

(h) The state, through the office of the secretary of state, shall pay the cost of each borough incorporation election.

Sec. 2. This Act is retroactive to January 1, 1962.

Approved April 21, 1964

CHAPTER 62

AN ACT

Relating to sabbatical leave for educators; and providing for effective date.

(H.B. 389)

Be it enacted by the Legislature of the State of Alaska:

paid in the usual manner.

Section 1. AS 14.20.280 is amended to read:

Sec. 2. AS 14.20.340 is amended to read:

Sec. 14.20.280. **Basis of Leave.** A teacher who has rendered active service for seven or more years in a public school system in the state is entitled to sabbatical leave, subject to the restrictions of secs. 280 - 350 of this chapter. Sabbatical leave may be taken for educational purposes only, and for not more than one school year. A teacher on sabbatical leave is entitled to one-half his base salary to be

Sec. 14.20.340. **Military Service and Previous Leaves of Absence.** To determine eligibility for sabbatical leave, tours of military service and leaves of absence granted before July 1, 1963, are not considered years of active service.

Sec. 3. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 21, 1964

CHAPTER 63

AN ACT

Relating to construction and planning of community mental health centers and facilities for the mentally retarded under the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (P. L. 88-164).

(H.B. 403)

Be it enacted by the Legislature of the State of Alaska:

and adequate treatment of individuals in hospitals.

Section 1. AS 18.20.010 is amended to read:

Sec. 2. AS 18.20.130(1) is amended to read:

Sec. 18.20.010. **Purpose.** The purpose of secs. 10 - 130 of this chapter is to provide for the development, establishment, and enforcement of standards for (1) the care and treatment of individuals in hospitals, convalescent homes, nursing homes and public health centers, community mental health centers and facilities for the mentally retarded; and (2) the construction, maintenance, and operation of hospitals which will promote safe

(1) "hospital" means a place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care for not less than 24 hours in a week of two or more nonrelated individuals suffering from illness, disease, injury, or deformity, or a place devoted primarily to providing for not less than 24 hours a week of obstetrical or other medical or nursing care for two or more non-related individuals and includes a

convalescent home, nursing home, a public health center, and, as defined in sec. 210 of this chapter, a community mental health center and a facility for the mentally retarded;

Sec. 3. AS 18.20.140 is amended to read:

Sec. 18.20.140. **Purpose.** The purpose of secs. 140 - 220 of this chapter is to make an inventory of existing hospitals and medical facilities, community mental health centers and facilities for the mentally retarded, to survey the need for construction of hospitals and medical facilities, community mental health centers and facilities for the mentally retarded, and to develop a program and plan of construction for each.

Sec. 4. AS 18.20 is amended by adding a new section to read:

Sec. 18.20.141. **Department Functions.** The department shall be the sole agency for the administration of the plan as required by the federal act. The department shall develop and administer any programs necessary for compliance with the federal act.

Sec. 5. AS 18.20.150 is amended to read:

Sec. 18.20.150. **Duties of Department.** The department shall

(1) for each of the following groups of facilities: Group 1. Hospitals and medical facilities; Group 2. Community mental health centers; Group 3. Facilities for the mentally retarded;

(A) make a statewide inventory of existing public, nonprofit, and proprietary facilities;

(B) survey the need for construction of these facilities;

(C) on the basis of this inventory and survey, develop a program for the construction of public and other nonprofit facilities for each of these groups which will, in conjunction with existing facilities, afford the necessary physical facilities for furnishing adequate facility services to all residents of the state;

(2) prepare and submit to the surgeon general a state plan, including the hospital and medical facilities, community mental health centers and facilities for the mentally retarded construction program developed under (1) of this section. The plan will provide for the establishment, administration, and operation of hospital and medical facilities, community mental health centers and facilities for the mentally retarded and construction activities in accordance with the requirements of the federal act and the regulations promulgated under it; before the submission of the plan to the surgeon general, the department shall give adequate publicity to a general description of the provisions proposed to be included, and hold a public hearing where persons or organizations with a legitimate interest in the plan may express their views. After approval of the plan by the surgeon general, the department shall publish a brief summary of the provisions in at least one newspaper of general circulation in the state, and shall make copies of the plan available upon request to interested persons, and, from time to time but not less often than annually, the commissioner shall review the construction program and submit to the surgeon general any modifications which he finds necessary and which are not inconsistent with the requirements of the federal act;

(3) provide for adequate facilities to furnish needed services for persons unable to pay for them in accordance with regulations prescribed under the federal act;

(4) submit any reports that the surgeon general considers necessary for compliance with the federal acts;

(5) do all things on behalf of of the state necessary to obtain benefits under the federal act.

Sec. 6. AS 18.20.170 is amended to read:

Sec. 18.20.170. **Application for Construction Projects.** The state, a political subdivision of the state, or a public or other nonprofit agency requesting federal funds for a health facility construction project shall apply to the

department. The application shall conform to federal and state requirements.

Sec. 7. AS 18.20.210(2) is amended to read:

(2) "federal act" means Title VI of the Public Health Service Act (42 U.S.C. 291 et seq.) concerning hospitals and medical facilities and the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (P. L. 88-164) concerning facilities for the mentally retarded and community mental health centers, both as now or hereafter amended;

Sec. 8. AS 18.20.210(7) is amended to read:

(7) "surgeon general" means the Surgeon General of the Public Health Service or any other federal agency designated to administer the federal act.

Sec. 9. AS 18.20.210 is amended by adding new paragraphs to read:

(8) "community mental health center" means a facility providing services for the prevention or diagnosis of mental illness, or care and treatment of mentally ill patients, or rehabilitation of such persons, which services are provided principally for persons re-

siding in a particular community or communities in or near which the facility is situated;

(9) "facility for the mentally retarded" means a facility specially designed for the diagnosis, treatment, education, training, or custodial care of the mentally retarded, including facilities for training specialists and sheltered workshops for the mentally retarded, but only if such workshops are part of facilities which provide or will provide comprehensive services for the mentally retarded;

(10) "nonprofit facility for the mentally retarded" and "nonprofit community mental health center" mean, respectively, a facility for the mentally retarded and a community mental health center which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and the term nonprofit private agency or organization means an agency or organization which is such a corporation or association or which is owned and operated by one or more of such corporations or associations.

Approved April 21, 1964

CHAPTER 64

AN ACT

Relating to mental retardation.

(H.B. 404)

Be it enacted by the Legislature of the State of Alaska:

Section 1 AS 18.05 is amended by adding a new section to read:

Sec. 18.05.031. **Program Planning for Mentally Retarded.** (a) The department shall

(1) plan for and take other steps leading to comprehensive state and community action to combat mental retardation;

(2) be the sole agency for carrying out the purposes of the federal act;

(3) make applications for, re-

ceive, and expend grants under the federal act; the applications shall set out plans and contain provisions and assurances for the expenditure of any grant as required by the federal act or the Secretary.

(b) As used in this section

(1) "federal act" means Title XVII of the Social Security Act, Grants for Planning Comprehensive Action to Combat Retardation (P.L. 88-156);

(2) "Secretary" means the Secretary of Health, Education, and Welfare or his designee.

Approved April 21, 1964