations

Senate Joint Resolution 3 is a proposed amendment to the Constitution of the State of Alaska which would grant the Legislature the ability to repeal a regulation adopted by a state department or agency that is inconsistent with its enabling statute. This proposed amendment would allow the repeal of a regulation by a resolution passed by a majority of the members of each house.

The numerous regulations contained in the Alaska Administrative Code were not created by legislators. The only recourse for the Legislature is to repeal the law that enabled the regulation. This wastes Alaskan's time and money in the process. The repeal of burdensome regulations is vital to the progress of economic development for all of Alaska.

This issue has come before the voters in the past and now the time has come again for the voters to reduce the amount of time and money spent in legislation. Voters would have the chance to speak out about the proposed amendment in the next general election.

District A:

Hyder • Ketchikan • Kupreanof • Meyers Chuck • Petersburg • Saxman • Sitka • Wrangell

SENATE JOINT RESOLUTION NO. 3

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY SENATORS TAYLOR, Tim Kelly, Phillips

Introduced: 1/21/99

Referred: State Affairs, Finance

A RESOLUTION

1 Proposing an amendment to the Constitution of the State of Alaska relating to
2 the repeal of regulations by the legislature.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section. 1. Article II, Constitution of the State of Alaska, is amended by adding a new
5 section to read:

6 Section 22. Repeal of Regulations. The legislature may, after finding that a
7 regulation adopted by a State department or agency is inconsistent with its enabling
8 statute, repeal the regulation by a resolution concurred in by a majority of the members
9 of each house. The repeal of the regulation is effective thirty days after the passage
10 of the resolution by the legislature unless a different prospective effective date is
11 specified in the resolution.

12 * Sec. 2. The amendment proposed by this resolution shall be placed before the voters of
13 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the
14 State of Alaska, and the election laws of the state.

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