

ALASKA LEGISLATURE COMMITTEE FILES 2001-2002 8672

10415 HOUSE RULES

S B

268

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: SB 268
(S) Publish Date: 2/01/02

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
Title: Authorizing a public vote on state-guaranteed BRU: Alaska Housing Finance Corp
veterans mortgage bonds Component: Operations
Sponsor: Rules Committee
Requester: Governor Component No. 110

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
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 ()						
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FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Position Type	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation authorizes a statewide public vote on \$500 million in revenue bonds to finance the Veterans Mortgage Program (VMP). Alaska is one of five states in the nation that established this program under the federal tax code. AHFC administers the program on behalf of the state.

Costs associated with the issuance of these bonds are anticipated to be covered with annual operating budget authorizations. Anticipated costs will be related to voter information dissemination about the bonds and the program. No additional budget authorization is necessary for these activities

If approved by voters, bond issuances in the future will be done based on loan demand.

Prepared by: John Bitney, Legislative Liaison Phone 330-8445
Division: AHFC Date/Time 1/29/02 1:32 PM
Approved by: Larry Persily, Deputy Commissioner Date 01/29/2002
Agency: Department of Revenue

AMENDMENT

OFFERED IN THE HOUSE
TO: CS SB 371 (RES) AM

- 1 Page 2 line 2, following "previously been:
- 2 INSERT: "fully considered and"

AMENDMENT

OFFERED IN THE HOUSE
TO: CS SB 371 (RES) am

BY REPRESENTATIVE

1 Page 2 line 3 following "programs;"

2 INSERT: "except for activities discharging drilling wastes in state waters."

3

AMENDMENT

OFFERED IN THE HOUSE
TO: CS SB 371 (RES) am

BY REPRESENTATIVE

- 1 Page 2 line 3 following "programs;"
- 2 INSERT: "except for activities discharging drilling wastes in state waters."
- 3

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE

TO: CSSB 371 (RES) am

- 1 Page 1, line 9 following "ranges"
- 2 Delete ", including active ranges"

AMENDMENT

OFFERED IN THE HOUSE
TO: CS SB 371 (RES) am

BY REPRESENTATIVE

1 Page 1 line 1, following "Act"

2

3 DELETES: "exempting the use of munitions in certain areas from a
4 waste disposal permit requirement of the Department of
5 Environmental Conservation; "

6

7 Page 1 line 7 through page 1 line 10

8

9 DELETE all material

10

11 Renumber the following sections accordingly

TESTIMONY ON
BOMBING RANGE EXEMPTION (S.B. 371)
& THE "FOREST OIL AMENDMENT"
BEFORE THE ALASKA HOUSE RULES COMMITTEE
PRESENTED BY
BOB SHAVELSON
COOK INLET KEEPER
JUNEAU, ALASKA
MAY 12, 2002

Mr. Chairman, members of the committee, thank you for the opportunity to testify before the committee today. My name is Bob Shavelson and I am Executive Director of Cook Inlet Keeper. Cook Inlet Keeper was plaintiff in the lawsuit involving Forest Oil's Osprey platform in Cook Inlet, where a unanimous Supreme Court held the State failed to review toxic drilling waste discharges prior to project start-up. Keeper is also a co-plaintiff in the lawsuit trying to bring some accountability to military bombing activities in the rich wetlands of the Eagle River Flats estuary.

Let me start by saying I am a proud Alaska and a proud American. I believe in the values of justice, democracy, accountability, and the rule of law. These are the values which have made our nation the greatest and most powerful country on earth. With the fall of the Berlin wall and the defeat of communism, the American model of democratic capitalism is without parallel across the globe. But with technology and international trade accelerating the process of globalization, we Alaskans, and we Americans, have an obligation, a duty, to promote the ideals of openness, fairness, competition, equality and a level playing field.

I am here today because an oil company incorporated in New York, doing business in Denver, and dumping toxic wastes into Cook Inlet fisheries, wants to circumvent our democratic process. Forest Oil has had three years to address its dumping issues in Cook Inlet, yet it chose to fight in court instead. And it lost. So now, in the rush of the end of session, Forest Oil has crafted a

special interest amendment – the Forest Oil Amendment – to SB 371. The Senate took up the issue without any public review or comment the other day, and now, we are forced to deal with an issue with sweeping implications for our salmon fisheries and coastal resources with limited time and debate. This is not the Alaskan way, and it is not the American way. We are not a banana republic.

First off, and most importantly, there is no need for legislation on this issue. The Alaska Coastal Management Act already contains a process for exempting from permitting review activities which pose minor coastal impacts. It's called the ABC List and it's a 3" thick document which includes dozens and dozens of permits and activities which do not require individual project reviews. But industry lawyers have created an illusion of confusion, arguing that the Supreme Court decision will create a permitting quagmire. We're hearing arguments that a family could not build a basement to a home in the coastal zone without a huge pile of red tape and permitting. But this is false. The Supreme Court simply said that large polluting projects such as offshore oil platforms should undergo review to protect salmon fisheries and our rich coastal resources.

It's important to note that industry has time and again insisted that a phased approach to oil and gas development will ensure that each step of development will receive meaningful environmental review. But now the phasing shell game has been exposed, because if the "Forest Oil Amendment" passes, oil platforms and other large scale polluting projects will not be reviewed against coastal laws designed to protect our fisheries and coastal resources. Industry can't have it both ways – it can't evade comprehensive review at early, general stages of permitting, and then evade review again at the project specific stage.

Forest Oil is already getting a big lift on the back of Alaskans. At a time when we are staring down the barrel of a widening fiscal gap, when income taxes and PFD cuts are common options for reducing the looming deficit, the Redoubt Shoals Unit will enjoy a royalty reduction – from 12.5% to 5% - on the first 25 million barrels of oil and 35 trillion cubic feet of natural gas.

In Cook Inlet, we are embarking on an exciting new effort to brand and market our salmon to combat the glut of farmed fish on the world market. These fisheries not only support important commercial enterprises, and the families and communities they support, but also the critical

recreational and subsistence lifestyles which make Alaska unique. Yet a recent EPA study shows we are starting to see problems in our fish. That's why it makes no sense to carve out a special interest waiver to corporations dumping toxic wastes into our fisheries.

We do not believe the Forest Oil Amendment should be linked to the military bombing range permit exception bill, and we oppose removing a basic permitting requirement from toxic bombing activities in a rich wetlands complex – Eagle River Flats - which supports Cook Inlet fisheries. Alaska should not be the first state in the nation to exempt the military from environmental laws. Congress has already considered this proposal for federal environmental laws and rejected it, and the President retains the authority to intervene in the case of national security.

But in closing, we are realists, and if this legislation does in fact have to move, we could look beyond the Osprey platform exploratory drilling issue, and entertain an amendment to this bill which will give future exploratory drilling activities in the coastal zone a choice: if a company wants to dump its drilling wastes into the fisheries of this State, it must undergo a coastal consistency review. In the alternative, if it opts to reinject its exploratory drilling wastes – which has long been technologically achievable and which is quickly becoming the industry standard – the State could exempt those wastes from coastal review. This is a big concession for us but in the interest of protecting the fisheries of Cook Inlet and beyond, we are willing to compromise. I hope this committee can see the logic in this proposal, and the fact that it is a win, win, win – for Alaskans, for the oil companies and for the fisheries and families and communities they support. Thank you.

**TESTIMONY ON
BOMBING RANGE EXEMPTION (S.B. 371)
& THE "FOREST OIL AMENDMENT"
BEFORE THE ALASKA HOUSE RULES COMMITTEE**

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CS FOR SENATE BILL NO. 371(RES) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Amended: 5/10/02

Offered: 5/6/02

Sponsor(s): SENATE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act exempting the use of munitions in certain areas from a waste disposal permit
2 requirement of the Department of Environmental Conservation; relating to general or
3 nationwide permits under the Alaska coastal management program and to
4 authorizations and permits issued by the Alaska Oil and Gas Conservation Commission;
5 and providing for an effective date."

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

7 * **Section 1.** AS 46.03.100 is amended by adding a new subsection to read:

8 (h) This section does not apply to the firing or other use of munitions in
9 training activities conducted on active ranges, including active ranges operated by the
10 United States Department of Defense or a United States military agency.

11 * **Sec. 2.** AS 46.40.096 is amended by adding a new subsection to read:

12 (h) The reviewing entity may exclude from the consistency review and
13 determination process for a project

1 (1) an activity that is authorized under a general or nationwide permit
2 that has previously been determined to be consistent with the applicable coastal
3 management programs;

4 (2) the issuance of an authorization or permit issued by the Alaska Oil
5 and Gas Conservation Commission.

6 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
7 read:

8 **RETROACTIVITY.** Section 2 of this Act is retroactive to August 1, 1998.

9 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).
10

SENATE BILL NO. 268

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 2/1/02

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the issuance of state-guaranteed revenue bonds by the Alaska
2 Housing Finance Corporation to finance mortgages for qualifying veterans; and
3 providing for an effective date."

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

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 **GUARANTEE OF REVENUE BONDS.** For the purpose of assisting the Alaska
8 Housing Finance Corporation to provide money for the purchase under AS 18.56 of
9 mortgages made for residences for qualifying veterans, revenue bonds of the Alaska Housing
10 Finance Corporation are unconditionally guaranteed as to principal and interest by the state in
11 the principal amount of not more than \$500,000,000. The full faith, credit, and resources of
12 the state are pledged to the payment of the principal of and interest on these bonds, and the
13 principal of and interest on the bonds are secured by the general obligation of the State of
14 Alaska. A statement of this pledge must be printed on the face of the bonds and must be

1 signed in manual or facsimile form by the governor. The provisions of AS 37.15 do not apply
 2 to the bonds. The guarantee authorized by this section is in addition to the guarantees
 3 authorized by sec. 5, ch. 35, SLA 1982; sec. 1, ch. 81, SLA 1983; sec. 1, ch. 115, SLA 1984;
 4 and sec. 1, ch. 134, SLA 1986.

5 * Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to
 6 read:

7 BOND AUTHORIZATION. If the question set out in sec. 4 of this Act is approved
 8 by the qualified voters of the state who vote on the question, the Alaska Housing Finance
 9 Corporation may issue not more than the principal amount of \$500,000,000 of its revenue
 10 bonds that are unconditionally guaranteed as to principal and interest by the state, the
 11 proceeds of which are to be expended by the Alaska Housing Finance Corporation to provide
 12 money for the purchase of mortgages made for residences for qualifying veterans. The
 13 authorization in this section to issue bonds is in addition to the authorizations to issue bonds
 14 that appear in sec. 6, ch. 35, SLA 1982; sec. 2, ch. 81, SLA 1983; sec. 2, ch. 115, SLA 1984;
 15 and sec. 2, ch. 134, SLA 1986.

16 * Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section to
 17 read:

18 DEFINITION. As used in this Act, a "qualifying veteran" is a person who is a
 19 "qualified veteran" as that term is defined, or may be subsequently defined, under
 20 26 U.S.C. 143.

21 * Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section to
 22 read:

23 BALLOT QUESTION. The question of the state guarantee of bonds referred to in this
 24 Act shall be submitted to the qualified voters of the state at the first general election after the
 25 effective date of this Act and shall read substantially as follows:

26 PROPOSITION

27 State Guaranteed Veterans Residential
 28 Mortgage Bonds \$500,000,000

29 Shall the State of Alaska unconditionally guarantee as a general
 30 obligation of the state the payment of principal and interest on
 31 revenue bonds of the Alaska Housing Finance Corporation issued

1 in the principal amount of not more than \$500,000,000 for the
2 purpose of purchasing mortgages made for residences for
3 qualifying veterans, as defined by law?

4 Bonds Yes []

5 Bonds No []

6 * Sec. 5. This Act takes effect immediately under AS 01.10.070(c).

SB

269

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: SB 269
 (S) Publish Date: 2/01/02

Revision Date/Time (Note if correction): _____ Dept. Affected: DOT&PF
 Title Name Bridge for James Bondsteel BRU Central Region Highways & Aviation
 Component Central Region Highways & Aviation
 Sponsor Rules by Request of Governor
 Requester _____ Component No. 564

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
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 ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
 This bill will require the department to install 2 traffic signs on a bridge. The cost will be absorbed by our Central Region highways and aviation sign budget.

Prepared by: Dennis R. Poshard Phone 465-3904
 Division: Commissioner's Office Date/Time 12/12/01 9:21 AM
 Approved by: Joseph L. Perkins, Commissioner Date 12/12/2001
 Agency: DOT&PF

SB

270

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: SB 270
 (S) Publish Date: 2/19/02

Revision Date/Time (Note if correction): _____ Dept. Affected: DCED
 Title An Act extending the termination date of the BRU: Occupational Licensing (117)
Board of Dispensing Opticians Component Occupational Licensing
 Sponsor Rules by Request
 Requester Senate Labor & Commerce Component No. 2360

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	14.2	14.2	14.2	14.2		
Travel	3.5	3.5	3.5	3.5		
Contractual	2.9	2.9	2.9	2.9		
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	20.6	20.6	20.6	20.6	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()	20.6	20.6	20.6	20.6	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other 1156-Receipt Supported Services	20.6	20.6	20.6	20.6		
TOTAL	20.6	20.6	20.6	20.6	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 The bill extends the Board of Dispensing Opticians to June 30, 2005, and amends statutes relating to the licensing examination. In accordance with AS 08.03.020, funding is extended one year following the termination date allowing the board to conclude its affairs. The information above identifies direct expenditure and revenue information included in the FY 2003 Operating Budget request. New funds are not required to implement changes to the examination statutes.

Prepared by: Jennifer Strickler, Administrative Manager
 Division: Occupational Licensing
 Approved by: Deborah B. Sedick, Commissioner
 Agency: Department of Community & Economic Development

Phone (907) 465-2144
 Date/Time 2/11/02 5:00 PM
 Date 2/11/2002

SB

324

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: SB 324
 (S) Publish Date: 3/6/02

Revision Date/Time (Note if correction): _____ Dept. Affected: DCED
 Title Public Utilities Exempt from Regulation BRU Regulatory Commission of Alaska (399)
 Component Regulatory Commission of Alaska
 Sponsor Senator Taylor
 Requester Senate Labor & Commerce Component No. 2417

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
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 ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill has no fiscal impact on the operations of this agency.

Prepared by: Nan Thompson, Chair Phone 907-276-6222
 Division Regulatory Commission of Alaska Date/Time 3/6/02 2:24 PM
 Approved by: Deborah B. Sedwick, Commissioner Date 3/6/2002
 Agency Department of Community & Economic Development

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22-LS1602J
Lauterbach
5/8/02

HOUSE CS FOR SENATE BILL NO. 345(RLS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to statewide school district correspondence study and to centralized
2 correspondence study; relating to the delay of the reduction of supplementary public
3 school funding; relating to funding the Alaska Challenge Youth Academy program;
4 relating to medical assistance for rehabilitative services for certain children with
5 disabilities; relating to agreements to pay medical assistance for covered services paid
6 for or furnished to eligible children with disabilities by a school district; and providing
7 for an effective date."

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

9 * Section 1. AS 14.07.050 is amended to read:

10 Sec. 14.07.050. Selection of textbooks. Textbooks for use in the public
11 schools of the state, including a district offered statewide correspondence study
12 program, shall be selected by district boards for district schools. Nothing in this
13 section precludes a correspondence study student, or the parent or guardian of a

1 correspondence study student, from privately obtaining or using textbooks or
2 curriculum material not provided by the school district.

3 * Sec. 2. AS 14.07 is amended by adding a new section to read:

4 Sec. 14.07.175. Powers relating to statewide correspondence study. (a)
5 The board may adopt regulations regarding statewide correspondence study programs.
6 A regulation applicable to a statewide correspondence study program conducted by
7 Alyeska Central School, a charter school, or a school district must

8 (1) specify that, once the department has approved an initial statewide
9 correspondence program application, the district is not required to submit a new
10 application more frequently than every five years unless the program is designated as
11 deficient or in crisis under AS 14.03.123(a);

12 (2) provide that an enrolled student shall be monitored by a certificated
13 teacher or appropriately trained personnel employed by the governing body; the
14 review of student work by certificated teachers must occur at least quarterly, except as
15 required by a student's individual education program under AS 14.30.180 - 14.30.350
16 or as required in the education plan developed for the student under 29 U.S.C. 794;
17 and

18 (3) provide that the governing body conducting the correspondence
19 program has the duty and authority to establish procedures for

20 (A) the review, selection, and use of correspondence
21 curriculum materials before they are introduced into the correspondence
22 curriculum; and

23 (B) approving or disapproving home-designed courses.

24 (b) In this section, "district" has the meaning given in AS 14.17.990.

25 * Sec. 3. AS 14.08.111(9) is amended to read:

26 (9) establish procedures for the review and selection of all textbooks
27 and instructional materials, including textbooks and curriculum materials for
28 statewide correspondence programs, before they are introduced into the school
29 curriculum; the review includes a review for violations of AS 14.18.060; nothing in
30 this paragraph precludes a correspondence study student, or the parent or
31 guardian of a correspondence study student, from privately obtaining or using

1 textbooks or curriculum material not provided by the school district;

2 * Sec. 4. AS 14.14.090(7) is amended to read:

3 (7) establish procedures for the review and selection of all textbooks
4 and instructional materials, including textbooks and curriculum materials for
5 statewide correspondence programs, before they are introduced into the school
6 curriculum; the review includes a review for violations of AS 14.18.060; nothing in
7 this paragraph precludes a correspondence study student, or the parent or
8 guardian of a correspondence study student, from privately obtaining or using
9 textbooks or curriculum material not provided by the school district;

10 * Sec. 5. AS 14.17.490(d) is amended to read:

11 (d) Beginning in fiscal year 2004 [2000], if a district receives more public
12 school funding under AS 14.17.410 than the district received in the preceding fiscal
13 year, any amount received by the district under this section shall be reduced. The
14 amount of the reduction required under this subsection is equal to the amount of
15 increase from the preceding fiscal year in public school funding multiplied by 40
16 percent. In this subsection, "public school funding" does not include funding under
17 this section.

18 * Sec. 6. AS 14.30 is amended by adding a new section to read:

19 **Sec. 14.30.740. Funding for Alaska Challenge Youth Academy program.**

20 (a) Each fiscal year, the department shall allocate funding for the Alaska Challenge
21 Youth Academy program in an amount equal to the base student allocation multiplied
22 by seven for each residential student and the base student allocation multiplied by 6/10
23 for each nonresidential student, minus the amount received by the program in federal
24 matching grant funds. The determination of the number of residential and
25 nonresidential students shall be made by the department on October 1 of the prior
26 year.

27 (b) In this section,

28 (1) "base student allocation" means the amount established under
29 AS 14.17.470;

30 (2) "nonresidential student" means a student who receives services but
31 does not reside at the program site;

- 1 (3) "program" means the Alaska Challenge Youth Academy program;
2 (4) "residential student" means a student who resides at the program
3 site.

4 * Sec. 7. AS 47.07.030(b) is amended to read:

5 (b) In addition to the mandatory services specified in (a) of this section and the
6 services provided under (d) of this section, the department may offer only the
7 following optional services: case management and nutrition services for pregnant
8 women; personal care services in a recipient's home; emergency hospital services;
9 long-term care noninstitutional services; medical supplies and equipment; advanced
10 nurse practitioner services; clinic services; rehabilitative services for children eligible
11 for services under AS 47.07.063, substance abusers, and emotionally disturbed or
12 chronically mentally ill adults; targeted case management services for substance
13 abusers, chronically mentally ill adults, and severely emotionally disturbed persons
14 under the age of 21; inpatient psychiatric facility services for individuals age 65 or
15 older and individuals under age 21; psychologists' services; clinical social workers'
16 services; midwife services; prescribed drugs; physical therapy; occupational therapy;
17 chiropractic services; low-dose mammography screening, as defined in
18 AS 21.42.375(e); hospice care; treatment of speech, hearing, and language disorders;
19 adult dental services; prosthetic devices and eyeglasses; optometrists' services;
20 intermediate care facility services, including intermediate care facility services for the
21 mentally retarded; skilled nursing facility services for individuals under age 21; and
22 reasonable transportation to and from the point of medical care.

23 * Sec. 8. AS 47.07 is amended by adding a new section to read:

24 **Sec. 47.07.063. Payment for certain services furnished or paid for by a**
25 **school district.** (a) The department may pay medical assistance under this chapter to
26 a school district on behalf of an eligible child with a disability for services covered
27 under this chapter that are furnished or paid for by the school district if

28 (1) the school district and the department have entered into an
29 agreement requiring the school district to reimburse the department for any state
30 financial share required by the federal government;

31 (2) the services are

1 (A) included in the child's individualized education program
2 developed under AS 14.30.278; and

3 (B) otherwise eligible for reimbursement under this chapter;

4 (3) the child is a child with a disability who

5 (A) is eligible for medical assistance under this chapter for the
6 services; and

7 (B) complies with all applicable provisions of this chapter for
8 that assistance;

9 (4) the school district fully complies with billing, auditing, and
10 reporting required under the approved state plan described in AS 47.07.040;

11 (5) reimbursement of payment for the services under this section does
12 not exceed reimbursement allowable for the services under this chapter; and

13 (6) all other requirements of federal and state law are met.

14 (b) Notwithstanding any contrary provision of state law, the school district
15 shall allow the department access to medical, financial, and other records of the child
16 that are in the possession of the school district in order to verify eligibility for services
17 under this chapter. The department shall keep information received under this
18 subsection confidential to the same extent as the school district is required to keep the
19 information confidential under law.

20 (c) The department may adopt regulations to carry out this section.

21 (d) In this section, unless the context otherwise requires,

22 (1) "child with a disability" has the meaning given in AS 14.30.350;

23 (2) "school district" has the meaning given the term "district" in
24 AS 14.17.990, but includes a state boarding school established under AS 14.16.010.

25 * Sec. 9. The uncodified law of the State of Alaska is amended by adding a new section to
26 read:

27 **APPLICABILITY.** Section 5 of this Act does not affect any reductions under
28 AS 14.17.490(d) for state fiscal years 2000, 2001, and 2002.

29 * Sec. 10. The uncodified law of the State of Alaska is amended by adding a new section to
30 read:

31 **TRANSITION: REGULATIONS.** The Department of Health and Social Services

1 and the state Board of Education and Early Development may proceed to adopt regulations
2 necessary to carry out the changes made by this Act. The regulations take effect under
3 AS 44.62 (Administrative Procedure Act), but not before the effective date of the statutory
4 change implemented by the regulations.

5 * **Sec. 11.** Section 10 of this Act takes effect immediately under AS 01.10.070(c).

6 * **Sec. 12.** Sections 5 - 9 of this Act take effect July 1, 2002.

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FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: SB 363
(S) Publish Date: 5/6/02

Revision Date/Time (Note if correction): _____ Dept. Affected: Admin
Title An act relating to electioneering... BRU AK Public Offices Commission
Component _____
Sponsor Senate Rules
Requester Senate State Affairs Component No. 70

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	5.0	5.0	5.0	5.0	0.0	0.0
Contractual	20.0	20.0	20.0	20.0	20.0	20.0
Supplies	5.0	5.0	5.0	5.0	5.0	5.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	30.0	30.0	30.0	30.0	25.0	25.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	30.0	30.0	30.0	30.0	25.0	25.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	30.0	30.0	30.0	30.0	25.0	25.0

Estimate of any current year (FY2002) cost: 0.0
Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: *(Attach a separate page if necessary)*
This bill creates additional requirements for candidates and groups when identifying their paid political communications. It represents significant administrative difficulties in that it also creates a new kind of political communication (electioneering) which is defined and enforced by the Division of Elections. The funding request is for training, paper and printing, and enforcement.

Prepared by: Brooke Miles, Executive Director Phone 907-276-4176
Division: Alaska Public Offices Commission Date/Time 4/22/02 4:58 PM
Approved by: Jim Duncan, Commissioner Date 4/22/2002
Agency: Department of Administration

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: SB 363
(S) Publish Date: 5/6/02

Revision Date/Time (Note if correction): _____ Dept. Affected: OOG
Title: An Act relating to electioneering BRU: Elections
communications Component: Elections
Sponsor: Senate Rules
Requester: Senate State Affairs Component No. 21

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual	0.0					
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 ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0					
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Gail Fenumiai, Election Administrative Supervisor Phone 465-3935
Division: Division of Elections Date/Time 4/22/02 2:31 PM
Approved by: Lieutenant Governor Fran Ulmer Date 04/22/2002
Agency: Office of the Lieutenant Governor

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: CSSB 363 (STA)
 (S) Publish Date: 5/7/02

Revision Date/Time (Note if correction): _____ Dept. Affected: Admin
 Title An act relating to communications... BRU AK Public Offices Commission
 Component _____
 Sponsor Senate Rules
 Requester Senate Finance Component No. 70

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	5.0	0.0	0.0	0.0	0.0	0.0
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	5.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	5.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	5.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This bill deletes the requirement that contributors report their maximum contributions to candidates or groups. It also creates new definitions for "communication," "electioneering communication," "express communication," and "issues communication." This new language provides a bright line for the Commission to evaluate when issue communications are subject to the contribution limits and reporting requirements of the campaign disclosure law (AS 15.13). One time funding is requested for paper, postage, printing and training outreach.

Prepared by: Brooke Miles Phone 907-276-4176
 Division: APOC Date/Time 5/6/02 4:25 PM
 Approved by: Jim Duncan, Commissioner Date 5/6/2002
 Agency: Department of Administration

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: HCS CSSB 363(JUD)
 (H) Publish Date: 5/11/02

Revision Date/Time (Note if correction): _____ Dept. Affected: Admin
 Title Campaign Comm. & Disclosures BRU AK Public Offices Commission
 Component _____
 Sponsor Senate Rules
 Requester House Judiciary Component No. 70

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
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 ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Heather Nobrega, Counsel Phone 907-465-4990
 Division House Judiciary Committee Date/Time 5/11/02 11:30 AM
 Approved by: Norman Rokeberg, Chairman Date 5/11/02
 Agency House Judiciary Committee

22-LS1713B
Kurtz
5/12/02

15-5

HOUSE CS FOR CS FOR SENATE BILL NO. 363()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATE RULES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to communications and elections, to reporting of contributions and
2 expenditures, and to campaign misconduct in the second degree; relating to disclosure
3 by individuals of contributions to candidates; and providing for an effective date."

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

5 * Section 1. AS 15.13.040(d), as amended by sec. 4, ch. 1, SLA 2002, is repealed and
6 reenacted to read:

7 (d) Every individual, person, nongroup entity, or group making an expenditure
8 shall make a full report of expenditures, upon a form prescribed by the commission,
9 unless exempt from reporting.

10 * Sec. 2. AS 15.13.040(e) is amended to read:

11 (e) The report required under (d) of this section must contain the name,
12 address, principal occupation, and employer of the individual filing the report, and an
13 itemized list of expenditures. The report shall be filed with the commission [BY THE
14 CONTRIBUTOR] no later than 10 days after the [CONTRIBUTION OR] expenditure

1 is made. [A COPY OF THE REPORT SHALL BE FURNISHED TO THE
2 CANDIDATE, CAMPAIGN TREASURER, OR DEPUTY CAMPAIGN
3 TREASURER AT THE TIME THE CONTRIBUTION IS MADE.]

4 * Sec. 3. AS 15.13.040(h), as amended by sec. 5, ch. 1, SLA 2002, is amended to read:

5 (h) The provisions of (d) [(d)(2)] of this section do not apply to one or more
6 expenditures made by an individual acting independently of any group or nongroup
7 entity and independently of any other individual if the expenditures

8 (1) cumulatively do not exceed \$250 during a calendar year; and

9 (2) are made only for billboards, signs, or printed material concerning
10 a ballot proposition as that term is defined by AS 15.13.065(c).

11 * Sec. 4. AS 15.13.040, as amended by ch. 1, SLA 2002, is amended by adding a new
12 subsection to read:

13 (k) Every individual, person, nongroup entity, or group contributing a total of
14 \$500 or more to a group organized for the principal purpose of influencing the
15 outcome of a proposition shall report the contribution or contributions on a form
16 prescribed by the commission not later than 30 days after the contribution that requires
17 the contributor to report under this subsection is made. The report must include the
18 name, address, principal occupation, and employer of the individual filing the report
19 and the amount of the contribution, as well as the total amount of contributions made
20 to that group by that individual, person, nongroup entity, or group during the calendar
21 year.

22 * Sec. 5. AS 15.13.090, as amended by secs. 18 and 19, ch. 1, SLA 2002, is amended to
23 read:

24 **Sec. 15.13.090. Identification of communication.** (a) All
25 [ADVERTISEMENTS, BILLBOARDS, HANDBILLS, PAID-FOR TELEVISION
26 AND RADIO ANNOUNCEMENTS, AND OTHER] communications [INTENDED
27 TO INFLUENCE THE ELECTION OF A CANDIDATE OR OUTCOME OF A
28 BALLOT PROPOSITION OR QUESTION] shall be clearly identified by the words
29 "paid for by" followed by the name and address of the candidate, group, nongroup
30 entity, or individual paying for the communication [ADVERTISING]. In addition,
31 candidates and groups may [MUST] identify the name of their campaign chairperson.

*MacIntyre
Case.*

1 (b) The provisions of (a) of this section do not apply when the
2 communication [ADVERTISEMENT]

3 (1) is paid for by an individual acting independently of any group or
4 nongroup entity and independently of any other individual;

5 (2) is made to influence the outcome of a ballot proposition as that
6 term is defined by AS 15.13.065(c); and

7 (3) is made for

8 (A) a billboard or sign; or

9 (B) printed material other than an advertisement made in a
10 newspaper or other periodical.

11 * Sec. 6. AS 15.13.380(c) is amended to read:

12 (c) Promptly after the final date for filing statements and reports, the
13 commission shall notify all persons who have become delinquent in filing them [,
14 INCLUDING CONTRIBUTORS WHO FAILED TO FILE A STATEMENT IN
15 ACCORDANCE WITH AS 15.13.040,] and shall make available a list of these
16 delinquents for public inspection. The commission shall also report to the attorney
17 general the names of all candidates in an election whose campaign treasurers have
18 failed to file the reports required by this chapter.

19 * Sec. 7. AS 15.13.390(a) is amended to read:

20 (a) A person who fails to register when required by AS 15.13.050(a) or who
21 fails to file a properly completed and certified report within the time required by
22 AS 15.13.040 [AS 15.13.040(d) - (f)], 15.13.060(b) - (d), [15.13.080(c),]
23 15.13.110(a)(1), (3), or (4), (e), or (f) is subject to a civil penalty of not more than \$50
24 a day for each day the delinquency continues as determined by the commission subject
25 to right of appeal to the superior court. A person who fails to file a properly
26 completed and certified report within the time required by AS 15.13.110(a)(2) or
27 15.13.110(b) is subject to a civil penalty of not more than \$500 a day for each day the
28 delinquency continues as determined by the commission subject to right of appeal to
29 the superior court. A person who violates a provision of this chapter, except a
30 provision requiring registration or filing of a report within a time required as otherwise
31 specified in this section, is subject to a civil penalty of not more than \$50 a day for

1 each day the violation continues as determined by the commission, subject to right of
 2 appeal to the superior court. An affidavit stating facts in mitigation may be submitted
 3 to the commission by a person against whom a civil penalty is assessed. However, the
 4 imposition of the penalties prescribed in this section or in AS 15.13.380 does not
 5 excuse that person from registering or filing reports required by this chapter.

6 * Sec. 8. AS 15.13.400(4) is amended to read:

7 (4) "expenditure"

8 (A) means a purchase or a transfer of money or anything of
 9 value, or promise or agreement to purchase or transfer money or anything of
 10 value, incurred or made for the purpose of

11 (i) influencing the nomination or election of a candidate
 12 or of any individual who files for nomination at a later date and
 13 becomes a candidate;

14 (ii) use by a political party;

15 (iii) the payment by a person other than a candidate or
 16 political party of compensation for the personal services of another
 17 person that are rendered to a candidate or political party; or

18 (iv) influencing the outcome of a ballot proposition or
 19 question;

20 (B) does not include a candidate's filing fee or the cost of
 21 preparing reports and statements required by this chapter;

22 (C) includes an express communication and an
 23 electioneering communication, but does not include an issues
 24 communication;

25 * Sec. 9. AS 15.13.400, as amended by ch. 1, SLA 2002, is amended by adding new
 26 paragraphs to read:

27 (13) "communication" means an announcement or advertisement
 28 disseminated through print or broadcast media, including radio, television, cable, and
 29 satellite, the Internet, ^{advertisement, etc.} or through a mass mailing, excluding those placed by an
 30 individual or nongroup entity and costing \$500 or less and those that do not directly or
 31 indirectly identify a candidate or proposition, as that term is defined in

1 AS 15.13.065(c);

2 (14) "electioneering communication" means a communication that

3 (A) directly or indirectly identifies a candidate;

4 (B) addresses an issue of national, state, or local political
5 importance and attributes a position on that issue to the candidate identified;
6 and

7 (C) occurs within the 30 days preceding a general or municipal
8 election;

9 (15) "express communication" means a communication that includes
10 language explicitly advocating election or defeat of a candidate;

11 (16) "issues communication" means a communication that

12 (A) directly or indirectly identifies a candidate; and

13 (B) addresses an issue of national, state, or local political
14 importance.

15 * Sec. 10. AS 15.56.014(a) is amended to read:

16 (a) A person commits the crime of campaign misconduct in the second degree
17 if the person

18 (1) knowingly circulates or has written, printed or circulated a letter,
19 circular, or publication relating to an election, to a candidate at an election, or an
20 election proposition or question without the name and address of the author appearing
21 on its face;

22 (2) except as provided by AS 15.13.090(b), knowingly prints or
23 publishes an advertisement, billboard, placard, poster, handbill, paid-for television or
24 radio announcement, or [OTHER] communication, as that term is defined in
25 AS 15.13.400, intended to influence the election of a candidate or outcome of a ballot
26 proposition or question without the words "paid for by" followed by the name and
27 address of the candidate, group, or individual paying for the advertising or
28 communication and, if a candidate or group, with the name of the campaign chair;

29 (3) knowingly makes a communication, as that term is defined in
30 AS 15.13.400, [WRITES OR PRINTS AND CIRCULATES, OR HAS WRITTEN,
31 PRINTED AND CIRCULATED, A LETTER, CIRCULAR, BILL, PLACARD,

1 POSTER, OR ADVERTISEMENT IN A NEWSPAPER, ON RADIO OR
2 TELEVISION]

3 (A) containing false factual information relating to a candidate
4 for an election;

5 (B) that the person knows to be false; and

6 (C) that would provoke a reasonable person under the
7 circumstances to a breach of the peace or that a reasonable person would
8 construe as damaging to the candidate's reputation for honesty or [,] integrity,
9 or to the candidate's qualifications to serve if elected to office.

10 * Sec. 11. AS 15.13.080 is repealed.

11 * Sec. 12. This Act takes effect immediately under AS 01.10.070(c).

AMENDMENT *D*

OFFERED IN THE HOUSE

BY REPRESENTATIVE BERKOWITZ

TO: HCS CSSB 363(JUD)

1 Page 1, line 2:

2 Delete "and"

3 Following "degree":

4 Insert ", and to repayment of prohibited contributions"

5

6 Page 1, line 5, through page 6, line 11:

7 Delete all material and insert:

8 **** Section 1.** AS 15.13.090, as amended by secs. 18 and 19, ch. 1, SLA 2002, is amended
9 to read:

10 **Sec. 15.13.090. Identification of communication and disclosure of source**
11 **of funds.** (a) All advertisements, billboards, handbills, paid-for television and radio
12 announcements, **electioneering communications,** and other communications intended
13 to influence the election of a candidate or outcome of a ballot proposition or question
14 shall be clearly identified by the words "paid for by" followed by the name and
15 address of the candidate, group, nongroup entity, or individual paying for the
16 **communication** [ADVERTISING]. In addition, candidates and groups must identify
17 the name of their campaign chairperson.

18 (b) The provisions of (a) of this section do not apply when the
19 **communication** [ADVERTISEMENT]

20 (1) is paid for by an individual acting independently of any group or
21 nongroup entity and independently of any other individual;

22 (2) is made to influence the outcome of a ballot proposition as that
23 term is defined by AS 15.13.065(c); and

1 (3) is made for

2 (A) a billboard or sign; or

3 (B) printed material other than an advertisement made in a
4 newspaper or other periodical.

5 * Sec. 2. AS 15.13.090 is amended by adding a new subsection to read:

6 (c) A person making a communication subject to (a) of this section shall report
7 to the commission the source of funds used to pay for the communication according to
8 the schedule specified in AS 15.13.110(a). If the communication is made within nine
9 days of an election, the source of funds used to pay for the communication shall be
10 reported to the commission within 24 hours after the communication.

11 * Sec. 3. AS 15.13 is amended by adding a new section to read:

12 **Sec. 15.13.382. Repayment of prohibited contributions.** A person receiving
13 a contribution any portion of which was made in violation of the provisions of this
14 chapter shall return the full contribution to the contributor.

15 * Sec. 4. AS 15.13.390(a) is amended to read:

16 (a) A person who fails to register when required by AS 15.13.050(a) or who
17 fails to file a properly completed and certified report within the time required by
18 AS 15.13.040(d) - (f), 15.13.060(b) - (d), [15.13.080(c),] 15.13.110(a)(1), (3), or (4),
19 (e), or (f) is subject to a civil penalty of not more than \$50 a day for each day the
20 delinquency continues as determined by the commission subject to right of appeal to
21 the superior court. A person who fails to file a properly completed and certified report
22 within the time required by AS 15.13.110(a)(2) or 15.13.110(b) is subject to a civil
23 penalty of not more than \$500 a day for each day the delinquency continues as
24 determined by the commission subject to right of appeal to the superior court. A
25 person who violates a provision of this chapter, except a provision requiring
26 registration or filing of a report within a time required as otherwise specified in this
27 section, is subject to a civil penalty of not more than \$50 a day for each day the
28 violation continues as determined by the commission, subject to right of appeal to the
29 superior court. An affidavit stating facts in mitigation may be submitted to the
30 commission by a person against whom a civil penalty is assessed. However, the
31 imposition of the penalties prescribed in this section or in AS 15.13.380 does not

1 excuse that person from registering or filing reports required by this chapter.

2 * Sec. 5. AS 15.13.400, as amended by ch. 1, SLA 2002, is amended by adding a new
3 paragraph to read:

4 (13) "electioneering communication" means a communication that

5 (A) is made within the 30 days preceding a primary election or
6 the 60 days preceding a general election;

7 (B) is made by way of direct mail, newspaper, Internet,
8 broadcast, cable, or satellite media, telephone poll, or organized series of calls
9 to an audience that includes voters who will have the opportunity to vote on a
10 candidate clearly identified in the communication or on a candidate of a party
11 clearly identified in the communication; and

12 (C) when read as a whole and with limited reference to external
13 events, is susceptible of no other reasonable interpretation but as an
14 exhortation to vote for or against a specific candidate in the general or primary
15 election.

16 * Sec. 6. AS 15.56.014(a) is amended to read:

17 (a) A person commits the crime of campaign misconduct in the second degree
18 if the person

19 (1) knowingly circulates or has written, printed, or circulated a letter,
20 circular, or publication relating to an election, to a candidate at an election, or to an
21 election proposition or question without the name and address of the author appearing
22 on its face;

23 (2) except as provided by AS 15.13.090(b), knowingly prints or
24 publishes an advertisement, billboard, placard, poster, handbill, paid-for television or
25 radio announcement, electioneering communication as that term is defined in
26 AS 15.13.400, or other communication intended to influence the election of a
27 candidate or outcome of a ballot proposition or question without the words "paid for
28 by" followed by the name and address of the candidate, group, or individual paying for
29 the advertising or communication and, if a candidate or group, with the name of the
30 campaign chair;

31 (3) knowingly writes or prints and circulates, or has written, printed,

1 and circulated, a letter, circular, bill, placard, poster, or advertisement in a newspaper,
2 on radio, or on television

3 (A) containing false factual information relating to a candidate
4 for an election;

5 (B) that the person knows to be false; and

6 (C) that would provoke a reasonable person under the
7 circumstances to a breach of the peace or that a reasonable person would
8 construe as damaging to the candidate's reputation for honesty or [,] integrity,
9 or to the candidate's qualifications to serve if elected to office."

10
11 Renumber the following bill sections accordingly.

Rate 1 HB 175 rolled into capital budget
as grants

Under an amendment adopted by the House Finance Committee last night, there are approximately \$55,000,000 in grants from the Railbelt Energy Fund now in HB247. Nothing will be paid back.

Almost \$31,00,000 goes to upgrading the Intertie to Fairbanks for the benefit of Golden Valley Electric. \$20,300,000 for the Anchorage to Fairbanks Intertie; \$10,000,000 to upgrade Matanuska Electric Association lines to accommodate the Fairbanks project (vital to hold Eagle River/Mat-Su ratepayers harmless, but not otherwise needed by MEA) and another \$872,000 for "line extensions" for Golden Valley.

\$2,000,000 is granted to Homer Electric for Seldovia.

\$3,500,000 is a grant to Matanuska Electric to relocate the Palmer substation.

\$19,300,000 is a grant to Municipal Light and Power to upgrade the Eklutna Transmission line.

EAGLE RIVER SHARE OF RAILBELT ENERGY FUND GRANTS: ZERO.

FAIRBANKS - GOLDEN VALLEY :	\$31,172,000
MAT-SU PROJECTS:	\$3,500,000
HOMER	\$2,000,000
ANCHORAGE	\$19,300,000
EAGLE RIVER	0

Additional Projects Needed: Eagle River and Mat-Su need \$3,500,000 to relocate the downtown Eagle River substation; \$4,000,000 to underground lines in the core area of Eagle River and \$4,000,000 for underground lines in downtown Palmer and Wasilla and \$750,000 for line extensions in the Mat-Su area. Note: HB247 also includes \$200,000 line extension along the Parks Highway not funded from the Railbelt Energy Fund.

\$12,250,000

There is 20 million left in the Railbelt Energy Fund.

Tucker

mm

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: SB 345 #2
 (S) Publish Date: 3/27/02

Revision Date/Time (Note if correction): _____ Dept. Affected: Health & Social Services
 Title: SCHOOL BASED MEDICAL ASSISTANCE FOR CHILDREN WITH DISABILITIES BRU: Medical Assistance
 Component: Medicaid Services
 Sponsor: SENATE (HES)
 Requestor: SENATE (HES) Component Number: 2077

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	787.5	3,937.5	7,875.0	7,875.0	7,875.0	7,875.0
Miscellaneous						
TOTAL OPERATING	787.5	3,937.5	7,875.0	7,875.0	7,875.0	7,875.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES (0)						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	458.9	2,294.4	4,588.8	4,588.8	4,588.8	4,588.8
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1108 Stat Desig	328.6	1,643.1	3,286.2	3,286.2	3,286.2	3,286.2
TOTAL	787.5	3,937.5	7,875.0	7,875.0	7,875.0	7,875.0

Estimate of any current year (FY2002) cost: _____

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would enable school districts to bill Medicaid for services provided to Medicaid-eligible children in special education programs. Districts would reimburse the Department of Health and Social Services for the state match required. There would be no net increase in state general fund match for Medicaid (see related fiscal note for administrative costs).

See attached page for assumptions.

Prepared by: Jon Sherwood Phone 465-3355
 Division: Medical Assistance Date/Time 03/05/2002
 Approved by: Elmer A. Lindstrom, Deputy Commissioner Date 03/06/2002
 Agency: Department of Health & Social Services

For distribution information, call the Governor's Legislative Office

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

BILL NO. SB 345 #2

ANALYSIS CONTINUATION

Assumptions:

Alaska school districts provide approximately \$45 million in special education support services annually.

Approximately 35 percent of children receiving special education services are eligible for Medicaid.

At full implementation, approximately 50 percent of special education support services provided to Medicaid eligible children will qualify for Medicaid reimbursement; the remainder will fall outside of Medicaid service definitions or will be provided by smaller districts who choose not to bill Medicaid.

Legislation will be fully implemented by FY 05. FY 03 Medicaid service expenditures will be 10 percent of FY 05 expenditures. FY 04 expenditures will be 50 percent of FY 05 expenditures.

Federal share of Medicaid Service expenditures will be 58.27 percent.

School districts will reimburse the Department for the state match (shown as statutory designated program receipts).

Cost of Services under full implementation:

FY 05 @ \$45,000.0 x 35% x 50% = \$7,875.0.

FY 06 @ \$45,000.0 x 35% x 50% = \$7,875.0.

FY 07 @ \$45,000.0 x 35% x 50% = \$7,875.0.

FY 08 @ \$45,000.0 x 35% x 50% = \$7,875.0.

Start-up years:

FY 03 @ 10% of FY 05 = \$ 787.5

FY 04 @ 50% of FY 05 = \$3,937.5

S B

3 7 1

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: SB 371
 (S) Publish Date: 5/6/02

Revision Date/Time (Note if correction): _____ Dept. Affected: Environmer. Conservation
 Title Permit Exemption for Munitions Use BRU Administrative Services
 Component Office of the Commissioner
 Sponsor Senate State Affairs
 Requester Senate Resources Component No. 633

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type--Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This bill is intended solely to clarify that the military is not required to obtain a permit under AS 46.03.100 to fire or otherwise use munitions in training activities conducted on active ranges. This bill does not affect any authority that the state may have under other federal or state laws to require the cleanup or remediation of contamination or unexploded ordnance at a military range, whether active or closed, under AS 46.03.100, or to require a disposal permit, such as a closure plan, once a range is no longer in active use. Therefore there is no fiscal impact to the department.

Prepared by: Mary Siroky, Legislative Liaison Phone (907) 465-5355
 Division Statewide Public Services Date/Time 5/1/02 3:52 PM
 Approved by: Kurt Fredriksson Date 5/1/02
 Agency Department of Environmental Conservation

AMENDMENT

OFFERED IN THE HOUSE
TO: CS SB 371 (RES) AM

- 1 Page 2 line 2, following "previously been:
- 2 INSERT: "fully considered and"

AMENDMENT

OFFERED IN THE HOUSE
TO: CS SB 371 (RES) am

BY REPRESENTATIVE

1 Page 2 line 3 following "programs;"

2 INSERT: "except for activities discharging drilling wastes in state waters."

3

Proposed Amendment to CSSB 371(RES) am

AMENDMENT #1:

Page 2, line 3:

After "management programs" insert "except for activities involving drilling waste discharges into state waters, but not excepting such activities associated with the Osprey exploration project on the Redoubt Shoal Unit in Cook Inlet:

AMENDMENT

OFFERED IN THE HOUSE
TO: CS SB 371 (RES) am

BY REPRESENTATIVE

- 1 Page 1 line 1, following "Act"
- 2
- 3 **DELETE: "exempting the use of munitions in certain areas from a**
- 4 **waste disposal permit requirement of the Department of**
- 5 **Environmental Conservation; "**
- 6
- 7 Page 1 line 7 through page 1 line 10
- 8
- 9 **DELETE all material**
- 10
- 11 Renumber the following sections accordingly

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE

TO: CSSB 371 (RES) am

- 1 Page 1, line 9 following "ranges"
- 2 Delete ", including active ranges"