

ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 8672

11371 SENATE STATE AFFAIRS ()

History: Eff. 12/31/69, Register 31; am 6/28/79, Register 70

Authority: AS 28.05.011

13 AAC 04.097. Special school bus lighting equipment

(a) A school bus must, in addition to other equipment and distinctive markings required by this chapter, be equipped with signal lights mounted as high and as widely spaced laterally as practicable, which must display to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level. The lights must be visible at 500 feet in normal sunlight. The alternately flashing red lights must be illuminated by the driver of the school bus when, but only when, the bus is stopped for the purpose of receiving or discharging school children, except that the lights may not be illuminated in

(1) a designated school bus loading or unloading area where the bus is entirely off the roadway and a child being received into or discharged from the bus is not required to cross the roadway; or

(2) an intersection or other place where traffic is controlled by a traffic-control signal or by a police officer.

(b) A school bus must be equipped with yellow signal lights mounted near each of the four red lights required in (a) of this section and at the same level but closer to the vertical centerline of the bus. These lights must display two alternately flashing yellow lights visible to the front and rear of the bus for a distance of at least 500 feet in normal sunlight. The yellow flashing lights must be illuminated by the school bus driver at least 100 feet, but not more than 500 feet, before every stop at which the alternately flashing red lights are illuminated, at which time the alternately flashing yellow lights authorized by this section must be turned off.

(c) Every school bus must have indicator lights readily visible to the driver of the bus, which automatically indicate to the driver of the bus when any of the alternately flashing lights authorized by this section are illuminated.

History: Eff. 6/28/79, Register 70

Authority: AS 28.05.011

Editor's note: This section is based partially on former 13 AAC 04.090(b) and 13 AAC 04.150(c) - (e).

13 AAC 04.100. Flashing blue lights on vehicles

(a) A firefighter, an emergency medical service responder, or a police officer, with the concurrence of the chief of that person's department, when authorized under 13 AAC 02.517 or (i) of this section, may equip the person's motor vehicle with a flashing blue light that must be visible from the front and sides for a distance of 300 feet in normal sunlight. The flashing blue light authorized by this subsection may be illuminated only when the driver of the vehicle is a member of a fire or a police department responding to an emergency, and the vehicle must display a sign or plate that indicates the department membership and the name of the municipality or organization in which the driver is a member.

(b) Repealed 6/28/79.

(c) Repealed 6/28/79.

(d) Repealed 6/28/79.

(e) Police and public fire vehicles may not use a flashing blue light except simultaneously with a flashing red light as required in sec. 90 of this chapter.

(f) Vehicles, except those vehicles described in (e) of this section, that are owned or operated by the state or a municipality may not use a flashing blue light except simultaneously with a flashing yellow light and in accordance with 13 AAC 04.095.

(g) A person certified by a state agency to render emergency lifesaving or medical services, when authorized by the commissioner, may equip his private vehicle with a flashing blue light meeting the visibility requirements of (a) of this section, for use only when responding to an emergency. The flashing blue light may not be illuminated except when the driver of the vehicle is properly certified to render emergency lifesaving or medical services and his vehicle displays the "star of life" symbol.

(h) Lights displaying blue color may not be used upon vehicles, except as provided in this section.

(i) A fire chief, an emergency medical service provider, or a police chief of a municipality or borough that has been granted authority in writing by the commissioner may authorize a person to equip the person's motor vehicle with a flashing blue light if

(1) the person completes and returns to the commissioner or the commissioner's designee on a signed and notarized form prepared by the department a certification that

(A) the person's motor vehicle complies with the equipment standards set out in 13 AAC 04;

(B) the person holds a valid Alaska driver's license that has not been suspended, revoked, cancelled, or limited within the three years before the form is returned; and

(C) the person has read and understands the regulations for emergency vehicle operation set out in 13 AAC 02.140, 13 AAC 02.517 and 13 AAC 04.100; and

(2) if requested by the commissioner or the commissioner's designee, the person provides a certified copy of the person's driving record.

History: Eff. 12/31/69, Register 31; am 6/28/79, Register 70; am 6/12/97, Register 142; am 12/6/2001, Register 160

Authority: AS 28.05.011

Editor's note: Copies of the design standards for the "star of life" may be obtained from the emergency medical services section of the division of public health, Department of Health and Social Services.

13 AAC 04.105. Stoplamp and electric turn signals

Repealed 6/28/79.

13 AAC 04.110. Additional lighting equipment

Repealed 6/28/79.



Attachment J

Peace Officer Letters of Support

Fairbanks Police Department

Attn: Officer David A. Stevenson
911 Cushman Street
Fairbanks, AK 99701

February 16th, 2004

STATE OF ALASKA HOUSE OF REPRESENTATIVES
Representative Jim Holme
ATTN: Matthew Rudig, Staff to Representative Jim Holm
State Capitol Building
Juneau, AK 99801

To Whom It May Concern:

I am submitting this letter as a Statement in Support of House Bill 438.

I have been a police officer for over 17 years. I have been a police officer in Alaska since 1993. On October 8th, 2000 I was involved in an accident on the Richardson Highway just south of Fairbanks. In my accident, a driver traveling southbound on the Richardson Highway realized at the last minute that I was not merely doing a traffic stop. A wrecker was facing backwards on the highway ready to tow a vehicle. I did things to try and get the driver to slow down. My emergency overhead lights were on. She moved over, but did not slow down. She swerved suddenly and the icy road conditions threw her vehicle into a spin at 50 MPH causing her to crash into my patrol car. On this day, I did something different than I have ever done in my career. I did not get out of my patrol car and direct traffic as I usually do. It was dark. It was snowing heavily and had been raining earlier in the night, causing extremely slick road conditions. I could hardly stand on the road. If I had been out of my vehicle at the time of the accident, I would have been crushed between the patrol car and the car that struck me.

My patrol car was involved in a similar accident in 1998. Fairbanks Police Department Officer Williams using my patrol car. He was working an accident on the Richardson Highway when a driver failed to slow, drove through a large flare pattern and rear-ended my patrol car.

Sergeant Jewkes with the Fairbanks Police Department also was working an accident on the Johansen Expressway near the Peger Road overpass. A vehicle did not slow down and slid on the icy roads. He and a bystander had to jump over an embankment to avoid being crushed as the car struck the guardrail they were standing next to. We are thankful at the Fairbanks Police Department that it was only the embankment, and not the bridge itself.

In the 1980's Fairbanks Police Officer Don Lasage was struck on the Richardson Highway after he stopped to clear debris from the roadway. His emergency overhead lights were on. Officer Lasage was gravely injured and subsequently had to retire on medical retirement.

There are similar stories across the state where officers have jumped out of the way or felt the high speed brush of a mirror passing their head at 55 MPH plus. I have discovered an interesting effect through the years. Some drivers are so busy looking at the emergency overhead lights they actually drive towards them. (You drive to where you are looking.)

The point I see in this law is it will give a person an automatic response to the sight of emergency vehicles along the side of the road. We all take our foot off the accelerator when we see a police car coming the other way. I do it too. Even though we may not be speeding, it is an automatic response. We do not want a speeding ticket. With the proper advertising campaign and support in the media, this law could engrain in most driver's head that

when they seen the emergency overhead lights, they need to slow down and move over. We will automatically think, "Oh, emergency overhead lights... I better slow down and move over." Nobody wants a ticket.

Thank you for your time and consideration in this matter. Please vote for House Bill 438. It is a simple law that could save an officer's life and save our government money in damages and medical bills.

Sincerely,

David A. Stevenson #307
Police Officer
Fairbanks Police Department

Subject: [Fwd: New Alaska Statute]
Date: Tue, 10 Feb 2004 07:04:40 -0900
From: Representative Jim Holm <Representative_Jim_Holm@Legis.state.ak.us>
Organization: Alaska State Legislature
To: Matthew Rudig <Matthew_Rudig@legis.state.ak.us>

Subject: New Alaska Statute
Date: Sat, 07 Feb 2004 01:12:33 -0900
From: Eric Jewkes <ejewkes@ci.fairbanks.ak.us>
To: Representative_Jim_Holm@legis.state.ak.us

I have read over the proposed statute AS 28.35.185 and give it my support. One, often overlooked, danger emergency service personnel frequently face is that of careless drivers. With so much of our time being spent on or near the road way, this danger is one that is difficult to defend against. Nothing we have can stop a 6000 pound car traveling at 55 plus mph.

To add a personal story relating to this: After working for the Fairbanks Police department around 2 years I responded to a traffic accident on the Johansen expressway. The vehicles involved in the accident were not able to be driven, which meant staying on the roadside, near the Peger overpass. I was aware of the dangers of passing cars and had one of the driver's, whom I was speaking with, stand with me in front of my car. While I was talking to the driver I heard a vehicle sliding on the ice. I turned around to see a Jeep, out of control, and heading right at my patrol car, and us. I had just enough time to tell the other driver to run. We both ran toward the guardrail, jumping over it and down the embankment (luckily just passed the overpass and not on the actual bridge). The Jeep struck my patrol car, at approximately 50 mph, in the middle of the driver's door, pushing my car into the area where we had just been standing.

Would this proposed law change what happened or what could have happened? Maybe not. Regardless, I believe the intent of the law represents what a driver with good sense would do anyway. Unfortunately common sense does not always parallel good sense and a legislative reminder is necessary.

Thank you for your concerns and efforts.

Eric Jewkes, Sergeant
Fairbanks Police Department

Subject: New Alaska Statute

Date: Sat, 07 Feb 2004 01:12:33 -0900

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To: Representative_Jim_Holm@legis.state.ak.us

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Thank you for your concerns and efforts.

Eric Jewkes, Sergeant
Fairbanks Police Department

HB

447

SENATE COMMITTEE REPORT

DATE: 3/26/04

FURTHER: Judiciary

DATE TURNED IN TO OFFICE: 4/7/04

State Affairs Committee considered CS FOR HOUSE BILL NO. 447(JUD)

HB 447 2004 REVISORS BILL

"An Act making corrective amendments to the Alaska Statutes as recommended by the revisor of statutes; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:
 Same Title
 New Title

House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
<i>Leg.</i>	<i>3/13/04</i>			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
CHAIR: <i>[Signature]</i>	✓			

LEGAL SERVICES

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

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


State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 29, 2004

SUBJECT: CSHB 447(JUD) (2004 Revisor's Bill)

TO: Senator Gary Stevens
Chair of the Senate State Affairs Committee

FROM: Pam Finley 
Revisor of Statutes

The following is a sectional analysis of CSHB 447(JUD), the 2004 revisor's bill. The bill is prepared under AS 01.05.036, which provides, in part, that the revisor of statutes

...shall prepare for submission to the legislature legislation for the correction or removal of the deficiencies, conflicts, or obsolete provisions, or to otherwise improve the form or substance of any portion of the statute law of this state.

To assist the reader in understanding the bill, I have summarized the contents by listing sections that have similar purposes or effects.

Sections that delete, repeal, or update obsolete provisions: Sections 6, 7, 11, 47, and 48 amend or repeal provisions that have become obsolete through other legislative action.

Sections that correct errors or oversights: Sections 1 - 5, 8 - 10, 12 - 17, 20, 23, 24, 26 - 46, and 49 correct errors or oversights.

Sections that improve the form or substance of the law: Sections 18, 19, 21, 22, and 25 propose amendments to improve the form or substance of the statutory law of Alaska.

SECTIONAL ANALYSIS

Bill section 1. Chapter 46, SLA 2003 amended the definition of "emission" in AS 46.14.990 to change "air contaminants" to "air pollutants." This amendment arguably triggered the provisions of AS 09.45.230(d). According to the Department of Law and the Department of Environmental Conservation (chapter 46 was a Governor's bill), it was not the Governor's intent to trigger AS 09.45.230(d), and the failure to amend it to conform to the amendment in ch. 46 was an oversight. That oversight is corrected here.

Bill section 2 corrects an error in AS 09.65.235, added by ch. 117, SLA 1998, by substituting a reference to the article governing negotiated regulation making committees for a reference to the chapter governing immunities in general. As currently written, the

language makes no sense because there are no official duties of the committee under AS 09.65; the duties are set by AS 44.62.710 - 44.62.800.

Bill sections 3 and 4 correct an error in Executive Order 108. Executive Order 108 repealed AS 14.37, but failed to delete cross-references to AS 14.37. These bill sections delete those cross-references in AS 11.61.195(a) and 11.61.220(a). The remaining language is adequate because Executive Order 108 moved the child care licensing provisions from AS 14.37 to AS 47.35, and AS 47.35 is already mentioned in AS 11.61.195(a)(2)(B) and AS 11.61.220(a)(4)(A).

Bill section 5 corrects an error in AS 12.55.125(l) by substituting "subsection" for "section." AS 12.55.125(f) and (g) already apply the limitations found in AS 12.55.125(l)(1) - (3) to other applicable subsections. This corrects an error in sec. 7, ch. 7, SLA 1996.

Bill section 6 amends AS 13.26.015(1) by deleting a reference to a minor having attained 18 years of age. Since, under AS 25.20.010, people 18 years of age are not minors, this provision no longer makes sense. At the time AS 13.26.015 was enacted, the age of majority was 19, but it was lowered to 18 in 1977. The legislature may, in another bill where substantive changes are more appropriate, want to consider amending AS 13.26.015(1) and AS 13.26.280(a) (which is amended by the next bill section) to include minors that are emancipated under AS 09.55.590, or to harmonize the references to married minors with AS 25.20.020, or both.

Bill section 7 amends AS 13.26.280(a) to remove another reference to a "minor under the age of 18 years." See explanation for bill section 6.

Bill section 8 corrects an error in Executive Order 108. Executive Order 108 repealed AS 14.37, but failed to delete cross-references to AS 14.37. This bill section deletes a cross-reference in AS 14.43.148(h)(1)(B)(iii). The remaining language is adequate because Executive Order 108 moved the child care licensing provisions from AS 14.37 to AS 47.35, and AS 47.35 is already mentioned in AS 14.43.148(h)(1)(B)(iii).

Bill section 9 amends AS 15.13.040(j) to correct a drafting error in ch. 108, SLA 2003 (SB 119). The Senate State Affairs Committee substitute was supposed to delete, throughout the bill, the requirement of disclosing a contributor's principal occupation and employer unless the aggregate contributions exceeded \$250 per year. This change was made in AS 15.13.040(a) and (b), but not in AS 15.13.040(j). This bill section amends AS 15.13.040(j) to conform to the committee's instructions for what became ch. 108, SLA 2003.

Bill section 10 amends AS 15.13.110(f)(2) by changing "primary election" to "general election." Chapter 103, SLA 2001 amended AS 15.25.140 - 15.25.200 so that nominating petitions are to apply to general elections, not primary elections. This bill section conforms AS 15.13.110(f)(2) to the change made by ch. 103, SLA 2001.

Bill section 11 amends the list of programs that may be considered in setting limited entry permit fees for non-residents as set out in AS 16.43.160(e)(2)(A). AS 16.43.160(e)(2)(A)(iii) and (vi) are amended to reflect the transfer of habitat programs from the Department of Fish and Game to the Department of Natural Resources in Executive Order 107. AS 16.43.160(e)(2)(A)(viii) is amended to reflect the addition of the salmon fishery assessment program and the permit buy-back assessment program in the Department of Revenue; this change should have been made when these programs were added. This bill section also conforms AS 16.43.160(e) to the Alaska Supreme Court's decision in Carlson v. C.F.E.C., 65 P.3d 851 (Alaska 2003)(Carlson III), as suggested by Assistant Attorney General Stephen White. Since AS 16.43.160(e) was enacted to support the State's position in Carlson, it seems appropriate to conform the statute to the Court's decision as requested by the Attorney General's office.

Bill sections 12 - 14 amend AS 21.36.360(i), (j), and (k) by substituting "AS 21.89.090" for "AS 21.89.070". Chapter 62, SLA 1995 amended AS 21.36.360 (i), (j), and (k) to refer to a risk retention group or purchasing group "registered under AS 21.89.070". However, it is AS 21.89.090, added by ch. 62, SLA 1995, that requires registration of risk retention groups and purchasing groups. AS 21.89.070 relates to tax credits for gifts to colleges and does not mention registration. To correct this error in ch. 62, SLA 1995, these bill sections, substitute "AS 21.89.090" for "AS 21.89.070".

Bill section 15 deletes the requirement that sets of the Alaska Statutes be recorded as items of property on the records of agencies and the central property records of the state. According to the legislative supply officer, the current minimum value for recording state property is \$1,000. Now that the sets of Alaska Statutes are published in softbound editions, their value is considerably below that.

Bill section 16 corrects an error in Executive Order 108. Executive Order 108 repealed AS 14.37, but failed to delete cross-references to AS 14.37. This bill section deletes a cross-reference in AS 25.27.244(s)(2)(B)(ii). The remaining language is adequate because Executive Order 108 moved the child care licensing provisions from AS 14.37 to AS 47.35, and AS 47.35 is already mentioned in AS 25.27.244(s)(2)(B)(ii).

Bill section 17 corrects an error in Executive Order 108. Executive Order 108 abolished the division of alcoholism and drug abuse, but did not delete a reference to the division in AS 28.35.032(l). This bill section corrects that error.

Bill sections 18 and 19 substitute "tenancy by the entirety" for "tenancy by the entireties" in AS 32.05.020(2) and AS 32.06.202(c). The former is the correct term.

Bill section 20 corrects an error in Executive Order 108 by substituting "AS 47.25.001 - 47.25.009" for "AS 47.25.007 - 47.25.009" in AS 36.30.850(b)(11), which lists subjects not covered by the Procurement Code. Because executive orders must reorganize executive functions without otherwise changing the law, when Executive Order 108

deleted "AS 14.38.100" it should have inserted a reference to the statute enacted by E.O. 108 that was equivalent to AS 14.38.100. AS 14.38.100 referred to agreements with providers of services under AS 14.38.100 - 14.38.199, which corresponds to AS 47.25.001 - 47.25.009 in E.O. 108. Therefore the appropriate spanned reference to substitute for "AS 14.38.100" was "AS 47.25.001 - 47.25.009," not "AS 47.25.007 - 47.25.009." This bill section corrects the reference. The Department of Law agrees that this amendment is appropriate.

Bill section 21 amends AS 37.05.180 by inserting "former" before "AS 39.37." AS 39.37 was rejected by referendum in 1976.

Bill section 22 corrects the style of AS 37.05.318. Because this section is within AS 37.05, it should refer to "other provisions of this chapter" instead of "AS 37.05." Also, the current style of the Alaska Statutes requires the statutory reference ("AS 44.62" in this case) to precede the description ("Administrative Procedure Act" in this case.)

Bill section 23 amends AS 37.14.270(2) because the term that is actually defined in AS 47.17.290 is "child abuse or neglect."

Bill section 24 amends AS 39.50.030(g) to substitute "domestic partner" for "spousal equivalent". This change in terminology was made in other subsections of AS 39.50.030 by ch. 108, SLA 2003, but we overlooked AS 39.50.030(g).

Bill section 26 adds a short title to AS 41.17, which has come to be known as the Forest Resources and Practices Act. This bill section will make that name official.

Bill section 26. This section corrects an error in Executive Order 108. E.O. 108 repealed AS 44.21.120 and enacted the same language as AS 44.29.520. However, E.O. 108 failed to address contingent amendments to AS 44.21.120 that were made by secs. 1 and 2, ch. 4, SSSLA 2002. The contingency on which sec. 2, ch. 4, SSSLA 2002 depended (the establishment of the Alaska Veterans Advisory Council) has already occurred, but nevertheless, under sec. 13(a), ch. 4, SSSLA 2002, the effective date of sec. 2, ch. 4, SSSLA 2002 has not arrived because the agreement to allow a pilot project, which is described in sec. 10, ch. 4, SSSLA 2002, has not been executed. Under secs. 12(b) and 13(b), that agreement also controls the effective date of sec. 1, ch. 4, SSSLA 2002. In order to integrate secs. 1 and 2, ch. 4, SSSLA into E.O. 108, this bill section amends AS 44.29.520 (enacted by E.O. 108) to include the changes made by secs. 1 and 2, ch. 4, SSSLA 2002. However, this bill section is made contingent on execution of the agreement described in sec. 10, ch. 4, SSSLA 2002, and the effective date of this bill section is the date the agreement described in sec. 10, ch. 4, SSSLA 2002 is signed by all parties.

Bill section 27 corrects an error in Executive Order 108. E.O. 108 repealed AS 44.21.200 and enacted in its stead AS 47.44.200, but failed to amend cross-references to AS 44.21.200. This bill section corrects the cross-reference in AS 44.66.010(a)(10).

Bill sections 28 - 30 correct errors in ch. 46, SLA 2003. Section 15 of that Act (CSHB 160(FIN)) renumbered the paragraphs of AS 46.14.140(a), but failed to conform cross-references. These bill sections correct cross-references in AS 46.14.120(b) and (c) and 46.14.170(a). These amendments are proposed after consultation with the Department of Environmental Conservation because ch. 46, SLA 2003 was a Governor's bill.

Bill section 31 corrects an error in ch. 99, SLA 1998, which renumbered paragraphs in AS 47.10.093(b), but failed to conform a cross-reference in AS 47.10.093(g). This bill section corrects that error.

Bill sections 32 and 33 correct errors in Executive Order 108. E.O. 108 repealed AS 44.21.200 and enacted in its stead AS 47.44.200, but failed to amend cross-references to AS 44.21.200. These bill sections correct the cross-reference in AS 47.24.070 and AS 47.30.016(b)(2)(D).

Bill section 34 corrects an error in Executive Order 108. E.O. 108 repealed AS 44.21.230 and enacted in its stead AS 47.44.230, but failed to amend cross-references to AS 44.21.230. This bill section corrects the cross-reference in AS 47.30.036(3).

Bill section 35 corrects errors in Executive Order 108. Executive orders may not change substantive legal requirements. However, when E.O. 108 repealed AS 14.37.020 and amended AS 47.35.010 to include provisions from former AS 14.37.020, it failed to include references to "certification" that had been in AS 14.37.020. It also, by applying AS 47.35.010(a)(5) to child care facilities, added provisions that did not exist in AS 14.37.020. Accordingly, "certification" is added to AS 47.35.010(a)(2) and (3), and child care facilities are excepted from AS 47.35.010(a)(5). The Department of Law agreed that these changes are appropriate.

Bill section 36 involves an error in ch. 58, SLA 1999, which was carried forward in Executive Order 108. Chapter 58, SLA 1999 transferred the child care facility licensing to the Department of Education and Early Development, but was not intended to change the substantive requirements for licensing those facilities. Before 1999, the facilities were licensed under AS 47.35 and applicants were required to submit fingerprints for background checks. When the requirement was moved to AS 14.37, the fingerprint requirement was inadvertently omitted (although the background check requirement was moved to AS 14.37). Because the Department of Education and Early Development had broad regulation-making authority, it required fingerprints by regulation. However, when E.O. 108 moved the licensing of child care facilities back to AS 47.35, it excepted child care facilities from the fingerprint provision unless regulations were adopted that required them. While this may have been the proper procedure for an executive order, the effect was to continue the error in ch. 58, SLA 1999. This bill section takes the language back to what it was before ch. 58, SLA 1999, so that fingerprints will be required, even absent regulations.

Bill section 37 corrects an error in Executive Order 108. AS 47.35.021 allows discretionary denial of initial licenses. AS 14.37, repealed by E.O. 108, did not contain similar provisions. Because AS 47.35.021 was enacted in 2002, after child care licensing had been moved to AS 14.37, it appears that the omission of a similar provision for child care licensing was deliberate. So, when E.O. 108 moved regulation of child care facilities from AS 14.37 to AS 47.35, it should have excepted those facilities from AS 47.35.021, but did not do so. This bill section corrects that error.

Bill section 38 corrects an error in Executive Order 108. AS 47.35.140 allows certain persons licensed under AS 47.35 to continue operating under certain circumstances even if an employee has committed certain offenses. AS 14.37, repealed by E.O. 108, did not contain a similar provision. Because AS 47.35.140 was enacted in 2002, after child care licensing had been moved to AS 14.37, it appears that the omission of a similar provision for child care licensing was deliberate. So, when E.O. 108 moved regulation of child care facilities from AS 14.37 to AS 47.35, it should have excepted those facilities from AS 47.35.140, but did not do so. This bill section corrects that error.

Bill sections 39 - 46 and 49 amend ch. 4, SSSLA 2002 to conform to the changes made by Executive Order 108. Sections 39, 40, 42, 43 and 45 amend secs. 5, 8, 10, 12(b), and 13(b), respectively, of ch. 4, SSSLA 2002 to substitute "health and social services" for "administration" because E.O. 108 moved the responsibility for these provisions from the Department of Administration to the Department of Health and Social Services. Bill section 41 amends sec. 9, ch. 4, SSSLA 2002 to reflect the fact that AS 47.55.010(e) is being amended by bill section 39. Bill sections 43 and 45 also remove sec. 1, ch. 4, SSSLA 2002 from the condition and delayed effective date of secs. 12(b) and 13(b), ch. 4, SSSLA 2002; the amendments of sec. 1, ch. 4, SSSLA 2002 are incorporated in bill section 26 and provisions similar to secs. 12(b) and 13(b), ch. 4, SSSLA 2002 are found in bill sections 51 and 52. Because the provisions of secs. 1 and 2, ch. 4, SSSLA 2002 are also incorporated into bill section 26, both secs. 1 and 2, ch. 4, SSSLA 2002 and the conditional and effective dates for sec. 2 that are found in secs. 12(a) and 13(a), ch. 4, SSSLA 2002 are also repealed by bill section 49.

Bill sections 44 and 46 correct an error in ch. 4, SSSLA 2002. Under sec. 15, ch. 4, SSSLA 2002, secs. 8 and 9 of that Act take effect July 1, 2005. However, there is no need for secs. 8 and 9, ch. 4, SSSLA 2002 unless sec. 5 (which adds the subsection sec. 9 repeals) and sec. 11 (which changes the name of the Home and thereby requires the amendment made by sec. 8) of that Act take effect. Therefore, bill section 44 adds that condition and bill section 46 amends the effective date in sec. 15, ch. 4, SSSLA 2002 to take the condition into account.

Bill section 47 repeals AS 39.25.110(21) which places in the exempt service employees of the Citizens' Advisory Commission on Federal Areas in Alaska. However, there are no longer employees of that Commission because AS 41.37, which created the Citizens' Advisory Commission on Federal Areas in Alaska, was repealed June 30, 2003, under

Senator Gary Stevens
March 29, 2004
Page 7

sec. 3, ch. 81, SLA 1981, as amended by sec. 1, ch. 25, SLA 1988 and sec. 1, ch. 71, SLA 1998.

Bill section 48 repeals sec. 71(1), ch. 106, SLA 1980, an uncodified law section that reads as follows:

After July 1, 1981,

(1) no further loans may be made under AS 16.10.310 and AS 16.10.320(a) except for loans authorized under AS 16.10.333 [for purchase of limited entry permits] pursuant to AS 16.10.310 and 16.10.320(a)....

However, since 1981, the legislature has authorized loans under AS 16.10.310 for things other than entry permits, e.g., for the upgrade of existing vessels and gear and to pay past due federal tax obligations (sec. 1, ch. 62, SLA 1994 and sec. 1, ch. 127, SLA 2000) and for quota shares (sec. 2, ch. 73, SLA 1994). Clearly sec. 71(1), ch. 106, SLA 1980 has been repealed by implication. This bill section makes the repeal explicit.

Bill section 49. See explanation for bill sections 39 - 46.

Bill section 50 provides transitional provisions for the appointments to the Alaska Pioneers' Homes Advisory Board authorized by AS 44.29.520, as amended by bill section 26. Bill section 26 is derived from secs. 1 and 2, ch. 4, SSSLA 2002. Although ch. 4, SSSLA 2002 had no transitional provisions, sec. 2 of that Act (which added the member who is chair of the Alaska Veterans Advisory Council) was to take effect after sec. 1 of that Act (which added the member described in AS 44.29.520(a)(2), as amended by bill section 26). See sec. 13(a), ch. 4, SSSLA 2002. Accordingly, in the transitional provision, the person described in AS 44.29.520(a)(2) is to be appointed before the person described in AS 44.29.520(a)(4) becomes a member.

Bill section 51 makes bill section 26 conditional on the agreement described in sec. 10, ch. 4, SSSLA 2002, as amended by bill section 42. This bill section replaces the references to secs. 1 and 2, ch. 4, SSSLA 2002 in secs. 12 and 13, ch. 4, SSSLA 2002.

Bill section 52 gives bill section 26 the effective date that the equivalent provisions had under sec. 13(b), ch. 4, SSSLA 2002.

Bill section 53 gives the remainder of this bill an immediate effective date.

Please give me a call if you have any questions about the above.

PF:med
04-339.med

STATE OF ALASKA

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL

*FRANK H. MURKOWSKI,
GOVERNOR*

*LEGISLATION & REGULATIONS SECTION
P.O. BOX 110300
DIMOND COURT HOUSE, 6TH FLOOR
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-3600
FAX: (907) 465-2520*

March 30, 2004

Honorable Gary Stevens, Chair
Senate State Affairs Committee
State Capital, Room 417
Juneau, AK 99811

Re: CSHB 447(JUD) -- (2004 Revisor's Bill)

Dear Senator Stevens:

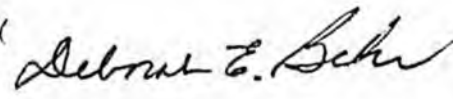
The Department of Law has reviewed CSHB 447(JUD) (2004 revisor of statutes bill). The bill makes technical changes to improve Alaska statutes.

We appreciate the revisor's excellent efforts in preparing this necessary legislation

We find no legal issues with CSHB 447(JUD).

Sincerely,

GREGG D. RENKES
ATTORNEY GENERAL

By: 
Deborah E. Behr
Assistant Attorney General

DEB:pvp

cc: Pam Finley
Revisor of Statutes

David Márquez, Chief Assistant Attorney General
Dept. of Law

Mike Tibbles, Legislative Director
Office of the Governor

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 447(STA)
(H) Publish Date: 2/26/04

Revision Date/Time (Note if correction): _____ Dept. Affected: Legislature
Title "An Act making corrective amendments to BRU Legislative Council
the Alaska Statutes as recommended by the revisor..." Component: Council and Subcommittees
Sponsor House Rules by Request of Leg Council
Requestor House State Affairs Component No. 783

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	------------	------------	------------	------------	------------	------------

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	------------	------------	------------	------------	------------	------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	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	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director Phone 465-6626
Division Administrative Services Date/Time 2/23/04 10:08 AM
Approved by: Pamela Varni, Executive Director Date 2/23/2004
Agency Legislative Affairs Agency

HB

467

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SENATE COMMITTEE REPORT

DATE: 04/22/04

FURTHER: Health, Education and Social Services

DATE TURNED IN TO OFFICE: 4/30/04

State Affairs Committee considered CS FOR HOUSE BILL NO. 467(FIN)

HB 467 COMMEMORATIVE QUARTERS COMMISSION

"An Act establishing an Alaska Commemorative Coin Commission to develop the design concepts and to make recommendations regarding the final design of the Alaska quarter under the 50 States Commemorative Coin Program Act; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
House Bill:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
Gov	4/29/04			✓	2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
<i>[Handwritten Signature]</i>	✓		✓	

CHAIR: *[Handwritten Signature]*

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSHB 467(FIN)
 (H) Publish Date: 4/21/2004

Revision Date/Time (Note if correction): _____ Dept. Affected: GOV
 Title: "An Act establishing the Alaska BRU: Executive Operations
Commemorative Coin Commission..." Component: Executive Office
 Sponsor: Representative Anderson
 Requester: House Finance Committee Component No. 6

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: _____
Rep. Williams, Co-Chair

Rep. Harris, Co-Chair

Phone 465-3424
 Date/Time 4/20/04 5:55 PM
 Date 4/20/2004

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

SPONSOR STATEMENT FOR CSHB 467(FIN)

BY: Representative Tom Anderson

TITLE: "An Act establishing the Alaska Commemorative Coin Commission to develop the design concepts and to make recommendations regarding the final design of the Alaska quarter under the 50 States Commemorative Coin Program Act; and providing for an effective date."

House Bill 467 follows the federal authorizing legislation, the "50 States Commemorative Coin Program Act", and establishes the 11-member Alaska Commemorative Coin Commission. Over a ten-year period from 1999 through 2008, the United States has and will annually issue five quarter dollar coins with state designs displayed on the reverse side of the coins. Each state has an opportunity to develop and submit designs representative of the state. A quarter honoring the State of Alaska is scheduled to be issued in 2008.

The Alaska Commemorative Coin Commission will consist of 11 members, of which 10 will be public members appointed by the governor. The governor or designee will occupy the 11th seat.

The Office of the Governor will initiate a public process to solicit narrative design concepts for the Alaska quarter. The commission shall review and consider all of the narrative design concepts it receives and will submit to the United States Mint not less than three, and not more than five, design concepts for the Alaska quarter. When the United States Mint provides the State of Alaska with its final designs, the commission will review the designs and make final recommendations to the governor.

The calendar year in which the Alaska quarter is to be issued will coincide with events leading to celebration of the 50th anniversary of Alaska statehood.

I urge your support of this important piece of legislation.

LEGAL SERVICES

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

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

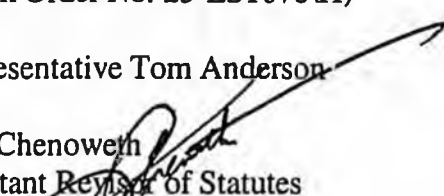
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

April 20, 2004

SUBJECT: CSHB 467(Finance), establishing the Alaska Commemorative Coin Commission -- sectional analysis (Work Order No. 23-LS1678\H)

TO: Representative Tom Anderson

FROM: Jack Chenoweth
Assistant  of Statutes

Jim Shine has asked for preparation of a sectional analysis of the above-captioned bill.

Under the schedule for issuance of the United States quarters that commemorate the various states, the commemorative coin program is set to conclude at the end of 2008, with the Alaska commemorative coin scheduled to be issued in the second half of 2008.

Bill section 1 describes the purpose of the Act. It notes the key provision of the federal authorizing legislation, the 50 States Commemorative Coin Program Act, that requires each state governor to initiate a concept selection process that would culminate in selection of a final design.

Bill section 2 establishes the 11-member Alaska Commemorative Coin Commission, with the governor to appoint 10 members and authorizing the governor himself or his designee to take the eleventh seat. It authorizes selection of one nominee from the Alaska State Council on the Arts and one from the state's public and private secondary and home study secondary students, together with two members from each of the four judicial districts. The bill section also contains standard provisions covering filling of commission vacancies, reimbursement for expenses, and quorum requirements.

Bill section 3 spells out in general terms the commemorative coin selection process for the Alaska quarter, beginning with the solicitation of a design process, the review, consideration and recommendation of between three and five of the design concepts received, and the eventual selection of a final recommended design. Under the federal authorizing Act, the governor shall approve the final recommendation that would serve as the design for the Alaska commemorative quarter. There is a specific provision that reminds the commission that, in 2008, the year of the quarter's issuance and circulation, the state will be approaching the 50th anniversary of Statehood.

Bill section 4 terminates the Alaska Commemorative Coin Commission January 1, 2009.

Representative Tom Anderson
April 20, 2004
Page 2

Bill section 5 gives the measure a January 1, 2005, effective date.

JBC:med
04-430.med

Changes to HB 467 in (H) STA

Page 2, line 23, after the word "school" add or a home study secondary student. This was an amendment by a fifth grade class to include a home study student in the provision for selecting a student to serve on the commission.

Changes to CSHB 467(STA) in (H) JUD

Page 2, line 18: Delete [SIX] and insert 10.

Page 2, line 26: Delete [ONE MEMBER SHALL BE A RESIDENT], and insert two members shall be residents.

Page 2, line 28, through page 3, line 3: Delete all material.

Page 3, line 4: Delete [4], and insert 2.

This amendment removed the four legislative positions from the commission and replaced them with one more public member from each of the four judicial districts in the state.

The House Finance Committee reduced the fiscal note to zero.

Frequently Asked Questions (FAQ)

How do I submit a design?

Your design must be submitted to the Governor of your state or to the selection committee approved by the Governor. The Governor of your state will be contacted approximately 18 to 24 months prior to the release of their state quarter. Most Governors have appointed a selection committee to organize the collection of submissions. Watch your Governors website for info on when and where to submit a design.

What is required to submit a design?

The design will need to be submitted on an 8.5 x 11 sheet of paper. The design concept can be a written description, computer drawing, a sketch or a finished drawing. A quarter template ([GIF](#), [EPS](#) or [PDF](#)) provided by the mint can be used, but is not required. An Entry Form and signed Release Form must be submitted along with the design.

How are designs selected for the state quarters?

Designs for the quarter will be reviewed by a selection committee approved by the Governor. The committee will make recommendations to the Governor regarding preliminary designs. The Governor and First Lady will select no fewer than 3 and no more than 5 preliminary designs to be submitted to the U.S. Mint. The U.S. Mint reviews the designs for appropriate images and clarity of reproduction. All designs submitted to the U.S. Mint are subject to modifications as needed to meet Federal specifications for coinability. Final design images created by the U.S. Mint may combine elements of more than one design concept. Creators of successful designs surrender all rights to images used in production, marketing, promotions, and other activities related to the U.S. Mint's 50 State Quarters Program. Artists must provide proof of design originality.

Who is selecting the final designs?

The Governor will in whatever method he chooses select the final design from the artists concept drawings returned to him from the U.S. Mint. Final approval is made by the Secretary of the Treasury.

What designs are acceptable for the 50 State Quarters?

Designs should be tasteful, and have broad appeal to the citizens of the state. They should avoid controversial subjects or symbols that may offend others. Suitable images may include: landscapes, state landmarks (natural or man-made), historically significant events, historically significant buildings, symbols of state resources or industries, official state flora and fauna, state icons, and state outlines. Priority consideration will be given to designs and concepts that are enduring representations of the state.

Are there any images unacceptable for the 50 State Quarters?

Yes. The U.S. Mint will not accept state flags and seals, logos, or emblems of specific commercial, private, educational, civic, religious, or sports organizations. Images may not include the likeness of a living person.

If I use copyrighted material in my design, what do I need to do?

Copyrighted material may be used if it is possible to obtain the legal rights to prepare design renderings. If copyrighted materials are used, the copyright holder must complete the U.S. Mint's Release Form. If you wish to send artwork that depicts a concept, please sign and send the Release Form with your submission.

Can anyone submit a design?

Yes. Designs may be submitted by anyone, of any age. Most states have only opened their contest to receive submissions from residents of their state. All designs become the property of the state. Most designs will not be returned.

What is the deadline for submitting a design?

States are asked to submit 3 to 5 designs to the U.S. Mint approximately 18 months prior to the release date of the state quarter.

Will my design be returned to me?

Probably not. Most designs become the property of the state and will not be returned.

Can a person submit more than 1 design?

The method of collection of submissions is at the discretion of the Governor of your state or the appointed selection committee. Most states have opened their contest only to residents of the state and only accepted 1 design per resident.

When and how will the design finalists be notified?

This varies by the deadline required by the U.S. Mint for the individual state and is at the discretion of the Governor or the appointed selection committee.

What is the 50 State Commemorative Quarter Program?

The 50 State Commemorative Quarter Program is a 10-year initiative commemorating each of the 50 states. States are honored in the order in which they ratified the Constitution and joined the Union. The first quarters went into circulation in 1999. The program will end with the final states in 2008. The program may be extended to accommodate additional states if acquired before the end of the program.

When will a commemorative quarter for my state be released?

The complete list of states and when their coins will be issued can be found on the [50 State Commemorative Quarter Release Dates](#) page.

Quarterdesigns is not an official government website or connected to any official entity in any way. [For the official US Mint Quarters website-Click Here.](#) Quarterdesigns is an independent website and makes no claims of completeness of design concepts for any state. Contained here are images gathered from the internet and other resources regarding the state quarters. Quarterdesigns includes a collection of designs submitted to states, but in no way is a complete archive of all of the finalists concepts or submissions. Many states have had thousands of designs submitted from which ultimately finalists are chosen.

Quarterdesigns is a non-commercial website for informational, educational and research purposes for the multitudes collecting state quarters.

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Design Selection Process

Overview

The Fifty States Commemorative Coin Program Act ([Public Law 105-124](#)), signed by President Clinton on December 1, 1997, provides for the redesign of the reverse side of the quarter dollars with designs emblematic of each of the 50 States. The Washington portrait will remain on the obverse of the quarters. The program provides for five States to be featured each year for a ten-year period and that each State will be honored in the order of that State's admission to the United States.

Procedure

Stage 1

The Mint will contact the Governor approximately 24 months prior to the beginning of the year in which the State will be honored to initiate the State design process. The Governor will appoint an individual from the State to serve as the Mint's liaison for this program.

Stage 2

The State will identify and provide to the Mint a minimum of 3 and a maximum of 5 different design concepts or themes emblematic of the State. The process for identifying concepts will be one of the States' choosing. Concepts should be provided to the Mint, accompanied by supporting material as appropriate – for example, photographs or sketches of landmarks, landscapes, historical buildings, or official depictions of State symbols. If copyrighted materials are used, releases must be provided from the copyright holders. **(Please Note: Any artwork submitted without proper releases will not be considered.)**

Stage 3

The Mint will review concepts for appropriateness and coinability. If fewer than three concepts are submitted, the Mint will develop additional concepts as necessary.

Stage 4

The Mint will produce drawings of all design concepts.

Stage 5

The Citizens Commemorative Coin Advisory Committee (CCCAC) will review drawings and recommend candidate designs.

Stage 6

The U.S. Fine Arts Commission will review candidate designs.

Stage 7

Candidate designs will be presented to the Secretary of the Treasury for review and approval.

Stage 8

The Mint will return approved designs to the Governor for selection of the State design.

Stage 9

The State will select the State design through a process determined by the Governor, within a timeframe specified by the Mint.

Stage 10

Final design will be returned to Treasury for approval by the Secretary or his designee.

Quarterdesigns is not an official government website or connected to any official entity in any way. For the official US Mint Quarters website-Click Here. Quarterdesigns is an independent website and makes no claims of completeness of design concepts for any state. Contained here are images gathered from the internet and other resources regarding the state quarters. Quarterdesigns includes a collection of designs submitted to states, but in no way is a complete archive of all of the finalists concepts or submissions. Many states have had thousands of designs submitted from which ultimately finalists are chosen.

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Design Concept Parameters

Legislation

Public Law 105-124 provides for designs to be submitted in accordance with the design selection and approval process developed by the Treasury Secretary in the sole discretion of the Secretary. The law further requires that, "because it is important that the Nation's coinage and currency bear dignified designs of which the citizens of the United States can be proud, the Secretary shall not select any frivolous or inappropriate design" and "no head and shoulders portrait or bust of any person, living or dead, and no portrait of a living person may be included in the design."

Criteria

Designs shall maintain a dignity befitting the Nation's coinage.

Designs shall have broad appeal to the citizens of the State and avoid controversial subjects or symbols that are likely to offend.

Suitable subject matter for design concepts include State landmarks (natural and man-made), landscapes, historically significant buildings, symbols of State resources or industries, official State flora and fauna, State icons (eg.. Texas Lone Star, Wyoming bronco, etc.), and outlines of the State.

State flags and State seals are not considered suitable for designs.

Designs limited to one or two concepts, as opposed to multiple concepts, translate best as designs on the small template of the quarter.

Consistent with the authorizing legislation, the States are encouraged to submit concepts that promote the diffusion of knowledge among the youth of the United States about the State, its history and geography, and the rich diversity of our national heritage.

Priority consideration will be given to designs and concepts that are enduring representations of the State. Coins have a commercial lifespan of at least 30 years and are collected for generations.

Inappropriate design concepts include, but are not limited to the following: logos or depictions of specific commercial, private, educational, civic, religious, sports, or other organizations whose membership or ownership is not universal.

Concepts or background materials submitted to the Mint which are covered by copyright, trademark, or other rights (such as privacy and publicity rights) **must** include a release acceptable to the Mint from the rights owner that allows the concept or materials to be used on the coin, in marketing and promotional materials, and on the Mint's website for unlimited worldwide distribution without charge or restriction. **(Please Note: Any artwork submitted without proper releases will not be considered.)**

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50 States Commemorative Coin Program Act (Enrolled Bill)

--S.1228--

S.1228

One Hundred Fifth Congress

of the

United States of America

AT THE FIRST SESSION

Begun and held at the City of Washington on Tuesday,

the seventh day of January, one thousand nine hundred and ninety-seven

An Act

To provide for a 10-year circulating commemorative coin program to commemorate each of the 50 States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the '50 States Commemorative Coin Program Act'.

SEC. 2. FINDINGS.

The Congress finds that--

(1) it is appropriate and timely--

(A) to honor the unique Federal republic of 50 States that comprise the United States; and

(B) to promote the diffusion of knowledge among the youth of the United States about the individual States, their history and geography, and the rich diversity of the national heritage;

(2) the circulating coinage of the United States has not been modernized during the 25-year period preceding the date of enactment of this Act;

(3) a circulating commemorative 25-cent coin program could produce earnings of \$110,000,000 from the sale of silver proof coins and sets over the 10-year period of issuance, and would produce indirect earnings of an estimated \$2,600,000,000 to \$5,100,000,000 to the United States Treasury, money that will replace borrowing to fund the national debt to at least that extent; and

(4) it is appropriate to launch a commemorative circulating coin program that encourages young people and their families to collect memorable tokens of all of the States for the face value of the coins.

SEC. 3. ISSUANCE OF REDESIGNED QUARTER DOLLARS OVER 10-YEAR PERIOD COMMEMORATING

EACH OF THE 50 STATES.

Section 5112 of title 31, United States Code, is amended by inserting after subsection (k) the following new subsection:

“(I) REDESIGN AND ISSUANCE OF QUARTER DOLLAR IN COMMEMORATION OF EACH OF THE 50 STATES-

“(1) REDESIGN BEGINNING IN 1999-

“(A) IN GENERAL- Notwithstanding the fourth sentence of subsection (d)(1) and subsection (d)(2), quarter dollar coins issued during the 10-year period beginning in 1999, shall have designs on the reverse side selected in accordance with this subsection which are emblematic of the 50 States.

“(B) TRANSITION PROVISION- Notwithstanding subparagraph (A), the Secretary may continue to mint and issue quarter dollars in 1999 which bear the design in effect before the redesign required under this subsection and an inscription of the year ‘1998’ as required to ensure a smooth transition into the 10-year program under this subsection.

“(2) SINGLE STATE DESIGNS- The design on the reverse side of each quarter dollar issued during the 10-year period referred to in paragraph (1) shall be emblematic of 1 of the 50 States.

“(3) ISSUANCE OF COINS COMMEMORATING 5 STATES DURING EACH OF THE 10 YEARS-

“(A) IN GENERAL- The designs for the quarter dollar coins issued during each year of the 10-year period referred to in paragraph (1) shall be emblematic of 5 States selected in the order in which such States ratified the Constitution of the United States or were admitted into the Union, as the case may be.

“(B) NUMBER OF EACH OF 5 COIN DESIGNS IN EACH YEAR- Of the quarter dollar coins issued during each year of the 10-year period referred to in paragraph (1), the Secretary of the Treasury shall prescribe, on the basis of such factors as the Secretary determines to be appropriate, the number of quarter dollars which shall be issued with each of the 5 designs selected for such year.

“(4) SELECTION OF DESIGN-

“(A) IN GENERAL- Each of the 50 designs required under this subsection for quarter dollars shall be-

“(i) selected by the Secretary after consultation with--

“(I) the Governor of the State being commemorated, or such other State officials or group as the State may designate for such purpose; and

“(II) the Commission of Fine Arts; and

“(ii) reviewed by the Citizens Commemorative Coin Advisory Committee.

“(B) SELECTION AND APPROVAL PROCESS- Designs for quarter dollars may be submitted in accordance with the design selection and approval process developed by the Secretary in the sole discretion of the Secretary.

“(C) PARTICIPATION- The Secretary may include participation by State officials, artists from the

States, engravers of the United States Mint, and members of the general public.

`(D) STANDARDS- Because it is important that the Nation's coinage and currency bear dignified designs of which the citizens of the United States can be proud, the Secretary shall not select any frivolous or inappropriate design for any quarter dollar minted under this subsection.

`(E) PROHIBITION ON CERTAIN REPRESENTATIONS- No head and shoulders portrait or bust of any person, living or dead, and no portrait of a living person may be included in the design of any quarter dollar under this subsection.

`(5) TREATMENT AS NUMISMATIC ITEMS- For purposes of sections 5134 and 5136, all coins minted under this subsection shall be considered to be numismatic items.

`(6) ISSUANCE-

`(A) QUALITY OF COINS- The Secretary may mint and issue such number of quarter dollars of each design selected under paragraph (4) in uncirculated and proof qualities as the Secretary determines to be appropriate.

`(B) SILVER COINS- Notwithstanding subsection (b), the Secretary may mint and issue such number of quarter dollars of each design selected under paragraph (4) as the Secretary determines to be appropriate, with a content of 90 percent silver and 10 percent copper.

`(C) SOURCES OF BULLION- The Secretary shall obtain silver for minting coins under subparagraph (B) from available resources, including stockpiles established under the Strategic and Critical Materials Stock Piling Act.

`(7) APPLICATION IN EVENT OF THE ADMISSION OF ADDITIONAL STATES- If any additional State is admitted into the Union before the end of the 10-year period referred to in paragraph (1), the Secretary of the Treasury may issue quarter dollar coins, in accordance with this subsection, with a design which is emblematic of such State during any 1 year of such 10-year period, in addition to the quarter dollar coins issued during such year in accordance with paragraph (3)(A).'

50 State Commemorative Quarter Release Dates

Year	Quarter Mintage	Release Date	State	Statehood Date	State Totals
1999	4,430,940,000	January 01, 1999	Delaware	December 07, 1787	774,824,000
		March 08, 1999	Pennsylvania	December 12, 1787	707,332,000
		May 17, 1999	New Jersey	December 18, 1787	662,228,000
		July 19, 1999	Georgia	January 02, 1788	939,932,000
		October 12, 1999	Connecticut	January 09, 1788	1,346,624,000
2000	6,470,932,000	January 03, 2000	Massachusetts	February 06, 1788	1,163,784,000
		March 13, 2000	Maryland	April 28, 1788	1,234,732,000
		May 22, 2000	South Carolina	May 23, 1788	1,308,784,000
		August 07, 2000	New Hampshire	June 21, 1788	1,169,016,000
		October 16, 2000	Virginia	June 25, 1788	1,594,616,000
2001	4,806,984,000	January 02, 2001	New York	July 26, 1788	1,275,040,000
		March 12, 2001	North Carolina	November 21, 1789	1,055,476,000
		May 21, 2001	Rhode Island	May 29, 1790	870,100,000
		August 06, 2001	Vermont	March 04, 1791	882,804,000
		October 15, 2001	Kentucky	June 01, 1792	723,564,000
2002	3,313,304,000	January 02, 2002	Tennessee	June 01, 1796	648,068,000
		March 11, 2002	Ohio	March 01, 1803	632,032,000
		May 20, 2002	Louisiana	April 30, 1812	763,804,000
		August 2, 2002	Indiana	December 11, 1816	689,800,000
		October 15, 2002	Mississippi	December 10, 1817	579,600,000
2003	2,280,400,000	January 2, 2003	Illinois	December 03, 1818	463,200,000
		March 17, 2003	Alabama	December 14, 1819	457,400,000
		June 2, 2003	Maine	March 15, 1820	448,800,000
		August 4, 2003	Missouri	August 10, 1821	453,200,000
		October 20, 2003	Arkansas	June 15, 1836	457,800,000
2004		January 26, 2004	Michigan	January 26, 1837	
		March 29, 2004*	Florida	March 03, 1845	
		May, 2004*	Texas	December 29, 1845	
		August, 2004*	Iowa	December 28, 1846	
		October, 2004*	Wisconsin	May 29, 1848	
2005		January, 2005*	California	September 09, 1850	
		March, 2005*	Minnesota	May 11, 1858	

		May, 2005*	Oregon	February 14, 1859	
		August, 2005*	Kansas	January 29, 1861	
		October, 2005*	West Virginia	June 20, 1863	
2006		January, 2006*	Nevada	October 31, 1864	
		March, 2006*	Nebraska	March 01, 1867	
		May, 2006*	Colorado	August 01, 1876	
		August, 2006*	North Dakota	November 02, 1889	
		October, 2006*	South Dakota	November 02, 1889	
2007		January, 2007*	Montana	November 08, 1889	
		March, 2007*	Washington	November 11, 1889	
		May, 2007*	Idaho	July 03, 1890	
		August, 2007*	Wyoming	July 10, 1890	
		October, 2007*	Utah	January 04, 1896	
2008		January, 2008*	Oklahoma	November 16, 1907	
		March, 2008*	New Mexico	January 06, 1912	
		May, 2008*	Arizona	February 14, 1912	
		August, 2008*	Alaska	January 03, 1959	
		October, 2008*	Hawaii	August 21, 1959	

*Approximate release dates

These figures were derived from the [US Mint web site](#).

Quarterdesigns is not an official government website or connected to any official entity in any way. For the official [US Mint Quarters website-Click Here](#). Quarterdesigns is an independent website and makes no claims of completeness of design concepts for any state. Contained here are images gathered from the internet and other resources regarding the state quarters. Quarterdesigns includes a collection of designs submitted to states, but in no way is a complete archive of all of the finalists concepts or submissions. Many states have had thousands of designs submitted from which ultimately finalists are chosen.

Quarterdesigns is a non-commercial website for informational, educational and research purposes for the multitudes collecting state quarters.

[Quarterdesigns](#) | [Updates](#) | [Comments](#) | [Vote](#) | [Releases](#) | [Governors](#) | [Info](#) | [Process](#) | [Parameters](#) | [FAQ](#) | [The Act](#) | [Search](#)

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: February 13, 2004

FURTHER REFERRALS: Labor and Commerce

Date of Committee Action: 3/19/04

The STATE AFFAIRS Committee considered:

HB 467

HOUSE BILL NO. 467

COMMEMORATIVE QUARTERS COMMISSION

"An Act establishing an Alaska Commemorative Coin Commission to develop the design concepts and to make recommendations regarding the final design of the Alaska quarter under the 50 States Commemorative Coin Program Act; and providing for an effective date."


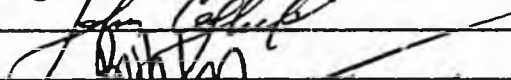
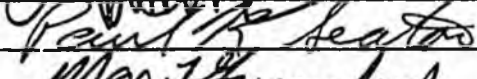
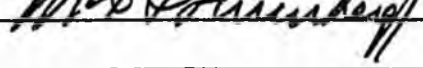
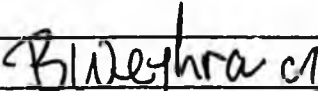
Recommends it be replaced with HCS or CS for HB 467 ()
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent HSTA Committee

List of Abbrev for Depts.:
 ADM
 CED
 COR
 CRT
 EED
 DEC
 DFG
 GOV
 HSS
 LEG
 LAW
 LWF
 MVA
 DNR
 DPS
 REV
 DOT
 UA

<u>NEW FISCAL NOTES</u>				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
<u>Gov</u>		✓		

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	BERKOWITZ	✓			
	Cook, H	✓			
	SEATON	✓			
	Grunberg	✓			
Chair: 	Weyhranch	✓			
Chair:					

HOUSE COMMITTEE REPORT

(11)

Date Referred to Committee: April 5, 2004

FURTHER REFERRALS:

Date of Committee Action: 4.20.04

The FINANCE Committee considered:

HB 467

HOUSE BILL NO. 467

COMMEMORATIVE QUARTERS COMMISSION

"An Act establishing an Alaska Commemorative Coin Commission to develop the design concepts and to make recommendations regarding the final design of the Alaska quarter under the 50 States Commemorative Coin Program Act; and providing for an effective date."

Recommends it be replaced with HCS or CS for HB 467 (FIN)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of Abbrev for Depts.:

- ADM
- CEC
- COR
- CRT
- EED
- DEC
- DFG
- GOV
- HSS
- LEG
- LAW
- LWF
- MVA
- DNR
- DPS
- REV
- DOT
- UA

<u>NEW FISCAL NOTES</u>				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
GOV				✓

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	Meyer	✓			
	Howard			x	
	Staley			x	
	MOSES			x	
	Cheryl H.	✓			
	Foster			✓	
	FOSTER	x			
Chair:	Harris Williams			x	
Chair:	Williams	x			

HB

476

SENATE COMMITTEE REPORT

DATE: 04/22/04

FURTHER:

DATE TURNED IN TO OFFICE: 4/30/04

State Affairs Committee considered CS FOR HOUSE BILL NO. 476(STA)

HB 476 AK STATEHOOD CELEBRATION COMMISSION

"An Act establishing the Alaska Statehood Celebration Commission; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
House Bill:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

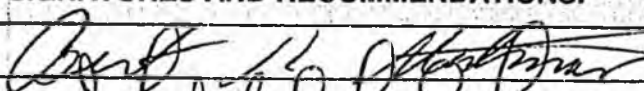
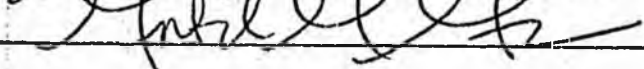
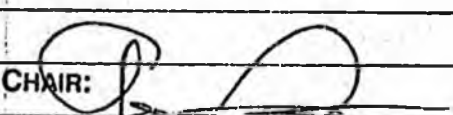
NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
Leg.	2/27/04			✓	1
Gov	2/20/04			✓	3

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
	✓			
	✓			
CHAIR: 	✓			

PROPOSAL FOR ALASKA'S 50TH ANNIVERSARY CELEBRATION

Presented to Governor Murkowski by Gail Phillips
October 2003 (Updated January 2004)

FIVE YEARS FROM NOW, WE WILL BE CELEBRATING OUR GOLDEN, 50TH STATEHOOD ANNIVERSARY. THIS PROPOSAL CONTAINS PLANS FOR BEGINNING THE PLANNING PROCESS NOW FOR THE CELEBRATION.

I AM VOLUNTEERING TO CHAIR A COMMITTEE COMPRISED OF ALASKANS FROM ALL WALKS OF LIFE AND ALL LOCATIONS OF ALASKA TO BEGIN WORK ON THE FESTIVITIES. I BELIEVE THIS COMMITTEE, WITH OFFICIAL SANCTION FROM YOU, CAN SET THE GROUNDWORK FOR A VERY SUCCESSFUL CELEBRATION.

YOU AND NANCY, TED AND KATHERINE, LISA AND VERNE AND DON AND LU SHOULD ALL BE SHOWN AS OFFICIAL HEADS OF THE COMMITTEE AND I WOULD SUGGEST THAT WE PUT TOGETHER A LIST OF PIONEER ALASKANS WHO VOTED FOR STATEHOOD IN 1958 TO BE SHOWN AS THE HONORARY CAMPAIGN CHAIRMEN. IF THIS LIST IS TOO LONG, WE CAN USE IT IN SOME OTHER VENUE. IT WOULD BE IMPRESSIVE TO HAVE SUCH A LIST TODAY.

I THINK THAT THE INITIAL COMMITTEE CAN BE VOLUNTARY AND SHOULD WORK FOR THE NEXT THREE YEARS PUTTING PRELIMINARY PLANS INTO PLACE. THEN, IN 2007, I THINK THE COMMITTEE SHOULD BE FUNDED FULL TIME FOR THE NEXT TWO YEARS. THIS WILL BE A MAJOR TASK TO CARRY OFF SUCCESSFULLY AND I DON'T THINK IT CAN BE LEFT TO UNPAID VOLUNTEERS IN THE LAST TWO YEARS - THIS COULD BE A SIMILAR ORGANIZATION TO THAT PUT TOGETHER FOR THE WORLD WINTER SPECIAL OLYMPICS CELEBRATION THAT WAS HELD IN ANCHORAGE SEVERAL YEARS AGO.

I HAVE PUT TOGETHER A LIST OF SOME IDEAS I HAVE ON ITEMS THAT WE NEED TO GET STARTED ON. THIS LIST IS CERTAINLY NOT A FINAL LIST AND SHOULD BE CONSIDERED AS A BEGINNING DRAFT. THE COMMITTEE THAT IS ESTABLISHED WILL COME UP WITH MANY MORE WONDERFUL IDEAS.

Plan the Statewide Celebration for the week of January 3rd, 2009. Logistically, the events could begin on Monday, December 29th, have a semi-major event on Wednesday evening (New Year's Eve), major events on Thursday, January 1st and then the huge gala on Saturday, January 3rd. The formal recognitions, etc. could all take place on Sunday, the 4th and the closing ceremony that evening.

On Saturday, January 3rd, each community in Alaska needs to have a coordinated gigantic bonfire and birthday cake celebration – this all needs to be choreographed ahead of time so that the bonfires are all lit at the same time the evening of the 3rd (in remembrance of the Statehood celebration).

We should produce a CD (Video and DVD) showing a timeline of 50 years of development in our State – we should try to get as much footage from as many communities across the State as possible for this. The State archives has great footage that we can use, starting with the actual battle in Congress for our Statehood and the proclamation signed by President Eisenhower, admitting us into the Union. This should highlight all the major events of our State's history during the past 50 years.

We need to develop a contest for all Alaskan artists to come up with a grand design for our 50th anniversary. This would be the official logo that will be used on everything published or printed or manufactured for this event.

We should develop a contest for Alaskans to come up with a third verse to our State Flag Song that commemorates our 50 years of Statehood.

Some of the items that would need to be created for this event include bumper stickers, posters, commemorative coins, balloons, pins etc. There should not be a problem with using the State seal on any of these items since this is a celebration of Statehood, and this needs to be cleared ahead of time.

The University needs to develop course curriculum on Alaska history focusing on the first 50 years of Statehood. This course needs to be available on-line in order for all school classrooms across the State to have access to it and to use it as a lesson plan in late 2008 in anticipation of the celebration in 2009.

All citizen organizations in the State need to be contacted and coordinated for Statehood presentations in the several months prior to the date. This would include all Chambers of Commerce, Rotary Clubs, Lion Clubs, RDC, Commonwealth North, The Alliance, Community Councils, Boys and Girls Clubs, Girl Scouts, Boy Scouts, all elementary and secondary school groups and all other groups anyone can think of. The purpose here would be to take the CD presentation and/or a power point presentation to educate every citizen in Alaska of the importance of our 50 years of successful statehood – something Congress feared would not be the case when we were granted statehood.

We need to coordinate with all retail outlets in Alaska to use a printed grocery or retail bag that depicts this anniversary – using the winning artist's design, we can coordinate this with a private vendor to make any and all sizes of bags and carrying cases available to all retailers in the State.

We could initiate a "Homesteader's Raffle" statewide. Tickets would be \$10 and the money raised would be used to deflect the cost of the statewide celebration. The winning tickets could be deeded a 10-acre, 5-acre and perhaps 10 one-acre parcels of State land in a fairly desirable location. Any variation of this could be worked out – primarily we want to raise money for the celebration and give our citizens a chance for land at a great price! The cost of transferring this land to private ownership must be minimal, so the location of land will be important.

We need to coordinate with all the Military in Alaska for their participation in the celebration, including fly-overs, gun salutes, tours of vehicles and facilities, and so on. If we start early enough, perhaps we could even get the military to dedicate a plane or ship to Alaska for this event.

We need to work with Alaska Airlines and the smaller carriers in the State to install new paint jobs on their planes with the anniversary logo. Also, we need to make sure all the materials on their planes, such as the magazines, napkins, uniforms, buttons etc. reflect our celebration.

We need to coordinate with a manufacturer of paper goods, and with COSTCO and SAM'S CLUB to create a 50th Anniversary line of paper goods that all restaurants, lodges, bars, clubs, etc. will use during this time.

We need to work with the Alaska Railroad to make sure they have at least one passenger car repainted and dedicated to the Anniversary.

We need to coordinate with all native groups and ask them to have their musicians and dancers create special music and dances for this celebration.

We need to coordinate with a publishing company to create a large "Coffee Table Pictorial Book" covering the last 50 years in Alaska – her land and people.

We need to begin the process of officially gaining a patent or copyright for everything that we are going to make or publish for the celebration. This may require legislative action that will mandate that nothing can be created or sold as far as memorabilia is concerned without the State's approval.

We need to plan a major nation-wide (world-wide?) press campaign to make sure all Americans have the chance to share in our celebration. In addition, every thing we do for this celebration needs to be well documented for future generations.

I KNOW THERE ARE MANY OTHER THINGS TO DO TO CELEBRATE OUR STATEHOOD; THIS LIST JUST PUTS TOGETHER A FEW IDEAS I'VE HAD AND I HOPE YOU WILL AGREE THAT WE NEED TO GET STARTED VERY SOON IN ORDER TO HAVE A GRAND CELEBRATION IN 2009.

THANK YOU VERY MUCH.

Gail Phillips, October 2003

Updated ideas, effective January 15, 2004

Honorary Committee Chairpersons should also include all former Governors and First Ladies.

Contact Grizz – Anchorage Fireworks Specialist – to have him design and create a special fireworks exhibition that will include an Alaska Flag display.

Contact the Alaska Marine Highway System for their participation for the year, including special decorations and commemorations on the ferries, new “statehood” menus for the galleys, etc.

Contact all cruise lines coming into Alaska to have them develop a special “Alaska 50th Anniversary” menu for their ships. Also – make sure they have the 50th anniversary video on all their ships for viewing by passengers in their lounges, libraries, etc. and for sale as a souvenir. Also, contract with them to sell the coffee-table book in their gift shops.

We should conduct essay and poetry contests in all elementary and high schools in the State. There could be various categories to give prizes for. The theme of these should be clearly outlined and should all tie into our 50 years of Statehood.

All major events during the year such as races, the Iditarod and Quest, sporting and musical events, events in the performing art centers, etc. should be encouraged to use the logo and any other promotional pieces for the Anniversary.

Hobo Jim should be contacted soon to start working on a Statehood Anniversary Song, similar to what he’s done for the Iditarod, the Railroad, the Valley Farming industry, etc.

Arrangements need to be made with the State Fair Associations now to accommodate a large display/demonstration of our 50th anniversary. The book, video and all other promotional material should be on sale at the Fairs.

We need to start working on good names for the Committee. I met with Governor Hickel, Mead Treadwell and Malcolm Roberts and they were all very interested in helping and being involved. I would definitely recommend Melissa Anderson of Alaska Destination Specialists to be involved. She was one of the major players in the World Special Olympics. Mayor Rick Mystrom should also be included, particularly in light of his planning role with the Winter Olympics.

Consideration should also be given to reactivating the Statehood Commission which was in place for the 25th Anniversary. This would need Legislative authority and should be well defined as to what is expected of them.

Design a 50th Anniversary Auto License Plate.

More to come later.....Gail

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 476(STA)
 (H) Publish Date: 4/7/04

Revision Date/Time (Note if correction): _____ Dept. Affected: Legislature
 Title "An Act establishing the Alaska Statehood BRU Leg Council/Leg Operating
Celebration Commission; and providing for an effective.." Component: Session
 Sponsor Representative Anderson Legislative Operating Budget
 Requestor House State Affairs Component No. 783

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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	0.0	0.0	0.0	0.0	0.0	0.0
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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	0.0	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	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director Phone 465-6626
 Division: Administrative Services Date/Time 3/29/04 2:50 PM
 Approved by: Pamela Varni, Executive Director Date 3/29/2004
 Agency: Legislative Affairs Agency

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: CSHB 476(STA)
 (H) Publish Date: 4/21/2004

Revision Date/Time (Note if correction): _____ Dept. Affected: GOV
 Title "An Act establishing the Alaska BRU Executive Operations
Statehood Celebration Commission Component Executive Office
 Sponsor Representative Anderson
 Requester House Finance Committee Component No. 6

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 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)*

Prepared by: _____
Rep. Williams, Co-Chair

Rep. Harris, Co-Chair

Phone 465-3424
 Date/Time 4/20/04 3:49 PM
 Date 4/20/2004

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

SPONSOR STATEMENT FOR CSHB 476(STA) **BY: Representative Tom Anderson**

TITLE: "An Act establishing the Alaska Statehood Celebration Commission; and providing for an effective date."

January 2009 will mark the 50th anniversary of Alaska's admission as the 49th state of the United States of America. It is important the State of Alaska recognize this landmark with a celebration of the state's magnificent heritage and to reflect upon the opportunities that 50 years of Statehood have brought to the state.

The Alaska Statehood Celebration Commission shall consist of 9 members. There shall be 4 public members, of whom one member shall be a resident of and be appointed from each of the four judicial districts in the state. The presiding officer from the Alaska House of Representatives and the Alaska Senate will appoint a majority and a minority member from each body. The governor or the governor's designee will occupy the 9th seat.

The Alaska Statehood Celebration Commission shall plan and administer all official state activities leading up to the 50th anniversary of Alaska Statehood. The commission will initiate a public process to solicit ideas about the celebration.

In addition, the commemorative quarter honoring the State of Alaska will be issued in the same calendar year in which the Alaska Statehood Celebration occurs.

I urge your support of this important piece of legislation.

LEGAL SERVICES

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

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

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

April 3, 2004

SUBJECT: Sectional Summary of CSHB 476(); An Act establishing the Alaska Statehood Celebration Commission (Work Order No. 23-LS1744D)

TO: Representative Tom Anderson
Attn: Jim Shine

FROM: George Utermohle *GU*
Legislative Counsel

You have requested a sectional summary of CSHB 476(), [Draft Version D]; An Act establishing the Alaska Statehood Celebration Commission.

As a preliminary matter, note that a sectional summary of a bill is not an authoritative interpretation of the bill. The bill itself is the best statement of its contents.

Section 1 of the bill sets out the purpose of the bill to establish a commission to plan and prepare for a celebration of the 50th anniversary of Alaska Statehood.

Section 2 of the bill establishes the Alaska Statehood Celebration Commission consisting of four public members, four legislative members, and the governor or the governor's designee and provides for operations of the commission.

Section 3 of the bill sets out the powers and duties of the commission in regard to the celebration of the 50th anniversary of Alaska Statehood.

Section 4 of the bill prohibits persons from asserting an affiliation with the commission unless the commission has authorized the affiliation in writing.

Section 5 of the bill provides that the provisions of the bill are repealed January 31, 2010.

Section 6 of the bill provides that the bill takes effect January 1, 2005.

If I may be of further assistance, please advise.

GU:med
04-369.med

Changes to HB 476 in (H) STA

Page 2, line 3: Delete [17] and insert 9.

Page 2, lines 5 through 7: Reduced the number of public members on the commission from 12 to 4.

This amendment reduced the size of the commission to 9 members in an attempt to lower the fiscal impact of the legislation.

Changes to CSHB 476(STA) in (H) JUD

The House Finance Committee reduced the fiscal note to zero.

HB

490

SENATE COMMITTEE REPORT

DATE: 04/22/04

FURTHER: Labor and Commerce

DATE TURNED IN TO OFFICE: 5/2/04

State Affairs Committee considered CS FOR HOUSE BILL NO. 490(JUD) am

HB 490 EMPLOYMENT SECURITY ACT AMENDMENTS

"An Act relating to the release of employment security records, to the binding effect of determinations and decisions regarding unemployment compensation benefits, and to contributions, interest, penalties, and payments under the Alaska Employment Security Act; providing that property under the Alaska Employment Security Act is not subject to the Uniform Unclaimed Property Act; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- Same Title
- New Title

House Bill:

- Same Title
- Technical Title Change
- New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
DLWD	7/9/03			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>John C. Gaudin</i>			✓	
<i>Debra N. Peterson</i>				
<i>James J. ...</i>				
CHAIR: <i>[Signature]</i>				

STATE OF ALASKA

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL

FRANK H. MURKOWSKI,
GOVERNOR

P.O. BOX 110300
JUNEAU, ALASKA 99811-0300
PHONE: (907) 465-3600
FAX: (907) 465-2075

April 30, 2004

Honorable Gary Stevens
Chair, Senate State Affairs Committee
Alaska State Capitol, Room 417
Juneau, AK 99801-1182

Re: CSHB 490(JUD) am: Employment Security Act Amendments

Dear Senator Stevens:

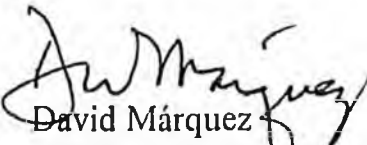
Thank you for scheduling a hearing on CSHB 490(JUD) am.

Attached is a sectional analysis for your committee's deliberations.

The Department of Law supports the bill, especially sec. 2. That section allows prosecutors better access to employment security records, to aid in investigations or prosecutions of crimes or to enforce certain orders of a court in criminal matters.

Sincerely,

GREGG D. RENKES
ATTORNEY GENERAL

By: 
David Márquez
Chief Assistant Attorney General

DEB:pvp

cc: Mike Tibbles, Legislative Director, Office of the Governor
Paula Scavera, Legislative Contact, Dept. of Labor and Workforce Dev.

CSHB 490(JUD) am

"AN ACT RELATING TO THE RELEASE OF EMPLOYMENT SECURITY RECORDS, TO THE ADMISSIBILITY OF DETERMINATIONS AND DECISIONS REGARDING UNEMPLOYMENT COMPENSATION BENEFITS, AND TO CONTRIBUTIONS, INTEREST, PENALTIES, AND PAYMENTS UNDER THE ALASKA EMPLOYMENT SECURITY ACT; PROVIDING THAT PROPERTY UNDER THE ALASKA EMPLOYMENT SECURITY ACT IS NOT SUBJECT TO THE UNIFORM UNCLAIMED PROPERTY ACT; AND PROVIDING FOR AN EFFECTIVE DATE."

SECTIONAL ANALYSIS

- Section 1:** Currently under AS 23.20.110(g), when the Employment Security Division ("ESD") provides employment security records to officers and employees of another state agency or a federal agency, the officers and employees must keep employment security records confidential. This section would amend AS 23.20.110(g) to add that when ESD provides employment security records to officers or employees of a municipal agency, the municipal officers and employees must also keep the records confidential. This amendment is necessary because under section 2 of the bill, ESD will be providing employment security records to municipal attorneys when they need them for criminal investigations and prosecutions.
- Section 2:** This new subsection to AS 23.20.110 will allow ESD to release employment security records for criminal investigations and prosecutions. ESD periodically receives requests for employment security records from the U.S. Attorney's Office, the District Attorney's Office, municipalities, and the FBI for purposes related to criminal investigations and prosecutions. Under AS 23.20.110, employment security records are confidential and does not allow the release of these records for criminal investigations or prosecutions purposes, except for employment security fraud cases. The U.S. Department of Labor has approved the amendment to allow ESD to release confidential employment security records for criminal investigation and prosecution purposes. Other states have allowed the release of these records for criminal investigation and prosecution purposes.

- Section 3:** This section would amend AS 23.20.115. AS 23.20.115 provides that it is a class B misdemeanor for an officer or employee of the state or a federal agency to make an unauthorized disclosure of employment security records. The amendment to AS 23.20.115 adds that it is a class B misdemeanor for an officer or employee of a municipality to make an unauthorized disclosure of employment security records.
- Section 4:** This section amends AS 23.20.225(e) to remove reference to the provisions of Department of Revenue law regarding disposal of abandoned property and authorizes the Department of Labor and Workforce Development to adopt regulations providing for the distribution of unclaimed excess contributions. Federal law requires that unclaimed excess contributions be deposited back to the UI Trust Fund rather than the state's general fund. Consequently, unclaimed excess contributions do not fall under the provisions of AS 34.45.110 – AS 34.45.430.
- Section 5:** Under the Employment Security Act, officers and employees of a corporation may be liable for employment security taxes if the corporation fails to pay the taxes. This section will add that members, managers and employees of a limited liability company ("LLC") may be liable for employment security taxes if the LLC fails to pay the taxes.
- Section 6:** This section will allow a member, manager, or employee of an LLC to appeal a determination of tax liability.
- Section 7:** Currently under AS 23.20.390(c), ESD can only recover, on behalf of another state, unemployment compensation benefits that a person fraudulently obtained. This bill would amend AS 23.20.390(e) to allow ESD to collect, on behalf of another state, any benefits to which a person was not entitled, even those that were not fraudulently obtained. This bill would bring Alaska into conformity with the Interstate Reciprocal Overpayment Recovery Arrangement.
- Section 8:** AS 23.20.497 currently provides that unemployment compensation decisions are not admissible in another action or proceeding. This amendment will clarify that under AS 23.20.497 unemployment compensation decisions are not admissible in an arbitration proceeding.

- Section 9:** This section defines "municipal agency."
- Section 10:** This section will bring the Employment Security Act into alignment with the Federal Unemployment Tax Act ("FUTA") by clarifying which health professionals are excluded from the definition of employment. Under FUTA, employed student nurses and medical interns are exempt from FUTA. This section would amend AS 23.20.526(a)(16) to similarly provide that student nurses and medical interns are exempt from the Employment Security Act. Therefore employers will not have to pay employment security taxes for these employees and these employees will not be able to collect unemployment benefits.
- Section 11:** This section would amend AS 23.20.530(b) by adding a new paragraph that provides an exclusion from the definition of "wages" for the payments or benefits provided by an employer under a plan to provide educational assistance to its employees. FUTA already provides for this exclusion from its definition of "wages" so this section brings the Employment Security Act into alignment with FUTA.
- Section 12:** This section provides a conforming amendment to section 4. The proposed amendment to AS 34.45.760(14) provides that for purposes of the Uniform Unclaimed Property Act, "property" does not include unclaimed excess contributions under the Employment Security Act.
- Section 13:** The Act would take effect immediately under AS 01.10.070(c).

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 490
 (H) Publish Date: 2/16/04

Revision Date/Time (Note if correction): _____ Department: Labor and Workforce Development
 Title: "An Act relating to..." RDU: Employment Security
the Alaska Employment Security Act..." Component: Unemployment Insurance
 Sponsor: _____ Component Number: 2276
 Requester: _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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 (FY2004) cost: None
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This technical legislation will have no fiscal impact on the department.

Prepared by: Thomas W. Nelson, Director Phone 465-5933
 Division: Employment Security Division Date/Time 12/29/03 3:34 PM
 Approved by: Greg O'Claray, Commissioner Date 12/29/2003
 Agency: Department of Labor and Workforce Development

HB

494

SENATE COMMITTEE REPORT

DATE: 3/26/04

FURTHER: Finance

DATE TURNED IN TO OFFICE: 4/17/04

State Affairs Committee considered CS FOR HOUSE BILL NO. 494(FIN) am

HB 494 ELECTRONIC PAYMENT FOR STATE BUSINESS

"An Act relating to the methods of disbursement of money by the state, including employment compensation, unemployment payments, and permanent fund dividends, and to bank investments and deposits by the state; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
House Bill:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
H+SS	3/19/04			✓	1
H+SS	3/19/04			✓	2
H+SS	3/19/04			✓	3
L+WD	3/16/04			✓	4
L+WD	3/16/04			✓	5
DOR	3/19/04			✓	6
ALL	3/16/04			✓	7

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>John J. Caudrey</i>			←	
<i>Bert R. Hartman</i>			✓	
CHAIR: <i>[Signature]</i>	✓			

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 494(FIN)
 (H) Publish Date: 3/24/04
 Dept. Affected: Health & Social Services
 RDU Public Assistance
 Component Public Assistance Field Svcs

Revision Date/Time (Note if correction):
 Title RELATING TO DISBURSEMENTS OF MONEY
BY THE STATE

Sponsor KOTT
 Requester HOUSE (FIN)

Component No. 236

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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)						
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FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2004) cost: _____
 Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This bill suggests that all disbursements of state money to be carried out electronically. This may include benefits disbursed by DPA for the Adult Public Assistance Program, Heating Assistance and General Relief. Food Stamp and Alaska Temporary Assistance Program benefits are currently disbursed electronically.

 Because this bill does not require all disbursements to be made electronically, we assume few if any recipients will elect to switch to electronic disbursement.

Prepared by: Angela Salerno
 Division Public Assistance
 Approved by: Joel S. Gilbertson, Commissioner
 Agency Department of Health and Social Services

Phone 465-3200
 Date/Time 03/18/2004
 Date 03/19/2004

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSHB 494(FIN)
 (H) Publish Date: 3/24/04
 Dept. Affected: Health & Social Services
 RDU Departmental Support Services
 Component Information Technology Services

Revision Date/Time (Note if correction):

Title RELATING TO DISBURSEMENTS OF MONEY
BY THE STATE

Sponsor KOTT

Requester HOUSE (FIN)

Component No. 2754

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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)						
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FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2004) cost:

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This CS for HB 494 eliminates the requirement for warrants to be used for issuance of state payments.

Currently the department's public assistance payments, e.g. portion of Adult Public Assistance caseload, all Food Stamp and Alaska Temporary Assistance benefits, are distributed via an Electronic Benefits Transfer (EBT) process. The department does not anticipate any change in the current process and will continue to process payments with state warrants for individuals who can not receive EBT payments.

There is no impact anticipated as a result of this legislative proposal.

Prepared by: Janet Clarke, Assistant Commissioner

Division Administrative Services

Phone 465-1630

Date/Time 03/18/2004

Approved by: Joel S. Gilbertson, Commissioner

Agency Department of Health and Social Services

Date 03/19/2004

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: CSHB 494(FIN)
 (H) Publish Date: 3/24/04
 Dept. Affected: Health & Social Services

Revision Date/Time (Note if correction):
 Title RELATING TO DISBURSEMENTS OF MONEY
BY THE STATE

RDU Departmental Support Services
 Component Administrative Support Svcs

Sponsor KOTT
 Requester HOUSE (FIN)

Component No. 320

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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)						
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FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2004) cost: _____

Mark this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

CSHB 494 provides options to the vendors or clients to receive payments via electronic deposit or by receiving a state warrant for payment. No savings or additional costs will be incurred by DHSS.

Prepared by: Janet Clarke, Assistant Commissioner
 Division Administrative Services
 Approved by: Joel S. Gilbertson, Commissioner
 Agency Department of Health and Social Services

Phone 465-1630
 Date/Time 03/18/2004
 Date 03/19/2004

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: CSHB 494(FIN)
 (H) Publish Date: 3/24/04

Revision Date/Time (Note if correction): _____ Department: Labor and Workforce Development
 Title: Electronic Payment for State Business RDU: Employment Security
 Component: Unemployment Insurance
 Sponsor: Representative Kott
 Requester: Governor Component Number: 2276

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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 (FY2004) cost: None
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See Attached Analysis.

Prepared by: Thomas W. Nelson, Director Phone 465-5933
 Division: Employment Security Division Date/Time 3/16/04 3:29 PM
 Approved by: Greg O'Claray, Commissioner Date 3/16/2004
 Agency: Department of Labor and Workforce Development

FISCAL NOTE #4

STATE OF ALASKA
2004 LEGISLATIVE SESSION

BILL VERSION: CSHB 494(FIN)

ANALYSIS: (continued)

This legislation would make disbursements issued under AS 23.20 subject to a new section of statute, AS 37.25.050. AS 37.25.050 provides that disbursements can only be made through an electronic funds transfer (EFT) or through an electronic payment card unless doing so would cause substantial hardship to the recipient.

Section 3304 of the Federal Unemployment Tax Act (FUTA) prohibits the use of Unemployment Insurance Trust Fund monies for any purpose other than the actual benefit payment.

The use of electronic fund transfers (EFT):

The Unemployment Insurance Program already provides an EFT option. Estimated annual increase in cost to have all claimants move to this option would be \$30,000. This is based on set-up and monthly maintenance fees in the current direct deposit contract. The cost increase would be offset by savings from not having to produce printed benefit checks.

The use of a debit card:

Estimated initial implementation costs could be as high as \$269,500. Annual costs thereafter are estimated at \$63,000.

Other methods:

Amendments to AS 37.25.050 authorizes the Commissioner of Revenue to adopt regulations that would clarify when a state agency could use alternative disbursement methods. This provides an avenue for disbursing a paper check to a claimant if electronic disbursement would cause the claimant substantial hardship. Although it is not clear what constitutes "substantial hardship", this would not raise an issue with section 301(a)(1), of the Social Security Act.

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 5
 Bill Version: CSHB 494(FIN)
 (H) Publish Date: 3/24/04

Revision Date/Time (Note if correction): _____ Department: Labor and Workforce Development
 Title: Electronic Payment for State Business RDU: Employment Security
 Component: Employment Services
 Sponsor: Representative Kott
 Requester: Governor Component Number: 2275

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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 (FY2004) cost: None
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

See Attached Analysis.

Prepared by: Thor as W. Nelson, Director Phone 465-5933
 Division: Employment Security Date/Time 3/16/04 3:27 PM
 Approved by: Greg O'Claray, Commissioner Date 3/16/2004
 Agency: Department of Labor and Workforce Development

FISCAL NOTE #5

STATE OF ALASKA
2004 LEGISLATIVE SESSION

BILL VERSION: CSHB 494(FIN)

ANALYSIS: (continued)

This legislation would make disbursements issued under AS 23.20 subject to a new section of statute, AS 37.25.050. AS 37.25.050 provides that disbursements can only be made through an electronic funds-transfer (EFT) or through an electronic payment card unless doing so would cause substantial hardship to the recipient.

The use of electronic fund transfers (EFT):

Employment Services prepares Trade Readjustment Allowance (TRA) and Needs Related Payment (NRP) requests. Currently warrants are processed through the Alaska State Accounting System (AKSAS). Two warrants are issued if a claimant has a Child Support Enforcement Division (CSED) garnishment, one to the claimant and the other to CSED. AKSAS does not currently have the ability to directly deposit the payments into the workers bank account, nor withhold a portion of the payment for IRS tax reporting purposes.

TRA falls under the Federal Unemployment Benefit Act (FUBA). If the claimant did not have a bank account in which the payment could be deposited or if a cost to the claimant were involved, such payment procedure may create an administrative barrier to the receipt of full benefits when due and therefore raise an issue with Section 301(a)(1), of the Social Security Act (SSA).

In addition, Employment Services provide Individual Training Accounts (ITAs) for training and supportive services that clients need in order to complete training and secure suitable jobs. Currently, ITAs are generated, and warrants are issued directly to the vendor or client through the State of Alaska Accounting System.

The total financial impact if electronic fund transfers are used would be minimal to the division as long as the program criteria in the above paragraphs are met.

The use of a debit card:

The total financial impact if a debit card system is used is estimated to be five new Community Development Specialist II staff positions totaling \$325,000 per fiscal year. In addition, treasury systems and processes would have to be setup prior to implementation. The direct financial impacts of these systems are unknown at this time.

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 6
 Bill Version: CSHB 494(FIN)
 (H) Publish Date: 3/24/04

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
 Title Electronic Payments for State RDU Revenue Programs & Services
Business Component Treasury Division
 Sponsor Representative Kott
 Requester House Finance Component No. 121

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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 (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Actual costs to the Treasury Division could vary significantly. If the division continues its current efforts to maximize payments made electronically, few or no additional costs may be incurred. If, however, we ensure that all payments are made electronically by 2006, an additional staff member, acting as project manager and ACH payments coordinator will be required by the division. This position would require a full time, temporary addition to the Cash Management staff, costing the division approximately \$45.0 in FY05, \$50.0 in FY06, FY07, and FY08, and \$30.0 in FY09 in additional personal services costs. Further, contractual costs for additional programming enhancements of the state's electronic fund origination system, BEACHES, would likely also be incurred. These costs are estimated to be \$25.0 in FY05, \$60.0 in FY06, and \$15.0 in each FY07, FY08, and FY09. We are assuming Treasury will cover the costs of making BEACHES ready to accept agency interfaces. The cost estimates above reflect those start-up costs. Each agency will have costs associated with modifications to their specific applications so that those applications will interface with BEACHES. We assume that the cost savings from not issuing warrants will exceed the cost of implementation of this legislation.

Prepared by: Tom Boutin, Deputy Commissioner
 Division: Treasury Division
 Approved by: Steve Porter, Deputy Commissioner
 Agency: Department of Revenue

Phone 465-3669
 Date/Time 3/19/04 5:16 PM
 Date 3/19/2004

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 7
 Bill Version: CSHB 494(FIN)
 (H) Publish Date: 3/24/04

Revision Date/Time (Note if correction): _____ Dept. Affected: All
 Title A bill relating to disbursement of RDU All
money by the state Component All
 Sponsor Rep. Kott and Hawker
 Requester _____ Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual		(46.0)	(92.0)	(92.0)	(92.0)	(92.0)
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	(46.0)	(92.0)	(92.0)	(92.0)	(92.0)

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						
Various in all state agencies		(46.0)	(92.0)	(92.0)	(92.0)	(92.0)
TOTAL	0.0	(46.0)	(92.0)	(92.0)	(92.0)	(92.0)

Estimate of any current year (FY2004) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This analysis assumes all state payroll would be made with electronic funds transfer, except for the first and last paycheck for each employee and a limited number of hardship exceptions for payroll. All savings from payroll direct deposit is predicated on replacing printed, mailed paper advices with online presentment information.
 The cost of making vendor payments using EDI is calculated for all general warrants at effectively a wash because the cost of bank services is estimated at 32.5 cents each, which is essentially the cost of printing and mailing warrants. The set up effort for state agencies and vendors can be absorbed as long as the process is not mandatory for reluctant vendors or other situations not suited for electronic payments. Quickly increasing the number of EDI-capable vendors from the current 500 to over 50,000 would require substantial staff resources in each agency, as well as the central Finance and Treasury divisions.

Prepared by: Kim J. Garnero, Director Phone 465-3435/465-5615
 Division Finance Date/Time 3/16/04 7:08 AM
 Approved by: Mike Miller, Commissioner Date 3/16/2004
 Agency Department of Administration

Analysis for general warrants under CSHB 494(FIN)

FY 2003 general warrants statistics

Warrants	414,496
EDI	10,793
Total	<u>425,289</u>

Analysis excludes all program specific warrant types such as PFDs, retirement, welfare payments, court warrants. Also excludes handwrite and field warrants.

Potential savings to mailroom chargeback for reduced costs of:

Paper used in paying warrants:

Warrants	415,000	0.01825	\$ 7,574	
Envelopes	415,000	0.02063	\$ 8,561	
			<u>\$ 16,135</u>	annual usage ==> <u>\$ 16,135</u>

Postage: (first class pre-sort with bar code 2: .8 cents per item) (1.5% @ 35.2 for non bar code)

Bar coded	408,775	0.278	\$ 113,639	
Not bar coded	6,225	0.352	2,191	
			<u>\$ 115,831</u>	annual usage ==> <u>\$ 115,831</u>

Total projected mailroom chargeback savings	<u>\$ 131,966</u>
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Potential increased cost for ACH origination:

425,000 transactions at \$.325 each (estimated 2 addenda totaling 500 chars)	<u>\$ 138,125</u>
--	-------------------

Net potential cost on statewide basis:	<u>\$ 6,159</u>
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Analysis for payroll warrants under CSHB 494(FIN)

Average payroll statistics (based on average of August and December payrolls)

	Mailed	Delivered	Total Annualized			Mailed	Delivered	Total
Warrants	1,439	390	1,829	44,000	Warrants	9%	2%	11%
Advices	12,279	1,809	14,088	340,000	Advices	77%	11%	89%
Total	13,718	2,199	15,917	384,000	Total	86%	14%	100%

Assumptions:

All new employees (about 5,000 per year) get their first payroll via warrant when the prenote test is done.

500 employees continue to receive warrants under the hardship exemption.

Total warrants still needed = $(500 * 24) + 5,000 = \underline{\underline{17,000}}$

Potential savings to mailroom chargeback for reduced costs of:

Paper used in paying payroll:

Warrants	27,000	0.01825	\$ 493	(40,000 for \$730)
Advices	340,000	0.01683	5,722	(300,000 for \$5,049)
Envelopes	367,000	0.02063	7,571	(500,000 for \$10,315)
			<u>\$ 13,786</u>	annual usage ==> <u>\$ 13,786</u>

Postage: (first class pre-sort with bar code 27.8 cents per item) (200 @ 35.2 for non bar code)

Bar coded	13,500	0.278	\$ 3,753
Not bar coded	200	0.352	70
			<u>\$ 3,823</u> for 24 pay periods = \$ 91,762

Less postage on 17,000 warrants annually = (4,760)
\$ 87,002

Total projected mailroom chargeback savings \$100,788

Potential increased cost to Division of Finance:

Direct deposit costs: (November invoice was \$2,570 for 31,705 ACH txns)

New direct deposit costs:

1,329 @ 8.1 cents each = \$ 108 for 24 pay periods = \$ 2,584

Net potential savings on statewide basis: \$ 98,204

Alaska State Legislature

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Interim: (June-Dec)
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Pete Kott
Speaker of the House

SPONSOR STATEMENT

CSHB 494

"An Act relating to the methods of disbursement of money by the state, including employment compensation, unemployment payments, and permanent fund dividends, and to bank investments and deposits by the state; and providing for an effective date."

CSHB 494 makes necessary changes to the methods of how the State of Alaska disburses funds. This change will save the state costs of issuing checks and warrants and resolve issues pertaining to time of disbursement and undistributed collections.

Currently, the state issues approximately 96,500 checks and warrants per month:

Unemployment Insurance Benefits:	28,000
Division of Finance to vendors & non-vendors:	50,000
Child Support recipients:	13,000
PERS & TERS Retirees:	2,500
Payroll-Active employees	3,000

This legislation has the potential of saving the State of Alaska considerable funds when factoring in the reduction of check fraud, reissuing of lost or stolen checks, postage, check printing cost, reduced bank service fees, and reduced labor cost.

In addition, this would benefits businesses and citizens who receive funds direct deposit vs. mail delivery, no check cashing fees, reduces liability of check fraud, and customers may use Electronic Payment Cards like debit/credit card at businesses.

HB

496

SENATE COMMITTEE REPORT

DATE: 04/8/04

FURTHER: Judiciary

DATE TURNED IN TO OFFICE: 4/28/04

State Affairs Committee considered **CS FOR HOUSE BILL NO. 496(STA)**

HB 496 YOUTH VOTE AMBASSADOR PROG/ELECTION BDS

"An Act creating the youth vote ambassador program and relating to that program; authorizing the members of the program to be appointed to serve on election boards; relating to qualifications for appointment to election boards; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:
 Same Title
 New Title

House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

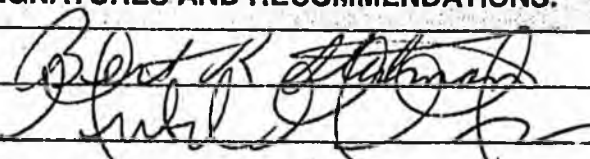
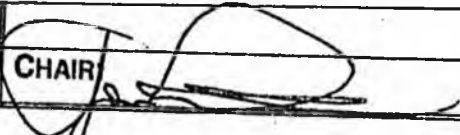
NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
Gov	3/22/04			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
	X			
	X			

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 496(STA)
 (H) Publish Date: 3/29/04

Revision Date/Time (Note if correction): _____ Dept. Affected: GOV
 Title An Act creating the Youth Vote Ambassador RDU Elections
 Program _____ Component Elections
 Sponsor Representative(s) Dahlstrom, McGuire
 Requester State Affairs Committee Component No. 21

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
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--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill has no fiscal impact on the Division of Elections.

Prepared by: Leonard G. Jones
 Division Division of Elections
 Approved by: Laura A. Glaiser, Director
 Agency Office of the Lt. Governor, Division of Elections

Phone 465-3051
 Date/Time 3/26/04 9:55 AM
 Date 3/26/2004

ALASKA STATE LEGISLATURE

Co-Chair:
Resources

Vice Chair:
Joint Armed Services Committee

Member:
Military and Veterans Affairs Committee
Labor and Commerce Committee
Economic Development, Trade, &
Tourism Committee



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REPRESENTATIVE NANCY DAHLSTROM
ELMENDORF AFB • FORT RICHARDSON • BIRCHWOOD • FIRE LAKE • GOVERNMENT HILL • MULDOON
Representative_Nancy_Dahlstrom@legis.state.ak.us

SPONSOR STATEMENT CS HOUSE BILL 496 (STA) *Youth Vote Ambassador Program*

House Bill 496 presents us with a unique opportunity to enliven the interest of young people in the political process and in their rights and responsibilities as citizens.

The intent of this bill is threefold:

- To increase awareness and interest in voting among Alaska's young people,
- To allow for meaningful student involvement in elections; and
- To relieve the shortage of election workers.

Youth Vote Ambassadors, high school students 16 years and older would assist at the polls as part of elections boards. These Ambassadors would be appointed and trained by the Division of Elections and supervised by an elections board chairperson. These students will serve on the election board, in addition to the three adults outlined in law, and under the supervision of the election chairperson. As are current adult poll workers, these youth ambassadors will also receive compensation for their duties.

Currently, 74% of states have laws that allow for Election Day workers under 18 years of age. In Alaska, legislation is necessary to create the Young Vote Ambassadors Program since current law requires members of the election board be qualified voters.

In an attempt to reverse the 25-year decline in voter participation among those within the 18-24 age group, HB 496 plants the seed of civic responsibility at an early age and encourages more young people to become action in the political process.

This legislation also amends the qualifications for appointment to a precinct election board by clarifying that the Division of Elections must first try and find qualified individuals in the precinct, and if no one is found then guides the Division to look at the district, and then if still no one is available the Division can seek poll workers statewide. This provides a bit more flexibility to the election supervisors as they seek qualified individuals to serve in this important function.

HB 496 has a zero fiscal note. The legislation passed the House unanimously and I ask for the committee's favorable support.