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REAA

SB 35 AND REGIONAL GOVERNMENT

A commentary on the effects Senate Bill 35 has had on the development of regional municipal structures in the unorganized borough.

Prepared by: Patrick K. Poland, Department of Community and Regional Affairs

The transfer of the major operational responsibilities of rural Alaska's schools from the State of Alaska (Alaska Unorganized Borough School District) to regional school districts (Regional Education Attendance Areas) with locally elected schoolboards was accomplished by Ch 124, Session Laws of Alaska, 1975 (popularly referred to as Senate Bill 35).

To a great extent, the ultimate impact of Senate Bill 35 is just beginning to be realized. However, there are already several definite implications for municipal government that have arisen from the implementation of Senate Bill 35. The purpose of this discussion is to underscore these implications as they relate to the development of municipal government in the unorganized borough. For purposes of this discussion, municipalities consist of boroughs and first-class cities; that is, municipalities having the education function.

REGIONAL IDENTIFICATION

While rural Alaska's initial encounter with the concept of regionalism came about with passage of Public Law 92-746, the Alaska Native Claims Settlement Act (ANCSA), there is no doubt that Senate Bill 35 went far beyond the implications of the ANCSA in terms of developing regional identification. In the view of the Department of Community and Regional Affairs this was a positive step towards developing regional government in the unorganized borough. Prior to the passage and implementation of this particular act there were no real tests of the regional concept of service delivery taking place in the unorganized

borough[1] and while there were many advocates of this particular mechanism of service delivery it remained, by and large, untested. However, with the mandate of regionalization created by Senate Bill 35, rural residents have, in a sense, been forced to test the concepts of regionalism in Alaska's vast unorganized borough.

Surprisingly, there seemed little if any real resistance to the idea of regional school districts. On the contrary, (much of this was undoubtedly due to the dissatisfaction many rural residents felt with the former state operated school system), most rural residents seemed eager to embrace the concept. Perhaps the strongest demonstration of this desire to participate in a regional approach to service delivery was the change in municipal status executed by the City of Selawik. In that particular instance, the City of Selawik, formerly a city of the first class in the unorganized borough and therefore having school responsibilities, petitioned the Local Boundary Commission[2] and convinced them of the need for the city to be dissolved and "reincorporated" as a second class city so that it might become a part of the particular Regional Education Attendance Area. Among the arguments presented in support of Selawik's reclassification was a strong statement by residents concerning their desire to be a part of the Regional Education Attendance Area and to receive benefits they preceived as being available only to constituents of the REAA.

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1 Admittedly, certain state and federal agencies have been administering a few programs on a regional basis. However, these agencies have had the benefit of vast government financial and technical resources to assist them. In the opinion of this writer the availability of these resources makes my comparison between the state/federal regional approach and the REAA's invalid.

2 The Local Boundary Commission is composed of five members and is responsible for reviewing and approving or disapproving all municipal incorporation, dissolution and boundary change proposals.

The Department of Community and Regional Affairs, noting the relatively warm embrace being given regionalization by unorganized borough residents, instigated, early in 1976, a study of the acceptability of general purpose regional governments in the unorganized borough. That study,[3] which consumed some six months, came to a number of conclusions, the most important of which appears to be the fact that rural residents are still wary of any form of government that has the authority to levy and collect taxes. Additionally, many residents expressed concern about moving too fast; while they embraced the idea of regional school districts, they felt that the concept required the test of time before jumping to yet a new form of government. Nevertheless, the department has had inquiries from several regions (most notably the Fort Yukon, Bethel, Glennallen, and Valdez regions) concerning possible borough incorporation. To date, none of those discussions have evolved into an actual petition for borough incorporation although it does appear that many areas are getting close to taking that step. There is no doubt that formal consideration by these regions of regional government was precipitated by the establishment of REAA's.

An additional development which, to some degree, appears to be an offshoot of the regional approach fostered by Senate Bill 35, was the passage of Ch 84 SLA 1977, which established a mechanism for regions of the unorganized borough to establish coastal zone management (CZM) service areas for the purpose of CZM planning. Under the provisions of that particular act any

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3 While a final report was issued at the end of study several comprehensive memorandums summarizing various aspects of the study are available from Community and Regional Affairs. As an additional result of the study legislation calling for a Local Government Commission to study and make recommendations to the Legislature on all aspects of State-local relations is being introduced by Governor Hammond in the second session of the Tenth State Legislature (January 1978).

Regional Education Attendance Area, upon determination by the local electorate, may establish itself as a coastal zone management planning districts. While the legislation permits consolidation of two or more Regional Education Attendance Areas into a CZM planning district, it does not allow individual REAA's to be subdivided into smaller districts for the purposes of planning. This is an interesting development and one that seems to further reinforce the concept of delivery services on a regional basis.

Finally, in terms of regionalization, it is interesting to note the provisions of Senate Bill 35 which deal with the boundaries of Regional Education Attendance Areas. Specifically, the bill provides that:

"As far as practicable, each Regional Education Attendance Area shall contain an intergrated socio-economic, linguistically and culturally homogenous area. In the formation of the Regional Education Attendance Areas, consideration shall be given to the transportation and communication network to facilitate the administration and communication between communities that comprise the area."

Very similar statutory language exists at AS 29.18.030, which is the statutory provision establishing standards for borough incorporation. The similarity of the standards goes a long way towards defining appropriate boundaries for potential regional governments. In fact, to some observers, the boundaries of the newly created Regional Education Attendance Areas (with some exceptions) generally conform to good borough boundaries. This has been a little alarming to many rural residents, since no small number of them are still concerned that the State is going to "foist" boroughs upon them.

FINANCE

The second major subject area that has been the subject of much discussion as a result of Senate Bill 35 is that of local government finance. As presently constituted, Regional Education Attendance Areas have, in comparison to municipal school districts, an advantageous funding schedule. In addition to 100% foundation funding, Regional Education Attendance Areas also receive from the state an amount equal to the average local contribution per pupil in municipal school districts multiplied by the number of students in the Regional Education Attendance Area. This advantageous funding schedule for REAA's versus municipal districts remains a hindrance rather than an enticement for REAA's to seek organized borough status. Since most REAA's are property poor (hence, no ability to generate tax revenues), the thought of forming municipal school districts to provide services which are currently provided by Regional Education Attendance Areas is almost out of the question. For example, the poorest existing borough has about $20,000 worth of taxable property per capita. On the other hand, some of the Regional Education Attendance Areas could probably expect to have considerably less that $5,000 worth of taxable property per capita. Realistically, it is impossible to provide basic municipal services without adequate funding.

The major exceptions to this discussion, of course, are those areas surrounding "the pipeline". The regions surrounding Fort Yukon, Delta Junction, Glennallan, Copper Center, and Valdez have taxable property per capita values that could easily support borough government.

Partially, in response to thse obvious funding inequities, the Department of Community and Regional Affairs, as a part of its final conclusions reached in tis study of regional government, recommended that a new system of financing

regional governments be found. Basically, the system suggested was one that placed a state-wide property tax on all property associated with the exploitation of natural resources and then, in turn, distributed those tax revenues on the basis of population and services being provided by individual boroughs. It was determined that additional study of that particular proposal would be needed before the feasibility of it could be determined.

Nevertheless, this particular area is still a popular subject among legislators as demonstrated by current House Bill 202 and Senate Bill 35 introduced in the first session of the 1977 Legislative Session. Both those bills would levy real property taxes on developed land in the unorganized borough. Hearings on House Bill 202 were held this October in Fort Yukon, Delta Junction and Tok.

Finally, one last area of financing that again discriminates between the municipal versus REAA school district is that of school construction. Presently municipal districts must pay for 50% of school construction while REAA's contribute no local effort towards construction of new facilities. This is seen as a significant impediment to the development of regional government for the purpose of assuming local control of education, particularly in areas which are "poor" or are marginally deficient in terms of a real property tax base.

CONSTITUTIONALITY

I mention this issue simply because it is one of concern to many involved with municipal government. Because they are not units of local government they cannot be given taxing authority nor can they provide "local government" services. While the legality of the current REAA's has not been challenged on the grounds of Article X, Section 2, of the Constitution[4] (proponents

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4 Alaska State Constitution, Article X, SECTION 2. All local government powers shall be vested in boroughs and cities. The State may delegate taxing powers to organized boroughs and cities only.

of the REAA's argue that they are really service areas authorized under Article X, Section 6) there is good reason to believe that if additional REAA type boundaries are established they will be challenged and may very well end up being declared unconstitutional. The assumption being that education is, in fact, a "local government power".

SUMMARY

In summary, it can be said that formation of the Regional Education Attendance Areas can be viewed as a positive step towards the formation of regional government in rural Alaska. In particular the newly created service areas have provided a greater amount of local control over a local municipal type service, maintained and strengthened existing regional identifications, and provided boundaries that will be useful for the establishment of boroughs in the future.

The principle negative aspects of Senate Bill 35 have been the funding formula which maintains a disincentive to formation of municipal school districts and fails to properly address the extremely poor tax base of much of rural Alaska.

Ultimately, the passage of Senate Bill 35, if for no reason other than the fact that it has generated discussion and interest, is going to have had a significant effect (probably the most significant since the passage of the 1964 mandatory borough act) towards developing regional government in this state.

LOCATION OF SCHOOLS AND SCHOOL DISTRICTS IN ALA

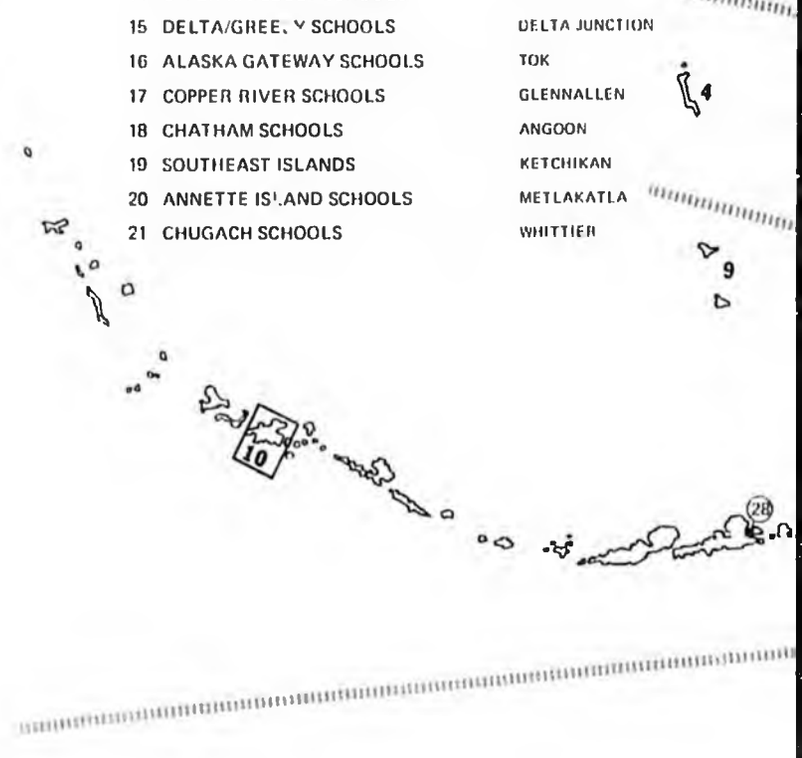
BOROUGH AND CITY SCHOOL DISTRICTS

1. ANCHORAGE BOROUGH SCHOOLS
2. BRISTOL BAY BOROUGH SCHOOLS
3. CORDOVA CITY SCHOOLS
4. CRAIG CITY SCHOOLS
5. DILLINGHAM CITY SCHOOLS
6. FAIRBANKS-NORTH STAR BOROUGH SCHOOLS
7. GALENA CITY SCHOOLS
8. HAINES BOROUGH SCHOOLS
9. HOONAH PUBLIC SCHOOLS
10. HYDABURG CITY SCHOOLS
11. GREATER JUNEAU BOROUGH SCHOOLS
12. KAKE CITY SCHOOLS
13. KENAI PENINSULA BOROUGH SCHOOLS
14. KETCHIKAN GATEWAY BOROUGH SCHOOLS
15. KING COVE CITY SCHOOLS
16. KLAWOCK CITY SCHOOLS
17. KODIAK ISLAND BOROUGH SCHOOLS
18. MATANUSKA-SUSITNA BOROUGH SCHOOLS
19. NENANA CITY SCHOOLS
20. NOME CITY SCHOOLS
21. NORTH SLOPE BOROUGH SCHOOLS
22. PELICAN CITY SCHOOLS
23. PETERSBURG CITY SCHOOLS
24. SELAWIK CITY SCHOOLS
25. GREATER SITKA BOROUGH SCHOOLS
26. SKAGWAY CITY SCHOOLS
27. ST. MARY'S PUBLIC SCHOOLS
28. UNALASKA CITY SCHOOLS
29. VALDEZ CITY SCHOOLS
30. WRANGELL CITY SCHOOLS
31. YAKUTAT CITY SCHOOLS

REGIONAL EDUCATION ATTENDANCE AREA SCHOOLS AND ADMINISTRATION HEADQUARTERS LOCATION

1	NORTHWEST ARCTIC SCHOOLS	KOTZEBUE
2	BERING STRAITS SCHOOLS	NOME
3	LOWER YUKON SCHOOLS	MOUNTAIN VILLAGE
4	LOWER KUSKOKWIM	BETHEL
5	KUSPUK SCHOOLS	ANIAK
6	SOUTHWEST REGION SCHOOLS	DILLINGHAM
7	THE LAKE AND PENINSULA SCHOOLS	NAKNEK
8	ALEUTIAN CHAIN	COLD BAY
9	PRIBILOF SCHOOLS AT ST. PAUL	ST. PAUL
10	ADAK REGION SCHOOLS	ADAK NAVAL STATION BOX 34, FPO, SEATTLE INTRA ALASKA
11	IDITAROD AREA SCHOOLS	MC GRATH
12	YUKON-KOYUKUK	NENANA
13	YUKON FLATS	FORT YUKON
14	UPPER RAILBELT SCHOOLS	CLEAR
15	DELTA/GREELY SCHOOLS	DELTA JUNCTION
16	ALASKA GATEWAY SCHOOLS	TOK
17	COPPER RIVER SCHOOLS	GLENNALLEN
18	CHATHAM SCHOOLS	ANGOON
19	SOUTHEAST ISLANDS	KETCHIKAN
20	ANNETTE ISLAND SCHOOLS	METLAKATLA
21	CHUGACH SCHOOLS	WHITTIER

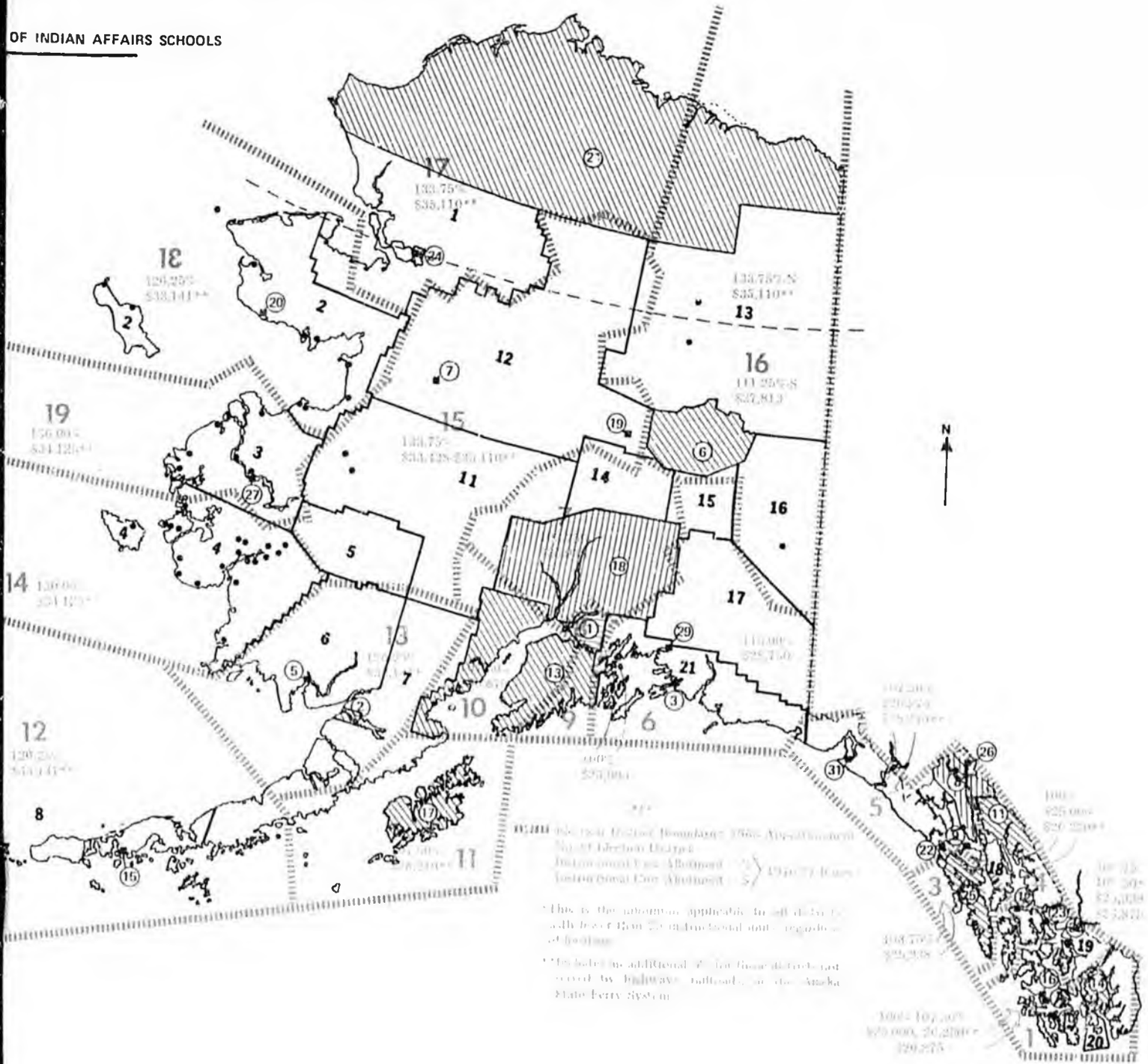
BUREAU



from
School Finance in Alaska
Report No. 1
Center for Northern Educational Research
–1970–

SKA - JULY 1, 1976 & ELECTION DISTRICTS - 1965

OF INDIAN AFFAIRS SCHOOLS



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D R A F T

HISTORICAL REVIEW AND PERSPECTIVE

by

Frank Darnell

November 1977

HISTORICAL PERSPECTIVE

Anyone attempting to set the stage for a discussion of a contemporary issue by developing an historical perspective of the issue is immediately confronted with the problem of how far back in time the topic needs to be taken to establish a point of departure. Also, the dimensions of the structure in which the topic is contained must be delineated. Since this section of the overall paper on Alaska Rural Education Attendance Areas (REAAs) is one among several, both time range and structural dimensions must be constrained. The usefulness of an historical perspective is of limited value if encumbered by too many details or conversely if presented in a cursory manner. Dangers of this type notwithstanding, I have attempted to identify and describe former conditions bearing on rural education in such a way that the problems of implementing a unique piece of legislation pertaining to education can be resolved by the practitioner and policy maker of today with a better understanding of the consequences of the activities of the practitioners and policy makers of yesterday.

The advent of a form of local control of education in rural Alaska in the year 1976 brought rural education full cycle in little over forty years. It was in 1932 that the Territorial Legislature abolished the Uniform School Act of 1917, an act that had established local school boards and vested them with authority to operate schools in local communities generally free of territorial administrative and instructional constraints. And although it can be documented that locally administered territorial school districts were initially established for non-Native children, in reality the territorial schools acquired Native enrollment that eventually exceeded the federal school system established exclusively for Native pupils. The reasons why this happened are not only of historical interest but bear on the nature and future of REAAs today.

The general organizational concept for rural education that persisted from 1932 until REAAs came into existence in 1976 actually took its root in the Uniform School Act of 1917 (an act which was derived from the Nelson Act of 1905), even though provisions for local control were repealed in 1932. The Uniform School Act of 1917 was designed to assure that territorial schools would be constituted along racial lines and provided "that nothing in the Act shall be construed as referring to or as including schools for Alaska Natives which are now and which may hereafter come under control of the Federal government...."

Enactment of the Uniform School Act was the last basic step necessary for the creation of the rural, dual Territorial-Federal school system, vestiges of which may be seen in rural schools still paid for and administred by the BIA. City districts (and now boroughs), as the third element of the structure, were also drawn together and came under the unifying control of the Department of Education in the Uniform School Act. In the words of Ernest Gruening referring to the Act of 1917: "The Territory has made itself wholly responsible for the conduct of the rural schools; it would furnish the greater part of the support of the schools in the municipalities (Gruening, The State of Alaska, p. 215). It is true Alaskans had assumed responsibility for a large portion of their educational programs, but Alaskans were far from being "wholly responsible." Care had been taken by members of the Third Territorial Legislature to avoid legal responsibilities for Native education and the pattern that was initiated at that time persists, in part, even to this day.

When the first commissioner assumed his responsibilities as head of the rural system in 1917, there were 46 rural, unincorporated communities with territorial rural schools that enrolled 1,162 pupils and employed 58 teachers. The same year, the Bureau of Education (schools later that were to come under

the Bureau of Indian Affairs) operated 71 rural schools with a total enrollemtn of 3,500 pupils and a faculty of 133 teachers. Thus, by 1917 the dual system of education for the territory was an established fact.

The policies of the 1920s clearly upheld the concept that the dual system in the rural areas was created on the premise that Natives were to be educated separately from the white population. The official attitude of the government of the territory was reflected in a statement by Commissioner Henderson when he set forth the following policy in his first official report:

> There are several objections to the maintenance of a unified system of schools for white and Native children, the principle ones being the irregularity of the attendance of Natives and their inability to conform to the standards of the whites in the matter of health and sanitation.... The highest good of both races, however, seems to require separate schools for at least a few decades.... The presence of two distinct races of people and the resulting mixture of blood creates difficulties in supervision and administration.... Where the races must mingle there is usually a certain degree of friction, the parents of white children often keeping them out of school and securing a private teacher in order to avoid the close contact and what they consider the evil resulting there from. (Report of Alaska Commissioner of Education, 1920, pp. 39,55.)

Essentially, policies of the Department of Education may be said to have conformed to the position set forth by the Legislature when the uniform system of schools was established, i.e., the system was to be uniform for white children in the territory, but only white children. A policy of the Bureau of Education provided a reciprocal arrangement. Bureau of Education schools were exclusively for Native pupils.

Since policies established during this period favored separate school systems according to race, it is of great significance that wholly contrary to these policies a truly unique and apparently unanticipated organizational structure developed. Separate schools in the traditional sense of two segregated schools within one community did not emerge. The two systems, federal

and territorial, were seldom common to individual communities in the rural areas. In the few "urban" communities of the time, separate school facilities did exist and Native and white children each went to their respective school buildings. However, the original intention of establishing two school systems within each community came about in only a few instances and segregation within communities did not become widespread. Instead, as time went by, an increasingly larger number of villages contained either a territorial school or a federal school, but not both. Thus, separate school systems did indeed emerge from territorial and federal laws and administrative policies, but each system's schools were in separate villages. Thus, there would be one kind of school in one village, and another kind in the next; and as the racial composition of the territorial schools tended to become increasingly Native in composition, the original purpose of racial segregation became obscure. It should be stressed, however, that this phenomenon took many years before it became a reality. And it was not until 1967 that duplicate school units within a single community completely disappeared. (The community of Northway was the site of the last instance of two rural units in a single community; one for Natives and one for whites.)

The factors which determined whether individual villages eventually settled into federal or territorial structure are not necessarily logical nor consistent. "Historical accident" may be the most comprehensible explanation. Certainly, villages with schools established early in the American period, especially former mission schools, remained in the federal system. Also, when new schools in the most remote areas of Alaska with nearly exclusive Native populations were established, they were usually federal; although there are state schools anomalous to this premise. Generally as new schools were added to the territorial system, they were in villages along the coast,

on the Aleutian Islands, and on the railroad or highway system; communities usually with at least a segment of white population. In many instances, territorial officials were willing to open schools in communities with a small white population and with enrollment augmented by Native pupils. Another significant factor contributing to the number of schools in the territorial system with a high incidence of Native pupils was brought about by the "drying up" of mining camps. In these cases schools had been established for white population newly arrived to pursue mining, and after the white population moved on, the schools persisted with only the indigenous population using them. A landmark opinion by the territorial attorney general in 1943 also tended to increase the number of Native pupils in territorial schools. The opinion was expressed that Native pupils could not be compelled to attend Native schools if a school of white children was provided in the community.

It is especially significant to note that the informal policy, or "arrangement," whereby Native pupils were permitted to enroll in territorial schools when no federal schools existed, eventually lead to a greater number of Native pupils in rural territorial and city schools than federal schools. Enrollment composition statistics for the years 1920-1958 are incomplete but their analysis does reveal that a consistently increasing number of Native students were admitted to territorial schools. No appreciable number of white pupils were admitted to federal schools during this period.

Early in the 1930s legislation was enacted that lead to changes in administration of the territorial rural schools and saw the end of one phase in the cycle we continue to experience. School boards for rural schools which had been authorized under the Uniform School Act of 1917 were abolished in 1932. By that year 65 rural schools with local boards were in operation. The local boards had been responsible for local operations of the rural schools and for

selecting teachers. It appears that the local boards were abolished largely because of insufficient means for controlling funds allotted to them and because of excessive teacher turnover brought about by unnecessary involvement in daily school program by some board members (Report of the Alaska Commissioner of Education, 1934, pp. 18-15, 56-57).

With local boards abolished, the entire operation of all territorial schools outside of organized school districts came under the authority of the Territorial Board of Education. The Territorial Board thus became an operational board and was expected to develop policy for the daily administration of the rural schools, approve faculty members for each rural school, and approve the budget for each rural school. This arrangement continued unchanged until the advent of the State-Operated Schools at which time the State-Operated School Board acquired the same responsibilities but retained a similar mode of operation by remaining a central policy-making authority, not appreciably unlike the Territorial and State Boards of Education. An exception to complete central authority emerged at this time in the form of local advisory school boards. Their responsibilities were limited and their influence usually negligible.

Programs of education developed by the territory during the period 1920-1958 and the first years of statehood at which time the State Board of Education continued in the mode of the Territorial Board reflect almost entirely the educational development of the nation as a whole. Although an increasing number of Native pupils found their way into territorial schools, few, if any, provisions were made to meet the unique educational problems Native students may have had. During this period the territorial curriculum was designed primarily for the white population and thus the seeds of discontent on the part of the Native people were sown. The commissioners of

education during this time continued to support the policy that Native education was the responsibility of the federal government although the number of Natives in territorial schools continued to increase. Little mention of the need for Native education was made in the biannual reports of the commissioners and when mention was made, it was to stress federal responsibility. As an example, the program of education in rural schools was described by the commissioner of education in 1954:

> A common program of studies, or course of study, is basic for all Alaska public schools. The standards of instruction in the larger district schools, the larger schools outside districts, the schools on military and other federal reservations and the remote one- and two-room schools are the same.... In general the program of studies as prescribed by the Board of Education compares very favorably with those which are found in schools throughout the nation. (Report of the Alaska Commissioner of Education, 1954, p. 26.)

The common program of studies referred to had been prepared in 1941 by Dr. James Ryan, Commissioner of Education at the time.

As the territory went about its business through a department of education, so did the federal government, first through the Bureau of Education, then the Bureau of Indian Affairs. While the policy of the territory followed the philosophy of Lester Henderson and programs were developed without concern for Native cultures, the federal system was experiencing the merry-go-round effect of cyclic, contradictory policies. Alaska was not singled out in this process, but simply followed in the wake of federal Indian policy for the country as a whole.

At first, following in the wake of missionaries, federal government officials attempted to eliminate Indian culture in pursuit of their duty to "civilize" the Indian population. The result of this effort was the opposite of the one sought. Programs designed to assimilate often aroused resistance to depart from indigenous culture. Indians tended to withdraw rather than be

drawn into the dominant society.

As a result of the now famous Meriam report of 1928, in which federal policies of the previous fifty years were repudiated, Indian education in Roosevelt's administration, under the supervision of John Collier, BIA Commissioner from 1933-1945, rev' sed the assimilationist policies of the previous fifty years. Collier advocated bilingualism, Native teachers, day schools and perservation of Indian culture.

Collier's efforts were eventually brought to a stop by the Congress, primarily because of a federal shift to a conservative view of Americanism manifested nationally at the close of World War II. The 1950s saw a fundamental return to the assimilationist policies of the first part of the century. Boarding schools were reinitiated and bilingualism set aside. Dillon Myer, the man who supervised Japanese American relocation during World War II, served as Commissioner of BIA during this period.

The cycle turned complete in the mid '60s with the advent of Lyndon Johnson's New Society and the Kennedy Committee on Indian Education. The multitude of federal programs addressed to righting civil wrongs, each speaking to the advantages of a pluralist society and thereby reversing assimilation, have proliferated until today.

Alaskan BIA schools have followed this vacillating course and recipients of their programs have generally suffered from inconsistencies. What the uncertainty of changing policies eventually guaranteed was complete dissatisfaction on the part of the Native population and ultimately precipitated their active role in the movement to return local control in rural Alaska.

Statehood may be considered the ultimate political device by which Alaskans, as equals with other Americans, acquired the potential to control their own affairs. The device did not work well for the return of local con-

trol to Alaskan Natives in rural schools. In fact, not until the passage of Senate Bill 35 of 1974, some seventeen years after statehood, resulting in the establishment of Rural Education Attendance Areas, did local control become reality. A review of hearings leading to statehood reveals Native education was not an issue in the attainment of statehood and the Statehood Act itself contains nothing of direct significance relative to Native education. For that matter, education was infrequently considered by the framers of the Alaskan Constitution and there was no "education lobby" present during its writing.

We are all now familiar with the oft quoted but still partially unfulfilled constitutional provision for education: "The Legislature shall by general law establish and maintain a system of public schools open to all children of the state, and may provide for other public educational institutions." This provision, therefore, need not be belabored in this review. It is clear that the Legislature has broad powers to provide for education. However, it is also clear that the constitution requires the Legislature to provide means for intermediate and local forms of government which are directly tied to the development of educational systems. It is this consideration that causes questions concerning the legal nature of REAAs and ultimately may come to bear on the longevity of Rural Education Attendance Areas.

The first years after Alaska became a state may be considered static relative to development of programs for rural education, but the lack of attention to rural matters in the early years of statehood is not surprising. With so many issues facing residents of the new state, education as a topic only surfaced occasionally. Also, village Alaska had not been "discovered" as a field for social reform or development such as was to emerge in the '60s. Following the passage of the Statehood Act nearly five years elapsed before

significant attention was given to rural schools. It was in 1962 that a memorandum of agreement between the State and the Bureau of Indian Affairs, assuring some degree of consistency and continuity of program between the two groups, was developed.

Following the development of the joint statement by the State of Alaska and the Bureau of Indian Affairs and the wide circulation of two reports prepared by Dr. Charles Ray of the University of Alaska (A Program of Education for Alaskan Natives and Alaska Natives Secondary School Dropouts), a number of events took place which drew attention to the educational system in rural Alaska and ultimately lead to a host of developments which brought great attention to rural education. In Ray's report the need for new curricula was documented. A Governor's Committee on Rural Education which was appointed in 1962 and issued a report in 1963 (updated in 1966) urged a single system of rural education; the United States Department of Interior Task Force on Alaska Natives identified the need for special programs of education and suggested a single, distinct administrative structure for rural schools as an essential element necessary to improve education in rural Alaska; and the files of the Department of Education began to include material which revealed a growing concern by the public at large for programs of education specifically designed for rural schools. Furthermore, state officials agreed in principle to merge the rural schools into a single state-controlled system. Most importantly of all, it was during this same period that Native associations emerged as a viable force, having grown effective in presenting their plans for improved village schools.

Two quotations from many meetings of Native groups at the time serve to illustrate the emergence of Native forces and stress the importance of this new element in the development of education systems by rejecting the system

in use. A meeting of the Tanana Chiefs Conference in 1968 resulted in this report:

> Improved and more educational opportunities for Native youth has been a principal concern of the Tanana Chiefs Conference since the Conference was revived in 1962.
>
> And the year 1968 is no different.
>
> Meeting in Fairbanks for the second time this year, the representatives to the Chiefs Conference again tackled education with more vigor than before....
>
> The Conference this morning passed a resolution asking the Alaska Federation of Natives to file suit against the United States and the State of Alaska for 'an integrated quality education for all Alaskan Natives in Alaska....'

At a meeting in Sitka in December 1968, Native spokesmen continued to make known their dissatisfaction with the status of the time:

> Natives from across Alaska served notice Thursday night that in their drive for improved rural education, they will be satisfied with nothing less than the system of regional high schools, close to the villages they serve and under direction of Native school boards.
>
> Indian, Eskimo and Aleut spokesmen gave their views of the conference on rural education presided over by U.S. Representative Howard W. Polluck, Republican Alaska, and U.S. Senator elect Mike Gravel, Democrate Alaska. The conference was called by the State's congressional delegation to reach a consensus on the recommended allocation of 9.6 million dollars appropriation by Congress for expanding and upgrading the Mt. Edgecumbe School.
>
> The awakening of Native people to power had become a factor in resolving educational problems in Alaska. Pressure by Native groups, representing a large block of voters, had brought Alaska's congressional delegation into the matter.

The decade 1966-1976 has been a period of extreme changes and a return to the local control of forty years earlier. In many ways, however, it is unfair to compare the local control of today with that of four decades past. Today's local control issues and the recognition of special educational needs for Alaska's indigenous population is a subject in its own right. A recent

report (Law and Native Education, Center for Northern Educational Research, 1977) by Mr. David Getches provides a succinct and critical analysis of the past ten years. Because of its currentness and appropriateness to this report, excerpts of Mr. Getches's paper follow verbatim.

Many villages apparently felt some of the same impulses for autonomy that moved proponents of statehood. They were, however, at the mercy of the state legislature, which was in a key position to make systemic changes. Displeasure voiced from the politically impotent bush met with little action.

In 1966, the state made a concession aimed at permitting more local direction for rural education. An act of the legislature instituted elective advisory school boards in all communities where state schools were operating.[303] Like their counterparts in the BIA system, the boards had no legal power. Their only "duty" was to "advise and assist the Board of Directors . . . through the local official administering the school." Most of the boards under the Alaska State-Operated School System never functioned effectively. In 1975, some 50 percent of the boards were considered nonfunctional."[305]

The education system for the entire state, outside municipalities (the unorganized borough), had been administered by the State Department of Education. There was not even a statewide policy-making board to address the diverse needs of the area separately from those of the state as a whole. Concern for the clumsy, inefficient system led the legislature to create a state corporation called the Alaska State-Operated School System (ASOSS) in 1970.[307]

ASOSS was a separate quasi-agency charged with responsibility for education throughout the unorganized borough. It was governed by a board of directors appointed by the governor. Six of the nine board members had to be from rural areas, outside boroughs and military reservations.[308] The board was delegated some of the authority which formerly had been exercised by the legislature and the State Board of Education, although the exact relationship between the state and ASOSS board was never clear. Administration of rural schools became separate from the State Department of Education's many other duties. Administrative matters still had to be funnelled through the State Department of Administration, however.

The conception of an entity whose sole responsibility was delivery of education in the unorganized borough may have appeared to be a wise move. At the least it would enable a policy-making board and full-time administrators to focus exclusively on that task. But the fundamental impediment of no localized decision making continued. There was not even a procedure for getting input to the board of directors from advisory school boards.

Because ASOSS was still administering an unwieldly system, great improvement was not forthcoming, nor could it have been expected. The capability of ASOSS for effecting change was severely limited because of its behemoth service area with distant clusters of population and a variety of conditions.

Individualized attention was needed for each of the more than 130 schools served by ASOSS but was out of the question. Native leaders saw little difference in rural education in the state system as viewed from the receiving end; they remained essentially disenfranchised in education matters. They urged that the only solution would be decentralization of control.

Energies of Native leaders had been concentrated heavily upon the issue of resolving their claims to land and other rights in the years prior to 1972. Congress had been considering enactment of legislation that would extinguish those claims. It had been prodded not just by Natives seeking justice and a settlement of claims that had been preserved since the purchase of Alaska from Russia, but by oil companies needing to clear land titles in order to get permits to build an 800-mile pipeline which would bisect the state.[309]

On December 18, 1971, the Alaska Native Claims Settlement Act was signed into law.[310] The complicated act left much to be done by Natives—formation of 12 regional corporations and more than 165 village corporations, selection of 80 million acres to be held by the corporations, and more. But its passage freed some Native leaders so that they could concentrate on matters at home with new vigor. Their

302. Interview with Dr. John Anttonen, Superintendent, North Slope Borough School District, January 19, 1976.

303. Ch. 98, [1966] Sess. Laws of Alaska; Alaska Stat. § 14.14.170 (revised and reenacted in 1975).

304. *Id.* at § 1; Alaska Stat. § 14.14.200 (revised and reenacted in 1975).

305. Alaska State-Operated School System, FY 1975 Budget Submission, Analytic Statement, 00808 (Nov. 15, 1973).

306. In 1965 the department had been reorganized to establish a separate Division of State-Operated Schools. *Report of the Alaska Commissioner of Education, 1965*, 23. Any change in delivery of rural education was imperceptible.

307. Ch. 46, [1970] Sess. Laws of Alaska.

308. *Id., as amended*, § 1, Ch. 199, [1972] Sess. Laws of Alaska. Formerly there were seven members, four from rural areas.

309. See generally, M. Berry, The Alaska Pipeline (1975).

310. 43 U.S.C. § 1601 *et seq.* (1976 Supp.).

successful experience with Congress added to their confidence and credibility.

The ASOSS board and staff were impressed not only by the increased pressure for local control, but also by the demonstrated need for it. Their suggestions and discussions with the State Department of Education led to a proposal in early 1973 by Commissioner of Education Marshall L. Lind that there be a thorough investigation of alternatives for education in the unorganized borough and development of recommendations.

Lind requested the Center for Northern Educational Research (CNER) at the University of Alaska to coordinate the project. CNER had been established in 1971 to foster improvement of education in Alaska through research, program development, and educational policy analysis.[312] Together with the Alaska Federation of Natives Human Resources Committee and the Alaska Legislative Committee on PreHigher Education, CNER undertook a year-long study. CNER was assisted in the undertaking by its advisory council—a committee of eminent educators, legislators, public officials, and organization leaders, most of whom were Natives. A series of meetings was held to address issues surrounding the matter, including meetings of the CNER advisory council, of the AFN Human Resources Committee, of the council and the Legislative Interim Committee jointly, and a rural input meeting where "grass roots" sentiment was expressed by bush residents. The CNER staff of professionals met with education agencies, regional corporations, and other groups to discuss the problem and the process of attacking it. The staff also compiled materials, presented alternatives for optimizing local control, and generally coordinated efforts.[313]

In December, 1973, a Forum on Education in the Unorganized Borough was held by the CNER consortium. Position papers were presented by persons from throughout the state. After that meeting a report was prepared by CNER staff for the Legislative Interim Committee on PreHigher Education.[314]

During the course of the CNER study two bills were introduced in both houses of the state legislature[315] to decentralize the state-operated schools by establishing educational service areas in the unorganized borough. Neither bill passed, but the plans proffered in them were fodder for discussion. Eight other types of alternatives (e.g., regionalization, status quo, and municipalities) were debated in the CNER inquiry. Each was exhaustively explored, and many participants in the process formed their opinions.

The CNER report found consensus that delivery of educational services in the unorganized borough had not satisfied the consumers' needs, that ASOSS had been a mistake, and that continuation of central policy and decision making was unacceptable because it was inefficient and squelched local leadership. The report concluded that community control best could be attained through formation of local governments. It found that both ASOSS and BIA are peculiar bureaucracies which inhibit improvements in education and stifle democracy among the segment of Alaskan population which they are supposed to serve and that both should be phased out.

The CNER report made numerous detailed recommendations which would convert ASOSS into a transitional agency until areas of the unorganized borough could form into districts. State government would foster the conversion process through an active program of school district development, including public education, assistance, and grants. All schools would be under districts and removed from ASOSS or BIA by 1980. Some communities would be required to incorporate as municipalities. State financing of schools would be studied to appraise its abilities to deal with the recommended changes. Provision would be made for waiver of existing school laws and regulations to allow innovation.[316]

The legislature failed to act on the CNER recommendations during the 1974 session. The Alaska Federation of Natives (AFN) took steps to insure that the recommendations would be acted upon in the next session. When the legislature convened in 1975, several bills were introduced reflecting the CNER and AFN positions.[317] Similar bills were passed in both houses (S.B. 35 and H.B. 24) after considerable lobbying and input from Native groups. The conference version of the bills was signed into law on June 9, 1975.[318]

The act which now is law (S.B. 35) deviates considerably from several of the CNER recommendations, although it heeds others. Basically, S.B. 35 made ASOSS transitional, charting it for dissolution by July 1, 1976. ASOSS was replaced with several regional education attendance areas (REAA), each with elected school boards controlling all but ultimate fiscal decisions.

Perhaps the most remarkable aspect of the legislation is the rapidity with which it had to be implemented. The shape of Alaskan education always has

311. Letter from Dr. Marshall Lind to Dr. Frank Darnell, dated January 8, 1973, included in Center for Northern Educational Research, Delivery of Educational Services to the Unorganized Borough 392-93 (Univ. of Alaska, Aug., 1973).

312. *Resolution Concerning the Establishment of A Center For Northern Education*, University of Alaska Board of Regents, Fairbanks, Feb. 18, 1971.

313. F. Darnell, K. Hecht & J. Orvik, Prehigher Education in the Unorganized Borough: Analysis and Recommendations 9-14 (1974) (hereinafter cited as Darnell, Hecht & Orvik).

314. *Id.*

315. H.B. 192 & S.B. 122, Alaska Eighth Legislature, 1st Sess. (1973).

316. Darnell, Hecht & Orvik, *supra* at 33-53.

317. S.B. 35, S.B. 94, S.B. 136, H.B. 24, Alaska Ninth Legislature, 1st Sess. (1975).

318. Ch. 124, [1975] Sess. Laws of Alaska; Alaska Stat. § 14.08.011 *et seq.* (1975).

depended on the legislative will of the federal and state governments. But never has such radical change been required so quickly. The irony is that because change must occur so suddenly, many things which ought to change will remain the same. The new REAA boards scurried to be functioning by the July 1, 1976 deadline. Some had to retain mediocre ASOSS administrators because time did not permit their replacement. Under these circumstances, little substantive improvement in local school management is predictable.

E. Decentralizing Under S.B. 35

The first major task under S.B. 35 was to determine the boundaries of the REAAs. Hearings were held throughout the state to solicit views from the affected citizens as to the extent of the REAA in which they would be located. The legislation provided that REAA boundaries would follow regional boundaries set under the Alaska Native Claims Settlement Act.[319] The statute appears to authorize division of the unorganized borough into as many REAAs as there are regional corporations, along coterminous lines. But use of regional lines was not intended to be exclusive. This is shown by subsection (b) of the same section, prescribing certain characteristics for REAAs. REAAs must contain an integrated and homogenous socioeconomic, linguistic, and cultural area. Consideration also is given to transportation and communication. Geographic features and existing boundaries are to be used in describing boundaries.[320] Of course, first-class cities and organized boroughs are excluded, as they constitute existing school districts.[321] Taken together, the two subsections suggest that REAA boundaries are to follow, rather than cross, regional corporation boundaries where they contact them and conform to natural or other predetermined boundaries. This is how the State Department of Community and Regional Affairs, which was charged with administering the act in consultation with the State Department of Education, interpreted it in a series of informational meetings in rural areas around the state in July and August, 1975. Later they began implementing it similarly when hearings were held in numerous bush locations regarding proposed boundaries. The result of the hearings was a division of the state into some 21 REAAs.[322]

Within each REAA the voters elect a board of from five to 11 members.[323] To determine the exact number for each REAA, the department of education consulted with communities during the hearings described above. To permit representation of small communities whose voices might be unheard in a large REAA, an area can be divided into school board sections, each with one or more seats on the board.[324] Section lines are drawn based on population distribution, but by adjusting the number of seats on the board, representation for very small communities can be had in most cases, assuring that they will have a resident on the board. Board members are elected at large by all voters of an REAA.[325] It was necessary to have REAA boundaries, numbers of representatives, and sections determined quickly, as elections were scheduled for February, 1976.

In addition to the elected board for each REAA, every community (or military reservation) with a school has a community school committee.[326] Members are elected at regular municipal elections or special elections set by the department of education. As with the old advisory school boards which functioned under the state-operated school system and which are replaced by these committees, duties are loosely defined and powers nonexistent. The statute merely charges them to "review and make recommendations to the board" of the REAA "concerning the curriculum, program, and general operation of the local school."[327] They may, however, be delegated other functions by the school board.

Powers of the regional school boards are not plenary, as are the powers of a district school board. Because of their financial relationship with the department of education and the fact that their only powers are those delegated by the legislature, there are limits on many things which they are able to do. For instance, the REAA boards' operation of schools and decisions to establish new schools or close old ones are all subject to approval by the commissioner of education.[328] Authority with respect to construction is limited in that an REAA may have to rely upon the State Department of Public Works to build schools requested by the REAA using funds appropriated by legislature or to accept and use grants from that department.[329] Whether the REAA or the department uses the money, choice of sites and other important matters rest in the discretion of departmental officials operating under state regulations.

319. Alaska Stat. § 14.08.031(a) (1975). The statute also uses the word "sub-boundaries" in reference to the regional corporations. It is not clear what this refers to.

320. Alaska Stat. § 14.08.031(b) (1975).

321. Alaska Stat. § 14.12.010 (1975).

322. Originally 20 REAAs were created by the Commissioner of Community and Regional Affairs on November 1, 1975, pursuant to authority in Alaska Stat. § 14.08.031(a). But after a meeting of residents of REAA 17 and the governor, REAA 21 (including Whittier and Tatitlek) was created on November 24, 1975, dividing REAA 17 along the boundary between the Chugach and Ahtna Regional Corporations. Memorandum to REAA file from Michael C. Harper, Deputy Commissioner, Department of Community and Regional Affairs, dated December 3, 1975.

323. Alaska Stat. § 14.08.041 (1975).

324. *Id.* at § 14.08.051.

325. *Id.* at § 14.08.041(d).

326. *Id.* at § 14.14.170.

327. *Id.* at § 14.14.200.

328. *Id. at* § 14.08.101(6).

329. Alaska Stat. § 14.08.101(7), 14.08.161 (1976).

Ownership of all school buildings and land remains in the state; REAAs will have use permits for them.[330]

Because of overriding authority of the commissioner with respect to REAA school operations, it is not clear how significant the enumerated powers of boards are, as the new act is only beginning to be implemented. The extent to which the power to "adopt regulations governing organization, policies and procedures for the operation of the schools"[331] can be exercised free of the commissioner's disapproval authority remains to be determined. Similarly, the board's duty to "develop a philosophy of education, principles and goals for its schools"[332] must be read in light of the commissioner's overriding control of school operations.

Matters of employment, salaries, purchasing, and disbursement of funds are lodged with the REAA boards.[333] All funds for REAAs are furnished by the state legislature. They receive "basic need," as used in computing foundation aid to districts, plus an amount equal to the average per pupil local tax contributions in city and borough districts.[334] Thus, they are relieved of local effort requirements, but the amount they can receive from the state over and above basic need is indirectly determined by city and borough decisions regarding their local tax effort.

It is unclear whether the REAAs can receive and expend voluntary contributions. It is conceivable that a local industry, a village or regional corporation, or an individual would donate funds. The donation could be motivated by sheer beneficence or it could be an inducement to the community not to form a local government which could tax the donor's property. There is no express bar to receiving and using supplemental funds, but the powers of the REAA are delegated to it by the legislature and, therefore, must be construed narrowly. If they extend only to the enumerated powers, use of funds other than those appropriated by the legislature or received under a contract with BIA, the department or some public agency would be unauthorized.[335]

Contracting authority in the statute does enable REAA's to receive Johnson O'Malley funds directly.[336] They also are eligible for assistance under the Indian Education Act. Indeed, they are eligible until 1979 for funding under special provisions for schools which have been local education agencies for less than three years.[337] Funds under the Elementary and Secondary Education Act programs are available also but are administered through the state agency, i.e., the department of education.[338] The REAAs do not receive P.L. 874 impact aid funds directly as districts do.[339] As discussed earlier, a Native-controlled REAA board is eligible to contract with BIA to take over its school operations under provisions of the Indian Self-Determination and Education Assistance Act.[340]

The unmistakable import of S.B. 35 is to vest boards in communities with local management of schools. Management is not synonymous with control, however. Many local objectives can be achieved by selecting the personnel to staff and administer schools. Innovation in operation and curriculum, choice of school locations, and design and condition of facilities are all quite important, too, but are not functions vested solidly in the REAAs. It may be that the commissioner and the department will administer the act to maximize the local control which is possible under it. There is no indication that they will do otherwise, but the specter of state intervention remains. And there is always the possibility that a policy of minimizing involvement in and preemption of local decisions will change, especially as personnel in the department changes.

330. Alaska Stat. § 14.08.151 (1975).
331. *Id.* at § 14.01.101(5).
332. *Id.* at § 14.08.111(2).
333. *Id.* at § 14.08.101(3) & (4); § 14.08.111(3), (4) & (5).
334. *Id.* at § 14.08.121.
335. *Id.* at § 14.08.101(2).
336. See *supra*, Part II C.
337. See *supra*, Part II F.
338. See *supra*, Part II D.
339. See *supra*, Part II A.
340. See *supra*, Part II G, especially text accompanying notes 230-31.

The foregoing excerpt from the work of Mr. Getches has been taken from an article which deals extensively with many elements of rural Alaskan education. All of his paper is germane to the topic of this report and individuals interested in this subject are urged to read it. As explained at the outset, delineating the scope of an historical essay is difficult. It seems the risk of having gone too far into contemporary issues has already been reached. Thus, the historical review is concluded. The term historical perspective, however, suggests that the contemporary situation be viewed in light of past events and their consequences. The following statement of tentative conclusions and apparent trends is written for the purpose of tying the review to contemporary times and the future.

Tentative Conclusions and Apparent Trends

What can be concluded from the preceding? A review of the history ought to lead to certain insights about the current situation and the potential of REAAs. But the length of time since REAAs were initiated has been brief. This condition requires that conclusions derived from the history at least be labeled tentative, if not premature. Trends are emerging only in their most rudimentary form. But enough is now observable so that the following can be said: Rural Education Attendance Areas were created after conflict, implemented and are now generating new conflicts along lines of classic educational--political evolution. As political arrangements and as systems of education, REAAs are one form in a long series of many forms. Each scheme of the past has been an organizational innovation. Organizational sagas, it can be seen from this history, have varied in durability. Not all have experienced fulfillment. And it may be concluded, any innovation has a greater likelihood of becoming institutionalized the closer it is to central values of the social system of

which it is a part. REAAs come much closer to this condition than previous systems. Because they are not entirely derived from the values of the social system in which they are found and because the potential of a constitutional cloud may form, it is expected they will undergo additional and substantial changes before the ultimate system is developed. Thus, REAAs should be looked upon as extraordinary and transitional, although tending toward the desired condition, i.e., acquisition of parity for rural residents with their urban counterparts.

The history reveals there exists in Alaska a complex social structure that generates multiple pressures. Decision makers are impinged on through many forms of pressure and groups, most of which have legitimate and honest concerns for the improvement of education of all Alaskans, especially rural Alaskans. These pressures gave rise to problems in the past and give rise to apparently potential problems in the future. There were many decisions made in the past because of political and administrative expediency and racial considerations at the expense of educational or social improvements. That social and political considerations existed is deplorable; both are known to have been a part of the human condition since recorded time. The nature of our concern in these realms at this time is to hope they will no longer bear on acquisition of local control of education in rural Alaska nor the potential for success of new education units.

It must be assumed that racism of the past, such as was obvious and overt in the beginning of Alaska's rural system, has been extinguished. Views such as those expressed by Commissioner Henderson were the prevailing attitude of his day and certainly will not be uttered in our time. The extent that racism may have new and more subtle forms is difficult to say; we do not enjoy the advantage of hindsight with which to examine the contemporary period.

However, human nature being what it is and the long history of racism experienced by mankind in general compels that we not become complacent simply because discrimination has been declared illegal. Native leaders speak of "backlash" because of their current successes. Historical perspective requires that we should continue to be concerned lest trends toward elimination of racism be reversed.

The genuine concern and sincerity of many individuals, in both local and statewide situations, who must make decisions or formulate policy is encouraging. But, decisions based on political and administrative expediency may still exist as a threat to local control and the potentially positive influence of local control on educational programs. Indeed, the most deleterious conditions observed in a review of recent history of rural education applied to the emergence of REAAs is the comparatively greater degree to which elements of politization at the state education level may now be emerging. Of course, it should be noted there is no separating political processes from education, nor should there be. Honest political differences openly debated are positive factors in nurturing new ideas. Twenty-one administrative units scattered statewide create potential for political opportunity in this regard. Education has become the first tangible governmental service accessible to a large number of rural residents. As such, REAAs can create appetites for even more political elegance and involvement. They also create opportunity for political abuses. Political and administrative abuses at the state education level in excess of any previously experienced in Alaska may be coming into existence. The good intentions and positive attitudes of rural residents, many middle management staff people and rural faculties ultimately may be eroded if inconsistencies in administrative decisions and policy development at the state level continue along lines of

apparent trends, especially when inconsistencies or ambiguities may be perceived as the result of political or administrative expediency.

Concerns expressed above can be said to be outweighed by positive developments attributed to the advent of Rural Education Attendance Areas and thus, this section on tentative conclusions and apparent trends can be ended on a favorable note. The history of rural education contains much that illustrates the frustrations of both consumers and practitioners in the search for acceptable types and levels of education. However, the most recent struggle, culminating in Rural Education Attendance Areas, has been concentrated on organizational innovation. And organizational innovation is only a means to the more important ultimate goal of instructional innovations. For the moment we do not know if the organizational innovation has become institutionalized in a form that will bring about the desired outcomes in shifts of authority or in the redistribution of power or in the divisions of labor. If it is too early to determine whether these elements of organizational innovation have been realized, it is certainly too early to tell if innovations in instruction will follow. But, compared with the past, trends of the moment may be looked at in the most optimistic sense. Trends only now taking form reveal genuine shifts in the dimensions of authority, the redistribution of power and divisions of labor. REAAs, constitutionally proper or not and transitory or not, have advanced the quest for local control and created a potential for developing innovative programs more than any single event in the past. The extent to which these trends truly will become institutionalized remains a question. And finally, the question of whether innovations favorable to enhance learning situations grow out of the organizational innovations remains the ultimate question of today.

THE PRECEDING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

THE FOLLOWING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

This is a first draft of a paper on Municipal Development as related to the REAAs by Pat Poland of Community and Regional Affairs, Anchorage. It is being distributed in this form since Mr. Poland's revised paper is in the mail but has not yet reached us at this time.

KH/11-11-77

The transfer of the major operational responsibilities of rural Alaska's schools from the State of Alaska (Alaska Unorganized Borough School District) to regional school districts (Regional Education Attendance Areas) with locally elected schoolboards was accomplished by Ch 124, Session Laws of Alaska, 1975 (popularly referred to as Senate Bill 35).

To a great extent, the full implications of Senate Bill 35 are just beginning to be felt. However, there are several definite implications for municipal government that have already arisen from the implementation of Senate Bill 35. The purpose of this discussion is to hilite these implications as they relate to the development of municipal government in the unorganized borough. For purposes of this discussion, municipalities consist of boroughs and first-class cities; that is, municipalities having the education function.

REGIONAL IDENTIFICATION

While rural Alaska's initial encounter with the concept of regionalism came about with passage of Public Law 92-746, the Alaska Native Claims Settlement Act (ANCSA), there is no doubt that Senate Bill 35 went far beyond the implications of the ANCSA in terms of developing regional identification. In the view of the Department of Community and Regional Affairs this was a positive step in the overall scheme of developing regional government in the unorganized borough. Prior to the passage and implementation of this particular act there were no real tests of the regional concept of service delivery taking place in the unorganized borough, and while there were many advocates of this particular mechanism of service delivery it remained, by and large, untested. However, with the mandate of regionalization created by Senate Bill 35, rural residents have, in a sense, been forced to test the concepts of regionalism in Alaska's vast unorganized borough.

Surprisingly, there seemed little if any real resistance to the idea of regional school districts. On the contrary, (much of this was undoubtedly due to the dissatisfaction many rural residents felt with the former state operated school system), most rural residents seemed eager to embrace the concept. Perhaps the strongest demonstration of this desire to participate in a regional approach to service delivery was the change in status executed by the City of Selawik. In that particular instance, the City of Selawik, formerly a city of the first class in the unorganized borough and therefore having school responsibilities, petitioned the Local Boundary Commission and convinced them of the need for them to be dissolved and "reincorporated" as a second class city so that they might become a part of their particular Regional Education Attendance Area. Among the arguments advanced at the public hearing in support of Selawik's reclassification was a strong presentation by residents concerning their desire t be part of the Regional Education Attendance Areas and to receive benefits they perceived as being available only to REAA residents.

The Department of Community and Regional Affairs, noting the relatively warm embrace being given regionalization by unorganized borough residents, instigated, early in 1976, a study of the acceptability of general purpose regional governments in the unorganized borough. That study, which consumed some six months, came to a number of conclusions, the most important of which appears to be the fact that rural residents are still wary of any form of government that includes the authority to levy and collect taxes. Additionally, many residents expressed concern about moving too fast; while they embraced the idea of regional school districts, they felt that it required the test of time before jumping to yet a new form of government. Nevertheless, the Department has had inquiries from several regions (most notably the Fort Yukon, Bethel, and Valdez regions) concerning possible borough incorporation. Today, none of those discussions have evolved into actual petitioning for borough government although

it does appear that many areas are getting close to taking the final step. There is no doubt that formal consideration by these regions of regional government was precipitated by the establishment of REAA's.

An additional development which, to some degree, appears to be an offshoot of the regional approach fostered by Senate Bill 35, was the passage of Ch SLA 1976, which established a mechanism for regions of the unorganized borough to establish coastal zone management (CZM) service areas for the purpose of CZM planning. Under the provisions of that particular act any Regional Education Attendance Area, upon determination by the local electorate, may establish themselves as coastal zone management planning districts. While the legislation permits consolidation of two or more Regional Education Attendance Areas into a CZM planning district, it does not allow individual REAA's to be subdivided into smaller districts for the purposes of planning. This is an interesting development and one that seems to further reinforce the concept of regional delivery of services.

Finally, in terms of regionalization, it is interesting to note the specific provisions of Senate Bill 35 which deal with the boundaries of Regional Education Attendance Areas. Specifically, the bill provides that:

"As far as practicable, each Regional Education Attendance Area shall contain an integrated socio-economic, linguistically and culturally homogeneous area. In the formation of the Regional Education Attendance Areas, coasideration shall be given to the transportation and communication network to facilitate the administration and communication between communities that comprise the area."

Very similar statutory language exists at AS 29.18.030, which is the statutory provision establishing standards for borough incorportion. The similarity of the standards goes a long ways toward defining appropriate boundaries

for potential regional governments. In fact, to some observers, the boundaries of the newly created Regional Education Attendance Areas (with some exceptions) generally conform to good borough boundaries. This has been a little alarming to many rural residents, since no small number of them are still concerned that the State is going to soon foist boroughs upon them.

The second major subject area that has seen much discussion as a result of the passage of Senate Bill 35 is that of local government finance. As presently constituted, Regional Education Attendance Areas have, in comparison to municipal school districts, an advantageous funding schedule because in addition to 100% foundation funding Regional Education Attendance Areas also receive an amount equal to the average contribution per pupil in local municipal school districts multiplied by the number of students in the Regional Education Attendance Area as well as receiving all other (notably public law 874) funds. As a result of this rather strong inequity, amendments were made to the law in 1977 which basically reduced the amount paid by the State pursuant to the average contribution per pupil basis by the amount received in public law 874 monies per district; this was intended to equalize funding somewhat. Nevertheless, the advantageous funding schedule for REAA's versus municipal districts remains a hindrance rather than an asset to the development of regional governments. Moreover, because so many REAA's are so property poor, the thought of forming municipal school districts to provide services which are currently provided by Regional Education Attendance Areas is almost out of the question. For example, the poorest existing borough has about $20,000 worth of taxable property per capita. On the other hand, some of the Regional Education Attendance Areas could probably expect to have considerably less than $5,000 worth of taxable property per capita. Realistically, it is impossible to provide basic muncipal services without adequate funding.

The major exceptions to this discussion, of course, are those areas surrounding "the pipeline". The regions surrounding Fort Yukon, Delta Junction, Glennallen, Copper Center, and Valdez have taxable property per capita values that could easily

support borough government.

Partially in response to these obvious funding inequities, the Department of Community and Regional Affairs, as a part of its final conclusions reached in its study of regional government, recommended that a new system of financing regional governments be found. Basically, the system suggested was one that placed a state-wide property tax on all property associated with the exploitation of natural resources and then, in turn, distributed those tax revenues on the basis of population and services being provided by individual boroughs. It was determined that additional study of that particular proposal would be needed before the feasability of it could be determined.

Nevertheless, this particular area is still a popular subject among legislators, as demonstrated by current House Bill 202 and Senate Bill 35 introduced in the first session of the 1977 Legislative Session. Both those bills would levy real property taxes on developed land in the unorganized borough. Hearings on House Bill 202 will be held this October in Fort Yukon, Delta Junction and Tok.

Finally, one last area of financing that again discriminates between the municipal versus REAA school districts is that of school construction. Presently municipal districts must pay for 50% of school construction while REAA's contribute no local effort towards construction of new facilities. This is seen as a significant hindrance to the development of regional governments for the purpose of assuming local control of education, particularly in areas which are "poor" or are marginally sufficient in terms of a real property tax base.

In summary, it can be said that formation of the Regional Education Attendance Areas can be viewed as a positive step towards the formation of regional government in rural Alaska. In particular the newly created service areas have provided a

greater amount of local control over a local municipal type service, maintained and strengthened existing regional identifications, and provided boundaries that will be useful for the establishment of boroughs in the future.

The principal negative aspects of Senate Bill 35 have been the funding formula which maintains a disincentive to formation of municipal school districts and fails to properly address the extremely poor tax base of much of rural Alaska.

Ultimately,the passage of Senate Bill 35, if for no reason other than the fact that it has generated discussion and interest, is going to have had a significant affect (probably the most significant since the passage of the 1964 mandatory borough act) towards developing regional government in this state.

THE PRECEDING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

THE FOLLOWING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

Revised

Report Outline

Nov. 18
Enclosures

NEW SCHOOL DISTRICTS IN RURAL ALASKA:
A REPORT ON THE REAAs AFTER ONE YEAR

I. Introduction and Background

Highlights from the Report

(✓) Overview of the Study - Kathryn Hecht

✓ Historical Perspective - Frank Darnell

(✓) Time Line - Ron Inouye

(✓) "Perspectives on Progress" - Kathryn Hecht

II. Study-collected Data and Analysis

✓ Survey of REAA Boards and Superintendents - Kathryn Hecht and Ron Inouye

Analysis of REAA and State Board Minutes (second draft) - Kathryn Hecht and Ron Inouye
(outline) ✓ ✓

Case Study of an REAA - Paul Goodwin

III. Contributed Chapters*

✓ Municipal Development - Pat Poland (Final Draft)

(✓) Community School Committees - Sue Horton

✓ New Secondary Education Programs in One REAA - Margo Zuelow

(✓) School Finance in the REAAs - E. Dean Coon

(✓) BIA/REAA Relations - Don Dafoe

✓ Teachers' Views - Jim Alter

Bilingual Controversy - Sylvia Carlsson

* Note: These are listed by subject rather than the title which will be used.

IV. Summary and Forecast

✓ Related Studies and Issues (see form)

Seminar of Contributors: Edited Comments

Appendix

(✓) Selected News Clippings

✓ REAA Map

✓ Survey Questions

✓ Additional Material: "REAA Superintendents Address the First Year"

✓ = Nov. 18 enclosures

(✓) = Nov 11 enclosures

UNIVERSITY OF ALASKA
FAIRBANKS, ALASKA 99701

November 11, 1977

Dear Seminar Participant:

I am very pleased you will be able to join us Friday, November 18, for our seminar on "A Report on the REAAs After One Year." The meeting will be held in the Memorial Conference Room on the lower level of Wood Center, from 9 to 4. We have a luncheon arranged in the "Pub" in the same building to which you are invited as our guest.

Enclosed please find the drafts of papers available as of today. Two have not yet reached me but are in the mail. Several of our CNER inputs are also still in process. You will be receiving additional material at the meeting. If you are in Fairbanks before Friday, please let me know and I will see that you receive the additional papers ahead of time. Please forgive our tardiness and a special thank you to those who were able to make the deadline.

Looking forward to seeing you soon.

Sincerely,

Kathryn A. Hecht, Ed.D.
Associate Professor
Center for Northern
Educational Research
479-7173

KAH/ijs
enc.

PLEASE REPLY BY AIRMAIL

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Appendix

✓ Selected News Clippings

K. Hecht 11/2/77

FINAL DRAFT

SURVEY OF ALASKA COMMUNITY SCHOOL COMMITTEES[1]

by

Susan M. Horton
Ketchikan, Alaska
September 30, 1977

[1]This chapter is based upon a report done by Ms. Horton in connection with her graduate studies at the University of Alaska, Southeast, with assistance from Dr. Phillip Hocher. The complete report is on file at CNER.

Introduction

Under Senate Bill 35, individual community advisory groups called Community School Committees (CSCs) were established in each community served by a REAA sche . The creation of CSCs provides the opportunity for local communities to be active participants in their local schools and gives them formal contacts with their REAA boards. Since the REAAs and the CSCs are both new bodies, the guidelines and interpretations agreed upon concerning their interaction and decision-making powers are just now being established. The isolation of many of the REAAs and CSCs both from each other and from the State Department of Education has introduced the very real possibility that some REAAs and CSCs will interpret and develop their roles and responsibilities in ways that are quite different from others.

The purpose of this paper is to get a clearer view of how the CSCs are functioning. Although the relationship between the CSCs and the REAA boards undoubtedly varies from district to district, it seems appropriate to examine this relationship in its beginning stages.

This study focused on the Community School Committees in an effort to describe the variations in perception and interpretation given their roles by the various CSC. The study also focused on a description of the perceived relationship between the various CSC and their respective REAA boards. Questions on the survey asked about CSC activities, decisions, REAA involvement, CSC perceptions of influence on decisions and the need

for CSCs.

The survey was completed by members of the Alaska Community School Committees and it reflects what they felt was true of the situations in their communities. Survey forms were sent to 144 CSCs in March, 1977. Eighty-eight (61%) were returned and this included at least one return from each REAA. One of the important things to remember about this survey is that some of the information the CSCs reported may have actually been in error. But the fact remains that those responses reflect how they perceived the situations they encountered.

Findings and Conclusions

The Community School Committees which responded to this survey appeared to be reasonably active. Most were formed just after the 1976 school year began, and on the average met about once a month.

- A majority (68%) of the CSCs responding and at least one CSC in each REAA had members attend all or some REAA school board meetings.

- Sixty-one CSCs (73%) in 17 REAAs reported serving as advisory committees for federal or state programs.

Of course, there was a great deal of difference between individual CSCs, but those who responded appear to be fairly active decision-makers.

- From the ten decision areas listed on the survey the greatest frequency of decision-making reported was in regard to: the school calendar (68), the use of school buildings and equipment (58), hiring and firing janitors/aides (53), student discipline (50), and school construction (46).

- The CSCs responding reported making the fewest decisions on: evaluation of staff members (25), transfer of teachers (26), types of courses taught (38) and the school day schedule (40).

According to the survey results, the REAA boards have provided little training for their CSCs.

- Sixty-seven CSCs (78%) reported they received no training or did not know if they had had any.

Most boards have, however, recognized the need for informed CSCs and sent them board minutes regularly.

- Seventy CSCs (80%) in 79 REAAs reported they received all or some copies of their REAA board minutes.

It appeared that several CSCs were confused about whether or not there was a district policy defining how they should function.

- Forty-nine (59%) of the CSCs from 20 REAAs reported that their board had a written policy concerning the functions and duties of the CSCs.
- The responses from twelve REAAs were mixed. In eight of those districts, where at least some CSCs reported a policy, only 50% or less of the responding CSCs agreed.

Complete lack of such a district policy, erroneously believing there is a policy when none exists, or believing there is no policy when one does exist are all serious problems indicated by the data. The relationship between the CSCs and REAA boards was not specifically defined when the districts were formed and it is encouraging to see that many districts are developing guidelines for their CSCs. It is important to recognize, however, that just because there may be a REAA policy concerning CSCs, does not mean the CSCs are aware of its existence.

The CSCs responding felt that the school administration had a much greater influence than the REAA board or CSCs on making decisions in the ten areas previously noted. This is perhaps because of the past relationship between the Advisory Boards and the school administration under the Alaska State-Operated School System. The Alaska State-Operated School System Handbook states that relationship as follows:

> The function of advisory school boards is limited to advice, assistance and recommendations to local, regional and district administration, and to the Board of Directors. In the event of conflict between an advisory board recommendations and an administration decision or policy at the local, regional or district level, adminstrative decisions or policy shall prevail."

It may be that Advisory Boards never felt they had much influence on school affairs when the administration's decisions would always prevail and this attitude has carried over to the CSCs.

CSCs responding felt they had the greatest influence on the school calendar and the employment of classified personnel. Since classified employees are usually local residents and the school calendar reflects the community's activities (fish camp, logging, special holidays, etc.), it is reasonable to expect the CSCs to make decisions on these matters. The CSCs reported that they believe school administrators have the greatest influence on decisions directly related to the local school such as scheduling, courses, discipline, evaluation and building use. CSCs apparently do not see themselves as having a lot of influence on matters in the school itself.

Items for questions--"Has your CSC made decisions concerning any of the following?" and--"Who do you see as having the greatest influence in the following decisions for your school - REAA Board, CSC, the school administration?" were chosen from sources that indicated those items would be appropriate or probable areas for CSCs to make decisions about.[2] The 88 responding CSCs were asked if they had made any decisions concerning the ten listed items. Theoretically they could have made 880 decisions, but fewer than half that number were reported being made. There appears to be three possible reasons more decisions were not made by the CSCs. One reason is the inexperience of the CSCs, the second is the strong decision-making role the school administrations have played

[2]Sources used were:
Alaska State-Operated School System Handbook
The Alaska Unorganized Borough School District Handbook
A Manual for Alaska School Boards
Southeast Island Policy Manual
A Manual For Alaska School Boards

in the past and the third reason is that the REAA boards may be reserving certain of those decisions for themselves.

One third of the CSCs reported that they are not satisfied with the opportunities they have to influence local educational decisions. However, at least one CSC reporting in 20 REAAs was satisfied with decision-influencing opportunity.

Overwhelmingly, the CSCs in every REAA reported that they felt there was a need for their existence. The very few CSCs who felt differently were found scattered in the districts with larger than average number of CSCs; it may be that these CSCs are more likely to feel powerless. This could be a possible topic for further study.

The survey results were examined by individual districts and by the total number of CSCs responding. Obviously there were many differences between CSCs, but it was surprising to find such a lack of consistency to answers by CSCs within the same districts. For some REAA districts, the lack of a policy concerning the duties and responsibilities of the CSCs probably contributed to the inconsistent responses. In other cases, the problem of CSCs being aware of a written policy defining their role was probably the reason for the inconsistency between responses within districts.

This survey attempted to examine how the Community School Committees in Alaska perceived their function during the first year of their existence. Some of the survey results can be used to draw conclusions about how the CSCs functioned, while other survey results indicate how the CSCs

perceived themselves and the situations they encountered. There are many encouraging signs that education in the REAA districts are being influenced by the local people. The CSCs are a vehicle to be used for local input, and it is hoped they will make a positive contribution to the students, parents and community members they serve.

CSC MEMBERS COMMENT*

CSC as Continuation of ASOSS Advisory Board

Two commented about CSC as a continuation of the ASOSS Advisory Board:

- "In this area the advisory boards simply became the CSC, and in fact used the name Advisory Committees for quite a while during the transition to REAA Board Control. The continuity in citizen participation in decisions affecting the local schools over the years lies in the School Committees."

- "In most cases the Committees are really a continuation of the old (ASOSS) Advisory School Boards."

CSC/REAA: Positive Comments

Positive comments about the working relationship between the CSR and REAA Board included:

- "The REAA has been very cooperative[about] how we run our school. We are presently developing our own policy for our school and have been encouraged to do so by the REAA. We are heading in the direction back to the three Rs.

- "The CSC is a means to have better communications between the REAA, students, staff and parents."

- "[There is] a personality conflict between the REAA chairman and the teachers. [The CSC] so far has formed an effective buffer."

- "We have a power struggle between teachers, REAA and CSC. The CSC and REAA work very smoothly together, but are at ends with the teachers and their demands."

- "Many of the local people do not follow the REAA and [the CSC] is the only way they know what is going on. The CSC acts as a lobby to the REAA."

*These comments were compiled from the returns to S. Horton's survey by K. Hecht. The survey question was: "Is there a need for your CSC?--Please explain."

CSC/REAA: Lack of Influence and/or Power

Several commented that the CSC lack was not able to influence REAA decisions or had influence but lacked power:

- "The CSC has enough opportunity to influence educational decisions, but has no power."
- "The REAA does not listen to the CSC."
- "[CSC represents] local control and the opportunity to see that the children get the best qualified teachers available. There should be more coordination with the community and the REAA."
- "CSC is very important in rural villages, but they are not approached for advise for the past year. We are CSC in name only. We are in a boat without a paddle."
- "The REAA does not like to yield its power."
- "So far our CSC has really made no influence on what the district decides will be done. Hopefully, this year will be better."

CSC/REAA: Need for Definition

Two spoke specifically for the need to define or redefine the relationship between the CSC and REAA Board.

- "Our committee would like to function as the board for our school attendance area, making decisions on budget and hiring. The REAA board creates some friction. The relationship between the REAA and CSC is difficult to define."
- "The CSC should have closer ties with the REAA and school administration. There is a need for the CSC to meet everyday problems as well as long range planning. Parents should be active in the education of their children."

Training Needs

Two comments were received on need for training for CSC board members.

- "Training is needed - how to deal with state agencies and inspectors. We need to know how far we can go."

- "Since we started the CSC we never do anything. We don't know where we are standing and how to do the work. We don't know the kind of background we need or what power we have. There should be some training for this so we will know how to run this deal. Hope I hear from someone so I'll know what to do."

Need for the CSC: Local Control

The largest number of comments concerned the need for the CSCs to provide input to the teachers and school program to meet local needs and desires.

- "Due to the mixture of military-civilian community, there is definitely a need for a strong CSC."
- "There is a need for input on the local level. We are better able to represent the people."
- "The CSC has meant more people have become active in school affairs."
- "Local control and grass root input into curriculum is provided by the CSC, [and] the CSC generates interest in education."
- "The CSC is the method by which our local opinions are influencing the children's classroom."
- "CSC are needed as hiring teachers; [that] is a principal reason for CSCs.
- "[There is a need for our CSC] so that the education of our children meets the specific needs of our village and to give our local teacher the local support needed to run a good educational program."
- "Without the CSC there would be less or no representation for parents at all."
- "To make sure the teacher know what the village wants and to keep communications open between the school and the village."
- "[The CSC] is needed as an advisory committee on all school problems."

Need for CSC: Checks and Balance

Several saw the need for the CSCs in terms of a balance and/or check on the REAA board.

- "Without the CSC there would be bedlam in our school system. It is a source of checks and balance."
- "The need [for a CSC] is to maintain a balance in decision-making as the school system belongs to the people."
- "Since at least 1/2 to 1/2 of our REAA school board members are usually drunk at the board meetings, we feel it is important that at least one CSC member be a paid [expenses only] observer at each board meeting."
- The CSC is needed to insure that the REAA, school administration and staff are responsive to the desires of the local community residents in such areas as curriculum, student rights and responsibilities, professional standards for staff and student discipline."

Against the Need for CSCs

Only one comment was recorded which spoke against the need for CSCs.

- "Purely a white wash [to have CSC]. If the REAA and trained staff are unable to administer the schools without the CSC, we should have a new election of school board members and replace the professional staff."

Other Comments

- "Who else cares but the CSC?"
- "It's our school and our children."
- "The school cannot operate without the CSC."
- "Everything we have or had done has been worth while."
- "[The village] owns the building where school is taught - we have to supply our own oil, electricity, janitor and maintenance."

Survey of Alaska Community School Committees

Please circle or fill in your answers. CSC stands for Community School Committee.

1. Who is filling out this survey form?
   The total CSC Part of the CSC CSC Chairman CSC member

2. In what month was your CSC formed? _____

3. How many times has your CSC met? _____ times

4. Have any training sessions for CSC been provided for your members?
   Yes (how many? ____) No Don't know

5. How many REAA school board meetings have members of your CSC attended?
   _____ meetings Yes-all Yes-some No Don't know

6. Do you receive copies of your REAA school board minutes?
   Yes-all Yes-some No Don't know

7. Does your REAA have a written policy concerning the functions and duties of your CSC?

8. Does your CSC serve as an ad committee for any of these programs?

JOM	Yes	No	Don't know
Indian Education	Yes	No	Don't know
Title I	Yes	No	Don't know
Other _____	Yes		

9. Has your CSC made decisions concerning any of the following?

Use of school buildings/equipment	Yes	No	Don't know
The school day schedule	Yes	No	Don't know
Types of courses taught	Yes	No	Don't know
The school calendar	Yes	No	Don't know
School construction	Yes	No	Don't know
Hiring and firing janitors/aides	Yes	No	Don't know
Evaluation of staff members	Yes	No	Don't know
Transfer of teachers	Yes	No	Don't know
Preparing budgets for your school	Yes	No	Don't know
Student discipline	Yes	No	Don't know
Other _____	Yes		

10. Who do you see as having the greatest influence in the following decisions for your school - your REAA school board, your CSC, the school administration?

Use of school buildings/equipment	REAA	CSC	School Administration
The school day schedule	REAA	CSC	School Administration
Types of courses taught	REAA	CSC	School Administration
The school calendar	REAA	CSC	School Administration
School construction	REAA	CSC	School Administration
Hiring and firing janitors/aides	REAA	CSC	School Administration
Evaluation of staff members	REAA	CSC	School Administration
Transfer of teachers	REAA	CSC	School Administration
Preparing budgets for your school	REAA	CSC	School Administration
Student discipline	REAA	CSC	School Administration
Other _____	REAA	CSC	School Administration

11. Do you feel your CSC has enough opportunity to influence educational decisions made about your local school? Yes No Don't know

12. Is there a need for your CSC? Yes No Don't know
    Please explain.

Susan M. Horton
P.O. Box 7721
Ketchikan, Alaska 99901

March 24, 1977

Dear Community School Committee Members,

I am conducting a survey of the Community School Committee, and hope your Committee as a group can respond to the enclosed questionnaire. If not, perhaps the chairman or a Committee member can fill it out.

You are in a very unique position in the new REAA school districts, but very little is known about how the Community School Committees are functioning throughout rural Alaska. There are many people who are interested in your views, and I hope this survey will help to increase their understanding of your role in Alaska education.

The data collected will not be reported in such a manner that individual Community School Committees can be identified. I hope you will feel free to add comments or suggestions. I plan to share the results with the REAA school boards, the Department of Education, Center for Northern Educational Research and others who are interested in the improvement of the REAA.

It would be a great help if you could fill this survey out as soon as possible and mail it back in the enclosed envelope. Copies of this survey have been sent to your REAA school board and the superintendent of your district so that they are aware of your participation in this project.

I would sincerely like to thank you for your cooperation and time.

Yours truly,

Susan M. Horton

THE PRECEDING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

DRAFT 11/11/77

E. Dean Coon

Financing the REAAs

Provisions for continued state support of the operating expenses of schools in the Unorganized Borough were specified in Senate Bill 35. REAAs would qualify for basic need funds under the formula used in the Public School Foundation Program. REAAs also would receive from the State specified amounts per pupil in lieu of local tax revenues. The statutory citation:

> Sec. 14.08.121 FUNDING. (a) The legislature shall fund the operational costs of the regional educational attendance area schools in the following manner:
>
> (1) the amount of basic need as defined in AS 14.17.021(b)
>
> and
>
> (2) an additional amount equal to the average local tax contributions per pupil in average daily membership (ADM) for school operating costs in the city and borough school districts in the prior fiscal year.
>
> (b) Funds for the operation of the regional education attendance area schools shall be appropriated annually to the Department of Education for distribution to the regional school boards in the manner prescribed in AS 14.17.160 - 14.17.180.

There were several advantages in using the PSFP formula to determine the major amount of state aid to be provided to REAAs. Local and state education administrators were familiar with the formula and how it worked. It was possible, with a fair degree of accuracy, to estimate the amount of PSFP revenues that a REAA would receive in a future year, and from state summary figures, to estimate the amount of the state appropriation necessary to fully fund basic need in each REAA. Use of the existing PSFP eliminated the need to devise a new method of distributing state funds. For those who wanted "basic need" to continue to be a sum of money, rather than be defined as the basic educational need of a local education agency, it offered the advantage of once again deferring the development of a clarified definition of basic need.

The disadvantages included the assumption that REAA financial requirements were more like those of the city and borough districts than not. Specialized local needs of the new REAAs would not be a factor used to determine the basic need amount; rather, the statutory specifications of the PSFP formula would determine how much state aid would be provided. REAAs would suffer from any inadequacies of the PSFP; the two elements most likely to impact upon them were (1) outdated instructional unit allotments, and (2) underfunding of very small attendance centers.

The manner devised to provide additional local tax revenues, which of course were non-existent in REAAs, was intended to be equitable in terms of the efforts of city and borough school districts, while at the same time to provide what was hoped would be adequate supplementary funds for discretionary use by the REAAs. It was one way to permit REAA revenues beyond basic need to be nearly comparable on a per student basis to the local revenues of city and borough districts.

It is worth noting that decisions by city and borough school boards (and city councils and borough assemblies) regarding the amount of local revenue to be used for school operating expenses determine the amount of state aid per student that REAAs receive beyond basic need payments. Thus, REAA boards have no control over the amount to be obtained from the in-lieu of local tax source, but do control how it is to be spent.

Basic need revenues under the PSFP for REAAs in 1976-77, their first year of operation, totaled $35,908,570. With a final ADM of 10,519 this amounted to $3,414 per ADM. In-lieu of local revenue support totaled $6,427,109, or $611 per student. State financial support to the REAAs for PSFP basic need and in-lieu of payments totaled $42,335,679 or $4,025 per student in ADM. Table____ lists basic need and in-lieu of local support revenues for each REAA for 1976-77.

Table____

Regional Educational Attendance Areas
Revenues from Basic Need and In-Lieu of Local Support
Fiscal Year 1976-77

REAA	Basic Need	Equiv of Local Support $611.00/ADM	Final Computation of Entitlement	Per ADM
Adak	$1,458,204	$359,268	$1,817,472	$3,091
Alaska Gateway	1,335,024	258,453	1,593,477	3,767
Aleutian	1,027,371	134,420	1,161,791	5,281
Annette Island	892,500	243,178	1,135,678	2,853
Bering Straits	1,391,922	186,966	1,578,888	5,160
Chatham	626,405	95,927	722,332	4,601
Chugach	301,880	39,104	340,984	5,329
Copper River	1,955,000	427,089	2,382,089	3,408
Delta/Greely	1,780,032	480,246	2,260,278	2,876
Iditarod Area	1,404,400	169,247	1,573,647	5,681
Kuspuk	1,579,950	219,960	1,799,910	5,000
Lake & Peninsula	1,756,473	221,182	1,977,655	5,463
Lower Kuskokwim	3,856,125	866,398	4,722,523	3,330
Lower Yukon	2,457,000	430,144	2,887,144	4,101
Northwest Arctic	4,213,200	805,298	5,018,498	3,808
Pribilof	729,102	110,591	839,693	4,639
Southeast Island	1,233,750	242,567	1,476,317	3,719
Southwest	2,187,306	323,830	2,511,136	4,738
Upper Railbelt	1,404,396	217,516	1,621,912	4,556
Yukon Flats	1,299,070	179,023	1,478,093	5,045
Yukon Koyukuk	3,019,460	416,702	3,436,162	5,038
Totals	$35,908,570	$6,427,109	$42,335,679	

Source: Education in Alaska 1976-1977 -- A Report to the People (Juneau: State Department of Education, October, 1977), p. 38.

The requirement of $42,335,679 exceeded earlier estimates and the State Department of Education sought and obtained a supplemental appropriation for Fiscal Year 1977 totaling $3,855,470. Of this supplemental, $2,638,000 was for PSFP basic need payments to REAAs; the balance of $1,217,470 was for payments in liey of local taxes.

Federal funds, and other state funds, could be obtained for operating expenses by REAAs which qualify, in the same manner that such funds are available to city and borough districts. Most of these funds are categorical in nature, since they are to be used for specific purposes, and in every case to supplement the regular program. The major sources of these categorical funds and their use are as follows:

State--Pupil transportation
Bilingual education
Community schools

Federal--Educationally disadvantaged (ESEA, Title I)
Handicapped Children (ESEA, Title VI)
Bilingual education (ESEA, Title VII)
Child nutrition
Indian Education Act
Ethnic Heritage (ESEA, Title IX)
Johnson O'Malley

Since several of the categorical programs noted above are competitive, the success of a REAA in obtaining such funds depends upon the "grantsmanship" of individual REAAs. Independently the 21 REAAs had to compete with all city and borough districts for the competitive grants; in the prior Fiscal Year of 1975-76, the Alaska Unorganized Borough School District (AUBSD) was the applicant for all schools in the Unorganized Borough. It will be interesting to note how the 21 REAAs compare with the AUBSD in obtaining these categorical funds; this information will not be available until FY'77 audits are compiled.

Federal impact funds provided to Alaska under authority of Public Law 81-874 require a more extended explanation, partly because of the substantial amount involved, and partly because of the circumstances under which they have been applied for and disbursed within Alaska. These funds are intended to replace tax monies for school purposes which cannot be collected locally because of tax exempt federal lands within districts.

Until 1977-78 Alaska qualified for a preferential rate of P.L. 874 funds--100% above normal rates. This preferential rate is being discontinued over a 5 year period following a new determination by the U.S. Commissioner of Education on Alaska's need for the special rate. Also, until the 1977-78 school year, the State of Alaska, represented by the Department of Education, was the P.L. 874 applicant, and in turn received the P.L. 874 funds which then became a part of the "state" resources. The P.L. 874 funds became a part of the general fund appropriation to support the Alaska State Operated School System, and later the Alaska Unorganized Borough School District, and in 1976-77, a part of the basic need and in-lieu of local tax payment made by the state to support the REAAs . Beginning in 1977-78, the individual REAAs will become applicants for their own P.L. 874 funds, although the state will remain as the applicant for the military on-base schools.

During 1975-76 the Department of Education received $25,960,000 of P.L. 874 funds for schools in the Unorganized Borough and estimated a like amount for 1976-77 for REAAs (Free Conference Committee Report, Fiscal Year 1978, Operating and Capital Budget, State of Alaska, The Legislature. p. 39).

The change in P.L. 874 applicant from the Department of Education to individual REAAs required a change in the statute regarding funding. Without a change the REAAs would have been in a position to receive P.L. 874 funds in addition to state funding for basic need and in-lieu of local revenue payments. The amended statute (with 1977 additions underlined):

> Sec. 14.08.121. Funding. (a) The legislature shall fund the operational costs of the regional educational attendance area schools in the following manner:
>
> (1) the amount of basic need as defined in AS 14.17.021(b), reduced by deducting, to the maximum extent permitted under Sec. 5(d) (2) of P.L. 81-874, as amended, (20 U.S.C. 240(d) and the regulations adopted under it (45 C.F.R. 115.60-115.66), the amount of the regional educational attendance area's entitlement to federal financial assistance under P.L. 81-874, as amended, (20 U.S.C. 236-244) for the prior fiscal year; . . . .

With P.L. 874 income "deducted" from state aid payments, some REAAs may experience cash flow problems in 1977-78, and in future years. For federal entitlements for a particular year do not always equal federal payments; thus, income budgeted from P.L. 874 may not be received by the REAA when needed. The state may have to advance funds to REAAs to cover such temporary deficits, or the REAAs may have to borrow operating funds from time to time.

Senate Bill 35 provided that the ownership of the land and buildings used by REAAs would be retained by the state, and that construction, repair, and improvement of schools would be the responsibility of the state. REAAs which wish to construct, repair or improve school buildings must apply to the state for funds to do so. The REAA requests are prioritized by the Department of Education which then seeks funding for the selected projects through state bond issues (for construction) and through legislative appropriation (for repair and improvement). As many as three years could pass from the time an REAA requested funds for construction until the funds became available. In this respect, the fiscally dependent REAAs need for buildings is treated in the same manner as a state agency.

In Fiscal Year 1976-77, voters at a statewide election approved a bond issue which provided more than $30,000,000 for construction of secondary schools in various REAAs. This bond issue was a part of the settlement of the Hootch vs. the Alaska State Operated School System case. Another bond issue for similar purposes in being developed now and will be submitted to voters at the Fall 1978 general election.

The balance of this chapter will cover:

First-year Events and Concerns
- Fiscal '76 balances
- Concerns expressed at Fall workshops (general)
- Adequacy of funding (Bering Strait and Northwest Arctic)
- Interregional cost differentials; legislative changes in PSFP
- Small schools; legislative changes in PSFP
- Alaska Village Electric Cooperative (AVEC)
- BIA transition support considerations
- OCR threats of withholding funds
- JOM/Indian Education Act programs
- School construction (planning grants, etc.)

Prospects for the Future
- State funding plans
- The property tax (H.B. 202)
- BIA transition problems
- Summary

Draft - Ron Inouye
10 November 1977

1974 - 1976 CHRONOLOGY OF EVENTS: DECENTRALIZATION OF THE ALASKA STATE-OPERATED SCHOOL SYSTEM[1]

January 1974 — Center for Northern Educational Research (CNER) releases its report, Prehigher Education in the Unorganized Borough: Analysis and Recommendations, produced at the request of the Eighth Alaska State Legislature's Interim Committee on Pre-Higher Education and of Native leaders.

January-May 1974 — Eighth Alaska State Legislature meets and reviews CNER report in committee, but does not act on the recommendations of the report concerning rural education.

July 14-16, 1974 — The Alaska Federation of Natives (AFN), having assessed the Legislature's inactivity, calls an Education Strategies Conference in Fairbanks to review CNER recommendations, to prioritize issues addressed in the report and to determine whether and how to bring CNER recommendations not only to the attention but to the action of the new State Legislature.

August 15, 1974 — Gordon Jackson, Executive Vice-President for Human Resources at the AFN, presents the recommendations and strategies from the July conference to the State Board of Education and receives their unanimous support of these items.

October 15-16, 1974 — AFN convenes an Education Proposal Drafting Session, attended by education and local government agency representatives, to refine further both the CNER recommendations and the July conference strategies and to develop plans for presenting these items to the Legislature.

October 24-26, 1974 — The AFN Annual Convention endorses through resolutions the prehigher education recommendations and strategies. The Human Resource Committee of AFN, meeting during the convention, endorses these principles and directs staff to include those concerns into the formal AFN Education Position Paper to be presented to the newly elected State Legislature.

December 13-14,1974 — AFN, RurAL-CAP, and the State Office of Economic Opportunity Department of Community and Regional Affairs (DCRA) organize a Legislative Briefing Conference in Wasilla at which time the AFN Education Position Paper is used as the working document for the education workshop.

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[1]This chronology is a synthesis of reports prepared by the Department of Community and Regional Affairs, Anne Just, AFN, and Eric Eckholm, CNER Research Affiliate.

January 1975	The Ninth Alaska State Legislature convenes with several bills related to the CNER/AFN recommendations prefiled. These bills included Senate Bill (SB) 35, House Bill (HB) 24, SB 94 and SB 136.
January 20, 1975	Introduction of SB 35 by Genie Chance (D-Anchorage) and HB 24 by Representative Red Swanson (D-Nenana).
January 29, 1975	Introduction of SB 95 by George Hohman (D-Bethel) committee.
February-March 1975	Senate Health, Education and Social Services (HESS) Committee conducts hearings in SB 35 in Bethel, Nome, Kotzebue, Fairbanks, and Anchorage.
February 21, 1975	HB 188 dealing with military reservation schools is introduced. This bill separated the military on-base schools as was recommended in both the CNER report and the AFN Education Position Paper.
March 4, 1975	Committee Substitute for House Bill (CSHB) 188 is endorsed by the State Board of Education.
March 5, 1975	Sponsor substitute for HB 24 is introduced by Swanson.
March 11, 1975	Senate Substitute for House Bill (SSHB) 188 passes Senate (amended).
March 14, 1975	Governor Jay Hammond replaces seven of nine members on the Board of Directors of the Alaska State-Operated School System (ASOSS).
March 15, 1975	Governor Hammond signs into law HB 188 which authorizes the Commissioner of Education to require schools on military reservations to come under the control of nearby city or borough school districts.
March 19, 1975	Resignation of ASOSS Superintendent Stanley Friese, effective April 1.
March 24-25, 1975	AFN, RurAL-CAP, and the State Office of Economic Opportunity in the DCRA sponsor a Legislative Priorities Conference during which rural and Native participants rank various impending bills in terms of their significance to and impact upon their communities. In education, the group ranks SB 35 and HB 24 among high priority bills recommended for passage by the Legislature.
March 25, 1975	Senate HESS introduces Committee Substitute for Senate Bill (CSSB) 35 and moves to Senate Finance.
April 7, 1975	SSHB moves to House Finance. RurAL-CAP hires a legislative advocate, Richard Listowski, to represent rural Alaskan interests and to track legislation which the Legislative Priorities Conference ranked as high priority.

April 23, 1975	Newly appointed Board of Directors for ASOSS issues a position paper supporting local control of schools in the Unorganized Borough while expressing reservations about pending legislation.
May 5, 1975	CSSB 35 passes Senate with amendments.
May 17, 1975	House Finance passes SB 35 with committee and financial support.
May 21, 1975	House passes HB 24, counterpart to SB 35, to dissolve ASOSS.
May 30, 1975	Free Conference Committee (FCC) substitute for HCSCSSB 35 with report passes Senate.
May 31, 1975	FCCHCSCSSB 35 ratified by the House.
Jue 4, 1975	Governor Hammond signs into law the Free Conference version of SB 35 and HB 24 to dissolve ASOSS by July 1, 1976, and to replace the system with Regional Education Attendance Areas (REAAs), each with its own duly elected school board. The Bill becomes Chapter 124, State Laws of Alaska.
June 30, 1975	DCRA Commissioner Lee McAnerney sends letters to local municipal officals, other community people, legislators, non-profit organizations, Alaska Unorganized Borough School District (AUBSD) and BIA regarding SB 35 and public hearings.
July 1, 1975	Effective date, creation of AUBSD.
July-September 1975	Representatives from the Department of Education and Community and Regional Affairs begin visiting rural areas to explain SB 35; public information meetings were held in 124 communities in unorganized borough; 2,369 people attending.
September 15 - October 1, 1975	Departments of Education and Community and Regional Affairs hold formal hearings regarding proposed boundaries for Regional Education Attendance Areas (REAAs); public hearings are held in 21 communities in unorganized borough; 796 people attend representing 83 communities.
October 15, 1975	Public record closes for comments regarding regional boundaries.
November 1, 1975	Recommendations for regional boundaries are submitted to Governor Hammond.
January-February 1976	Elections held for regional school boards.
July 1, 1976	Regional school boards take responsibility for education in their regions.

Draft Outline

NEW SCHOOL DISTRICTS IN RURAL ALASKA: A REPORT ON THE REAAs AFTER ONE YEAR

I. Introduction and Background

Highlights from the Report

Overview of the Study - Kathryn Hecht

Historical Perspective - Frank Darnell

Time Line - Ron Inouye

"Perspectives on Progress" - Kathryn Hecht

II Study-collected Data and Analysis

Survey of REAA Boards and Superintendents - Kathryn Hecht and Ron Inouye

Analysis of REAA and State Board Minutes - Kathryn Hecht and Ron Inouye

Case Study of an REAA - Paul Goodwin

III Contributed Chapters *

Municipal Development - Pat Poland

Community School Committees - Sue Horton

New Secondary Education Programs in One REAA - Margo Zuelow

School Finance in the REAA's - E. Dean Coon

BIA/REAA Relations - Don Dafoe

Teachers' Views - Jim Alter

Bilingual Controversy - Sylvia Carlsson

* Note: These are listed by subject rather than the title which will be used

IV Summary and Forecast

Related Studies and Issues

Seminar of Contributors: Edited Comments

Appendix

Selected News Clippings

K. Hecht 11/2/77

Kathryn Hecht
Center for Northern
Educational Research
September 14, 1977

PROGRESS REPORT ON "SB 35 FOLLOWUP STUDY"

The Center for Northern Educational Research (CNER) plans to publish a followup study to Senate Bill 35[1] in December 1977. The study is now tentatively titled New School Districts in Rural Alaska: A Report on the REAAs After One Year. It is intended to serve two purposes. The first is to fulfill CNER's obligation to follow up the results of CNER's 1973-1974 study on the delivery of pre-higher education in the Unorganized Borough[2] (including any legislation and its implementation which the report may have helped to generate). Secondly, a followup to SB 35 can also be looked at as beginning an analysis process starting with the first year of the recently created school districts and elected school boards in rural Alaska. The movement for local control of education in the rural areas of Alaska with mostly Native populations, which grew in strength during the early '70's, spoke to obtaining that control as a means--the means to improve the quality of education. Therefore, SB 35 can be thought of as a beginning--the beginning of bringing local control to parents of rural Alaska. The achievement of a means, as SB 35 signifies, does not necessarily assure the end and it is to this point that the Center hopes this study will serve a useful purpose.

The first year of the Regional Educational Attendance Areas serving as school districts in rural Alaska marked an historic happening, one which should not be overlooked nor neglected in the annals of state education. It is both history and current events. We report it to keep a factual record,

[1]State Laws of Alaska, Chapter No. 124 as amended by FCCS HCS CSSB 35, 1975.

[2]Darnell, Frank; Hecht, Kathryn, and Orvik, James. PRE-HIGHER EDUCATION IN THE UNORGANIZED BOROUGH: Analysis and Recommendations. Fairbanks, Alaska: University of Alaska, Center for Northern Educational Research, 1974.

to provide such information to identify successes and problems and to help seek solutions to assure the availability of quality education for all students in the state.

The report is divided into four parts: introductory and background material, analysis of data collected directly for the study, contributed articles by others doing work related to the new districts, and a summary of the study including comments on material in the report, the legislation and possible revisions to it, and a forecast of future needs for research and technical assistance projects.

The introductory and background section will be introduced by one or two pages of highlights from the report, providing short quotes from each section. Hopefully it should promote interest as well as help the reader identify sections of the report of most immediate interest. The overview of the study will present the rationale for the study, its limitations, and the procedures used. It is important to stress that this study could not do all we would have liked and will not answer all questions, but we hope it will serve as a date base for future studies and a means of coordinating and disseminating information being currently collected by others. Next, an historical perspective will give readers a contextual setting in which to view the materials to come--how the year under study fits in with the larger picture of educational change in Alaska, both that which has been in the past and that to come. The time-line will present an ordering of events since CNER's last publication. The chronology begins in January 1974, at the time CNER's Unorganized Borough

report was presented to the legislature and will take the reader through the passage of SB 35 and up to the official start of the new REAAs in June 1976. To complete the introductory section, approximately 20 people who have been involved in the local control movement over the last five years were invited to write their perspective on progress since 1974. We felt the incredible amount of change that has occurred in such a short time needed to be emphasized. It is important to recognize how much has been accomplished and to highlight the successes, as well as begin to discuss emerging issues. The responses to these letters will be presented in a "collage" form to give the reader a feeling for all that has happened from various perspectives in the state.

The second section of the report will include that information directly collected for the study and analyzed by the CNER staff. This will include the information obtained from the survey questionnaires sent to REAA board members and superintendents. Unfortunately, the practical limitations of the study forced us to use a mail questionnaire which is not the most efficient way to collect data. Since 100% return is not likely, REAA Board Minutes and Minutes of the State Board of Education will be used as a secondary data source for reviewing attitudes and issues. Their analysis will be presented in this section. The questionnaire survey and analysis of the minutes gives broad coverage but not the indepth look we would like. Therefore, to balance this data, two CNER staff members will develop a case study on at least one REAA. For this, we plan to talk with parents and teachers as well as school administrators and board members, to get at what we call the "perceived quality of education" and how it may or may not have been affected by the creation of the REAAs and their first working year.

The next section called contributed chapters contains input provided by others in CNER and statewide who have been working on related issues. This allows the study to go into many more areas than its limited resources would permit and also gives visibility to those doing work in the state who would not normally have a vehicle to disseminate their information. Currently we have a commitment for five contributed chapters. The first will deal with the creation of REAAs as it affects and is affected by municipal development in the unorganized borough. This was in an area emphasized in the earlier CNER study. will be written by a staff member of the Department of Community and Regional Affairs. A student from the University of Alaska-Southeast has conducted her own survey of the community school committees and her analysis will be presented. An in-depth study of one REAA's new secondary education program was done as a dissertation and an article based upon it will provide coverage of this very important issue. From within CNER a brief survey of the financing of REAA schools will be presented by the principal investigator of the school finance study. Findings to date will be summarized and issues will be raised. Two adjunct CNER staff will discuss the REAAs as related to BIA schools and current issues. Two other contributing chapters are contemplated but not committed. Hopefully, one will discuss teachers in the REAAs and the other will analyze data previously collected during the transition period.

The final chapter, which is to be both a summary and a forecast, is currently planned to be presented in two parts. The first part will highlight issues that are important but were not covered by the report and also describe

other studies which may be identified going on elsewhere in the state on the REAAs and related issues. It should serve to bring out some of the things which this brief study could not include.

The larger part of this final chapter will be based on a unique approach. It is currently planned to invite those contributing to the report plus a few selected persons to a seminar at CNER at the time the draft materials of the report are ready. This group will be asked to review the materials as a whole, to discuss their mutual contributions and the information provided the Center. They will also be asked to speak specifically to suggested revisions to SB 35 and to discuss new and continuing issues. The transcript of this seminar in edited form will be the summary chapter.

Current plans are also to include an appendix with selected news clippings from 1974 to 1977 on the REAAs and related issues.

Hopefully, those reading this progress report will express their ideas, as the outline is tentative, subject to change and open to suggestions.

Attachment: Draft Outline (9/11/77)

Invited Guests

Mr. Jim Alter
NEA/Alaska Education Association
1515 E. Tudor Rd.
Anchorage, Alaska

Mr. Clifford A. Black
Alaska Federation of Natives, Inc.
550 W. 8th
Anchorage, Alaska 99503

Ms. Sylvia Carlsson
Special Assistant
Minority Affairs, DOE
650 W. International Airport Rd.
Anchorage, Alaska 99502

Mr. Dennis Demmert
Director Native Studies
SOS
5th Floor Gruening Bldg.
University of Alaska
Fairbanks, Alaska 99701

Mr. Michael C. Harper
Administrative Assistant
to the Governor
Office of the Governor
Pouch AA
Juneau, Alaska

Mr. Darwin Heine
State Board of Education
1506 Denali Way
Fairbanks, Alaska 99701

Ms. Susan P. Horton
P.O. Box 7721
Ketchikan, Alaska 99901

Mr. Emil Kowalczyk
Assistant Area Director
Bureau of Indian Affairs
P.O. Box 3-8000
Juneau, Alaska 99801

Mr. Donald MacKinnon, Jr.
Office of Commissioner
Department of Education
Pouch F/State Office Bldg.
Juneau, Alaska 99811

Mr. Dick Mueller, Chairman
Yukon Flats School Board
P.O. Box 329
Ft. Yukon, Alaska 99740

Representative Charles H. Parr
Chairman, Legislature Standing
Committee on Health, Education
and Social Services
6.5 Mi. Chena Hot Springs Rd.
Star Route, Box 50559
Fairbanks, Alaska 99701

Mr. Carl A. Peterson
Superintendent
Alaska Gateway School District
P.O. Box 137
Tok, Alaska 99780

Mr. Pat Poland
Local Government Specialist
Department of Community
and Regional Affairs
511 W. 4th
Anchorage, Alaska

The Honorable Lowell Thomas, Jr.
Lieutenant Governor
State Capitol Building
Pouch AA
Juneau, Alaska 99811

Ms. Margo Zuelow
Department of Education
Pouch F/Alaska Office Bldg.
Juneau, Alaska 99811

CNER

E. Dean Coon
Frank Darnell
Paul Goodwin, Consultant
Kathryn Hecht
Ron Inouye
Jim Orvik
Jerry Waddell

UNIVERSITY OF ALASKA
FAIRBANKS, ALASKA 99701

November 3, 1977

Representative Charles H. Parr
Chairman, Legislature Standing Committee
on Health, Education and Social Services
6.5 Chena Hot Springs Road
Star Route, Box 50559
Fairbanks, Alaska 99701

Dear Representative Parr:

This letter is to invite you to attend an all-day seminar sponsored by the Center for Northern Educational Research on the topic: A Report on the REAAs After One Year. The seminar will be held on the Fairbanks campus of the University on Friday, November 18 from 9 a.m. to 4 p.m. and will include a luncheon.

As you are aware, CNER is developing a report on this topic. The purposes of the seminar are directly related to the report:

(1) To review the report in progress, including drafts of chapters contributed by those outside of CNER, and to give the contributing authors the opportunity to interact with each other;

(2) To relate findings to SB 35 legislation and its implementation, and to discuss whether additional or revised legislation is necessary; and

(3) On the basis of the report, identify issues in need of further policy study, evaluation and research.

The seminar will be recorded and a selected, edited version of the discussions will be included in the report.

I plan to send participants as much of the report in draft form as will be available by November 10, so you will have time to review it before attending the seminar. Contributing authors will have an opportunity after November 18 to review their papers to take into account ideas and suggestions from the meeting.

PLEASE REPLY BY AIRMAIL

Please return the enclosed sheet today, so I can estimate how many will be attending. I will wait to send out the draft material until I have heard from you. The number invited is small, so I hope you can come.

I look forward to seeing you November 18 as I am sure you have a substantial contribution to make to the seminar.

Sincerely yours,

Kathryn A. Hecht, Ed.D.
Associate Professor
Center for Northern
Educational Research
(907) 479-7173

KAh; ds

Enclosures

J alter

A TEACHER PERSPECTIVE OF DECENTRALIZATION

One of the striking facts about education in Rural Educational Attendance Areas (REAA) is that teacher turnover is high. Although complete information is not yet available for school year 1977-78 a check on about half of the teachers in REAA's last year revealed that teacher turnover between the 1976-77 and 1977-78 school years was approximately 40%. Out of every 100 REAA teachers 40 did not return to their school district. This contrasts with roughly a 20% turnover in independent, rural school districts and about a % annual turnover in the old State-Operated rural schools (SOS).

Quality education demands that questions such as: "Why are teachers leaving REAA's in such large numbers?" and "What can be done to slow and, hopefully, stop this exodus?" be asked. Some of the answers can possibly be found by examining the change in rural education from the teachers' perspective. As the person who directly and regularly represents the REAA's to the students and their parents, the teacher has a unique vantage point. He/She experiences, on a daily basis, the effects of the decentralization of SOS. Furthermore, that experience is the result of input from several directions: namely, the REAA board, the administration, the parents, and the students.

Of course the input and resultant perspective is neither uniform nor obvious. That is virtually impossible with roughly 700 teachers in the 21 REAA's that evolved from SOS. Those teachers are spread over the 19^{o} of latitude and 48^{o} of longitude that include Alaska. They teach in schools that range in size from one teacher to 47. The situations in which they teach vary widely as do their attitudes

and feelings about teaching in rural Alaska.

Thus, any proposed teacher perspective will certainly not be true of every REAA, every rural school, or each teacher. Instead, it will be both speculative and somehow general, as is what follows. The basis for these specific conjectures is conversations that have taken place as REAA teachers have worked to cope with the new school systems in which they work.

Over the past year and a half teachers seem to have become a favorite scapegoat. Politically motivated REAA board members seem to believe that it is fitting and proper to publicly criticize teachers, whether deserved or not. As an illustrative example consider the REAA board that was plagued with erratic attendance that continually threatened the maintenance of a quorum, even after all board members were in town for a meeting. Last spring, rather than dealing with this issue, the board chair launched an attack on the region's teachers, charging them with erratic attendance at school. However, when his allegation was challenged, he could cite no instances. Nevertheless, he persisted in his attack.

Although in the past such demagoguery was blindly accepted as the truth by gullible outsiders, today's teachers know better. So do superintendents and statewide organizations such as the school board association. Yet, they continue to encourage boards to engage in this sham, apparently for self-serving purposes. A common ruse is to characterize teachers as the REAA "rip-off" artists. Their salaries are said to be exorbitantly high and skyrocketing. However, their salaries are, on the whole, lower than those of teachers in other districts and have risen no faster than the cost of living. The employees whose salaries are higher than their

neighbors' and skyrocketing (a 40% increase since the 1975-76 school year) -- the superintendents --rarely receive any criticism.

Just as they can no longer accept hypocrisy like that mentioned above, neither can teachers accept a board's claim of innocence. Rather, they see demagoguery stemming from irresponsibility, if not calculated deception. To teachers, board members who have failed to: actively participate in their meetings, find out the facts of a situation, and exercise independent judgement have behaved irresponsibly. In response to this, teachers have left the REAA's.

Teachers have also left because of the burgeoning central bureaucracies with which they must deal. Often times the new bureaucracies seem even more top-heavy and unresponsive than the SOS's was in Anchorage. A typical frustration was that of a teacher who sought an explanation of three different REAA policies/procedures -- including teacher evaluation -- from the superintendent. For each of the three he was told that although each of the policies/procedures did exist in written form he must see a different person in the district office. None of the three was in the office that day. Thus, the teacher left a written request for the information desired and ultimately got one of the three.

The increase in REAA-central-office personnel and budgets between the 1975-76 school year and this one supports teacher perceptions of a rapidly expanding central bureaucracy. REAA's employ 75% more central office administrators and spend almost 50% more money for central offices than SOS did.

The administrative bureaucracy developing within REAA's has been especially difficult for teachers to cope with not only because of its size but also because of its incompetence. Seemingly, super-

intendents and top administrators were hired not on the basis of their skill and background but, instead, because they were available when the REAA's were formed. Of the 21 new superintendents last year, 16 came from SOS and three more from within Alaska. This year all but 2 of last year's superintendents still hold those positions. This differs significantly from other Alaskan districts where, over the past few years, superintendent turnover has ranged from 20 to 30%.

Those hiring new administrators seem to be abrogating their responsibilities to thoroughly screen these applicants. Otherwise, administrators nonretained by one district wouldn't be immediately hired by another. Typical of several instances of this type is the case of the building principal who failed miserably in a village of about 500. Because he couldn't work with his staff and was a social isolate in the village, the regional board nonretained him. Yet, during the summer this person was hired by another REAA to be its assistant superintendent for curriculum development.

Often the typical REAA administrator has gained his/her position "instantly". He/She has had neither extensive teaching experience nor adequate training in how to skillfully administer schools. This quickly becomes obvious to teachers in the general area of personnel relations. Frequently there is no administrative attempt to be honest, direct,straightforward,or sincere. Consider, as illustrations: the assistant superintendent who lies to new teachers he is recruiting from "outside" about the housing conditions in a village with neither running water nor sewage; the superintendent who never discusses concerns with a village teacher while visiting the village but, instead,relies exclusively on written memos mailed

later; the principal who polls a faculty on which option to follow and, after announcing the poll results, unilaterally selects an option that received no support; or the superintendent who fines teachers who notify him as early as April that they will not return the following September.

Another obvious area of administrative deficiency and attendant teacher frustration and dissatisfaction centers around an REAA's response to teachers as an organized group. More often than not administrators lack even a rudimentary understanding of employer-employee relations. As a result high levels of animosity and polarization have developed over activities such as teacher negotiations. During last year 12 of the 21 REAA's had serious breakdowns in teacher contract negotiations. This never would have happened if the administrators had only understood the process. With increased understanding neither would superintendents have attempted to directly inject themselves into the affairs and organization of a teachers' association. Nor would board negotiators agree to an item at the table only to either totally reverse themselves at a later time or try to unilaterally rewrite what was agreed upon.

Teachers are also disenchanted with teaching in REAA's because of the disregard for their basic due process and citizenship rights. Typical of this disregard is: the principal who told a teacher she had to quit because she was going to take maternity leave; the superintendent who attempted to hold a hearing on the nonretention of a teacher without giving the teacher any due process rights; or the board which said a teacher couldn't write letters about the school system to other people. Administrators should never let

incidents like these occur. They should know what a teacher's rights are, or at least consult the district lawyer. Yet, REAA lawyers are rarely contacted. Instead an attitude that says,"We can do whatever we please and ignore, with impunity, the laws," seems to prevail.

The difficulty of the teaching assignment that an REAA teacher is given has also contributed to the high teacher turnover. Consider the typical new REAA teacher -- a young, inexperienced teacher from out-of-State. He/She is simply not prepared for what he/she encounters. No one has advised him/her what his/her new community is like. Neither was he/she provided with a meaningful pre-service orientation to the district, its people, students, and procedures. Thus, he/she starts school in a state of shock which may never be overcome.

This is all the more likely if the teacher, as frequently occurs, encounters a teaching situation for which he/she is totally unprepared. Maybe the teacher,whose specialty background is, at best, in two discipline areas, is instructed to instantly develop and implement a complete high school curriculum. Or maybe the inexperienced teacher is told to take over a multi-graded,bilingual, elementary class.

As if these instructions were not mind-boggling enough, our typical teacher soon discovers that he/she is on his/her own. Materials, personnel, and money seem to be minimally available. Not surprisingly, many of these teachers quickly decide (10% in one REAA, as of October) they will leave as soon as possible.

For other reasons the experienced bush teacher is also leaving the REAA. He/She is often painfully aware of the fact that class sizes in about 2/3 of the REAA's are up over two years ago -- half of those as many as three or four students. He/She also may object

to the administration's determination that the instructional program shall be standardized, using the same texts, scope and sequence, and methodologies. Possibly his/her objection stems from the fact that such standardization removes an important element of teacher flexibility or it just is not the standard the teacher would have picked.

Another thorny contributing factor to teacher turnover in the REAA's is the absence of housing. In SOS days the problem of housing was not as severe as now. There weren't as many teachers without adequate housing and the rents were low enough to make the inadequacies and scarcity of housing tolerable. Furthermore, SOS was generally perceived as clearly trying to find a housing solution. Today the situation is reversed.

As under SOS, today in most communities teachers cannot build their own homes because land is simply not available for private owners. Teachers are forced to be renters. Nevertheless, their rental rates are rapidly increasing. Typically, REAA rental rates have doubled or tripled in the past two years. The rates of private landlords have often increased even more. Meanwhile, salaries have increased about 15%. Thus, the teacher's purchasing power has been significantly diminished.

In most REAA's housing is much more difficult than it used to be for teachers to obtain. Often the district has given up its teacher housing or stopped guaranteeing private units for teachers. Furthermore, in many communities, especially those with new secondary programs, there are more teachers seeking the same low number of houses. Inevitably, some teachers end up living in the school or in a very substandard house.

The final irritant with respect to teacher housing is that many REAA's have denied any interest or concern in even considering possible solutions to the need. Instead, they claim there is no housing problem and indirectly encourage landlords t charge exorbitant rates for their rental units. Predictably enough, teachers have reacted to this unsympathetic attitude by leaving the REAA's for districts with better housing opportunities.

The problems discussed above have most definitely been real and serious for REAA teachers. They have decidedly influenced teacher attitudes and actions. However, teachers have not responded to them only by leaving. Many have stayed and reacted in other ways.

One way has been to organize into teacher associations for the purpose of collective action. Far more REAA teachers belong to a teachers' association than two years ago. In fact, association membership in the REAA's has increased over the past two years by almost 40% while it has stayed steady or slightly dropped in other Alaskan districts. Furthermore, the level of active involvement in these associations has increased many fold. While before a relatively few teacher leaders represented SOS teachers, now there are 21 sets of leaders representing REAA teachers. Another consequence of this increased involvement has been a heightened awareness among all teachers of their collective, as well as individual, rights, benefits, and concerns. No longer do teachers think only about their instructional interaction with the students.

Teachers have also reacted to the changes that REAA's have brought by becoming more involved with their local communities. This involvement has, in turn, resulted in local alliances of parents, community leaders, and teachers to combat regional dema-

goguery and harassment. Consistently, over the past year, the parents and citizens of local communities have rallied to the support of their teachers when they felt the teachers were getting a raw deal at the regional level. Sometimes that support -- often in the form of petitions, statements, or letters -- has reversed the action of an REAA board and/or superintendent. Other times, when it hasn't, it has resulted in lingering community hostility toward the REAA board and central administration.

The involvement of the bush teacher in the political process is also slowly building. As the result of experiences over the past two years, teachers are increasingly aware that potential solutions to their problems lie in the hands of politicians -- at both the regional and State level. Thus, they are contributing more money and effort to political campaigns, lobbying their board members and legislators more, and more closely monitoring the actions of these representatives on items of interest.

Because of their basically optimistic orientation, REAA teachers generally hope and feel that things will get better. They know that in at least a couple of REAA's exciting educational things are happening. They know that teachers in those REAA's feel they are dealt with individually and collectively in a fair, evenhanded manner. Teachers in those districts are valued as professionals striving to better the quality of education. Those boards and administrators work with the teachers to solve problems rather than against them. Whether these few REAA's are the precursors of the future or the exceptions to the rule is unclear. Teachers certainly hope they are the indicators of changes to come.

K. Hecht
First Draft
Nov. 17, 1977

REAA Questionnaire Survey

CNER distributed questionnaires in June 1977 to each REAA, with a letter of explanation to Superintendents and Board Chairs. (See Appendix - for questions and accompanying letter.)

Questions were asked of Superintendents, Board Chairs, individual Board Members and the Board as a Whole. Although responses were received from approximately half the REAAs (10), none responded fully. Nine superintendents responded but only three board chairs and sixteen board members. Only one board responded to the two questions asked of the board as a whole. Even with follow up by letter and phone, the response rate improved little.

Reasons for the poor response rate can only be speculative, based on past experience and informal inquiries. Mail questionnaires are not a good way to collect data in any case but visiting every REAA was beyond the resources of the study. (When the questionnaires were field tested in one REAA with a staff member present, few difficulties were encountered.) Waiting until the end of the REAAs' first year was probably a mistake, as summer is a busy time in rural Alaska and one when staff and board members are often hard to reach. Also, there were a number of high priority issues, including Lau compliance, during this time which demanded board attention when they could meet. It has also been suggested that some board members had difficulty in interpreting the questions and writing responses.

In the analysis of responses which follows, emphasis was placed on responses from the superintendents, as the most complete source of data. Selected responses from board members and chairs also are included. These responses may not be representative of all REAAs; they will give those who did not respond a chance to compare their perceptions.

Although one might have predicted that superintendents would have had

similar responses due to similar educational backgrounds and administrative experiences and the frequency with which they communicate with each other, this did not prove to be the case. Superintendents' responses to almost every question showed large differences in how they perceived their REAA's progress for the first year. They differed most on questions considered to be basic to SB 35 and REAA development, such as local control and community school committees. It is reasonable to assume the variety of responses reflect actual differences in experiences among the REAAs.

Origin of REAA Board Business

Superintendents were asked to describe the origin of business that comes before the Board by estimating the proportion (or precent) from the twelve sources listed on the questionnaire. The percent allocated to each group varied widely, as shown by the range figures. For example, the highest average (mean) percent was recorded for REAA Central Administration--averaging all responses, 34% of business brought before the the Board was said to come from this source. However, the responses to this item ranged from 5% to 60%, indicating that there is great variation.

Origin of REAA Board Business	Average % (mean)	Range
REAA Board Chairperson	10	1 - 25
Other Board Members	9	1 - 18
REAA Central Administration	34	5 - 60
REAA Principals and Principal-Teachers	5	0 - 15
REAA Teachers	5	1 - 12
Community School Committees	4	0 - 9
Parents	2	0 - 5
Students	3	0 - 5
General Public	4	0 - 15
State Dept. of Education	17	0 - 70
State Dept. of Public Works	6	0 - 15
Other	2	0 - 10

Distribution of Board Time by Subject: Approximate and Ideal

On the question concerning the distribution of REAA board time by subject, Superintendents' answers were extremely varied, as indicated by the range of responses shown below:

Approximately what proportion of Board time was spent on:	
Subject	Range (in Percents)
Budget	(5 - 80)
Curriculum	(1 - 30)
Facilities Planning	(0 - 30)
Federal Programs	(1 - 15)
Federal Regulations	(1 - 10)
Operations & Maintenance	(1 - 10)
Personnel	(1 - 15)
State Regulations	(5 - 25)
Student Concerns	(0 - 7)
Teacher Negotiations	(1 - 15)
Other	(5 - 60)

Only two-thirds of the superintendents responding answered the second part of the question, where superintendents were asked to ideally distribute Board time across the same subjects. Those subjects which showed greatest agreement as to a discrepancy between approximate and ideal time were Curriculum, State Regulations and Student Concerns. Five of six superintendents responding indicated they felt too much time was spent on State Regulations and too little on Curriculum and Student Concerns.

Comments on this question included an explanation to the 60% response under "Subject: Other" and an explanation of why one superintendent did not fill out the ideal column:

"The board spent an arduous amount of time (and wasted energy) on "political" considerations which offered no relevancy to education of students. Subject matters were too diverse to recall, but certainly not related to those listed."

"Considering the various situations confronting the board, I believe the time devoted to the various topics was correct. As superintendent, I do not have an "ideal" format for the Board; they control the schedule according to what interests them. Whatever is, is "right" for this district. Each board member would have a highly unique view as to how an 'ideal' breakdown would look. The superintendent's job is to facilitate the individual board members so they can function together as a board."

Decision Referrals

This question on decision making was concerned with which decisions within the REAA are referred and to whom they are referred. Topics mentioned by more than one superintendent for each referral category are noted on the chart below, with the number of reponses above 2 indicated in parentheses.

Topic and Direction of Decision Referrals

Board to District Administrator	District Administrator to Board
Administrative functions including budget (5) Employment (4) Curriculum program approval (4) Research Policy drafting Purchase of equipment and supplies	Hiring personnel (8) Policy (3) Negotiations (3) Budgets (3) Matters required by law Federal programs Current district state of affairs Facilities planning Maintenance projects
Board to Community School Committees	**Community School Committees to Board**
School calendar including extra-curricular activities (5) Recommendation of certificated staff (4) Community use of facilities (3) Curriculum planning (3) Decision for/against high school	Matters required by law and/or policy Curriculum review Use of school facilities

Assistance to REAAs
(Other than School Board Development)

Responses to the question about assistance to the REAAs other than School Board Development illustrated the wide variety of needs the new districts experienced and the variety of people enlisted to meet them. Those mentioned by superintendents as provided by the Department of Education include:

Technical assistance, particularly with federal programs and special education
Bookkeeping and accounting training
Budget direction
Vocational curriculum
Policy topics advice
Legislative requests to the Department of Education, the Governor, etc.
Liaison visits
Community School Committee
Program evaluation
Talent bank
Curriculum experts
Inservice

Topics related to funding (accounting and budget) were the most frequently mentioned DOE services.

Only two of nine superintendents noted assistance that had been requested from DOE that had not been received. Services not received included:

Comprehensive assistance in organizing business operations and obtaining eligibility f r Title I sites
Other tasks that require long-range assistance or aggressive action such as drafting new legislation, etc,
A more consistent and equitable form of funding rural schools.

All nine superintendents reporting said that their REAA received assistance from sources other than DOE. Eighteen different sources were recorded for the following types of services:

Statistical data	Construction	Special Education testing
Legal aid	Assessment needs	Program planning
Bilingual Aid	Curriculum planning	Psychological testing
Affirmative Action	Board training	Administrative training
Teacher negotiations	General aid	

Superintendents were divided on the question "Are there any services currently available that your REAA needs now or on the future?" Of those four responding yes, the following were noted:

Program development for small high schools
Training for bilingual/bicultural programs
Curriculum development
Board leadership training
Educational philosophy
Leadership training to teachers and principal/teachers
[Needs] "too numerous to mention: We need MASSIVE professional assistance (applied research funds and/or expertise, etc.) to attack problems we have already identified; to meet needs we already recognize we have."

REAA Issues

Numerous issues came up in each REAA the first year of operation. Superintendents were asked to classify and describe issues on the basis of their experience as to whether or not the issues had been anticipated and as to whether they had been resolved. The largest number of of issues listed were considered anticipated and had been resolved. The second largest group was anticipated but had not been resolved. It would appear from this listing that superintendents dealt with many problems in the first year of REAA administration, but that there were few surprises.

Anticipated/Resolved

Teacher negotiations (3)
Fiscal operations/accounting (2)
No district office, quarters, or rentals for employees or teachers
No business/administrative systems developed - No curriculum or staffing plans - No Tobeluk settlement plans
Lack of teacher awareness concerning the entire gamut of change engendered by SB 35
Classified salaries
Financial/funding problem (2)
Teacher hire
Policy manual - completed

Unanticipated/Resolved

Lack of knowledge about SB 35 - what it meant, etc.
Lack of understanding concerning the Tobeluk settlement by parents, students, teachers, Juneau administrators, CSC members, etc.
Building program
Resignation of a principal teacher (new teacher hired)

Anticipated/Unresolved

The need for additional funds for staff development
The need for additional funds for developing satisfactory program and staff evaluation plans
The need for additional funds for applied curriculum research
CSCs
Classified suit
Role of CSC vs. Regional Board
Policy (practically completed)
Teacher negotiations (2)
Building needs

Unanticipated/Unresolved

Lack of willingness of local CSC members and others to consult with REAA board members
Lack of adequate REAA Board member communication networks with local people
The lack of ability of individual districts to obtain significant, informed assistance in a coordinated manner from the DOE or other large agencies where change comes about very slowly
Funding cut by legislature
Bilingual issue
Great fluctuations in student population

Additional Comments

"Another problem/issue that so far has been resolved concerns the degree to which the initial board training for the area encouraged the development of 'adversarial groups'; the future members were told to 'watch teacher power'; teachers were advised to beware of administration and board members. We have attempted to restore a more professional atmosphere so that groups have a basis for working with one another that is based on mutual respect/awareness. We give a great deal of attention to process, as well as product."

"A hectic year."

Examples of REAA
Boards in Action

Superintendents were asked to describe examples of situations where the REAA Board acted (1) effectively and (2) ineffectively when confronted with a major problem or issue. Those situations identified with effective and ineffective Board action noted below.

Situations where REAA Board Acted Effectively

The position taken on a 50% reduced level of funding
Reversal of decision to take over BIA schools regardless of village desires
The Board decision to implement a bilingual/bicultural program without aid of the state and to negotiate directly with OCR
When it hired a superintendent - (Basically their most important single decision is who the superintendent will be/is)
When it decided to put a focus on improving schools rather than merely developing an administrative machine that was very adept at preserving the wrong thing.
Acted on pushing forward a building program
Teacher negotiations were often confrontations and too divisive for our small system

Situations where REAA Board Acted Ineffectively

Present position [on reduced level of funding] to the bureaucrats properly
Decision to take over BIA schools where REAA established high school
The Board has acted effectively on all major problems and issues
When it becomes involved in making personnel decisions and more or less forcing the hire/termination of certain individuals... Board member friends are not necessarily the most qualified, dedicated, intelligent, etc.
When it acts without understanding how their actions are limited by the broader society (DOE, U of A, OE, etc.)
Negotiations issue was taken to public by teachers - Board rightly rejected community demands for immediate raise - Resulted in Board recall
Holding regular meetings - difficult communicating - phones often out and radio not available due to power loss sometimes

Community School Committees

Superintendents responding indicated most CSC met regularly. All but one responded that the REAA had a written policy concerning duties and functions of CSCs but only one superintendent attached it, the others replying that the policy was unavailable. About half said there had been training sessions for the CSCs. All but one superintendent noted at least some input from the CSCs. Most judged their Board's relationships with the CSCS to be fair. Three superintendents noted the relationship was uneven, some CSCs working better than others within the REAA.

In reponse to the question, "Do you see a need for CSCs?" the superintendents were divided:

> "Yes, so villagers can have a vehicle to formally express their views."
>
> "Yes - information from these provides the Board with local information."
>
> "Yes - Adoption of district plans, practices to local needs and as a source of ideas for school program improvement."
>
> "Yes - handle local problems."
>
> "If community desires."
>
> "No, not in our area. Our school communities are adequately represented on the regional board."
>
> "No, we have two schools in the district and they are five miles apart. The people would rather participate directly with the district board."
>
> "No - communication should be such that they are either useless or valueless. Of course, if they are not listened to now, we still don't need them, but too often they constitute local 'axe-grinding' forums."

Local Control and Local Government

When superintendents were asked specifically to comment on the effectiveness of SB 35 and creation of REAAs in bringing local control to rural Alaska, a wide variety of opinions were expressed, ranging from very effective to little change. Comments included:

> "If the funding issues had been addressed three years ago, the effects would have been very favorable. However, difficulties created this year has set this district back 5 to 10 years, i.e., the ten BIA villages transferring."
>
> "Very effective here." (Three respondants)
>
> "Excellent."
>
> "Local control has very little to do with SB 35. SB 35 created 21 new Districts and so resulted in 'district control' rather than 'local control'. SB 35 holds the district board responsible, not local communities."
>
> "Very little change. Virtually all the issues which we have time to to address are forced upon us by DPW (Department of Public Works) DOE (Department of Education)and USOE (U.S. Department of Education), etc. Conversely, it gave the CSCs the impression of control so we take flack from both sides. Regulators telling us we have control when we don't. CSC wanting to know why we don't do anything different."
>
> "Reasonably so, but too many board members and superintendents have overestimated the amount of authority which the Board has and underestimated the responsibilities."

Interest in local government was noted by most superintendents to have stayed about the same. Two noted an increase in interest while one had no opinion.

SB 35: Positive Features and Suggested Changes

Superintendents were asked to reflect on their experiences and comment on SB 35 and the REAA system. All responding replied to this question. The aspect of local control heavily dominated responses about positive features. Suggestions about CSCs were prominent among needed changes. Selected comments follow.

Most positive features of SB 35

"The ability for decisions to be made on a regional level."

"Local control." (Three respondants)

"Expedites decision-making and problem-solving."

"Provides programs designed for and by local people."

"Allows local control on expenditures."

"Allows local control on employment of administration/teachers."

"SB 35 is allowing some rural residents who were previously unfamiliar with 'why' things were as they were to understand and realize the immense difficulty any change causes.... SB 35 gives rural residents increased hope for better schools."

"More efficient than control by SOS or AUSBD."

Things which need to be changed

"Rules, regulations, laws which prevent full use of capital bond monies; i.e., overhead administrative costs in Fairbanks, Juneau, and Anchorage."

"CSC election procedure."

"Method of election for board members."

"Clarification of duties of CSCs."

"While SB 35 is a major experiment in obtaining better schools and involving people, it was quite inadequate in one respect. It did nothing to adequately prepare the people to truly manage their own schools.... SB 35 did not set up any agency or 'Talent Bank' that was specifically charged with assisting the new districts. Had such an office been created in the DOE, I believe it would have been possible to solve problems in a more efficient manner."

(Things which need to be changed continued)

"More careful delineation of REAAs as 'School Districts.'"

"Making CSCs optional and advisory."

"Eliminate CSCs -- or at least the need for them."

"Organization of board responsibilities. The board uses the legal format for personal opinions, philosophies, and ideologies without any concern of students."

"Need better access to specialists; however, they are available if one works at it."

Special Topics

Superintendents were asked if their districts had a position or opinion on the topics listed. The only topic that did not evoke response was Municipal Development, which was considered not applicable by most.

Selected comments follow.

BIA Schools

"Their funding is 35% more than state's."

"Seek to cooperate; will not take over unless requested."

"Favor continuation of BIA control and funding of BIA schools in the district. We have an informal policy of working with the BIA so as to better meet children's school needs/desires."

Bilingual/Bicultural Programs

"A definite mechanism for villages to identify with the school."

"Mandated by Board; will expand in the future."

"Strongly supports programs desired by the local communities. It (the district) also sympathesizes with the actions and concerns of the Office for Civil Rights concerning Bilingual/Bicultural education, etc."

"We have no bilingual children and should not be expected to go through all the effort and cost of 'proving it.'"

State Regulations/Hearings

"Useless."

"New hearing process procedures must be developed since all such hearings are ONLY held in larger communities."

"There are too many state regulations especially those relating to procedures of the local board."

"Due to our isolation, we can't attend meetings often, but we do offer written comment!"

Certification

"Must be at the district level."

"Believe the entire matter must be totally re-examined by all concerned. The post-secondary institutions, etc., control the process. __ District would like to develop its own certification system that would meet district needs, etc."

"No problem for us."

Village High Schools

"If funding is sufficient to support proper activities."

"Mixed feelings--at the present time, the CSC and REAA Board has decided not to establish high school in the village."

"Stongly support local secondary programs but believe the state must devote more money to making options possible for kids."

"We have all of ours operating."

Regional Resource Centers

"Approved services and endorse the RRC concept."

"__ District is willing to give the concept a test. We question the degree of thought that went into the original planning for such centers."

"We don't want them."

"None needed--until their specific function could be identified, exactly what they could do for the district and at what cost."

Federal Programs

"Eliminate categorical funding!"

"Mixed feelings--bilingual/bicultural is the most controversial. Title IV part A is an accepted part of the school programs."

"We need them to in order to help compensate for inadequate state funding compared to need."

"Form a very small part of our budget. They are not worth the effort except for PL 874 which should not be used as a threat because it is in lieu of local taxation."

"Too many strings attached. Too much paperwork."

"Did not want JOM because (it is) discriminatory."

"Often difficult to assess their worth."

Curriculum Planning

"It's been a joke this past year! "

"Heavy emphasis."

"A major (the major) focus. If we can't come up with a better curriculum and program, we might as well go back to a state-operated system."

"We need time (taken from the above areas) to work on this."

"Key to a good school. Last year was one of survival. This year we plan to work on that."

Fiscal Resources

"Very conservative."

"Inadequate compared to our need."

"Our funding was cut 10% by this legislature without any basis in fact or data."

"No problem in our district."

Board Travel

"Funding level allows for less than ½ the normal district meetings."

"Lots necessary."

"Believe in limited travel."

Other Comments

"The Board is 'agin' 'em all.' The administration tries to keep an even keel and remain legal--the certified staff complies if required--the students hope!"

Other Comments

In response to the question, "Is there anything else you would like to tell us?" the following superintendents' comments were received:

"Appreciate your interest and follow-up."

"Good luck with your efforts. The results should be quite informative."

"This certainly was a long form. I hope it helps."

"The financial situation is a problem in sorting out all the regulations and items."

"Much, but time is short and unpleasantries are often painful for recollecting. This Board accepted little if any responsibility for making timely decisions - they were reluctant to accept any advice from anyone about anything. DOE and others were often openly and always privately criticized for 'interfering' or 'over-regulating' -- It was impossible to get a board policy manual approved. Also, there were no other policies or procedures approved by the board."

"I believe that our little two-school district has been a great success with pupils receiving adequate to very good education and that most of the residents of our two communities are pleased with our schools."

...to be continued

Responses of REAA Board Chairs
and Board Members
to be added

Those REAAs who returned one or more questionnaires are:

Alaska Gateway
Bering Straits
Chugach
Copper River
Delta Greely
Lower Kuskokwim
McGrath
Pribilof
Southwest
Upper Railbelt

REAA Superintendent Responses*

Origin of REAA Board Business

Distribution of Board Time by Subject: Approximate and Ideal

Decision Referrals

Assistance to REAAs (Other than School Board Development)

REAA Issues

Examples of REAA Boards in Action

Community School Committees

Local Control and Local Government

SB 35: Positive Features and Suggested Changes

Special Topics

Other Comments

*Based upon questionnaires
from nine REAAs

November 18, 1977

TO: Seminar Participants

FROM: Kathryn Hecht

SUBJECT: "Related Studies and Issues"

For this section of the report, I would like your advice and suggestions.

(1) Do you feel there are any important issues concerning the first year of the REAAs not covered by the report which should be mentioned? If yes, please describe each issue in a few lines.

(2) Do you know of studies related to the REAAs (other than those described in this report) that are either in progress or completed? If yes, please describe and list a contact if you can.

Name _____
(in case I need to contact you for further information)

(Please use the other side if necessary)

OUTLINE

REAA Board Minutes Analysis for
First Year of Operation, 76 - 77

I. Analysis Procedures/Process

- a. method of acquisition of minutes
- b. variation within a single REAA
- c. variations among REAAs
- d. topical approach

II. Regarding the REAA Board Meetings

- a. frequency
- b. location
- c. number of members; male/female ratio
- d. resignations/appointments

III. Common Contracted Services

- a. bank
- b. auditor
- c. legal counsel
- d. bookkeeping
- e. etc.

IV. Issues and Discussion
(The issues which appeared to be most topical among all the REAAs are listed; i.e., the #1 topic from each of the 21 REAAs is listed in descending frequency and discussed.)

- a. Community School Committees
- b. facilities, planning, and maintenance
- c. etc.

V. Creative Solutions to Local Problems

- a. CSC representatives are designated Associate District Board Members with travel provided to District Board meetings
- b. decentralization of materials' purchase from Central Office to schools up to a specified dollar amount
- c. district liaison designated to meet with CSCs and communities

VI. Unique Issues

- a. 12th grade not adopted for Togiak due to lack of school and teacher housing space

- b. Board acceptance of donations from villages to schools - cash would not be accepted but local foods could be integrated into the hot lunch program

RI/November 1977

Nov. 18
Enclosures

Report Outline

NEW SCHOOL DISTRICTS IN RURAL ALASKA: A REPORT ON THE REAAs AFTER ONE YEAR

I. Introduction and Background

Highlights from the Report

Overview of the Study - Kathryn Hecht

Historical Perspective - Frank Darnell

Time Line - Ron Inouye

"Perspectives on Progress" - Kathryn Hecht

II. Study-collected Data and Analysis

Survey of REAA Boards and Superintendents - Kathryn Hecht and Ron Inouye

Analysis of REAA and State Board Minutes (second draft) - Kathryn Hecht and Ron Inouye

Case Study of an REAA - Paul Goodwin

III. Contributed Chapters*

Municipal Development - Pat Poland (Final Draft)

Community School Committees - Sue Horton

New Secondary Education Programs in One REAA - Margo Zuelow

School Finance in the REAAs - E. Dean Coon

BIA/REAA Relations - Don Dafoe

Teachers' Views - Jim Alter

Bilingual Controversy - Sylvia Carlsson

* Note: These are listed by subject rather than the title which will be used.

IV. Summary and Forecast

Related Studies and Issues (see form)

Seminar of Contributors: Edited Comments

Appendix

Selected News Clippings

REAA Map

Survey Questions

Additional Material: "REAA Superintendents Address the First Year"

NEW SECONDARY EDUCATION PROGRAMS IN ONE REAA

(Tentative Title)

NOTE:

This paper has been submitted by Margo Zuelow, currently of The State Department of Education.

The research which is reported upon here is summarized from her dissertation, recently completed at the University of Oregon. A reference to the complete study and how it can be obtained will be included in the final version.

Dr. Zuelow requested I distribute the paper beginning with page 10 due to its length.

Kathryn Hecht
11/17/77

Local Background

During the 1976-77 academic year, five new small secondary education programs were started in the Iditarod Area School District, Regional Education Attendance Area #11, in Alaska. One village high school program that had existed prior to this time was continued. Another village extended its program from grades 9-10 to 1-12. The secondary student population ranged from 2 to 52 students in each of the communities. The largest secondary school in the district, McGrath, has four secondary teachers. New programs were begun in the villages of Grayling, Anvik, Takotna, Telida and Lime Village (see map, Figure 4). Regulation 4AAC 05.070 of the Alaska State Department of Education requires that:

a) For each of the first three years of operation of a school established under Section 40 of this chapter, the chief school administrator of a school district shall develop and have approved by the governing body of that district, annually and no later than that body's first meeting in October, an educational plan for each school established.

b) Subsequent to the close of each school year for which an educational plan must be developed under (a) of this section but no later than the governing body's first meeting in September, the chief school administrator shall prepare and submit to the governing body of the school district an evaluation of each new school operated by the district.

c) The chief school administrator of a district shall insure maximum on-going local community participation in the development and preparation of the educational plans and evaluation of the plans required in this

section.

Copies of the plan developed under this section must be maintained on file for public inspection in the school district office. A copy of each plan and evaluation must also be filed with the Commissioner, Pouch F, Juneau, Alaska 99811. A copy must also be furnished to the local school committee of the community in which the school to which the plan or evaluation relates is located.

In this study, community school committee members, staff and students of the Iditarod Area Schools (IASD), REAA No. 11 were interviewed.

The Iditarod Area School District covers 41,500 square miles of Interior Alaska. McGrath, on the Kuskokwim River with a population of 300, is the district headquarters. This is an old gold mining site, which still has a large non-Native population. Other villages on the Kuskokwim are Nikolai and Telida, both Athabascan Indian Villages of one hundred or fewer people. The community of Lime Village is also an Athabascan Village located south of McGrath on a tributary of the Kuskokwim. Takotna is a largely non-Native, former gold mining community on Takotna Mountain west of McGrath. The four Yukon River villages of Holy Cross, Anvik, Grayling, and Shageluk are all Athabascan Villages of one to three hundred people each. Traditional subsistence living is practiced by some Indian members of each community, which includes hunting (moose, caribou, bear, goats, and sheep), fishing (seasonal runs of salmon and other fish), and gathering (wild berries and other edible plants). A limited number of cash income jobs now exist in all villages with principal employers being the school, Native corporations, the State of Alaska (policeman, airstrip

maintenance man, etc.), United States Public Health Service (village medical aide), and the corporation which owns the local store or trading post. Some small private stores and other businesses such as a pool hall or movie concession exist. Most villagers speak English except in Lime Village, Nicolai, and Telida where the population is mixed in their ability to speak the Native language and English. An interpreter was needed while interviewing the community school committee members in Lime Village. Some homes are made of logs with homemade wood burning stoves and furniture. Others are constructed of sawed lumber with furniture and appliances from a mail order catalogue. All combinations of the two extremes exist.

The Board, acting to meet the intent of the Tobeluk Decree,[5] took steps to initiate partial or full local secondary programs in those communities that requested such programs in the fall of 1976. The district developed plans so that the basic academic instructional program in each community would be taught by certificated teachers. The district also planned to maintain a pupil-classroom teacher ratio of no larger than 15 to 1 in each new secondary or combined elementary and secondary school. Correspondence courses were used to augment the basic secondary program in each community. Vocational education courses were made available to all students beginning in the second quarter of the school year, with instructional delivery being accomplished through the use of automated (slides and tapes) programmed teaching materials.

The superintendent of the Iditarod Area School District recommended to the IASD Board that the district create an on-going long-range develop-

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[5]See footnote, p. . Tobeluk Decree is the title of the consent decree given to the settlement of this case.

ment plan for a comprehensive secondary education program that would offer students a choice between five curriculum emphasis areas or major educational alternatives regardless of which school a student attended in the district.

Emphasis Area 1: This program is designed to prepare the student for successful life in his/her home community and region upon graduation. This emphasis area assumes the student will not, at least immediately, pursue additional training or college.

Emphasis Area 2: This program is designed to prepare the student for (1) successful entrance into a trade, business school, or community college trade or business program upon graduation, (2) jobs that may exist in the region that require a limited knowledge of business or trade skills. This emphasis area is not a "prescription for a major sequence." Courses offered within a subject field should enable the student to plan for a specialization by including courses to assure the student sufficient opportunities to develop a degree of proficiency in a subject field while being exposed to other areas as well.

Emphasis Area 3: This program is designed to prepare the student for successful entrance into a public college or university upon graduation.

Emphasis Area 4: This program is designed to prepare the student for successful entrance into the armed services of the United States upon graduation.

Emphasis Area 5: This program is designed to prepare the student for any combination of goals 1-4.

The long-range plan was drafted by IASD administrative staff and consultants in order to help meet Board concerns about the relevancy, effectiveness, and equality of opportunity of schooling provided students served by IASD schools. It was introduced and copies distributed in August and September, 1976, in the seven communities with IASD schools. Each principal-teacher was asked to review the plan with community school committee members, students and teachers during the school year. Depending upon responses to the plan, the district proposed expanding and implementing the plan by developing required and elective courses for each of the curriculum emphasis areas by no later than during the 1977-78 school year.

Data Analysis

Two major objectives were accomplished during the data collection phase of this study; one was the evaluation of the secondary education programs in the Iditarod Area School District, the other was a test of the interview technique for gathering data in rural Alaskan situations.

The evaluation was formative in nature. This was the first information collected in a systematic manner about the operation of these particular schools. Since it was a new program some people, as planned, were still actively involved in the creation of what was to remain a flexible curriculum. This was also the first time the community school committee members were given large amounts of control and decision-making power. Their responses indicated that they were making decisions (approving the hiring of teachers). A sense of pride showed in their feeling that "this is our school, it no longer belongs to some agency far away" and in their awareness that they were moving things in a direction they thought appropriate. In some cases there was a reluctance to evaluate "our new program" too soon, before it had a chance to prove itself, which indicated an ownership feeling.

The four broad questions asked were: (1) Is the new school program what people expected? (2) What are the advantages and disadvantages of having a secondary school in the village? (3) What are the problems in implementing the new program?, and (4) To what extent were members of the community involved in planning the new program?

First it was clear that many subjects expected a more traditional

building in appearance. This is an interesting expectation since most village residents are likely to be aware from past experiences that it takes two building seasons (summers) to complete any large building and they voted on the issue of whether or not to have a school in August of 1976. With this in mind, the comments about the new school buildings may have been more suggestions than expectations. From 40 percent to over half of the members of each group expected a program like the one they got while the rest had not pictured one much different from the elementary school. These subjects were generally happy with the new program.

Whether some things were considered advantages or disadvantages was dependent upon the village from which the respondent came. One limitation of this study is that subjects were guaranteed anonymity. Some responses that fell into the above category concerned specific equipment or facility needs. Advantages mentioned by all groups were flexibility in class schedules and the small classes. Having a high school in the village at all was seen as an advantage because so many students had dropped out of, or had refused to attend boarding school. The expressed disadvantages concerned facilities, equipment and staff. It would seem that having the students attend school at home was seen as the more emotional concern. The disadvantages seemed to carry the weight of suggestions for making desirable village school the best possible (using individual criteria for best).

Problems in implementing the new program concerned the curriculum emphasis areas. The most useful emphasis area according to all groups

is preparation for business and trade school. Least useful for all groups was preparation for entrance into the armed services. Considering the long history of educators' preference for vocational training for Native students, this is not an unusual finding. Possibly there is lack of knowledge concerning alternatives. It is clear that the reasons given for rejection of preparation for college by teachers and parents indicate low expectations on their part for Native students in general.

IASD decision-makers (the Board and administration) have used the information obtained from the evaluation to make the following decisions:

1. options in the form of emphasis area choices will be continued;

2. no student will be allowed to take more than two correspondence courses at a time and these will be limited to the above average students;

3. students will travel to schools with specialized facilities, for example, a shop, for short periods of time; and

4. an itinerant curriculum director has been hired who will work with the teachers, community members, and students in each school in an on-going assessment of needs of individual students, development of programs for them, and procurement of materials and supplies needed by the village schools to implement the teaching of the emphasis areas.

A drawback of the interview technique is that it is not efficient in

terms of time or money. All members rather than a sample, of each group were interviewed (if they were in the village at the time). This took a great deal of time as well as physical and emotional energy by both evaluators and subjects. The cost of flying to each village was certainly much greater than sending a questionnaire through the mail. The flexibility of method, richness and reliability of the data, however, outweigh the cost factors in this particular study. This researcher highly recommends the technique to districts planning evaluation studies.

Recommendations

Two major recommendations are being made as a result of this study. They will be presented as general recommendations followed by specific suggestions for implementation.

Recommendation 1: One geographically isolated school district be established as an experimental or laboratory district for the study of change.

The rationale behind this recommendation would be to illustrate the process of change at the district level using the concepts of change as a variable (dependent upon cultural milieu) and creative change (occurs because of desires of people). A single district is chosen as an experimental district in order that the process can be tried on a small scale in-depth using as many available resources as possible rather than diffusing money and energy in a state-wide effort. Facilitators from the State Department of Education should seek out a district (REAA) which desires to create a curriculum based on the goals, culture, and environment of that particular district. Emphasis would be on helping residents and school people with the communication processes necessary to articulate their goals and procedures for achieving those goals. Individuals should be hired from the University of Alaska, Alaska Native Foundation, Alaska Federation of Natives, and any other agencies that would have employees with expertise in the area of intervention and organizational development. Anyone hired to go into the district would have as their goal the facilitation of the process of decision-making only. The products produced, such as the goals, the curriculum and

administrative procedures for achieving the goals, will be a minimal concern of the facilitators. Since the process of making decisions by Native groups is often quite different from a typical western one as many Native or culturally aware non-Native facilitators as possible should be used. When non-Native facilitators are used they should travel with a Native who will be able to check the suggestions made for cultural integration.

A tentative plan (necessary if decisions are to be made by district people) for the beginning stages of the project follows:

1. Meeting with the school board and administration to determine their intervention and acceptance of the idea. Sound planning is essential to the success of such a process. This plan however, should not become an inflexible guide. The balance between a written plan and a flexible attitude is part of the management function needed. The administrator of the district should be one who demonstrates that he/she has an attitude that creative change is not only an acceptable but a desirable sign of a group in the process of examining its current environmental surroundings, goals, and progress toward those goals. He/she would emphasize (a) communication between groups as well as within groups in the district, (b) development of mutual trust between groups and individuals, (c) interdependence and shared responsibility, (d) wide sharing of responsibility and control, and (e) conflict resolution through bargaining and problem-solving.

2. Meetings of facilitators, community school committee members, teachers, and other members of the public in each village to determine their interest. If people are interested, additional meetings to begin

the goal identification process should be held during an off-season for food gathering. For example, it is difficult to hold meetings during salmon fishing or moose hunting season. Meetings should take place frequently, almost daily, for a week or so, then stopped until requested by the community again.

3. Once the community goals are established, they should be combined at the district level into a set of district goals. If there is a large non-Native population in one or two communities in the district, an extra problematic dimension will enter the process at this point. (To minimize this problem the experimental district might be one without a large population center like Bethel, Dillingham, Kotzebue or Barrow.)

4. Additional funding should be provided for the district to carry out this project. It should be considered at least a three-year project.

Specific Suggestion 1: The experimental district's curriculum and staff members need to compliment the culture and environment of the area.

Decision-making needs to follow a route from grass roots to administration. Emphasis needs to be placed on communication and joint planning between local community school committees and the educational staff. The following guidelines are meant to be of assistance to the school board and administrators.

1. Training in group decision-making should be provided if perceived as needed by the group. Care should be taken to wait long enough for a decision-making process to develop naturally before suggesting training. Some groups make decisions much faster than others.

Intervention too early may interrupt a natural process. The facilitator here should be a Native or depend upon a Native for guidance.

2. After the goals are set, regularly scheduled meetings should continue to be held to discuss future as well as present school operations.

3. Curriculum should be developed by an expert in this area based on the goals set and decisions made at the original goal setting meetings. This curriculum should be sent back to these groups for approval or for changes.

4. A search should be made within the district for community people who are expert in some portion of the curriculum and can teach these courses in the schools. These experts should receive training in instructional skills. An initial survey could be made while the original survey of interest was being made. It will probably be more complete and specific at this point.

5. Administrative procedures for accomplishing the goals should be worked out by the administrative staff based on input from the community groups and subject to their approval.

Specific Suggestion 2: Facilitate community involvement in the educational plans of the district.

During the goal setting meetings consideration should be given to the needs and desires of community members other than secondary school students. Adult basic education and community education funds combined with regular funds could, combined, provide enough money to offer unique and useful programs for all age levels in each village. This type of

program would also justify building a more complete facility because it would be better utilized than a single purpose high school building.

Specific Suggestion 3: Gain the support of the governmental units capable of making program changes available.

The emphasis should be on "How can we convince the legislators of the value of our program in order to obtain the support of the State Legislature?" rather than on "What do we have to include in our program to gain their support?" The experimental district will already have the support of the State Department of Education.

Specific Suggestion 4: A central support service needs to be available to all districts to act as a clearing house and dissemination center for exemplary program ideas and agency referral.

A program planning, evaluation and dissemination center should be established as a division of the Alaska State Department of Education. The planning and dissemination portions of this center are being implemented in 1977 (Luther, 1977). Specifically it will help the experimental district with evaluation. Generally it should assist education specialists in the development and use of processes that will result in the development of successful programs in districts. It should assist education specialists in the development and use of a process that will result in the development of successful programs by:

1. developing guidelines or criteria that describe high quality programs;

2. developing a verification or validation document based on these criteria;

3. assisting in the utilization of the documents in identifying promising practices or the exemplary status of programs;

4. assisting in writing and dissemination descriptions of model programs;

5. assisting in designing processes for adopting or adapting model programs;

6. performing a facilitator and support function for programs seeking national validation;

7. training personnel in the districts to do internal formative evaluations of programs implemented by the districts;

8. performing external summative evaluations of programs implemented by the districts; and

9. performing a formative and summative evaluation of the decision-making process in the experimental district. (See recommendation 2 for methodology.)

Recommendation 2: The process used to create change in the experimental district should be the subject of evaluation research.

Emphasis in this formative (to give feedback during the process) and summative (to evaluate the result at the end of the project) evaluation will be on the process of managing change, not on the innovation (curriculum and procedures developed). The suggested evaluation procedure is an ethnographic model. This model was chosen because it is inductive and does not make assumptions about the types of answers it should find. For the same reasons given in the section on developing the experimental district the procedures suggested here are tentative. They will change as the process of decision-making changes.

1. Evaluation techniques such as participant observation field work used in anthropological studies will be used. Due to the size of the project an evaluation team with four to five members probably will be

needed.

a) The evaluators will meet with the State Department facilitators, school board and administration when they first meet to determine interest and acceptance of the idea. At this time general purposes and questions to be asked during the evaluation will be determined.

b) The observers - evaluators will observe in a variety of settings. He/she will also observe his/her own interactions with people in the communities. Examples of settings to be observed are any community school committee meetings; school staff meetings; training sessions held in decision-making, for instance, and social functions related to the school. The observers should keep complete field notes on all processes, in and out of the meetings. The advantage of this procedure is to get at the fine points of what is happening by allowing time for issues to emerge that cannot be seen ahead of time. For example, the evaluator may sense some dissatisfaction in the meetings. It may become clear that the dissatisfaction is with the role of the administrator but specific problems do not come out into the open.

c) The observers - evaluators will develop some other technique to gather further data on issues that develop. Using the above example he/she might develop a questionnaire or interview schedule, to substantiate the observations.

2. Data should be analyzed and organized inductively by the entire team rather than by individual evaluators. The final report may

be more useful to the State Department for dissemination to other districts (if this decision is made) if the report is presented in some manner in addition to a written report. A film, or slide tape presentation are suggestions.

Evaluators must be themselves skilled in interpersonal relations which includes an understanding of the roles that people assume in groups so that these interactions can be recorded. They must also be skilled in cross cultural communication skills as well as familiar with the culture of the area.

APPENDIX : REAA SURVEY QUESTIONNAIRES

The following questions were used to make up the questionnaires sent to REAA superintendents and chairpersons in June 1976, with the accompanying letter. The codes in the upper right hand corner of each page indicate who was asked to respond to the question.

Question Code

S - Superintendent

C - Chairperson of REAA Board

M - Member of REAA Board (to be answered individually)

B - Board (to be answered by the REAA Board as a whole)

UNIVERSITY OF ALASKA
FAIRBANKS, ALASKA 99701

June 13, 1977

Dear Superintendent/REAA School Board Chairperson:

You will remember from previous correspondence, The Center for Northern Educational Research (CNER) is doing a study to follow-up the effects of SB35 and the creation of the REAA system. It has been one year since the REAA boards officially assumed control of education in their regions and we feel now is an appropriate time to reflect on this experience. I hope that the enclosed questionnaires will provide you and your board members with an opportunity to examine the progress and problems of the past year as well as supply us with information to form a statewide picture to be shared with all concerned.

Enclosed you will find three questionnaires:

#1 A questionnaire for the Superintendent to fill out;

#2 A questionnaire for the Board Chairperson to fill out (there are several opinion-type questions starred, where the chairperson may, if he/she wishes, consult with Board members);

#3 A questionnaire in two parts for all REAA board members, (including the Chairperson), to be filled out at a board meeting. Part I includes five questions for each board member to fill out individually. Part II includes two questions that we would like the board as a whole to consider and respond to.

We have field-tested these forms in a draft version with one REAA district board and superintendent and have had them reviewed by staff of the Department of Education. Their comments were helpful in revising the questionnaires.

We have purposely kept the questions to be answered during a Board meeting at a minimum to take up as little meeting time as possible. From the field-test experience, it appears best to consider the questionnaire early in the agenda, when people are fresh. If, in your REAA, English is not the primary language of all members of your board, the Chairperson might wish to read the questions aloud and make provisions for recording responses.

The analysis of the responses we receive from each REAA will become part of a Center report, to be ready by late fall this year. CNER is cooperating with the Department of Education, the Department of Community

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and Regional Affairs, and several individuals (for example, Susan Horton and her study of Community School Committees) in writing this report in order to produce a comprehensive overview of the subject and to highlight areas in need of continued study.

No REAA will be quoted in the report by name but we will use comments, rather than just report numbers, to capture the differences among REAAs as well as the similarities. You will of course receive copies of the report when completed.

Once your REAA has completed all questionnaires, please feel free to discuss your responses with the Board and each other. You might wish to keep a copy of your responses for your own files--perhaps to do your own follow-up next year.

I would appreciate receiving the completed questionnaires by August 1. If you have any questions, please feel free to call or write to me, Ron Inouye or Frank Darnell at CNER.

Thank you in advance for your cooperation.

Sincerely,

Kathryn A. Hecht, Ed.D.
Associate Professor
Center for Northern
Educational Research
479-7173 or 479-7143

KAH: ds

Enclosures

Speediset ® Moore Business Forms, Inc.-s

1. How many people serve on your REAA Board? _____

   a. Female _____ Male _____
   b. Native _____ Non-Native _____
   c. How many were previously members of the local Advisory Board to ASOSS? _____
   d. How many were previously members of the local Advisory Board to BIA? _____
   e. How many different communities do the Board members come from? _____
   f. Does your Board have a student representative? Yes _____ No _____
      If yes: Does the student have a vote? _____
      If yes: How is the student chosen? _____
      _____
      _____
   g. Does your Board have any associate members? Yes_____ No _____
      If yes, please describe:

2. What is the current occupation of each member? (fill in number of each)

Clerical	Home-maker	Professional	Self employed	Skilled Laborer	Subsistance	Unskilled Laborer

3. Do you, the chairperson, sit on any other (non-REAA) community or statewide committees or advisory boards? Yes _____ No _____

   If yes, please list:

   _____ _____
   _____ _____
   _____ _____
   _____ _____

   If you are also chairperson of any of the above listed, please check (✓)

REAA Board Meeting

1. The location of REAA board meetings:

_____ varies

_____ is always in the same place

Comments: _____

Does cost effect this decision? Yes _____ No _____

2. What type of expenses or compensation, if any, is paid to REAA board members to attend meetings?

3. Which of the following, if any, affect public attendence at REAA Board meetings?

_____ Location: _____

_____ Issues to be discussed: (Do any particular topics draw high or low audiences?)

High: _____ Low: _____

_____ Other: _____

Origin of REAA Board Business

S C

Estimate what proportion of business that comes before REAA Board originates with:

REAA Board Chairperson _____

Other Board Members _____

REAA Central Administration _____

REAA Principals and Principal-Teachers _____

REAA Teachers _____

Community School Committees _____

Parents _____

Students _____

General Public _____

State Dept. of Education _____

State Dept. of Public Works _____

Other _____

_____

_____

= 100%

Distribution of REAA Board Time by Subject

S C

SUBJECT:	Approximately what proportion of Board time was spent on:*	Ideally what proportion of Board time should be spent on:*
Budget		
Curriculum		
Facilities planning		
Federal programs		
Federal regulations		
Operation & maintenance		
Personnel		
State regulations		
Student concerns		
Teacher negotiations		
Other:		
*This should include committee work	=100%	=100%

Comments:

Decision Making

S C

Please check (✓) who usually makes dicisions in the areas listed below. If decisions are made by more than one of the groups listed across the top, double check (✓✓) the group with primarily decision making responsibility.

DECISION MAKERS / DECISION AREAS	REAA Board	District Administration	Community School Committees	Principal/ Principal-Teachers	Teachers	Other (Specify)
Budget						
Curriculum						
Elementary						
Course offerings						
Course content						
Text book selection						
Secondary						
Course offerings						
Course content						
Text book selection						
Facilities						
Scheduling						
Construction plans						
Federal Programs						
Proposal initiation						
Proposal approval						
Program evaluation						
Personnel						
Hire/Fire						
Administrators						
Teachers						
Other						
Evaluate						
Administrators						
Teachers						
Others						
Student Affairs						
Rights and responsibilities						
Activities						
Travel						
Other						

Decision Referrals

S C

*1. Give examples of topics your Board refers to your district administrator for decision:

2. Give examples of topics your district administrator brings before your board:

*3. Give examples of topics your Board refers to your community school committees to decide for themselves :

4. Give examples of topics your community school committees refer to your Board to decide:

Training of REAA Board Members

C

1. What training did your REAA Board members experience? -- Please briefly describe:

Topic (Example: teacher negotiation)	Group Providing Training	Location	No. of Board members from your REAA attending	Method			Evaluation		
				Conference	Workshop	Visiting Expert	Excellent	Good	Poor

* 2. Can you identify training needs for your REAA Board that have been met and others which have not:

Met Training Needs	Unmet Training Needs

Assistance to REAA

S C

1. During your first year of operation, what types of assistance and in what areas has your REAA received from DOE (other than board training already noted)?

2. Has your REAA requested any type of assistance from DOE that has not been received? Yes _____ No _____

   If yes, please explain:

3. Has your REAA received assistance (contracted or at no cost) from any other source than DOE? Yes _____ No _____

   If yes, please list:

Type of Assistance	Group Providing	Satisfactory Yes	No

*4. Are there any services currently unavailable that you feel your REAA needs now or in the future? Yes _____ No _____

   If yes, please list:

Community School Committees (CSC)

1. How many CSCs are there in your REAA? _____

2. Of those, how many meet regularly? _____

3. Do you regularly receive minutes from these CSCs? Yes, from all _____
   Yes, from some _____
   No, from none _____

4. Do you send your REAA board meeting minutes to the CSCs? Yes _____ No _____
   To anyone else in the communities? Yes _____ No _____
   To whom?

5. Does your REAA have a written policy concerning the functions and duties of the CSCs? Yes _____ No _____
   If yes, please attach.

6. Have training sessions been held for your CSCs? Yes, for all _____
   If yes, please describe: Yes, for some _____
   No, for none _____

7. Does your REAA Board receive much input from the CSCs? Yes, from all _____
   If yes, on what types of issues and how? Yes, from some _____
   No, from none _____

* 8. Overall, how would you judge your relationships with the CSCs to have been this past year?

_____ excellent
_____ fair
_____ poor
_____ hopeless

Comments: _____
_____
_____
_____
_____

* 9. Do you see a need for Community School Committees? Why or why not?

Special Topics

Does your REAA have a specific position, opinions or interests related to the below listed topics--if yes, please briefly describe. Positive as well as negative comments are encouraged.

BIA Schools

Bilingual/Bicultural programs

State regulations/hearings

Certification

Village high schools

Regional Resource Centers

Federal programs

Curriculum planning

Fiscal resources

Student travel

Board travel

Municipal Development

SB 35

Given your experience as superintendent, please think back on Senate Bill 35 and the new REAA system and list what you feel are:

(a) its most positive features

(b) things which need to be changed

Given the background discussions which led to SB 35 and considering the issues/problems which came up in your REAA this past year (since it was organized), which issues were:

(Please list up to three for each category where applicable)

anticipated/resolved:

1.

2.

3.

unanticipated/resolved

1.

2.

3.

anticipated/unresolved

1.

2.

3.

unanticipated/unresolved

1.

2.

3.

1. How effective do you feel SB 35 and the creation of REAAs have been in bringing local control of schools to rural Alaska?

2. Given your experience in local control of schools, has your interest in local government (municipal: borough or city):

_____ increased

_____ decreased

_____ stayed about the same

_____ no opinion

Please explain:

From your experience with the REAA Board, please describe two examples:

No. 1 One where the Board acted effectively when confronted with a major problem or issue

and

No. 2 One where the Board either did not act effectively or failed to take action when confronted with a major problem or issue

For each, describe:

(a) What conditions led up to this situation?

(b) What action was (or was not) taken?

(c) How did this effect the situation?

Example No. 1

(a)

(b)

(c)

Example No. 2

(a)

(b)

(c)

1. What do you enjoy most about being an REAA Board member?

2. What do you dislike?

3. Do you believe serving on the Board is worth the time spent on it?

4. What advice would you give a new REAA Board member?

5. Do you intend to run for another term? Why or why not?

Given your experience as board members, please think back on Senate Bill 35 and the new REAA system and list what you feel are:

(a) its most positive features

(b) things which need to be changed

Is there anything else you would like to tell us?

After one year of operation as an REAA, what does your Board feel are its:

a. Most meaningful accomplishments

b. Most significant problems

Looking ahead, please list the high priority concerns of your REAA board for next year: (they need not be in order of importance)

11/14/77
K. Hecht
Second Draft

ANALYSIS OF STATE BOARD OF EDUCATION MINUTES: FY 1976-77 (July 1, 1975 - June 30, 1977)

State Board of Education minutes were analyzed for FY '76 (July 1975 through June 1976), the year of transition from the Alaska State Operated School System to the Regional Educational Attendance Area system, and for FY '77 (July 1976 through June 1977), the first year of REAA operation.

ANALYSIS PROCESS

Approved minutes of the State Board of Education for those two years were read and coded for issues directly relating to the REAAs. Issues arose in general discussions of the Board, by Board action, or as brought to the board by others in attendance. Visitors to meetings were an especially important source of REAA-related comments in FY '77, as Board practice, to be discussed below, had been modified during the previous year to encourage more interaction with local boards at the State Board Meetings.

The analysis process had several limitations. There was considerable latitude for judgment about what constituted an REAA issue. Topics concerning all districts in the state, rural districts generally, or a unique situation in only one REAA were not usually considered a REAA topic. The greatest difficulty came in separating issues generated by or particular to the creation of the REAAs from general issues affecting all districts, such as regulations and hearings, and from rural issues which affect some districts other than REAAs, such as construction, Hootch, and financing small schools. Most of these latter were not counted and their inclusion would have greatly increased the number of times REAA-related topics were discussed.

Further, the coding system did not take into account the amount of time directed to an issue, only that it had come up during the meeting. Some issues, for example, were brought up by one person and dismissed quickly while other issues generated lengthy discussions involving several people.

Given these limitations, the data provided by the analysis of State Board minutes generated the following types of information: (1) it indicated gross trends about the types of REAA issues discussed and the frequency of discussion; and (2) it provided an historic source for the identification of direct comment on REAA issues of special interest.

TRENDS

As a gross measure of incidences of REAA-related topics, given the limitations mentioned above, 88 REAA-related discussions were recorded from the 17 meetings analyzed. Fifty-seven separate topics were identified, although later some were easily grouped with others to form larger categories. These figures seem to indicate a wide range of subjects and frequent discussion of REAA-related topics, which is supported by an actual reading of the contents of the minutes. Discussions appear rather evenly spaced across meetings, with only one meeting showing no discussion of a REAA topic.

The State Board met eight times each of the years under study, plus one special session in FY'76. The location of meetings was less centered in Anchorage and Juneau in FY'77 than in FY'76, as can be seen in the chart below.

Location of Board Meetings	
FY'76 (8 meetings and 1 special session) Juneau (4) Anchorage (3) Kodiak Sitka	FY'77 (8 meetings) Juneau (2) Anchorage Fairbanks Ketchikan Kodiak Kotzebue & Nome Seward

This shift in meeting locations away from Juneau and Anchorage appeared to be a direct result of a Board priority.

> *...at the July session of the State Board of Education, one of the priorities had been the Board's intention to get out and spend more time with the local boards. It had been decided that the first place to visit was to be the Northwest Arctic School District. [It was stated] that the Board feels very strongly that they want to assist local boards in every way, especially following their commitment to local control for the new districts.* (9/76)

Although only three REAA communities were sites for Board meetings, visitors from many of the other REAAs showed up at meetings in nearby (in Alaska terms) locations. At least one visitor, a superintendent, commented favorably on this approach to meeting location:

> *[He] said that he appreciated seeing the Board in action and that they took the time to visit the outer districts so that the educators would have the opportunity to talk to them. He felt it a step in the right direction to get away from the urban centers and out into the rural areas.* (9/76)

The three most frequently mentioned REAA issues differed by year as as noted below:

Most frequently mentioned REAA issues	
FY'76	FY'77
School Board Development Reports to the Board on REAA progress Regulations--waive or postpone for REAAs	Finance Lau Compliance BIA School Transfer

Local control as related to REAAs was mentioned less frequently than those above, but equally in both years. REAA/Department of Education (DOE) relations was an issue in both years. As a topic, appreciation to established districts for their help to the REAAs was recorded only in FY'76. Topics of recall statute and high school programs were noted only in FY'77. Most other issues surfaced only once.

REAA-RELATED COMMENTS

The following comments are quoted directly from the approved Board Minutes. Issues are presented here in approximately the order of frequency with which they occurred over the two year period except for those noted under "Other Issues." This is not necessarily the same order they might be in if importance rather than frequency had been the criteria.

REAA School Board Development/Training

For school board training, for the emerging districts $373,000 was received. The boundary hearings, elections and regional resource centers planning will also be included in this amount. (7/75)

[Board member] felt it was very important that the State Department of Education assume the leadership role for developing a philosophy for school board training. It was requested that the Board receive a status report on school board training at each meeting. (7/75)

...providing assistance in planning programs for emerging and existing school districts ties in with decentralization of the unorganized borough schools activities. The Department also has a contract with NWREL to identify needs and suggest how the department can reorganize in order to respond to the kind of requests that will be coming from the new districts. (8/75)

Another concern is that after the initial school board training is completed, what assurances will they receive that assistance won't be dropped. (10/75)

...another area needing clarification is the term 'school board training' that has been used for activities relating to the decentralization....The Board felt that a position on school board training should be developed....It was determined that this should not be limited to just the REAA's, but should include other school boards as well. (12/75)

...Alaska Association of School Boards' training materials... are the same materials that he uses in training various school boards around the state, and that he will use with the REAA boards... the Association did increase its dues for this current year, and primarily in recognition of the fact that calls for assistance would go up with the emergence of the new districts. (1/76)

School board members and administrators around the state have been eager to help, and that is the only way a program like this [REAA school board development] can work. The department will coordinate others to go out and assist. (3/76)

[A REAA Superintendent] felt that the school district itself should be responsible for the training of new board members, calling upon the expertise of the older members, the State Board or the Department of Education. But to have this function totally sponsored and supported, with guidelines written by the Department, he felt, is a type of inbreeding. He felt that board members totally trained by the Department would mean the loss of some of the individual thinking, philosophies and differences of the districts. (12/76)

REAA Finance Problems

Senator___ also stated that during the last session, the State Senate voted unanimously on the budget, which included the Intent authorizing the Department of Education to come in with supplemental appropriation requests. He felt it was not the intent of Senate Bill 35 to cut . lunch programs, teacher aides, janitors, etc., but that it was realized that decentralizing the State Operated School System is going to cost more. (9/76)

...Superintendent of the___ School District was concerned that he had not received procedures on how to follow up to the legislature on supplemental appropriations. (1/77

...Superintendent of the___ School District commented on HB 212, which would revise the foundation support program. He stated that his district is currently funded at 133-3/4% area differential, but there is a very strong possibility that they will be reduced to 112%. In past years, they have been adequately funded, and this cut will put them in severe financial difficulties. (5/77)

...Superintendent of the___ School District added that his district will also suffer from the same cut in area differential. It was his feeling that the cost differential cutting has no data on which to base the change. (5/77)

President of ___ School Board expressed his concern over the high cost of insurance. (5/77)

President of the___ School District expressed his concern over the high cost of utilities. His district is presently paying for many of the total community utility costs, while the school itself is using only a small percentage of this total. (5/77)

REAA/BIA Relations

[Board Member] commented that since Kotzebue was the first place that had the major takeover of the BIA school, it will set the tone for the rest, and the success or failure of what happens in Kotzebue will cause other areas to question whether they wish to join the REAAs, in view of the cut-backs. (9/76)

[The Commissioner] responded that the Constitution of the State of Alaska states that there shall be one system of education within the state. It is the policy of the Department that if a new district wants to take over a BIA school, it is their decision along with the community that is affected. (12/76)

[Board Member] stated that during his time on the State Board it has been understood by the Department, the State Board and the BIA, that these school buildings should meet state standards, but that transfers were not based solely on that fact. What is best educationally is the overriding factor. (12/76)

[Regional Director for the Bureau of Indian Affairs] explained the BIA's position. He stated that the people in the villages have expressed their concern regarding the funding, and their fear of possibly losing the programs that their children now benefit from....said that the Bureau would be unable to acknowledge the transfer of schools unless so requested by each individual village. (1/77)

Senator___ discussed with the Board his concern about the transfer of the BIA schools to the REAAs. He commented that there are a number of schools which are presently under BIA jurisdiction that do not want to be transferred to the REAAs because they feel the level of funding for the REAAs is insufficient. He stated that unless the State Board and the Department of Education takes a leadership role by providing assistance through transition to the BIA schools that wish to turn over, he believed that the whole process would become extremely complicated. (1/77)

[The Commissioner] replied that even though last year the BIA had agreed to take students through the local boards, it was his understanding that the students' rights are protected, and there is nothing that can be done to prevent their attending Mt. Edgecumbe or any other school. The REAAs have the responsibility to provide a secondary education, but parents have the right to send their children where they feel they will receive the best education. (3/77)

Local Control and REAAs

[Telegram from REAA Board.] Our REAA strongly supports village based high schools but just as strongly opposes many of the proposed changes in the regulations ...
and the process by which the hearing was publicly advertised. This REAA's opposition is focused on not recognizing the authority of the REAA and other local organizations to control the decision-making process regarding the developments and administration of local high schools. In the view of this REAA the proposed regulation changes circumvent the intent of SB 35. (3/76)

[Board Member] said that she thought that everyone across the country was watching how much control the state is going to have over these emerging REAAs because they are 100% funded. She expressed hope that it can be done with a minimum amount. (5/76)

[Board Member] commented that in reference to the new REAA Boards, if the people in the larger communities took as much interest in education as those in the REAAs, many of the problems would disappear. (5/76)

[Board Member] stated that the bulk of the people he has talked to don't understand the role of the local school board, and the role that the parent plays with the local board. He felt that many people are unaware that they can attend board meetings and don't understand how to change things that displease them. (6/76)

There is less state control on the new REAAs, than with the former State Operated School system. He [the Commissioner] said that every effort would be made to allow flexibility at the local level, and will treat the small rural school districts no differently than Anchorage, Fairbanks, Juneau or Nome. (9/76)

[Board Member] said that in regard to the Board's defining basic education, when local control was granted to the small district, it was felt that more was known at the local level as to what the needs were than any other level. These small districts are the ones that should be developing the policies through the community schools, getting response from the village people, bringing it to the State Board if necessary, and possibly to the legislature. She said that she felt the small villages need to decide what is basic. (9/76)

[REAA Board Member] commented on local control in the REAAs. He stated that under SOS, the districts had no control over the people or schools. He felt the best thing that ever could have happened is giving them local control, although he felt there is still too much federal and state intervention. (12/76)

REAA/DOE/OCR*:
Lau Compliance Plan

[DOE Staff Member] said that the Department of Education has offered to enter into voluntary negotiations with OCR, in behalf of the 21 REAAs, since their time and resources are limited. She pointed out that the overriding concern is to support the decision-making authority of the new REAA school boards. (5/76)

[Commissioner] felt that too much time had been spent on this subject, and if the districts were given the option of complying with the detailed requirements OCR is proposing, or losing federal funding, they would probably forego the federal monies. (5/77)

[Board Member] expressed his concern about the Civil Rights issue, and said that every action on the part of the State Board and the Department of Education indicates they are totally dedicated to trying to improve civil rights and bilingual and bicultural education. Mr.___ also commented that the Department and the state's school districts were being 'shoved and pushed around' too much. (5/77)

*Office of Civil Rights

[REAA Superintendent] opposed the plan and presented the endorsements of others in opposition. He stated that it exceeds the requirements of the Office for Civil Rights for a compliance plan and restricts the options available to local school boards in determining program alternatives for their students. Objections were made to the memorandum of agreement as being unfair to the districts. Mr. ___ feels that the Office for Civil Rights should deal directly with the individual school districts. (6/77)

REAA/DOE Relations

[Board Member] disagreed with pressing these regulations, or any form of them, on the local boards at this time. He said he thought that the Board had one primary responsibility to these local boards in the next year, and that is to establish trust. He expressed his concern that the new boards might feel that the State Board is taking away the powers that have just been given to them. (5/76)

[Superintendent] expressed his concern with the Department's reluctance to allow the new districts to handle their own affairs; the confusion regarding directives from the Department; the many problems associated with the certification of teachers; the deficit which faces them and the prospect of cutting services to the students. (9/76)

[REAA Board President] ...reiterated part of what Mr. ___ said regarding communications problems with the Department, and added that she felt many of the meetings involving the new districts were unnecessary and time-consuming. (9/76)

[REAA Superintendent]...came before the Board to express the feelings of their Board, that the Department's and the State Board of Education's assistance in the forming of the new districts had always been honest and sincere, even though the answers were not always what they wanted to hear. (12/76)

We [an REAA] have received assistance from so many people in the State Education Department and the State Board that it would take perhaps a whole page to list them. (12/76)

Other REAA-Related Issues

Recall

He asked that the State Board be cautious in approving the ___ School Board recall petition. It was his contention that when a board...could no longer make a decision without the fear of recall, it would take away any tool that might be there for better education in the district. (5/77)

The recall matter was discussed as to certain portions of the statute which may need to be altered, particularly as it applies to REAAs which differ from the cities and boroughs...Mr. [Board Member] expressed concern over the Board of Education being involved in the matter, rather than the Office of the Lieutenant Governor. (6/77)

Membership on the State Board of Education (SB124)

In his [Board Member] opinion, the wording of this bill could imply that the present State Board was not sensitive to education in the rural areas; that it could cause a polarization effect (urban vs. rural), and that it could be a self-defeating action. He objected, unless it could be shown that it would be beneficial to education in this state.

[Board Member] stated that it was her opinion that until last July when the AUBSD was dissolved and the new REAAs were formed, that the AUBSD Board had been in contact with the outlying areas to get their input about the implementation of the REAAs, and that now that there is no longer an AUBSD Board, the rural areas feel they don't have that same kind of input into the decisions that are being made by the State Board of Education. (3/77)

School Construction/Department of Public Works

[REAA Superintendent] was concerned about the amount of money that the Department of Public Works was supposedly going to take from their funding of construction to apply towards inspection service, review of schematic drawings, etc.,...there would be a lesser amount of funding left for construction. (1/77)

[Board Member] stated that the State Board has gone on record many times as trying to tighten up the type of structures that are being built in the rural areas. She felt that this was part of the purpose of the reorganization of the Department of Public Works, inasmuch as buildings that were designed for California will not be allowed to be built in the bush. (1/77)

Regional Government

During the last legislative session, several other agencies felt that perhaps the REAAs were a way to deliver services provided by the state to the Unorganized Borough....The concern of the Department of Community & Regional Affairs, is if the Unorganized Borough is split up into so many different districts in the creation of specific boards with perhaps different boundaries, there will be a great deal of confusion with the overlapping and conflicting jurisdiction. A task force was convened.... Basically, the proposals call for dividing the now existing Unorganized Borough using REAA boundaries, and when necessary, combining REAAs to coincide more with the Regional Native Associations. [DCRA Staff Member.] (1/77)

Village High Schools

[Rural resident] stated that he felt that in keeping the students in their villages for their high school education was important. He felt that if the students could be kept in their own village up to even the sophomore year, that this would provide a better education for them. He said he thought the Title money should continue and that one of his concerns was the continuation of the Native culture, such as the language and art. He commented that when he had gone to school, the students were reprimanded if they spoke the Eskimo language, whereas now, there is an attempt to teach it. (9/76)

[Rural resident] said that formerly, it was felt that an education was not necessary for people who remained in the villages.... (9/76)

[Rural resident] commented that it was important for the villages to keep the children at home--that they are too young at the age of 13 or 14 to leave the villages. (9/76)

Teachers/Curriculum

[REAA Superintendent] responded that their main problem has been with the certification of teachers. He felt one improvement had been that the teachers had to account to the school boards, and that they had become better as a result. He added, however, that they have not been able as yet to develop a curriculum committee that has representatives from the total region to work with. He hoped that the accreditation the Department is working on will given them some real help. (9/76)

Other Issues

Other issues directly concerned with the REAAs discussed in the State Board Minutes but not in this series of comments included:

Many problems facing REAAs
Vocational Education
Federal Regulation/Funds
Non-school Use of REAA Facilities
Teacher Turnover
Teacher Negotiations
Teacher Transfers Among REAAs
Student Representative on REAA Boards
REAA Takeover of Boarding Home Program
Military Base Schools
Need for Legal Counsel
Eligibility for Election to REAA Boards
Proposed REAA Boundaries/Hearings
Clearinghouse for REAA Superintendent Hire

Law and Alaska Native Education

David H. Getches

Center for Northern Educational Research
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The Influence of Federal and State Legislation upon Education of Rural Alaska Natives

by

David H. Getches

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A Primer on Laws Important to Alaska Native Education, Fairbanks: University of Alaska, Center for Northern Educational Research, December 1976;

"The North Slope Borough, Oil, and the Future of Alaska," 3 UCLA-Alaska L. Rev. 55 (1973);

"Difficult Beginnings for Indian Legal Services," 30 NLADA Briefcase 181 (1972);

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Book Review, *Uncommon Controversy*, 23 Maine L. Rev. 265 (1971);

"Special Treatment of Cemeteries," 40 So. Cal. L. Rev. 716 (1967);

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Introduction

Rural Alaska is in an era of change in the education of its Native population. The state's unique physical environment and cultural characteristics of the rural population have presented special challenges to educators. Efforts of lawmakers to respond have had mixed results. Recently enacted laws hold some promise of dealing better with the problems than past attempts have, but solutions are far from complete.

The state includes a landmass about one fifth that of all the contiguous states. Problems of temperature extremes, small concentrations of population, rugged terrain, and distance exist nowhere else in the nation as they do in Alaska. Communication, transportation, and housing difficulties make education costlier and harder to administer. The strikingly different culture and economy of "bush" Alaska creates further complications. Isolated communities have survived in an inhospitable wilderness for centuries by heavy reliance on the animals, fish, and birds they hunted or vegetable resources they gathered in subsistence activities. In the past, a cash economy was superfluous to this survival-oriented society and only recently has begun to develop in most rural villages. Cultural values and practices in the bush differ tremendously from those of the rest of the United States and the western world.

Education must walk a fine line if it is to be nondestructive of the Native culture while still meeting the needs to develop basic skills and prepare the next generation of Native Alaskans for their inevitable contacts and dealings with the western world. School systems developed for the physical circumstances, cultural values, and economic needs of the continental United States simply have not been transplanted successfully to rural Alaska. Early concerns with developing a system of education to reach rural communities have changed to a current concern for the right system. The most notable change in approach has been involvement of Native people in the process.

Lawmakers have grappled ineptly with rural Alaska's education problems. Some very recent developments hold out hope for improvements, but ignore some lessons of the past and leave unrectified some of the accidents of the past. For instance, an anomalous, much criticized tripartite system remains in which three distinct governments—federal, state, and local—deliver educational services. A new state law, "S.B. 35," commands abrupt shifts in decision making from a centrally based state agency to regional boards. Proponents of "local control" of education are heartened, but the law stops short of the measure of autonomy embodied in the state's constitution and statutes for delivery of education through municipal governments. Municipal school districts remain a separate and parallel delivery system, the use of which has not been fully developed in the bush. Alaska's long-standing commitment to provide education to all children of the state continues to be met only by the presence of a third parallel system, independent of state authorities—the Bureau of Indian Affairs (BIA) schools.

This paper reviews the laws which have shaped Alaska's education systems and discusses how those which now are in force operate in rural Alaska.[1] The most important of the currently applicable laws are commented upon. It is hoped that a better understanding of the mechanisms which exist for educating Native children of rural Alaska will be promoted and that weakness in the legal structure underlying those mechanisms can be identified by administrators, policy makers, and legislators.

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1. An important part of rural education in Alaska concerns the military "on-base" schools. This paper focuses on Native education and does not discuss the "on-base" schools because their use in military enclaves has little effect on Native children.

Chapter I

History: Evolution of Alaska's Parallel Systems of Education

A. Pre-Statehood

When the United States purchased Alaska from Russia in 1867,[2] there were over 50 Russian-supported schools functioning.[3] Most were provided by the Russian Orthodox Church. Russian schools gradually closed after the American purchase; there were 17 in 1887, eight in 1896, and the last one closed in 1916.[4]

The period between 1867 and 1884 was one of near total neglect of Alaska education by the United States.[5] The few schools that functioned in Alaska during this time were mostly those of religious missionaries. The Presbyterian Church had mission schools for Indians at Sitka, Wrangell, and other places in Southeastern Alaska. The Russian Orthodox Church maintained educational programs in the Aleutian Islands, Southwestern Alaska, and Sitka. And schools for Native children on the Pribilof Islands were maintained by the Alaska Commercial Company.[6] It took many years to bring education back to the level at which it existed under the Russians.

Attempts were made to get the federal government to address the need for education in Alaska, but official reports reiterate the lack of success of such attempts.[7] Recognizing an apparent lack of government interest in education, residents of Sitka, then the largest and most important city in Alaska, organized a city government and began their own school. It died out after only six years, however.[8]

In 1884, Congress passed Alaska's Organic Act.[9] The act established civil government in the territory, which had been without any civil law or devices for dispute resolution since the American purchase. Provision for education of children also was made. Under the act the Secretary of the Interior was charged with making "needful and proper provision for the education of the children of school age in the Territory of Alaska, without reference to race, until such time as permanent provision shall be made for the same. . . ."[10] Although the act was temporary by its terms, Congress did not for many years legislate a mechanism for establishing schools other than those directly under the Secretary's control. In the meantime, the Secretary used his authority and annual appropriations to establish some schools, mostly by entering into contracts with churches and missionary societies. By this method a Moravian school was established at Bethel and schools were operated in the Yukon and Nushagak Valleys, Point Barrow, Point Hope, and Cape Prince of Wales. In addition, the government took over the operation of four existing Presbyterian schools and established new schools at Juneau, Sitka, and Unalaska.[11]

Alliances between the government and the mission schools were facilitated through an official responsible for much of the missionary work of the Presbyterian Church, Dr. Sheldon Jackson, who was appointed General Agent for Education in the territory.[12] Jackson was a controversial figure in Alaska.[13] He led a long and untiring fight for congressional attention to Alaska's education problems and remained active in Alaskan education for many years.[14]

Once the government agreed to pay a monthly tuition for Native children, contracting mission schools were especially tenacious of their students, even though there was no compulsory attendance law. An early case demonstrates the point. An Indian woman had orally agreed in 1883 to entrust her five-year-old child to the Presbyterian mission school in Sitka. Later the mission contracted with the

2. Treaty with Russia concerning the Cession of the Russian Possessions in North America, March 30, 1867, 15 Stat. 539.

3. H. Chevigny, Russian America: The Great Alaska Venture, 1741-1867 at 247 (1965).

4. W. Marsh, Alaska Department of Education, North to the Future 9, (hereinafter cited as North to the Future).

5. The governor of Alaska, A. Swinford, reported in 1887:

> It is a noticeable fact, in my opinion not altogether creditable to us, that the despotic government of Russia expends annually more money for the education and Christianization of the Native people of Alaska than does the professedly more free liberal, and enlightened, one to whose care and protection they were transferred twenty years ago.

Report of the Governor of Alaska to the Secretary of the Interior, 1888, 984.

6. C. Ray, Alaska Native Education—an Historical Perspective, Alaska Native Needs Assessment Part II, *Bureau of Indian Affairs, Office of Indian Education Programs, Research and Evaluation Report Series No. 18* at 1 (Albuquerque, n.d.) (hereinafter cited as Ray).

7. Report of the United States Commissioner of Education, 1881 at 451.

8. "Report on Education in Alaska 1886," S. Doc. No. 85, 49th Cong., 1st Sess. 20-21 (1886).

9. Act of May 17, 1884, c. 53, 23 Stat. 24.

10. *Id.* at 27-28.

11. North to the Future, *supra* at 17.

12. T. Hopkins, *The Federal Government as Agent of Cross-Cultural Education in Alaska*, in Education in the North (Darnell, ed.) at 56 (1972).

13. Compare J. Lazell, Alaskan Apostle, the Life Story of Sheldon Jackson 9 (1960) with J. Nichols, Alaska, A History of Its Administration, Exploitation, and Industrial Development During Its First Half Century Under the Rule of the United States 103-04, 167, 195 (1923).

14. The impressive accomplishments of Sheldon Jackson are chronicled in F. Darnell, Alaska's Dual Federal-State School System: A History and Descriptive Analysis, unpublished dissertation, 1970, (University of Alaska Library) 160-70 (hereinafter cited as *Darnell*).

government to teach Indian children for $11.25 a month. In 1886 the mother attempted to get her child back, but the mission superintendent would not let her have the child. She sought a writ of habeas corpus in federal court, but it was denied and the oral relinquishment of the child was held to be binding and irrevocable. The court stated that "when sound morals, the good order and protection of civilized society demand it, the court has no alternative."[15]

Beginning in 1896, Congress showed a growing disposition away from use of denominational schools to educate Indians. In that year the Department of Interior Appropriations Act stated that it was the policy of the government to make no appropriation for Indian education in sectarian schools. A proviso was included to allow the Secretary to contract with such schools during 1897, but only where "nonsectarian schools can not be provided." No more than 50 percent of the 1895 contract amount could be so used.[16] The next year's appropriation contained identical language and extended contracting authority another year, but at a rate of no more than 40 percent of the 1895 amount.[17] The policy led to the phasing out of contract arrangements with mission schools.

A 1900 Act of Congress permitted communities having a population of 300 or more to incorporate as towns and to elect their own school boards to assume control of public school boards within them.[18] This was in response to non-Native population growth during the gold rush. Many people felt that the federal funds being provided for education were inadequate. The effect of the act was of limited scope because so few communities were large enough to qualify.[19] Those that did had rather generous budgets compared to the amounts available for federal schools.[20] It is significant, however, that the school board was given "exclusive supervision, management and control," and was funded directly by 50 percent of license fees paid under an earlier act[21] by residents and by persons and corporations for business carried on within the town.[22]

In 1905, Congress dealt more comprehensively with the question of education in Alaska with passage of the Nelson Act.[23] The act made the territorial governor ex officio superintendent of public instruction, required establishment of public school districts in incorporated towns, and made provision for establishing school districts outside towns.[24] The 1900 Act had only permitted establishing schools. The Nelson Act said the town councils not only had power but it would "be their duty, in their respective towns to establish school districts, to provide the same with suitable schoolhouses, and to maintain public schools therein and to provide the necessary funds for the schools."[25] Once established, the schools were to be under the control of an elected board with power to employ teachers, maintain the school, and expend funds, except for construction and land, which was the prerogative of the town council. The act also allowed 12 or more adult citizens outside incorporated towns to petition the clerk of the U.S. district court to establish "a school district at any camp, village, or settlement." In order for the clerk to grant the petition there had to be at least "twenty resident white children between the ages of six and 20 years" in an area of no more than 40 square miles.[26] After being appointed initially, the district board was elected and had power to do everything necessary to run and maintain the school. Funds were made available to the districts by the governor but continued to be derived from one half of the business license fees collected in the incorporated areas. Once a Nelson Act school was created in a location, the federal Bureau of Education within the Interior Department was relieved of its responsibility there.

The schools set up under the Nelson Act were not for Alaska Natives. Section 7 stated:

> That the schools specified and provided for this act shall be devoted to the education of white children and children of mixed blood who lead a civilized life. The education of the Eskimos and Indians in the district of Alaska shall remain under the direction and control of the Secretary of the Interior . . . ,[27]

The segregated nature of district schools apparently was firmly maintained for a while. It seems to have been grounded in a concern for racial and ethnic integrity rather than for the fiscal reason. Less than a year after the effective date of the Nelson Act six "mixed blood" children in Sitka sought and were

15. In re Can-ah-couqua, 29 F. 687, 690 (D. Alaska 1887).

16. Act of June 10, 1896, c. 398, § 1, 29 Stat. 345. For a discussion of the propriety of using Indian trust funds for sectarian schools, see Quick Bear v. Leupp, 210 U.S. 50 (1908).

17. Act of June 7, 1897, c. 3, § 1, 30 Stat. 79. The policy was restated in the 1917 Appropriations Act (Act of Mar. 2, 1917, c. 146, § 21, 39 Stat. 988) and was codified at 25 U.S.C. § 278. In 1968, the act was repealed and replaced with an act allowing use of Interior funds for education of Indians in sectarian vocational, technical and higher education institutions. 25 U.S.C. § 278a.

18. Act of June 6, 1900, c. 786, § 201-03, 31 Stat. 321, 521, *as amended*, 31 Stat. 1438.

19. Prior to 1905, only nine had incorporated under the act. (Juneau and Skagway in 1900; Ketchikan and Treadwell in 1901; Nome in 1902; Douglas, Eagle, Wrangell, and Valdez in 1903.) North to the Future, *supra* at 20.

20. Towns could receive $15,000 a year for support of schools. The total available to towns equalled the amount appropriated for the rest of Alaska. *Id.*

21. Act of Mar. 3, 1899, c. 429, § 460, 30 Stat. 1336.

22. 31 Stat. at 521, *as amended*, 31 Stat. 1438. The amendment set aside license fees paid for doing business outside towns for the Secretary of the Interior to spend for school purposes in those areas.

23. Act of Jan. 27, 1905, c. 277, 33 Stat. 616.

24. *Id.* at 617.

25. *Id.*

26. *Id.* at 618.

27. *Id.* at 619.

denied admission to the Sitka public school. They then sued the district, asking the court to order them admitted as "civilized" mixed bloods.[28] The record showed nothing about the children that would create problems for the school, such as poor behavior or ill health. Their families were responsible people who participated in community life. However, the court seemed to attach great weight to the fact that the children lived in the Sitka Indian village and associated with others there. The court developed a test of what constituted the "civilized life":

> [W]hether or not the persons in question have turned aside from old associations, former habits of life, and easier modes of existence; in other words have exchanged the old barbaric, uncivilized environment for one changed, new, and so different as to indicate an advanced and improved condition of mind, which desires and reaches out for something altogether distinct from and unlike the old life.[29]

In rejecting the children's plea, the court considered that "[c]ivilization . . . includes . . . more than a prosperous business, a trade, a house, white man's clothes and membership in a church."[30] In 1912, Alaska was officially denominated a territory by Congress.[31] Although the act gave Alaska a legislature, its powers were severely limited, specifically with respect to education.[32] As if to spite Congress in protest for its stinginess with legislative powers, the territorial legislature enacted a uniform school act purporting to establish a school system throughout the state to assume education functions for all but Alaska Natives.[33] The act provided for a territorial board of education, a superintendent, and a means of financing schools earmarking a percentage of the territorial tax revenues for schools.[34]

While the attempt at legislating a school system for Alaska was ultra vires under the act establishing the legislature, it was a potent expression of the determination of Alaskans to assume greater control of their own affairs, especially those related to education. It is not clear that either the futile attempts of the Alaska Territorial Legislature to override Congressional restrictions or memorials respectfully asking for responsibility for education[35] actually motivated actions ultimately taken by Congress, however.

By the act of March 3, 1917, Congress empowered the territorial legislature "to establish and maintain schools for white and colored children and children of mixed blood who lead a civilized life."[36] Scattered school districts and attenuated responsibilities for education became unified under the territorial government—at least as to the education of non-Native students. The incorporated school districts kept much of their local control but became subject to a territorial department of education. Appropriations for schools were made by the legislature from territorial funds. The legislature took over from the Congress and the U.S. Bureau of Education the functions of establishing new schools and continuing old ones. The federal government remained solely responsible for Native education.

It seems that the primary impetus for the 1917 Act was another act the same year which effected prohibition in Alaska.[37] Because a major part of the budgets for Nelson Act schools had been from saloon licenses, revenues dried up along with the territory. An alternative for education funding had to be found and the shift to territorial responsibility was the answer.

Whether Congress would have bowed to Alaskan urgings for greater control of education in absence of the financial problems caused by prohibition is uncertain. Nevertheless, some control of education shifted to Alaska. The prematurely enacted Uniform School Act was lawfully reenacted in a modified form in 1917 by the territorial legislature.[38] With its enactment, the dual federal territorial school system began, continuing the racial segregation provided for in the bifurcated federal system under the Nelson Act.

Any lingering confusion over what would qualify a mixed-blood Native child as leading "a civilized life," entitling him or her to attend territorial schools should have been eliminated by the 1924 Citizenship Act[39] making Indians, including Alaska Natives, citizens. The Treaty of Cession from Russia[40] required the United States to naturalize all persons who remained in the territory, "with the exception of the uncivilized tribes." If the argument that "citizenship is tantamount to 'civilization,' "[41] were accepted, the only impediment to mixed bloods who wanted to enter territorial schools was removed. The education of Natives other than mixed bloods would still be under the federal government.

28. Davis v. Sitka School Board, 3 Alaska 481 (1908). It is interesting that counsel for the children was one William A. Kelly, who had been the superintendent of the Sitka Presbyterian Mission School against whom the habeas corpus proceeding in *In re Can-ah-couqua, supra,* was brought. For a period Kelly was Sitka District Superintendent for the Territorial Schools, also. North to the Future, *supra* at 18. The court indicated that efforts to gain admission to the school for the children in *Davis* "were not so much . . . those of the parents but those of Mr. Kelly" who had become interested because of his "peculiar field of labor among the native Alaskans." 3 Alaska at 489.

29. 3 Alaska at 488.

30. 3 Alaska at 491.

31. Act of Aug. 24, 1912, c. 387, 37 Stat. 512.

32. *Id.*

33. Ch. 74, [1915] Sess. Laws of Alaska, § 1.

34. *Id.* at § 2-29.

35. H. J. Memorial No. 12, Compiled Laws of Alaska, 1915 at 233-34 (1915).

36. Act of Mar. 3, 1917, c. 167, 41 Stat. 1131.

37. Act of Feb. 14, 1917, c. 53, 39 Stat. 903.

38. Ch. 64, [1917] Sess. Laws of Alaska.

39. 8 U.S.C. § 1401 (a)(2).

40. Treaty with Russia concerning the Cession of Russian Lands in North America, March 30, 1867, 15 Stat. 539.

41. *Cf.* United States v. Lynch, 7 Alaska 568, 572 (1927).

Alaska's racially segregated school system continued for many years as it was required to by law. However, strict racial barriers began to give way to practicality. Rather than insisting upon costly duplication of facilities in small villages, territorial schools often admitted Natives. Similarly, under rules applicable to federally run Native schools, the few whites who resided in almost totally Native villages were admitted when no territorial school was available.[42] Deference to practicality was not universal, however, and dual, racially segregated facilities persisted in many places.[43] A general belief that "the highest good of both races [required] separate schools" predominated.[44]

Acceptance of Native students in territorial schools remained difficult for many years. In 1926 a part Indian challenged as racially discriminatory an announced policy of admitting no children of Indian blood to the public school in Sitka. Prevailing law at the time found separate schools for children of different races to be constitutionally acceptable so long as they were on an equal plane with those maintained for the white race.[45] Accordingly, the school district claimed that the child's education was provided for in other schools maintained for Indians by the Secretary of the Interior. The court said that it could not determine whether the child was a full-blood Indian as contemplated by the Nelson Act and whether the Secretary did in fact maintain a school which was on an equal plane with territorial schools. Thus in Sing v. Sitka School Board, no decision was reached, but it was suggested that exclusion of the child from school if both of these conditions were not shown would be improper.[46]

The right of part Indians to attend public school was bolstered by a court decision two years later. In Jones v. Ellis it was held that the right of mixed-blood children to attend the territorial schools in Ketchikan was equivalent to that of white children, so that the plaintiff could not be excluded to eliminate overcrowding simply because she was a mixed blood and had the alternative of attending the Indian school.[47] The fact that the district had chosen to retain four non-Native students who lived outside the district, but for whom it received tuition payments pursuant to an act of the territorial legislature,[48] indicated the motive may not have been based entirely upon racial concerns.

To ease the financial problem and to help eliminate duplication of school facilities which existed in areas such as Sitka and Ketchikan where the Sing and Jones cases arose, Congress in 1930 authorized the Secretary to contract with school boards to educate "non-taxpaying Natives including those of mixed Native and white blood."[49] The act allowed payments up to the total cost of operating a separate Native school in the particular town and permitted the Secretary to lease government buildings to contracting school boards. This act should have been a significant step toward eliminating racial barriers. In many towns Natives were included in territorial schools, but funding was not sufficient to satisfy territorial officials and arrangements were made to transfer territorial schools with all Native enrollments to the Bureau of Indian Affairs.[50]

The territorial legislature increased funding of schools under its jurisdiction in 1930, agreeing to provide between 70 and 80 percent of the costs (smaller schools received a larger percentage than larger schools).[51]

The practice of federal contracting with territorial schools for Native education responded to the consensus of observers that the separate school systems made little sense educationally or financially. Progress was slow, however, and it was many years before management of a significant number of federal schools was shifted to the territory.[52] Between 1942 and 1949, however, some 19 schools were so transferred.[53] Federal officials had become concerned that their resources ought to be devoted to expanding services to communities with no schools. Duplication of facilities in several places was eliminated, freeing federal dollars to address unmet needs. Nevertheless, in 1950 there were 93 federal day schools and three boarding schools; and 30-40 communities and 1,800 children were still without any facilities at all.[54]

A material inducement for territorial assumption of responsibility for educating Native children was the Johnson O'Malley Act of 1934.[55] A primary motivation for the act was an intent to provide

42. *Report of the Alaska Commissioner of Education, 1920*, 54 (1920). See 25 *U.S.C.* § 288 and 289 (1970) permitting enrollment of whites in Indian schools.

43. As late as 1930 at least 19 communities, many of them small villages, had separate, federally run Native schools and territorial schools. *Dept. of the Interior, Annual Report of the Governor of Alaska to the Secretary of the Interior for Fiscal Year ended June 30, 1930*, 83, 86.

44. *Report of the Alaska Commissioner of Education, 1920*, 55 (1920).

45. Plessy v. Ferguson, 163 U.S. 537, 544 (1896) (dicta).

46. 7 Alaska 616, 624-25 (1927).

47. 8 Alaska 146 (1929). The holding was expanded upon in a 1943 opinion of the territorial attorney general which ruled that Native children could not be compelled to attend a Native school if there was a territorial school in the same community. 1943 Op. Alaska Atty. Gen. No. 38271-1943-803.

48. Ch. 95, [1929] Sess. Laws of Alaska.

49. Act of May 14, 1930, ch. 273, 46 Stat. 279, 321.

50. *Report of the Alaska Commissioner of Education, 1935*, 40.

51. Ch. 119, [1931] Sess. Laws of Alaska.

52. For a comprehensive review of prestatehood proposals and policies concerning transfer of federal education functions from the BIA to the territory see Darnell, *supra* at 206-29.

53. Ray, *supra* (Appendix A) at 29. This is the same number of schools which had been transferred in the 1930's from the territory to the BIA because they were all Native schools. *Report of the Commissioner of Education, 1935*, 40.

54. *Id.* at 6, 27-28.

55. 25 U.S.C. § 452 (1970) (Act of April 16, 1934, c. 147, § 1, 48 Stat. 596, *as amended* 49 Stat. 1458).

means for transferring the education of Indian children from the federal government to state and local school systems.[56] The Secretary of the Interior was authorized to contract with states and territories, and later, political subdivisions, public and private institutions, and corporations,[57] for the education of Indians. Appropriations under the act were meager at first and contracts few. Although the legislature promptly authorized the Territorial Board of Administration to enter into contracts with the Secretary of the Interior [58] so that the territory could take advantage of the act, the first Johnson O'Malley contract was not entered into in Alaska until 1952.[59]

A statement of Bureau of Indian Affairs policy in 1950 recommended use of Johnson O'Malley contracts to facilitate transfers of schools to the territory by providing support for the schools.[60] Which schools were to be transferred and when depended upon whether "Indians are ready" and whether "satisfactory arrangements" could be made with the territory.[61]

Readiness was apparently a condition that depended upon a determination by federal officials as to whether the transfer would be of "advantage to the Natives and with their concurrence."[62]

Between 1951 and 1954, 27 more schools were transferred from federal to territorial control.[63] Then transfers were virtually halted until well after statehood because of the territory's anxiety over the costs involved.[64] A detailed analysis of projected costs and revenues for education in 1954 revealed that there were inadequate resources to continue takeovers of federal schools without "complete and continuing financial support [being] made available solely from federal sources."[65] This did not mesh with the Bureau of Indian Affairs' desire for phasing out its financial responsibility for schools no longer operated by it. Territorial officials long had maintained that the federal government was responsible for educating Indian and Eskimo children.[66] And until statehood and the adoption of the Alaska Constitution they were correct as a matter of law.

B. Statehood and the Alaska Constitution

A constitutional convention called pursuant to an act of the Alaska Territorial Legislature[67] agreed on a constitution for the State of Alaska on February 5, 1956. The constitution was approved by the voters of Alaska on April 24 and became operative January 3, 1959,[68] after passage of the Statehood Act by Congress and proclamation by the president. The constitution included a strong statement committing the state to full responsibility for the education of all children:

> The legislature shall by general law establish and maintain a system of public schools open to all children of the State . . . . [69]

This replaced the permissive language of the 1917 act which "empowered" the territorial legislature to establish schools with mandatory language requiring the legislature to establish a public school system.

The Alaska Supreme Court has called the new provision a "constitutional mandate for pervasive state authority in the field of education."[70] The phrase "open to all children of the State," "guarantees all children of Alaska a right to public education."[71] The unequivocal words in the constitution theoretically should have ended the dichotomy between schools for "white and colored children and children of mixed blood who lead a civilized life" on one hand, and Native children on the other. In practice the dual system continues today.

Notwithstanding the mandate in the new constitution, there was no major change in statutory law or in practice relative to rural education for several years after statehood. Most of the territorial school laws remained in effect, including a definition of "public schools" which excluded "schools for Alaska Natives under the control of the federal government and administered and supervised through the Bureau of Indian Affairs."[72] An act creating nine boroughs with local education functions[73] resulted in merger of district schools and state-operated rural schools with-

56. NAACP Legal Defense and Educational Fund, An Even Chance 11-12 (1971) (hereinafter cited as An Even Chance). There was also concern that the presence of nontaxable Indian land within school districts should be compensated with federal aid. In that sense, Johnson O'Malley continued a policy begun in 1914, which allowed for tuition payments for Indian children in Public schools. Act of Aug. 1, 1914, c. 222, 38 Stat. 582. The Alaskan situation did not fit well the in-lieu-of-taxes purpose of the tuition program or the regulations under it, however, because of the absence of property taxes and the fact that Native lands were not "trust lands" with title held by the government as were Indian lands in the states. *See generally* National Indian Education Association, Study of Title II of P.L. 93-638, prepared for the Bureau of Indian Affairs, 11-6 (1975) (hereinafter cited Study of Title II) for a comprehensive legislative history of the Johnson O'Malley Act.

57. Amendment added by Act of April 16, 1934, c. 147, 48 Stat. 596.

58. Ch. 85, [1935] Sess. Laws of Alaska.

59. Study of Title II, *supra* at 192.

60. Ray, *supra* (Appendix A) at 43.

61. *Id.*

62. *Id.* at 42.

63. *Id.* at 7.

64. *Id.* at 8. Only two schools were transferred from federal control between 1954 and 1967. (Tanana in 1958; Circle in 1959.)

65. *Id.* (Appendix D) at 76.

66. D. Dafoe, *Some Problems of Education of Native Peoples in Alaska*, 36 (1959).

67. Ch. 67, [1955] Sess. Laws of Alaska.

68. Act of July 7, 1958, Pub. L. No. 85-508, 72 Stat. 339.

69. Alaska Const. art VII, § 1.

70. Macauley v. Hildebrand, 491 P. 2d 120, 122 (Alaska, 1971).

71. Breese v. Smith, 501 P. 2d 159, 167 (Alaska, 1972).

72. *Alaska Stat.* § 14.6010(1) (1975), formerly A.C.L.A. § 37-1-3 (1949).

73. *Alaska Stat.* § 07.10.100—07.20.100 (1963).

in the boroughs into the borough system.[74] But there was no move toward consolidation of the dual state and federal systems for several years notwithstanding a need, generally acknowledged by educators, for merging rural schools under a state system.[75] It was widely understood that there would be no sudden state assumption of responsibility for federal schools in conformity with the requirements of the state constitution. Obedience to the constitution would have been a financial impossibility.

The first test of the state-federal relationship came after the issuance of bonds to build a new vocational school in 1960. The state, having no funds to operate the school which would be attended largely by Native students, asked the Bureau of Indian Affairs to pay for operations. But BIA was hesitant to do so because it had been left out of most of the planning and considered it essentially a state project. The questions raised by this incident about responsibility for planning and financing rural (i.e., primarily Native) education precipitated a meeting in Washington, D.C. between federal and state officials on March 1, 1962.[76]

The Washington meeting resulted in a Memorandum of General Agreement between state and BIA officials.[77] The document stated an understanding that the state had primary responsibility for education of all children and that all schools in the state would be included in a single state system, but that because of the state's financial limitations, "Federal financial participation will remain essential for some time." There was mutual agreement that the state, aided by the federal government, should develop "with local participation" an overall education plan for transferring BIA-operated schools to state management and operation.[78] The Bureau's statement of intent carefully avoided a commitment either to continuing to operate schools or to turning them over to the state on any fixed schedule and merely pledged to "operate its schools or otherwise fulfill the commitments to the education of Alaskan Natives" consistent with the state education policy. The supplementary nature of BIA education activities was noted.

While the Statehood Act presumably relieved the Secretary of the Interior of the responsibility of educating Alaskans (which originated with the Organic Act[79] and was narrowed by other legislation to a duty only to educate Natives),[80] he still had, and continues to have, authority to spend monies appropriated for Indian education in Alaska under the general act charging him with the duty of expending funds for education of Indians and other purposes.[81] The strain which existing schools placed on the new state's budget precluded any real progress toward the goal of turning control of BIA schools over to the state. In order to meet serious needs to keep pace with increasing demands and to improve educational quality, BIA budgets and personnel for Alaska continued to increase, supported by annual congressional appropriations.

The greater ability of the state to shoulder financial burdens in education led to further transfer of BIA schools in 1967. Between 1967 and 1970, 28 schools were so transferred.[82] Since then transfers have slowed; 44 day schools and one boarding school continue to be operated by BIA.[83] During the time transfers were being made, BIA was attempting to improve teacher-student ratios by adding new teachers and aides and upgrading physical facilities. Also the BIA has made efforts to increase local parent involvement in the schools through establishing advisory school boards and has attempted to address the need for more high schools. The BIA has been committed to making its system compatible with the developing statewide education policy.

Ultimate responsibility for education in Alaska resides in the state legislature under the constitution. But the drafters of the document clearly intended that eventual control would be in municipalities. A preference for maximum local self-government was expressed in the constitution,[84] and a unique system of local government was created by its provisions.[85] The constitutional convention was aware of many problems experienced by local governments elsewhere, such as the dissipation of local control and uncoordinated taxing power which occur when there are numerous, municipal governments providing special services and having boundaries which overlap with counties, cities, and each other. The delegates to the convention believed that a single system of municipal government with maximum sovereignty at the local level was desirable. Further, they knew that the system had to be flexible enough to fit the radically different local situations of their vast state-to-be and to adjust to changes which would be wrought by time in a rapidly growing place.[86]

The Alaska Constitution embodied a strongly stated preference for dividing the state into local governments according to criteria which would reflect logically the broad functions and powers to be exer-

74. *Report of the Alaska Commissioner of Education, 1965*, 2.
75. Darnell, *supra* at 239.
76. Ray, *supra* at 8-9.
77. *Id.* (Appendix C) at 106-07.
78. *Id.* at 106.
79. Act of May 17, 1884, c. 53, 23. Stat. 27-28.
80. Act of Jan. 27, 1905, c. 277, 33 Stat. 619, Act of Mar. 3, 1917, c. 167, 41 Stat. 1131.
81. 25 U.S.C. § 13 (1970). It is clear that legislation and administration of programs for the benefit of Indians does not offend constitutional safeguards against racial classification. *E.g.*, Morton v. Mancari, 417 U.S. 535, 553 (1974).
82. Ray, *supra* (Appendix K) at 176.
83. Alaska Department of Education, 1975-76 Mini-Directory 29 (Feb. 1976).
84. Alaska Const. art. X, § 1.
85. Alaska Const. art. X, § 2-12.
86. Alaska Constitutional Convention, Minutes of the Committee on Local Government 1-3 (1955-56).

cised and the ability of the constituents to act for their common interests. Article X, section 3 of the constitution states:

> The entire State shall be divided into boroughs, organized or unorganized. They shall be established in a manner and according to standards provided by law. The standards shall include population, geography, economy, transportation, and other factors. Each borough shall embrace an area and population with common interests to the maximum degree possible . . . . [87]

To the extent that the state was not completely organized into boroughs it would be comprised of one or more "unorganized boroughs" in which local government functions would be performed by the legislature acting as a borough assembly.[88] Cities could be incorporated and would be part of the borough in which they were located.[89]

In pursuit of the principles set out in the constitution, the legislature provided for the establishment of boroughs and cities with a high degree of locally exercisable powers. Boroughs are given area-wide powers throughout the incorporated territory, including in cities within them. One of the three mandatory areawide powers and duties to be exercised by every borough is education. "Each borough constitutes a borough school district and establishes, maintains, and operates a system of public schools on an areawide basis."[90] All home-rule and first-class cities exercise the same power so long as they are not within a borough.[91] A review of the state constitution, the implementing statutes, and available expressions of the intent behind them leads to the inescapable conclusion that operation of schools directly by the state is to be phased out in favor of municipal school districts.

C. The State Foundation Program

An important direction in Alaska education, consistent with a strong local government bent, is shown by the history of substantial state support of district schools. Shortly after statehood, the state board of education questioned the adequacy of the state support program which had been in effect since territorial days. The 1931 law providing that the territory assume most of the costs in such schools had been modified somewhat,[92] but the basic approach remained approximately the same. A report on a study by the Department of Education pointed out that merely paying a percentage of actual costs did not provide aid in proportion to needs.[93] The report recommended a foundation program under which the state would guarantee financing of the basic needs of local school districts, less a required local share based on available resources. The local share was to be made up (or exceeded) by local tax effort. Such a plan was enacted by the legislature in 1962[94] and became effective in 1964. The complicated formula in the 1962 statute redistributed state aid for education so that poorer districts (based on the size of the tax base) got more and richer districts got less aid.[95]

As the 1962 act was amended, the concept remained.[96] Based on a study committee's report,[97] however, the 1970 legislature made some major changes in the act.[98] Briefly stated, the new program called for determination of the "basic need" of a district. The amount of state aid to be paid toward basic need was to be adjusted by an "equalized percentage," which was based upon the relative wealth of the district. "Basic need" does not necessarily reflect actual needs of a district. Rather it is an amount approaching the cost of education as set by the legislature.

Under the statute basic need is established as follows. The number of "instructional units" in a school is determined based on the number of children who, on the average, are enrolled (average daily membership or ADM). A schedule of instructional units by school size is included in the statute.[99] Instructional unit allotments may be increased by a factor which reflects greater costs of transportation and operations by reason of remoteness or size of

87. The provision if implemented in Alaska Stat. Title 29. Requirements for organized boroughs are set out at Alaska Stat. § 29.18.030 (1972).

88. Alaska Const. art. X, § 6. See Alaska Stat. § 29.03.010 (1972) which states that all areas not in an organized borough constitute a single unorganized borough. The legislature has never sat as the assembly for the unorganized borough.

89. Alaska Const. art. X, § 7.

90. Alaska Stat. § 29.33.050 (1972). The other mandatory powers and duties are assessment and collection of taxes and planning, platting, and zoning. Alaska Stat. § 29.33.030 and .070 (1972). Additional areawide powers are acquired by transfers from cities and by areawide elections, § 29.33.250, and certain other powers outside cities can be approved at incorporation or added later, § 29.38.010 and .020.

91. Alaska Stat. § 29.43.030 (1972).

92. Ch. 27, [1953] Sess. Laws of Alaska; Ch. 68 [1953] Sess. Laws of Alaska, Ch. 49, [1955] Sess. Laws of Alaska.

93. E. Lindman, Alaska State Board of Education, A Foundation for Alaska's Public Schools (Sept. 1961).

94. Ch. 164, [1962] Sess. Laws of Alaska.

95. State aid under the new act ranged from 59% to 100% of operating expenses. R. Guthrie, A Brief Historical Review of Alaska's School Foundation Program 10 (Table 2) (State of Alaska Legislative Finance Division, December 12, 1974).

96. Ch. 70, [1963] Sess. Laws of Alaska; Ch. 153, [1966] Sess. Laws of Alaska; Ch. 125, [1968] Sess. Laws of Alaska; Ch. 95, [1969] Sess. Laws of Alaska. The 1969 Act added special state aid for districts impacted by state activities in the form of reimbursement to districts having children whose parents live and/or work on state (tax-exempt) property. This "mini-874" program operates similar to the federal impact aid program under P.L. 874 discussed *infra* in part II A.

97. J. Peterson, Final Report Memo to members of the School Finance Advisory Council, 27 January, 1970, discussed in R. Guthrie, A Brief Historical Review of Alaska's School Foundation Program 13-15 (State of Alaska Legislative Finance Division, December 12, 1974).

98. Ch. 238, [1970] Sess. Laws of Alaska.

99. Alaska Stat. § 14.17.041(1975). There are different schedules for schools under 1000 ADM, 1000 ADM or over, vocational education students, and special education students.

district.[100] The number of instructional units is multiplied by a "base instructional unit" (dollar amount) set from time to time by the legislature,[101] to yield "basic need." State aid payments toward basic need are then adjusted for variations in district wealth which is available to support education. This is done by determining the "equalized percentage" of costs to be supplied by the state.[102] This currently results in a minimum of 95 percent of basic need being supplied by the state to each district, with poorer districts getting a greater percentage.[103]

There have been discussions about increasing state support to 100 percent of basic need; already Alaska ranks second nationally in the percentage of revenues it provides from state sources.[104] Given the wide disparities in wealth among school districts and their greatly different needs, which are usually in inverse relationship to wealth (the most remote, rural areas have the highest costs but typically have a low tax base), substantial state aid is necessarily the backbone of Alaska rural education in the public schools.

School districts exist in Alaska only under municipalities having education functions. Most of rural Alaska is in the unorganized borough, which is in no school district at all. Thus, the foundation program is of limited relevance except to the extent it encourages or deters municipal incorporation.[105] Schools in the unorganized borough until 1976 were operated by the state directly with full funding by the legislature. The state-operated school system had always been considered an enigma by lawmakers and legislators and criticized by experts and lay observers alike. A frequent criticism was that it included far too much territory and had needs which were too divergent to be efficiently and effectively administered as a single service area. The control was said to be too remote from those whom it affected.

Since the early days of statehood a quest has continued for an acceptable and appropriate delivery system for educational services in rural Alaska. The first major effort was by the Governor's Committee on Education. The result of its work was a major report in 1963 entitled "An Overall Education Plan for Rural Alaska." The committee, which was chaired by Dr. Charles K. Ray of the University of Alaska, long a leader in Alaska education, recommended a system of elementary and junior high schools in villages with a minimum number of students (10 for elementary; 90 for junior high). For students from communities where 150 high-school-age children were not present, regional boarding high schools would be established with minimum enrollments of 300 students. The report emphasized the need to move toward a single school system under the state, but with continued federal financial support. High priority was placed on meeting needs of children for which no elementary or secondary education programs were available.[106] With some revisions, the plan has served to orient rural education. A change in direction from the concepts expressed in the plan was the result of recognition of long-standing Native sentiment favoring local, day high schools rather than regional boarding programs.[107] More recent trends are covered following the next section.

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100. Alaska Stat. § 14.17.051 (1975).

101. Alaska Stat. § 14.17.056(a), (b) (1976). The base instructional unit for the fiscal year ending June 30, 1978 is $27,500.00. In 1970 it was set at $19,250.00 Ch. 238, [1970] Sess. Laws of Alaska. Increases were enacted in 1973, 1974, 1975, and 1976. Ch. 173 [1976] Sess. Laws of Alaska. Adjustments in the instructional unit allotment are provided for by statute in order to compensate for cost differences due to geography, climate, and distance from transportation facilities.

102. The formula is:

$$P_i = 1 - (1-K)\frac{V_i}{V_s} \text{ where}$$

P_i = state share; K = 95%; V_i = value of property in district per pupil; V_s = average value of property per pupil statewide. Alaska Stat § 14.17.021 (1976).

103. In 1975, the law was amended to increase state support from 90% to 93%. Ch. 81, [1975] Sess. Laws of Alaska. The percentage was increased to 95% in 1976. Ch. 173, [1976] Sess. Laws of Alaska.

104. *R. Hartman & R. Reischauer, Reforming School Finance* 11 (1973).

105. The newly established regional education attendance areas are funded under a method which utilizes the foundation formula. Alaska Stat. § 14.08.121. See discussion *infra* in part III E.

106. Governor's Committee on Education. An Overall Education Plan for Rural Alaska (May 25, 1963, revised February 28, 1966), included in Ray, *supra* (Appendix E) at 78-101.

107. See discussion *infra* in part III.

Chapter II

Federal Programs of Financial Assistance

Since Alaska statehood a complex of munificent federal aid programs has developed. The purposes of most of the major programs and their importance to the state are discussed in this section. Continued federal support has been cited as the key to state assumption of education functions performed by BIA. Funds from federal programs related to the education of Native children have been especially critical for the state. Their availability has not been an important factor in promoting the transfer of educational responsibility to the state, however.

A. Impact Aid — P.L. 874

One of the greatest financial boons for state schools educating Native children has been federal impact aid under Public Law 81-874. This law was enacted in 1950 to assist local education agencies in operating and maintaining schools in areas affected by federal activities. The intent was to compensate communities for the effects of having real property removed from the local tax base because of the exempt nature of federally owned lands and sudden population increases due to federal activities. Financial assistance to school districts under P.L. 874 was according to a formula which placed federally connected children in categories for which rates of payments varied according to the degree of impact. The original impetus for the act came from the defense activities of the government. Because of areas of considerable military presence, the state has been relieved of much of the expense of operating on-base schools by aid under P.L. 874. At first Indians were excluded from being counted to determine the amount of federal assistance to which a district was entitled.[109] But in 1953 the law was amended to include Indians, reflecting the fact that most Indian lands are held by the government in trust for tribes or individual Indians and consequently are tax-exempt.[110]

P.L. 874 places children in two categories: category A—those who reside on federal property and have a parent employed on federal property; and category B—those who either reside on federal property or have a parent employed on federal property. For children in the first category the government pays the "local contribution rate" (an amount based on comparable districts' expenditures).[111] For children in the latter class, the government pays one half the local contribution rate.[112]

The 1953 changes which included Indians under the act left some ambiguities because a state's governor was to choose whether Indians would be counted for the act. Whether the choice to count Indians for P.L. 874 purposes excluded the state from funding under the Johnson O'Malley Act (JOM) was unclear, although many states interpreted the legislation as having that effect.[113] The uncertainty was resolved by a further amendment in 1958.[114] The amendment indicated that payments to school districts under provisions of JOM would not be deducted from P.L. 874 payments and any exclusion of Indians was removed. This in turn led to a change in the JOM regulations so that in districts eligible for P.L. 874 aid, use of JOM funds would be limited to supplemental aid rather than basic support of the districts in most circumstances.[115] This was the first clear articulation that JOM, unlike impact aid, could not be used for core expenditures of a school such as salaries, transportation, upkeep, and other things normally considered basic support. The limitation to use for supplemental purposes is important in most programs of federal assistance to education with the notable exception of P.L. 874 impact aid, which is not so restricted in its use.

A special exception in the impact aid act, created by the Alaska Omnibus Act shortly after statehood, gives the U.S. Commissioner of Education discretion to determine local contribution rates where a state agency is the local educational agency for a substantial proportion of the land in the state which is unorganized territory.[116] This provision applies

108. 20 U.S.C. § 236 *et seq.* (1974).

109. The legislative history and intent of P.L. 874 is discussed in detail in Study of Title II, *supra* at 68-87.

110. Act of Aug. 8, 1953, c. 402, § 1, 67 Stat. 530.

111. 20 U.S.C. § 238 (1976 Supp.). The local contribution rate is normally the per pupil share of all local revenues in the second prior year in comparable school districts of the state, but not less than one half the statewide or national average per pupil expenditure, whichever is greater, and not more than 100% of the statewide average.

112. *Id.*

113. Study of Title II, *supra* at 72-78.

114. Act of Aug. 12, 1958, P.L. 87-344, 27 Stat. 559. The act also had been amended in 1956. Act of Aug. 3, 1956, c. 915, 70 Stat. 970.

115. 25 C.F.R. § 33.4 (c), *as amended* 23 Fed. Reg. 7106 (1958). See Natonabah v. Board of Education of Gallup-McKinley School District, 355 F. Supp. 716, 726 (D.N.M. 1973).

116. Act of June 25, 1959, P.L. 86-70, § 18(d)(1), 73 Stat. 141. The exception recognized Alaska's special needs. It goes beyond the underlaying purpose of the act—relief from lost property taxes resulting from tax exempt status of federal lands. Native and federal lands in Alaska were exempt from tax under the Statehood Act, Act of July 7, 1958, P.L. 85-508, § 4, 72 Stat. 7999. To the extent this kept the legislature, acting as the assembly for the unorganized borough (*Alaska Const.* art. X, § 6), from instituting a local property tax scheme, it fits the act's rationale. But the exception was further justified in that finding comparable districts for setting local contribution rates would be nearly impossible because of special conditions which vary from place to place in Alaska.

only to Alaska, and under it the state has received a preferential rate for state-run schools in rural areas and on military bases of about twice that paid to city and borough school districts.[117]

The preferential rate has eased greatly the financial burdens on the state for running rural schools. But with the greater prosperity of the state in recent years has come a decision of the U.S. Commissioner of Education to phase out the preferential rate. Beginning in 1977 and for each successive year, the rate is to be diminished by 20 percent of the difference between the preferential rate and the normal rate, so that the state will receive only the normal rate in 1981 and later.[118] The prospect of losing the P.L. 874 preferential rate had been suggested in letters to the state from the U.S. Office of Education in 1973 and 1974.[119]

As the preferential rate diminishes, so does a disincentive to the state's promoting creation of municipal school districts. So long as a school was in the state-operated system, it would have the bulk of its costs paid for by the federal government under P.L. 874. As a district school, payments under the foundation program from the state to the district would come from the state treasury and P.L. 874 funds would be made directly to the district (at the normal rates). The districts receive aid at the rate of approximately one half the state average per pupil expenditure (for the second prior year); the state has been receiving twice that much for schools maintained by it, or approximately 100 percent of the average statewide per pupil expenditure. As explained above, the state foundation program supports at least 95 percent of "basic need" of school districts.

Another possible disincentive to the state's urging creation of municipal districts was recently removed, but at the same time formation of municipal districts may have been made less attractive to local taxpayers. Until the Education Amendments of 1974, federal impact aid could not be counted in determining need for purposes of fixing the amount of state aid.[120] Thus, if a new district were created in Alaska, the state would be paying at least 95 percent of "basic need," much of which formerly would have been reimbursed by the federal government. The district (not eligible for the preferential rate) would get about half of the federal payment formerly paid to the state but would not have to count it in figuring its need. This was like a bonus to the district. The amendments now allow consideration of these funds as a part of the equalization function of the foundation program.[121] Only recently has Alaska's equalization formula been amended in response to this change in federal law to provide for a consideration of federal funds.[122]

The importance of P.L. 874 impact aid has declined and will continue to do so as a result of the Alaska Native Claims Settlement Act.[123] Most of the lands where Natives now reside will pass into the private ownership of Native regional and village corporations created under the settlement act. Formerly nontaxable lands become taxable pursuant to that act after December 18, 1991, or when they are "developed or leased to third parties."[124] Even though the lands will technically be in private ownership, their tax-exempt status continues until that date or until they are developed or leased. With the tax exemption goes continued eligibility under P.L. 874.[125] But it is clear that Alaska's entitlement based on presence of Indian lands will gradually decrease over the next several years as lands become taxable, and will virtually cease in 1991.

B. Impact Aid (Construction) — P.L. 815

Another federal program similar in intent to P.L. 874 is Public Law 81-815.[126] It, too, was part of the package of "impact aid" enacted in 1950. The purpose of P.L. 815 was to provide financial assistance for construction of schools in federally impacted areas. Unlike P.L. 874, P.L. 815 allowed Indians to be counted from the start in determining a district's eligibility for aid. In practice, few were counted, however, as the act was administered to respond to impacts on communities from defense and military activities—the primary reason for its enactment.[127]

Alaska's Indian and Native population has never accounted for much aid under P.L. 815. In fact,

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117. 20 U.S.C. § 238(d)(3)(B)(iii) (1976 Supp.).

118. Letter from Nathaniel H. Cole, Deputy Commissioner, Alaska Department of Education, to David Getches dated April 12, 1976. The effect of the loss of preferential rate is cushioned somewhat by 1974 amendments to the act. 88 Stat. 522. The amendments include all Indian children in the category for which full payment of the local contribution rate is made, thus increasing payments for Indian parents who work off federal land. Another important change was to give priority to payments for Indian children when Congressional appropriations are inadequate to pay for entitlements nationally.

119. See Letter from T. H. Bell, U.S. Commissioner of Education to Marshall L. Lind, Commissioner of Education, Alaska Department of Education, dated July 9, 1974, contained in M. Lind, Alaska State Department of Education, SOS/BIA Schools Dissolution, Exh. 1 (n.d.) in which a phase-out of the preferential rate over 3 years was mandated. Later negotiations led to the five-year phase-out described in the text.

120. Carlsbad Union School Dist. v. Rafferty, 300 F. Supp. 434 (S.D. Cal. 1969); Shepheard v. Godwin, 280 F. Supp. 869 (E.D. Va. 1968); Hergenrether v. Hayden, 295 F. Supp. 251 (D. Kan. 1968); School Dist. No. 3 v. Jorgenson, 293 F. Supp. 849 (D.S.D. 1968).

121. 20 U.S.C. § 240(d)(2)(A) (1976 Supp.).

122. Alaska Stat. § 14.08.121(a) as amended by Ch. 90, [1977] Sess. Laws of Alaska, § 1(a)(i). *See also* Alaska Stat. § 14.17.061(c) (1974) which includes federal aid for the purpose of computing state supplemental aid.

123. 43 U.S.C. § 1601-1624 (1976 Supp.).

124. 43 U.S.C. § 1620(d) (1976 Supp.). The tax exemption of individual Indian allotments remaining in trust will not be affected. *See* 43 U.S.C. § 1617(a) (1976 Supp.); 25 U.S.C. § 334, 337 and Act of May 17, 1906, 34 Stat. 197.

125. 43 U.S.C. § 1620(e) (1976 Supp.).

126. 20 U.S.C. § 631-647 (1974), *revising and reenacting* Act of Sept. 23, 1950, c. 995, 64 Stat. 967.

127. Study of Title II, *supra* at 88.

between 1972 and 1974 the state received no funds at all under the act. But in fiscal year 1975, Alaska's State-Operated School System got $2,835,000.00 to help defray costs of new schools in Togiak and Unalakleet.[128]

The importance of P.L. 815 in Alaska and elsewhere in recent years has been minimal due to almost insignificant funding relative to the need. In response to the virtual obsolescence of P.L. 815 and the dire need for Indian school construction funds, Congress established a parallel program as a part of the Indian Self-Determination and Education Assistance Act of 1975.[129] The act authorizes funding of $35 million a year for three years, at least 75 percent of which is to be used for Indian schools according to P.L. 815 eligibility requirements. However, up to 25 percent is earmarked for construction, acquisition, or renovation of "previously private schools" (such as mission schools) now under Indian control.[130]

C. Johnson O'Malley Act

As mentioned above, the Johnson O'Malley Act[131] has greatly aided rural Alaska schools and made feasible the transition from BIA to state control of many of them. The program has grown from one serving 56 eligible children in 1952 to a 14,880-student program in 1975.[132] The act gives the Secretary of the Interior authority to contract with the state and with local agencies and corporations for the education of Indian children. Contracts under the act provided vitally needed funds for districts and for schools operated by the state in Alaska and elsewhere.

Use of JOM for operational expenses of an adequate basic school program may have been consistent with one of the act's original intents—to shift responsibility for educating Indian children from the federal government to the states.[133] Soon after the enactment of JOM, mention of using funds for "special services required for Indian children" crept into committee reports of hearings on appropriations. "The evolutionary process whereby states gradually would assume responsibility for the basic education of all Indian children because they were citizens was gaining momentum, and JOM funds were being pushed toward supplementary programs."[134] Although early uses of JOM were for "tuition money," the theory that it was a program for the special needs of Indian children actually began in the thirties.[135]

The method of administering JOM aid differed tremendously from the expressions of legislators indicating that it should be for supplemental programs. The states had grown to expect federal support for Indians in public schools. Many years of tuition payments which were intended to compensate for loss of local taxes by local and state governments due to the presence of nontaxable land led to the assumption that JOM was playing the same role.[136]

This purpose well fit Alaska's needs, and it would have been unrealistic to expect an overnight change to independence from federal aid.

Aid under the act might have been administered to shepherd the states into the business of educating Indians, culminating in full state support of educational programs for all children, with supplementary programs for Indians. That transition, however, was prolonged by regulations in 1951 and 1956 which required the presence of large blocks of untaxed land for a district to be eligible.[137] Although supplemental programs could be funded and a few were, the regulations provided a good indication of how the program in fact was administered. In many places, including Alaska, it was something of an Indian impact aid program.

With the inclusion of Indians among those qualifying for impact aid under P.L. 874 in 1958, much of the logic of using JOM for basic support disappeared. Accordingly, the JOM regulations were revised so that JOM spending for basic support would be limited to "meeting educational problems under extraordinary or exceptional circumstances" in districts eligible for P.L. 874 aid.[138] However, as recently as 1975, congressional hearings revealed that in spite of the 1958 regulations, most of the JOM funds nationally still were being used to satisfy the districts' basic needs.[139] While an increasing amount of JOM assistance was targeted by BIA for "special services," that term was loosely interpreted by school districts.[140]

In Alaska JOM funds generally were contracted to the state. In 1970 the state and the BIA entered into an agreement constituting the JOM state plan. The plan anticipated that there would be annual contracts directly with the state. It recited that "extraordinary and exceptional circumstances currently exist in Alaska which can only be met through financial assistance from the Bureau of Indian Affairs," tracking the language of the regula-

128. 2(c) Report: Federal Programs and Alaska Natives—Task II—Federal Programs for Alaska Natives' Benefit (n.d.) (hereinafter cited as 2(c) Report).

129. 25 U.S.C. § 450 *et seq.* (1976 Supp.). Other provisions of the Indian Self-Determination and Education Assistance Act are discussed *infra* in Part II G.

130. 25 U.S.C. § 458(c) (1976 Supp.).

131. 25 U.S.C. § 452 (1970).

132. Study of Title II, *supra* at 192-93.

133. *Id.* at 16.

134. *Id.* at 17.

135. *Id.* at 19. Early regulations of the BIA did not require such uses, however. *Id.* at 37.

136. *Id.* at 43.

137. *Id.* at 44.

138. *Id.* at 46.

139. *Id.* at 47, *citing Hearings on Rules and Regulations for the Administration of the Johnson O'Malley Act before the Subcomm. on Indian Affairs of the Senate Comm. on Interior and Insular Affairs*, 93d Cong., 2d Sess. 34 (1975).

140. *Senate Committee on Labor and Public Welfare, Indian Education: A National Tragedy—A National Challenge*, S. Rep. No. 91-501, 91st Cong., 1st Sess. 40 (1969) (hereinafter cited *A National Tragedy—A National Challenge*).

tions.[141] Most of the aid which was provided under contracts pursuant to the agreement was used to support the state's boarding home program. That program was instituted by the State Board of Education in 1967. Under it, Native students from villages lacking high schools were brought into larger communities which had them. The students then lived with local families while attending school.[142]

Use of JOM funds for the boarding home program was justified as proper by classifying the added costs of transportation and paying for students' room and board as special education needs over and above normal school costs.[143]

Alaska's JOM expenditures for the boarding program were challenged by parents of several Native school children in an administrative appeal to the Secretary of the Interior.[144] It was argued that the greater cost of furnishing a secondary education was a basic cost of the school system as much as bus transportation is in other places where some children live close enough to a school to walk and others live farther away. But the Secretary held that the boarding program was not "basic" in that "it is not ordinarily furnished to students elsewhere in Alaska, i.e., those in local school districts. From that perspective the program may appear designed to meet the special needs of rural students."[145]

The most glaring error in the Secretary of the Interior's decision upholding the Alaska plan is its failure to recognize that JOM is not intended for rural students, but for Indians. Non-Indians from rural areas attended the boarding home program at state expense, but JOM was used to pay nearly all the costs for similarly situated Natives. The test differentiating "basic" from "special" programs asks whether the services are "normally and ordinarily furnished to all students in one district or to students in all the districts in the state."[146]

The standard assumes that to be basic, services must be furnished to all similarly situated students (e.g., those without access to high schools) regardless of whether they are Indian. The Secretary overlooked this necessary implication. Had he read the standard with it in mind, he would have had to find that the boarding program was basic because it was supplied to non-Native students in remote areas at state expense. It should be immaterial that the boarding program is not available to a student in Anchorage who lives two blocks from a high school.

Because of the conclusion that the boarding program was not basic, the Secretary did not have to reach the question of whether its funding might be justified by "extraordinary" and "exceptional" circumstances. This would have been the most legitimate rationale for validating the boarding program, but the record did not support the requisite finding. The area office of BIA was chided for not insisting that the state justify the challenged uses of JOM in its application for aid and warned that "the Bureau in executing contracts providing reimbursement for basic, operational expenses should make detailed findings on this matter, and submit a statement of reasons therefore."[147] There appears from the decision some suggestions that had there been a sufficient showing under the "extraordinary and exceptional circumstances" exception, the boarding program might have been justified on that ground. Instead the decision went to great pains to find that the program was supplemental. This may be explained partly by the fact that the fiscal year for which use of JOM funds was challenged was then fast drawing to a close. Nearly $4 million of JOM funds earmarked for the boarding programs had been spent or obligated.[148]

It would have been disruptive, to say the least, for Interior to require immediate reallocation[149] after several years of unabashed BIA support of the program, let alone require repayment (which was not sought by the Native appellants). The decision was probably influenced, too, by indications from the state (which intervened in the appeal) that it would seek fully to fund the boarding program in 1975.[150] Furthermore, Interior must have been aware that administration of JOM funds was taking an important turn in the direction of Native control. The State Board of Education, just two months before Interior's decision on the administrative appeal, directed the State Department of Education to cease its role as sole administrator of the JOM program and called

141. "An Agreement Between the State of Alaska and the Bureau of Indian Affairs for the Administration of Johnson O'Malley Act Funds" (Alaska State Plan), 1970, included as Appendix B in Ray, *supra* at 14-49.

142. Alaska Department of Education, Coordinators' Guide to the Boarding Home Program (Feb., 1970), included as Appendix G in Ray, *supra* at 118-32.

143. 2(c) Report, "Johnson O'Malley Program" 1. *See* Natonabah v. Board of Education of Gallup-McKinley School Dist., *supra*.

144. Appeal and Petition of Molly Hootch, *et al.* re Administrative Determination of B.I.A. Juneau Area Office, August 15, 1973 (Dept. of Interior) (hereinafter cited as Hootch administrative appeal).

145. *Id.*, Decision dated May 6, 1974 at 7.

146. Natonabah v. Board of Education of Gallup-McKinley School Dist., *supra* at 726.

147. Hootch administrative appeal, *supra*, Decision dated May 6, 1974 at 10.

148. Alaska was at the time contracting for about one fifth of the total JOM funds available nationally. 2(c) Report, *supra* "Johnson O'Malley Program" 1.

149. During pendency of the Hootch administrative appeal the Department of Interior had withheld $1,156,250 which was due the state under the FY 1973 JOM contract.

150. The proponents of the administrative appeal were in the midst of litigation in which they were attacking the boarding programs as denying them equal educational opportunity and as violating the state constitutional mandate that schools be "open to all children of the state" (Alaska Const. art. VII, § 1). They sought provision of secondary schools within or nearby their home villages. Hootch vs. Alaska State-Operated School System, No. 72-2450, Superior Court of the State of Alaska Third Judicial District, on remand after appeal from partial summary judgment, 536 P. 2d 739 (Alaska, 1975). See discussion *infra* in Part III B.

upon BIA to create a statewide JOM program review committee to maximize Native input. Such a group was formed, consisting of members chosen by each of the 12 regional corporations set up under the Alaska Native Claims Settlement Act. The committee began screening proposals and recommending which should be funded in 1973.[151]

One of the first acts of the committee was to indicate that it considered the boarding home program to be basic and not supplemental. In spite of its reservations about the program's educational value, the committee approved the use of JOM to fund it for the ensuing year (FY 1974). It opposed any use of JOM for the boarding program in FY 1975, however.[152]

New JOM regulations were adopted and became effective on September 30, 1974. They were designed to correct past abuses and ambiguities and to signal some new directions in the program.[153] They emphasized special educational needs, parent participation and control, and accountability. The new regulations were developed in a series of meetings among BIA officials and numerous Indian interest organizations, including Alaska Native groups.[154] Special hearings were held soon after their adoption to ascertain the views of all interested parties, including Indians, tribes, organizations, educators, and school officials.[155] The hearings were open, public participatory meetings, unusual for congressional committees.

Some controversy necessarily had been sparked by the new regulations because they placed much of the control of JOM funds outside the customary channels—away from professional educators and into the hands of Indian parents. This understandably was threatening to many school officials who had used JOM funds with few impediments for many years. Indian Education Committees were to participate in planning programs, negotiating contracts, and evaluating and monitoring funded projects. The committees had full veto power over all supplemental programs and expenditures.[156]

Also disturbing to some states and school districts was the tightening of restrictions on use of JOM for basic support found in the 1974 regulations. Only on a showing that minimum state standards cannot be satisfied after a reasonable local tax effort (at least equal to the state average) and use of all other sources of aid, including P.L. 874 and state aid, can a district receive JOM aid for basic operating needs. And only those districts with a 70 percent Indian enrollment are eligible in any event.[157]

Alaska was not as concerned as many other states because it was on the road to conformity with the concepts embodied in the parent participation provisions and the restrictions on use of JOM for basic programs found in the 1974 regulations. There already was a statewide JOM review committee and the state and BIA were earnestly trying to make the JOM truly supplemental as the state's JOM program review committee was insisting it ought to be. The commitment was also in response to views from Native communities combined with the new federal policy of Indian self-determination. The movement was probably buoyed in part by the cautionary words in the decision on unsuccessful administrative appeal described above.

There are some parts of the 1974 regulations which were very important to Alaska. The manifestation of intent, JOM funds not be tied to public school districts but may be used in Indian community projects and by Indian corporations, makes it easier for village and regional corporations organized pursuant to the Alaska Native Claims Settlement Act and nonprofit Native corporations which exist at the state, regional, and community levels to contract for the funds.[158]

Potentially of special importance to Alaska are the parts of the regulations requiring equalization of aid on a per capita basis among and within states.[159] Alaska, as the state with the single largest share of Johnson O'Malley ($5,684,000 in fiscal 1975) had the most to lose under the equal distribution regulations.[160] Although there had been wide variations in per pupil allocations among contracts let by the BIA and among states, the amount of those contracts did not correlate with demonstrated needs or numbers of Indian children in the districts.[161] Factors such as

151. 2(c) Report, *supra*, "Johnson O'Malley Program" at 1.

152. *Id.* The decision of the Hootch administrative appeal required that the supplemental nature of programs be justified each year and suggested that continuing a program for several years could make it basic. Hootch administrative appeal, Decision dated May 6, 1974 at 9. Thus, it may have been more difficult to justify the boarding program as a proper use of JOM funds in successive years, in any event.

153. 25 C.F.R. part 33 (now 25 C.F.R. part 273). Further, but not significant, revision of the regulations, and a recodification of existing regulations, became effective on December 4, 1975 as a result of the Indian Self-Determination and Education Assistance Act which made some changes in JOM. 40 Fed. Reg. 51303-10 (Nov. 4, 1975). Citations to the new, 1975 codification in the Code of Federal Regulations are given in the footnotes, along with an indication of any substantive change.

154. *See Alaska Federation of Natives, et. al., Proposed Johnson O'Malley Regulations*, February 28, 1974. This was the basic draft from which the finally promulgated regulations were taken.

155. *Hearings on Rules and Regulations for the Administration of the Johnson O'Malley Act before the Subcomm. on Interior and Insular Affairs*, 93d Cong., 2d Sess. (1975).

156. Under the present regulations the veto power extends to all programs, basic as well as supplemental. 25 C.F.R § 273.16 (2) (revising 25 C.F.R. § 33.3(d)).

157. 25 C.F.R. § 273.13(b).

158. 25 C.F.R. § 33.2(b), (now 25 C.F.R. § 273.37).

159. 25 C.F.R. § Subsection (a) & (b) now provide for the phasing out of existing noncomplying operational support programs in FY 1977 and 1978 with a one-third reduction each year, and assurance that supplemental programs will be no less than 75% for FY 1977 of sums received in FY 1975.

160. Study of Title II, *supra* at 193.

161. *Id.* at 161-71.

past administrative practice, the applicant's sophistication, and relationships with BIA may have been influential in attracting better contracts. Thus, the regulations sought to insure greater fairness and equity.

The equalization provisions allow consideration of the varying costs of delivering education among states.[162] But disparities in educational costs and in special cultural, linguistic, social, or educational needs which are unique to areas within a state may only be reflected in distribution among contractors if the commissioner makes an exception.[163] "Obviously, in a state such as Alaska the costs of educational services in Anchorage are considerably lower than on the North Slope."[164] If equalization is rigidly applied, much of the latitude and imagination that could come with control by a local Indian community would be lost. The local role in defining needs certainly becomes less relevant if there is a rigid per capita entitlement.

Congress recognized the problems which might be created for some areas and states and was aware that limited appropriations would be diluted to the point of ineffectiveness if equalization of JOM were strictly carried out. Congress included in its fiscal 1976 appropriations act a proviso that equalization cannot result in reductions for any state from the prior year's contract amount.[165] This is a stop-gap measure and cannot replace more adequate funding of the act.

In 1975, the Indian Self-Determination and Education Assistance Act was passed by Congress.[166] Title II of the Act amended the Johnson O'Malley Act for the first time since 1936.[167] States are required to submit an education plan with "objectives which adequately address the educational needs of the Indian . . . beneficiaries of the contract."[168] Besides requiring a plan, the legislation attempts to prevent public school districts from diverting JOM funds into general support by requiring that where non-Indian students participate in programs under the contract, money spent will be prorated to cover only participation of Indian students.[169] Every school district affected by a JOM contract must have an elected Indian parent committee which has authority to approve or reject programs.[170] No such committee is required if there is a majority of Indians on the local school board; former JOM advisory boards can be the committee if the pertinent tribal governments (villages and regional and village corporations in Alaska) consent. Similarly, they may consent to use of the Indian Education Act committees for JOM purposes.[171] Unlike the JOM committees called for by the act, these committees are selected not just by participating Indian parents, but by teachers, too, and they need to contain only a majority of Indian parents.[172]

The Alaska Federation of Natives (AFN) (a statewide Native organization) in 1973 became the prime contractor with BIA for all JOM programs except within the Aleut region where the Bureau contracted directly with the Native corporations.[173] AFN and Aleut then contracted with local education agencies and Native profit or nonprofit corporations for special programs recommended by the local Indian education committees. AFN's operation of the program was under the statewide JOM review committee which reviewed program proposals submitted by prospective contractors.[174] For fiscal 1975, 120 proposals totalling $11 million were submitted.[175] Of these, 40 were funded.[176] The proposals were evaluated based on need, direct benefits to Native students, and outreach to as many students as possible.[177]

A question has been raised as to whether all villages have benefited under the act as administered by AFN because overlapping, although nonduplicative, programs were funded.[178] The problem was that many good programs addressing different objectives (e.g., a regionwide bilingual program, a village cultural heritage program, a multivillage course on the claims settlement act) may have been concentrated on some villages while missing others entirely.

A new JOM state plan is being developed by AFN which should lead to alleviation of problems of coordination and distribution consistent with the new regulations. The work is in progress with input coming from all of the 12 Native regions in Alaska.[179]

AFN determined in 1976 that it would no longer be able to serve as the prime contractor for JOM in Alaska.[180] In fiscal 1977, the BIA contracted directly with entities which formerly would have been subcontractors. Heavy reliance for choice of programs to be funded remained upon the local Indian education committees.

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162. 25 C.F.R. § 273.31(a). The need for more aid per student in some states was recognized in the regulations largely as the result of urgings by Indian and Alaska Native groups. *Alaska Federation of Natives, Proposed Johnson O'Malley Regulations, supra* at 13-14.

163. 25 C.F.R. § 273.31(b) & (c).

164. Study of Title II, *supra* at 168.

165. Act of Dec. 23, 1975, Pub. L. No. 94-165, 88 Stat. 985.

166. Act of Jan. 4, 1975, Pub. L. No. 93-638, 88 Stat. 2206; 25 U.S.C. § 450-458e (1976 Supp.).

167. Act of June 4, 1936, c. 490, 49 Stat. 1458.

168. *Id.* at § 455.

169. *Id.*

170. 25 U.S.C. § 456 (1976 Supp.).

171. *Id.*

172. See 20 U.S.C. § 241 dd(b)(2)(B)(ii) (1974).

173. 2(c) Report, *supra*, "Johnson O'Malley Program" at 3.

174. Study of Title II, *supra* at 193-94.

175. 2(c) Report, *supra*, "Johnson O'Malley Program" at 8.

176. Study of Title II, *supra* at 193.

177. *Id.* at 194.

178. *Id.* at 195.

179. *Id.* at 194.

180. *See* Minutes, Statewide Johnson O'Malley Native Education Committee, Jan. 27-28, 1976.

D. ESEA Title I

In 1965, Congress enacted the Elementary and Secondary Education Act (ESEA).[181] The act was based on the well-established proposition that children of low-income families have special educational needs and that concentrations of such families have an impact on local education agencies. Grants under Title I of the act are for "meeting the special educational needs of educationally deprived children." [182] The impoverished villages of Alaska with great numbers of children in need of compensatory education were especially appropriate targets for Title I aid.

A district's entitlement to funds under ESEA Title I is the number of children from low-income families, as determined by a statutory definition of poverty level, multiplied by 40 percent of the state's average per pupil expenditure [183] The State Department of Education receives a lump sum payment from the U.S. Commissioner of Education, the size of which is fixed by these calculations. The state agency then approves and funds programs for educationally disadvantaged children which are proposed by local school districts and which meet the requirements of the act.[184] The state agency must then monitor the program and fiscal aspects of funded projects. School districts receiving Title I grants are required to use funds in programs which supplement, and not supplant, state and local expenditures.[185] Thus a district must use state and local funds in Title I schools in amounts per student which are comparable to such amounts in non-Title I schools. In other words, Title I uses are to be in addition to the normal school program and those which would not and could not be provided without federal assistance.

All children counted for Title I purposes do not participate in funded programs because local education agencies are to concentrate the monies on programs for a limited number of students in order to secure a strong and effective program. Local officials select as "target schools" for Title I services those which have the highest concentrations of eligible (poverty level) students. [186]

Parent advisory councils for each district and each target school are required to be involved in planning, implementing, and evaluating programs under the act and are entitled to access to information concerning programs and projects.[187] As the name indicates, the parent committee's role is advisory only and varies in importance from community to community.

Although the Title I legislation has been modified somewhat, the program has remained essentially the same. One notable change for Alaska occurred in 1966. The act was amended to add a provision for educationally deprived Indian children on Indian reservations served by BIA schools.[188] A special "set aside" was authorized for that purpose. The Bureau of Indian Affairs receives one percent of the Title I funding nationally which it then allocates to the various BIA area offices, including the Juneau Area Office which serves Alaska. The area office allocates funds within the state partly based on numbers of students, partly based on whether monies are needed for starting new projects. Some small schools get additional funds in recognition of their greater operating costs.[189]

Alaska has received large grants for ESEA Title I purposes. In fiscal 1974, $5,680,710 was allocated—$2,898,078 to the State Department of Education and $2,782,632 to the BIA.[190] This makes Title I the largest categorical program in the state. Higher incomes due to increased job opportunities and distributions to Native shareholders as a result of the Alaska Native Claims Settlement Act may reduce the number of students eligible for Title I.[191] Title I programs in Alaska now necessarily exclude thousands of children, however. Presumably, Title I funds can be used for the benefit of eligible children whose needs are now unmet, and funded programs will continue to be of great importance in rural Alaskan education.

A pervasive problem in administration of Title I is that typically there is a long delay in receiving payments from the federal government. Congressional allocation occurs after programs are underway; it is even longer before funds are received. Programs often suffer because they must begin long before funds are available or even the amount of the grant is known.[192] Assurance in the statute that funding will be at least 85 percent of the last year's allocation [193] is not a sufficient base for sound program planning. In Alaska, where supplies must be ordered as much as

181. Act of Apr. 11, 1965, Pub. L. No. 89-10, Title I, 79 Stat. 27; 20 U.S.C. § 241a *et seq.* (1976 Supp.).

182. 20 U.C.S. § 241a.

183. *Id.* at § 241c. The per pupil expenditure cannot be less than 80% or more than 120% of the average per pupil expenditure nationally. The formula was originally 50% of the product of the low-income factor times the per pupil expenditure. Adjustments in the low-income factor have qualified more people, however.

184. *Id.* at § 241e.

185. 20 U.S.C. § 241e(a)(3) (1974). Until a 1970 amendment (Act of Apr. 13, 1970, Pub. L. No. 91-230, Title I, 84 Stat. 124) the requirement was found in the guidelines. ESEA Title I Program Guide No. 44, Guideline 7.1 (Mar. 18, 1968).

186. 45 C.F.R. § 116.17 (d).

187. 20 U.S.C. § 241c(a)(14). This requirement was added to the statute in 1974. Act of Aug. 21, 1974, Pub. L. No. 93-380. Title I, 88 Stat. 496. It strengthened the requirement of parent advisory committees then in the regulations. 45 C.F.R. § 116.17(o).

188. Act of Nov. 3, 1966, Pub. L. No. 89-150, Title I, 80 Stat. 1191; 20 U.S.C. § 241c(a)(1)(C) (1974).

189. 2(c) Report, *supra*, "Title I, part A, ESEA," at 6.

190. *Id.*

191. *Id.* at 10-11.

192. Study of Title II, *supra* at 269.

193. 20 U.S.C. § 241h (1976 Supp.).

a year in advance, there is necessarily a crippling time lag caused by the delay.[194]

Lack of federal controls combined with pressing local needs invites serious abuses of Title I funds. Use of them for general support, allowing them to displace (supplant) local expenditures, spending them for all children and not just eligible children, and failing to concentrate use of the funds on less than all eligible children are common.[195] In 1969, ESEA's prohibition of such abuses was strengthened.[196]

Misuses of Title I funds in Alaska have been discovered. A 1971 Department of Health, Education and Welfare, audit revealed use of Title I for basic support of the state-operated schools rather than solely for educationally disadvantaged children.[197] The State Department of Education was directed to end its unlawful practices, but a 1974 review found that a few projects in the state still were using Title I funds for general support.[198] There is no indication that similar investigations have been made of BIA Title I usage. It may be that since nearly every child is eligible, BIA administrators should not be held to the same standard. But the law does require concentration of the available funds for particular programs, and it appears that the BIA is complying.[199]

Although the only detected misuses of Title I funds in Alaska have been minor, the state and BIA should be especially vigilant. The U.S. Office of Education has remedies,[200] although it rarely exercises them. There is also the possibility of costly and time-consuming litigation which could force reallocation of funds, even retroactively.[201] But perhaps the greatest threat is from Congress, which has in the past expressed its displeasure over abuses in the program and the failure of the Office of Education to do anything about them.[202] In the future such displeasure could take the form of stricter and more complicated administrative requirements, smaller appropriations, or curtailment of the program. But the greatest reason for using the funds in conformity with the law is that they are held by the state and local education agencies as a trust, exclusively for poverty level children determined to be educationally disadvantaged.

E. ESEA — Other Titles

Two other sections of the ESEA have been important for the education of Natives in Alaska. Title II provides special grants for library resources, including audio-visual equipment and materials for schools getting Title I aid. The act was early amended to provide for participation by BIA schools.[203] In 1972, the Indian Education Act[204] made it possible for discretionary grants for library resources to be received under a new section.[205]

Title VII of the ESEA was added in 1968, providing aid to support bilingual programs for children of limited English-speaking ability.[206] BIA schools and nonprofit or tribal reservation schools were included in the act in 1970.[207] The congressional hearings make it clear that there is to be parental and tribal participation in the development and operation of projects under the act.[208] There is no statutory requirement to this effect, but the regulations do require parent participation.[209]

It appears that programs under the ESEA are here to stay, at least for the foreseeable future. The Education Amendments of 1974 authorized the programs to continue to June 30, 1978, updated the Title I aid formula, and expanded the Title VII bilingual program, especially with respect to Indians.[210]

F. Indian Education Act of 1972

In reaction to extensive documentation that education of Indians has been abysmally poor and that special federal programs in many cases have given short shrift to Indian students because of the way they are administered,[211] the Indian Education Act was passed in 1972.[212] The act amends P.L. 874 and ESEA, largely by adding special programs to benefit Indians to existing aid provisions.

Part A of the act amends P.L. 874 to authorize new grant funds for pilot programs, planning projects, and equipment to meet the special educational needs of Indian children.[213] Programs must be formulated in consultation with Indian parents, including holding

194. The Education Amendments of 1974 provide for research on the extent to which planning and programming are handicapped by late funding of Title I. Act of Aug. 21, 1974, Pub. L. No. 93-380, Title VIII, 88 Stat. 601.

195. *See generally*, An Even Chance, Ch. III, *supra*.

196. Act of Apr. 13, 1970, Pub. L. No. 91-230, Title I, 84 Stat. 124-26 (20 U.S.C. § 241e & f).

197. 2(c) Report, *supra*, "Title I, part A, ESEA" at 11.

198. *Id.*

199. In 1974 services were programmed for less than one half the eligible BIA students. By contrast the state programmed funds for all but about 10% of its students. Study of Title II, *supra* at 268-69.

200. 20 U.S.C. § 241j (1976 Supp.).

201. *Cf.*, Natonabah v. Board of Education of Gallup-McKinley School Dist., *supra*.

202. Study of Title II, *supra* at 101-02.

203. Act of Nov. 3, 1966, Pub. L. No. 89-150, Title II, 80 Stat. 1191.

204. Act of June 23, 1972, Pub. L. No. 92-318, Title IV, 86 Stat. 335. The act is discussed in more detail *infra* in Part II F.

205. 20 U.S.C. § 887c(c)(1)(C) (1974).

206. Act of Jan. 2, 1968, Pub. L. No. 90-247, Title VII, 81 Stat. 816, 20 U.S.C. § 880b, 880b-5 (1974).

207. Act of Apr. 13, 1970, Pub. L. No. 91-230, Title I, 84 Stat. 151; 20 U.S.C. § 880b-3a (1974).

208. 1970 U.S.C. Cong. & Admin. News 2803.

209. 45 C.F.R. § 123.16.

210. 20 U.S.C. § 880b-7—880b-13 (1976 Supp.).

211. See *A National Tragedy—A National Challenge*, *supra*.

212. Act of June 23, 1972, Pub. L. No. 92-318, Title IV, 86 Stat. 335; 20 U.S.C. § 241aa-241ff, 887c, 1119a, 1211a, 1221f-h (1974).

213. 20 U.S.C. § 241cc (1974).

public hearings and the participation and approval of a committee having a majority of Indian parents.[214] Ten percent of the funds for this section is earmarked for Indian-controlled schools.[215]

The act creates an "entitlement" program. Thus, funds have been distributed within Alaska's state-operated school system among regions corresponding to the 12 regions under the Alaska Native Claims Settlement Act, roughly in proportion to numbers of eligible students.[216] The amount of the grant is determined by multiplying the number of eligible students by the statewide average of per pupil expenditures of local agencies combined with direct state expenditures.[217] In fiscal 1974, $3,706,936 was paid under the act for programs in Alaska.[218] They included cultural heritage, land claims and bilingual-bicultural classes, and counseling services.[219] Within each region funds are allocated among schools by a regional parent advisory committee. The projects are designed at the local level by parent advisory committees for particular schools.[220] Grants are funded rapidly. Proposals are generally submitted in March, a decision reached in June, and operations begun in September.[221]

Part B of the Indian Education Act allows for discretionary grants under the ESEA for special projects to meet remedial education needs of Indian children.[222] The Alaska Native Education Board, a nonprofit corporation with representatives from the 12 regions, operated a bilingual-bicultural program under this part of the act in fiscal 1974 and 1975.[223] The Cook Inlet Native Association was funded for a Native Cultural and Youth Center in 1975.[224] Total funding of Part B in Alaska for fiscal 1974 programs was $253,000.[225]

G. Indian Self-Determination and Education Assistance Act

The most recent federal legislation dealing with Indian education is the Indian Self-Determination and Education Assistance Act of 1975.[226] The first title of the act is designed to strengthen tribal governments and permits them to contract to take over planning, conduct, or administration of nearly any service performed for Indians by the Bureau of Indian Affairs or the Department of Health, Education, and Welfare. This would include assumption of BIA school operations or some part of them (e.g., administration, plant operation, and instruction services) and anything now covered by the Johnson O'Malley program.[227] Because many Indian groups may not be equipped to assume this responsibility, the Secretary can make grants to assist them in designing programs to improve their capacity to enter into contracts with the federal government and generally to improve tribal government by developing and administering their own planning and other systems.[228]

Villages and regional and village corporations are eligible as "Indian tribes" for grants and contracts under this act.[229] In addition, when the appropriate tribe requests, any Indian organization made up of persons democratically selected from the community to be served would be eligible to contract to take over all or part of BIA school operations or other such programs.[230] Thus, village and regional nonprofit Native corporations and the Alaska Federation of Natives would qualify. Similarly, a school district board or board of a regional education attendance area, with a majority of Native members, can contract to perform education and other functions now under the BIA if the appropriate village or regional corporation requests. As yet, neither those Native groups defined as tribes nor those defined as Indian organizations have sought to take over BIA schools. If and when they do, the Secretary will be obligated to enter into a contract with them, absent an appropriate justification for his refusal.[231]

The mechanisms provided under the act are adequate to pave the way to assumption of local Native control of BIA schools. BIA may see shifting management of its schools in Alaska to Natives as a step away from the ultimate goal of transferring all schools to the state, but the dominant federal policy embodied in the act is one of fostering self-determination. There should be no dilemma for federal officials, however, as a strong congressional policy eclipses the administrative goal of transferring BIA schools to the state. To be sure, contracting with Natives will mean continued federal expenditures for Alaska Native education which could be avoided by a state (or district) takeover of a BIA school. But this result is consistent with the act's purpose.

As discussed earlier, Title II of the Indian Self-Determination and Education Assistance Act also changed the manner in which JOM aid is administered.[232] Title II of the act also has an important provision for funding tribes and tribal organizations which operate previously private (i.e. mis-

214. *Id.* at § 241dd(b)(2)(B).
215. See 20 U.S.C. § 241bb(b) (1974), amended by Education Amendments of 1974 to increase percentage from 5 to 10 percent. 20 U.S.C. § 241bb(b) (1976 Supp.).
216. Study of Title II, *supra* at 269.
217. 20 U.S.C. § 241bb(a) (1976 Supp.).
218. 2(c) Report, *supra*, "Indian Education Act" at 5.
219. Study of Title II, *supra* at 269.
220. 2(c) Report, *supra*, "Indian Education Act" at 4.
221. *Id.* at 7.
222. 20 U.S.C. § 887c (1974, 197 Supp.).
223. 2(c) Report, *supra*, "Indian Education Act" at 7.
224. *Id.*
225. *Id.* at 5.
226. Act of Jan. 4, 1975, Pub. L. No. 93-638, 88 Stat. 2206; 25 U.S.C. § 450-458e (1976 Supp.).
227. 25 U.S.C. § 450f (1976 Supp.).
228. *Id.* at § 450h.
229. *Id.* at § 450b(b).
230. *Id.* at § 450b(c).
231. *Id.* at § 450f(a).
232. See 25 U.S.C. § 455-456 (1976 Supp.).

sion) schools.[233] Special funds for construction and renovation of such schools are also available.[234] The latter provisions are further incentives for Native communities in Alaska to assume control of their schools where they are now denominational schools.

States and individual school districts near Indian lands are eligible for funds (at least 75 percent of the total authorized) to construct or renovate schools for Indians.[235] Before entering into any such contracts for construction of Indian schools, the Secretary must consult with the Indian education committee and relevant tribal governing bodies except where the school board is Indian controlled.[236] Assistance in constructing and renovating schools in Indian communities should aid the process of transferring schools from BIA to state or district operation, as well as in promoting decentralization and the concept of community-based schools.

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233. 25 U.S.C. § 458d (1976 Supp.).
234. *Id.* at § 458(c).
235. *Id.* at § 458(b).
236. *Id.* at § 458(e).

Chapter III

Localizing Education and Its Control

As education has spread to children in the most remote parts of the bush, Alaska Natives and educators alike have realized that the fact of education alone is no panacea. Indeed, recent history has shown that the staggering financial costs of Native education in Alaska may be matched by costs more difficult to measure: social and psychological damage, breakdown of family structure, and culture loss.

An appreciation that the social organization and culture of bush Alaska are as fragile as its rugged-appearing, but easily disturbed, environment is a new phenomenon. Superimposition of an education system that works in New York or Kansas may be more than ineffective: it can be damaging. Just as bulldozer tracks will turn into permanent gullies in tundra rather than disappear with a few seasons, the effects of an ill-conceived education system can cut deeply and irreparably into the core of Native life.

The existence of cultural difference was perceived by early educators, but their missionary zeal blinded them to the negative influences of some aspects of western education. However, some were able to adapt their approach to local needs because they were closer to the people they came to serve than to the structure under which they nominally operated. Then government assumed functions once performed by religious orders, and bureaucracy eventually overwhelmed individuality. Altruism was diluted, if not lost, as a motive. Certainly there have always been perceptive non-Native educators. But often it was futile for them to raise a distant voice against a powerful, impersonal government.

The outcry for rural Alaskans to gain control of their education has been primarily their own. By the 1950's, some of the negative fallout from an alien education system was apparent. A generation of Natives which was "fortunate" enough to have had many of its number "educated" protested a continuation of the same system for their children. For years, forward-looking educators had warned against perpetuating a culturally irrelevant system of Native education.[237] Their unheeded advice has become wisdom.

A. Growing Opposition to Boarding Programs

Disruption of rural Alaska community life has been traced in part to the influence of the school. Education often required much of a village's youth to be taken away for months at a time. On their return, they neither knew the survival skills which for centuries had made possible the existence of their families and ancestors; nor did they care to. Disrespect for family and culture was spawned. Young people were educated, but they were ill-suited for most of the opportunities available to them.

The boarding school syndrome was one of the first principal objects of Native ire, and it still is. Indeed, a substantial change in policy with respect to boarding high schools can be attributed largely to the strength and effectiveness of Native opposition. A meeting with the Alaska congressional delegation in Sitka in late 1968 was the turning point. Protests against perpetuating boarding high schools were forcefully raised by Natives in attendance. A change in philosophy resulted.[238]

The state (and the BIA, consistent with its commitment to coordinate directions in education) had been pursuing a concept of establishing large regional school complexes as recommended in a 1967 study by a Virginia consulting firm.[239] The concept of regional schools was not entirely new; it had been embodied in the "Overall Education Plan for Rural Alaska,"[240] and was reflected in the 1962 BIA State Memorandum of Agreement.[241] The overall plan had recommended regional schools as the least disruptive of rural home and community life, consistent with furnishing a sound education. It was based on two major policy considerations: (1) the need to preserve home ties, and (2) the need to establish schools of adequate size to offer a full program.[242] Relatively small regional schools were seen as a step closer to home than were distant BIA boarding schools. By contrast, the 1967 study proceeded on assumptions derived primarily from experiences outside Alaska: A high school must have a minimum enrollment of 500 to have an adequate curriculum, and there must be integration of students of different racial and socioeconomic backgrounds to avoid the negative effects of segregation. These assumptions were contrary to practice and policy in Alaska, which had been to provide local high schools regardless of their small size.[243] Furthermore, the consultants

237. See C. Ray, A Program of Education for Alaska Natives (1959); See also Summary of recommendations in this regard in Darnell, *supra* at 239, Cf., L. Meriam, The Problems of Indian Administration (1928).

238. Ray, *supra* at 15.

239. Training Corporation of America State of Alaska Regional Secondary School System: Implementation Plan (Feb. 3, 1967) (mimeo.) (hereinafter cited as TCA Study).

240. Ray, *supra* (Appendix E) at 78-101. See text accompanying note 106, *supra*.

241. *Id.* (Appendix C) at 106-07. See text accompanying note 77, *supra*.

242. *Id.* (Appendix E) at 86.

243. The TCA Study itself showed that in 1966 there were 43 BIA or public schools in Alaska (excluding on-base schools) with less than 500 students; only seven had 500 or more. TCA Study, *supra* at I-4a-4b.

failed to consider or comprehend adequately what would be entailed for Alaska Natives to attend school so that those assumptions could be satisfied. There necessarily would be interference with family, culture, and individual student psyches as a result of transplanting adolescents in foster homes for long periods.

A recent study of the effects of boarding programs on Native children and their families documented long-held complaints and reinforced the dissatisfaction of Natives with the system.[244] The adolescent period is critical in the development of identity formation.[245] Boarding programs were shown to have had an adverse influence on Native children during this stage of their lives. Many students in boarding schools developed severe emotional and social problems, turning to drinking, violence, vandalism, and even suicide attempts.[246] The strains on Native children away from home have led to large numbers dropping out of school.[247] Children who have been removed from their communities do not fit readily back into them upon their return.

> When [the Native student] returns to his village each summer, he finds only vestiges of his formerly comfortable family relationship, and he encounters increasing frustrations because of the differences between himself and his village. His exposure to western education has taught him to respect (though not necessarily to understand) western standards, and at the same time it has decreased his respect for the Native culture. He finds himself, figuratively with a foot in each culture, unable fully to identify with either group and accepted by neither as well.[248]

The unpopular policy favoring large regional high schools attended by children from small, rural villages living in dormitories or private foster homes eventually was repudiated. But it took a while for practice to catch up with policy. The Beltz Regional Boarding School in Nome had been in operation since 1966. Similar schools were being built and eventually opened in Kodiak (1968) and Bethel (1972).[249] The state had boarding home programs in Anchorage, Fairbanks, and several of the principal rural communities. And BIA had been operating a boarding high school at Mt. Edgecumbe near Sitka since 1947. As demands exceeded the capacity of Mt. Edgecumbe, Native students were sent to the BIA's Chemawa School in Oregon and Chilocco in Oklahoma.

The Bureau of Indian Affairs was aware that Natives were concerned about the deleterious effects of transporting children to the distant schools. For that reason, efforts were made to curtail the practice, while local BIA school programs expanded to add higher grades and a few state high schools were established in villages. The main alternatives to BIA boarding schools were usually state-run boarding schools or schools connected with the boarding home program. Ironically, the BIA paid for the state boarding program via a Johnson O'Malley contract.[250] For some reason, BIA's negative experiences with high school boarding situations was not perceived as transferable to the state program.

There was considerable anxiety in many villages over the continuation of the supposedly repudiated boarding programs. Children in a large number of villages, reluctant to pay the price of being removed from their families and homes for long periods to attend a boarding school or boarding home program, simply received no secondary education. Because of their distance from existing facilities they were exempt from the state's compulsory attendance laws.[251] A rarely utilized option was correspondence study conducted by the state.[252] No child was categorically denied a high school education. In fact, rural children had available the option of attending a regular high school with all expenses paid including room and board. But many had no real alternative to sacrificing family relations, social solidarity, and cultural integrity to get such an education.

The strong Native sentiment for local schools was bolstered by a judgment of the state legislature. A 1966 law said that while arrangements between one school district and another district, the state, or BIA might be necessary to provide "more efficient or more economical educational services," whenever such an

> arrangement requires pupils to live away from their usual homes, the school board shall provide classes within the district for any grade represented by more than three elementary pupils or five secondary pupils.[253]

The statute was amended in 1974 to require "classes within the attendance area when there are at least eight children eligible to attend elementary and sec-

244. J. Kleinfeld, A Long Way From Home (1973) (hereinafter cited as Kleinfeld).

245. E. Erickson, Childhood and Society 261-62 (1963); J. Goldstein, A. Freud & A. Solnit, Beyond the Best Interests of the Child 19 (1973).

246. Kleinfeld, *supra* at 34.

247. Kleinfeld, *supra*, Appendix II & III. Approximately two thirds of the students surveyed by this study in the boarding home program and one third of those in boarding schools dropped out.

248. Salisbury, *Teaching English to Alaska Natives*, 6 J. Am. Indian Educ. 1, 6 (1967). *See also* Bergman, Boarding Schools and the Psychological Problems of Indian Children, paper presented at Annual Meeting of American Academy of Pediatrics, Indian Health Committee (1967).

249. Ray, *supra* at 15.

250. *See* text following note 141, *supra*.

251. Alaska Stat. § 14.30.010(b)(7) (1975).

252. 4 Alaska Adm. C. § 33.030. Between 1959 and 1972 only 41 students received high school diplomas from the correspondence program. Only a few of them had spent two years or more in correspondence study. Deposition of Margaret Justice, June 8, 1973, Hootch v. State-Operated School System, *supra*.

253. Ch. 9, § 1. [1966] Sess. Laws of Alaska.

ondary school."[254] While the section only applies to the cooperative arrangement situation, it manifested a legislative determination as to the threshold number of children for operating a school,[255] specifically demanding establishment of such schools as an alternative to removal of children from their homes in such circumstances.

Five ninth-grade students from the village of Kivalina sued the state in 1971 to compel provision of a secondary school in their village.[256] The suit was settled with a resolution of the issue as to that village. The Kivalina elementary school expanded to include 12 grades. As a part of the settlement, the state promulgated a regulation in 1971 stating that "[e]very child of school age shall have the right to a secondary education in his community of residence . . . ."[257] At the same time, minimum standards for offering secondary education were adopted in the form of a regulation. The standards described the type of programs to be established, reiterated that there is a right to an education in a child's community of residence, and added: "No child of school age shall be required to live away from his usual home in order to obtain an education."[258] The regulations were straightforward statements of policy, but many Natives were displeased with the failure of the state to implement them.

B. The *Hootch* Litigation

In 1972 a number of children commenced another suit asking the court to require the state to carry out what the regulations said and order establishment of high schools in their communities.[259] The children lived in several villages throughout the state where they were unable to attend high school on a daily basis. Some had never attended school beyond the grades offered in their home communities; others had attended boarding schools but dropped out; some were still in such schools.[260] The state admitted in the suit that there were no programs or facilities in 108 communities and pointed out that such programs were to begin in 17 communities in 1974.[261]

The suit (the Hootch case) charged that the state was not abiding by its own rules, but more significantly, that it was denying secondary school age children their rights under the state constitution which requires the legislature to "maintain a system of public schools open to all children of the state,"[262] and that the denial deprives them of equal protection of the law. The state did not argue that it would be unwise to provide community schools or that it did not want to do so. Indeed, it offered evidence that it was moving in that very direction but argued that it was not compelled to do so by the state constitution. The plaintiffs' motion for summary judgment was denied, and thereafter, summary judgment was granted for the state defendants as to the claims under the state constitutional provision. An appeal was taken to the state supreme court. The supreme court found that the phrase "open to all" did not require that schools must be constructed and operate in every village.

> It seems likely that the drafters of the constitution had in mind the vast expanses of Alaska, its many isolated small communities which lack effective transportation and communication systems, and the diverse culture and heritage of its citizens . . . . Thus, in Art. VII, § 1, the Alaska Constitution appears to contemplate different types of educational opportunities including boarding, correspondence, and other programs without requiring that all options be available to all students.[263]

The issue of the state's obligation under the board of education's regulations was also raised. The Superior Court had found the "community of residence" language ambiguous, but interpreted it to mean that a child living within the state-operated school district would have a right merely to attend school somewhere in the unorganized borough—most of the rural part of the state. In line with this interpretation the State Board of Education repealed the regulations and replaced them with ones which stated the right of children to an education in their "district of residence."[264] It is clear that the change in the regulations was motivated by the lower court ruling.[265] On review, the Supreme Court did not find improper the change in the regulations and thus rejected that ground for the plaintiffs' claim.

The Hootch court did not make any decision on the equal protection claims. Those issues were referred back to the Superior Court. There were impressively strong legal and factual grounds for the plaintiffs' claims.

The United States Constitution forbids a state to deny any person equal protection of the law.[266] Similarly, the Alaska Constitution guarantees all persons "equal rights, opportunities, and protection under the law."[267] The United States Supreme Court

254. Alaska Stat. § 14.14.110 (1975).

255. *See also* Alaska Stat. § 14.14.120(a), indicating that a district may be declared inoperative any year in which enrollment falls below eight.

256. Sage v. State Board of Education, C.A. No. 71-1245 (Third Judicial District, Superior Court of Alaska).

257. 4 Alaska Adm. C. § 06.020 (repealed and reenacted effective July, 1974).

258. 4 Alaska Adm. C. § 06.025(2) (repealed effective July, 1974).

259. Hootch v. Alaska State-Operated School System, No. 72-2450, Alaska Superior Court, Third Judicial District, filed Aug. 15, 1972.

260. Brief for Appellants at 5-6, Hootch v. Alaska State-Operated School System, 536 P. 2d 793 (Alaska, 1975).

261. *Id.* 536 P. 2d at 811.

262. Alaska Const. art. VII, § 1.

263. 536 P. 2d at 803.

264. 4 Alaska Adm. C. § 06.020(a).

265. 536 P. 2d at 806, n. 50.

266. U.S. Const. amend. 14.

267. Alaska Const. art. I, § 1; *See also* art. I, § 3 prohibiting denial of civil or political rights because of race, creed or national origin.

recogn'zed the importance of public education in the leading case of Brown v. Board of Education.[268]

> Today, education is perhaps the most important function of the state and local governments .... [I]t is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.

Alaska boarding programs have been used almost entirely for village Native children, and there is ample evidence that in those programs they received an inferior education and experienced a high degree of failure and other problems.[269] Although there is nothing patently unconstitutional about a boarding program, even an inadequate one, the fact that the program operates to the disadvantage of a particular racial group makes it vulnerable to constitutional attack. It is clear that "a law nondiscriminatory on its face may be grossly discriminatory in its operation."[270] And the Supreme Court has held that the equal protection clause bans state-sponsored racial inequality."[271]

The compelling facts of the Hootch case supported a finding that the disadvantages of the boarding home program weighed most heavily upon a racially defined group—Alaska Natives. The State Supreme Court has recognized that the "prestatehood pattern of high school locations"—local high schools for most non-Natives, boarding programs for Natives —"which has been reflected in the current system of secondary education, was generated by the dual school system."[272] And the dual system is a de facto vestige of a de jure segregated scheme created by federal statutes.[273] Given this background and the negative consequences of the system for Native children, there was an ample basis for concluding that an opportunity for an education has not been made available to them on equal terms and that both the state and federal constitutions were offended.

A further constitutional argument supporting the village students' demands for community high schools was that they cannot be required to give up other protected rights as the price of receiving an education. The Court has recognized that certain areas of private conduct, such as family relationships, are shielded from unwarranted governmental interference.[274] Decisions of the Alaska Supreme Court have been even more protective of private conduct and preferences, circumscribing carefully those matters which are beyond state manipulation.[275]

It is well documented that destruction of Native family life is a frequent by-product of the boarding programs. Family relationships are important in any society but are especially vital to the Native Alaskan culture. Native lifestyle in many areas still depends on maintaining a precarious balance with the land, water, and resources upon which Natives depend for subsistence. Families work together much of the year to meet their subsistence needs through hunting, fishing, trapping, gathering, and making use of all parts of the animal, fish, and vegetative products of their harvest. Survival for people in some communities turns upon involvement in these endeavors of as many able people as possible in a tiny, isolated village. This lifestyle has been a "dominant and characteristic way of life for most of the Native communities."[276] This remains true in a large expanse of rural Alaska where Native foods are the foundation of a typical villager's diet.[277] These foods could not readily be replaced with substitute foods because an adequate cash economy simply does not exist in many remote villages. Of course, a cash economy has taken root in some of the more accessible villages.

The integrity of the Native culture, upon which hinges sustenance, family life, and a value system, is threatened by the boarding program. Absent a compelling state interest, state interference with such deeply rooted and important personal matters is of questionable legitimacy.[278] The United States Supreme Court held in Wisconsin v. Yoder[279] that Amish children could not be required to attend public schools because to do so might "undermin[e] the Amish community and religious practice." School attendance would interfere with a distinctive lifestyle and prevent parents from rearing children in the traditional manner, thus destroying the Amish community.

The reasoning of the Yoder Court fits the circumstances of the Hootch case's attack on severance of community ties as the price of a high school education.

> The conclusion is inescapable that secondary schooling, by exposing Amish children to worldly influences in terms of attitudes, goals and values contrary to beliefs, and by substantially interfering with . . . integration into the way of life of the Amish faith community at the crucial adolescent

268. 347 U.S. 483, 493 (1954).
269. See, *e.g.*, Kleinfeld, *supra*.
270. Griffin v. Illinois, 351 U.S. 12, 17 n.11 (1956); Yick Wo v. Hopkins, 118 U.S. 356, 373-74 (1886).
271. *E.g.*, Evans v. Newton, 382 U.S. 296 (1966).
272. 536 P. 2d at 800.
273. *E.g.*, Stanley v. Illinois, 405 U.S. 645, 651 (1972); Meyer v. Nebraska, 262 U.S. 390, 399 (1923); Prince v. Massachusetts, 321 U.S. 158, 166 (1944); Pierce v. Society of Sisters, 268 U.S. 510, 535 (1925).
274. *E.g.*, Ravin v. State, 537 P. 2d 494 (Alaska 1975) (holding a state law prohibiting private use of marijuana to be an unconstitutional interference with private conduct); Breese v. Smith, 501 P. 2d 159 (Alaska 1972) (holding a school rule forbidding students to wear long hair to be an unwarranted invasion of individual liberties).
275. *Id.*
276. Federal Field Committee for Development Planning in Alaska, *Alaska Natives and the Land* 87 (1968).
277. *Id.* at 52.
278. *E.g.*, Breese v. Smith, *supra*.
279. 406 U.S. 205, 218 (1972).

> stage of development, contravenes the basic religious tenets and practice of the Amish faith, both as to the parent and the child.[280]

Yoder, however, involved a readily identifiable religious interest which the Court long has recognized to be protectable.

Although no organized religion is involved, the customs and traditions of Natives are so categorically a part of their lives that they rise almost to the level of religious practices. The extension of the First Amendment argument has not yet been accepted by the Court. However, a lower court in Florida has applied Yoder to prevent application of compulsory attendance laws to an Indian child whose family protested that it would attenuate his cultural and community ties.[281] And the United States Court of Appeals for the Eighth Circuit has ruled that wearing long hair by an Indian prison inmate consistent with tradition is in the nature of a religious practice which is beyond government control.[282]

The Alaska Supreme Court has shown in other contexts its understanding of the peculiar circumstances of rural Native Alaskan life and has varied legal rights and obligations accordingly.[283] There has been a strong tendency to conform state conduct to "such basic values as the preservation of maximum individual choice, protection of minority sentiments, and appreciation for divergent lifestyles."[284] It would not be surprising if the court were to hold that the Native village lifestyle is protected by the Alaska Constitution so that the state cannot demand that it be sacrificed in order for a child to obtain a secondary education.

During the Hootch litigation it was apparent that the legislature and the Department of Education were moving in the direction of the relief requested by the plaintiffs. There was little dispute as to the desirability of local schools, and increased state monies were being made available for their construction. This must have dissuaded the Supreme Court in Hootch from dealing with the equal protection issue on the initial appeal and from otherwise developing relief for the plaintiffs.[285] But the Court said it would not "hesitate to intervene if a violation of the constitutional rights to equal treatment under either the Alaska or United States Constitutions is established."[286]

A recent settlement agreement concluded between the plaintiffs and the state promises to forestall the need for adjudication of the equal protection issues.[287] If all the conditions of the agreement and consent decree are met, the matter will be concluded with no further trial. The settlement is the result of more than a year of negotiations. Largely in response to the plaintiffs' demands, the governor proposed a $20 million bond issue for construction of rural high schools. The legislature approved submission of a $59,290,000 bond issue measure to the voters which would authorize sale of bonds for construction of rural schools.[288] Under the settlement agreement at least $20 million is to be used to build new rural high schools promptly.[289]

The State Board of Education, on May 6, 1976, adopted new regulations concerning establishment of local schools and operation of boarding programs.[290] These regulations will govern to a large extent where proceeds of bonds for rural schools must be spent. They are given muscle by the Hootch settlement agreement. The newly promulgated regulations recite that every school age child has a right to be educated in his local community and that he cannot be required to live away from the community in order to

280. *Id.*

281. Florida v. Clay, 38-50312, County Judges Court, Collier County, Fla., Order Granting Defendant's Motion to Dismiss dated July 24, 1972.

282. Teterud v. Burns, 522 F. 2d 352 (8th Cir. 1975). *But see* New Rider v. Board of Education, 480 F. 2d 693 (10th Cir. 1973), *cert. denied*, 414 U.S. 1097 (1973), denying first amindment protection to an Indian suspended from school for wearing braids in the traditional fashion. Dissenting from the denial of certiorari Justice Douglas decried the BIA boarding system with its "policy of stripping the Indian child of his cultural heritage and identity." Further, he linked the poor achievement and high dropout rate of Indian children in both BIA and public schools to policies which seek to assimilate and abolish cultural differences in Indian youths. *Id.*, 414 U.S. 1097 (Douglas dissenting).

283. *E.g.*, Aguchak v. Montgomery Ward Co., 520 P. 2d 1352 (Alaska 1974) (special notice requirements in suit against village defendant); Carle v. Carle, 503 P. 2d 1050 (Alaska 1972) (child custody may not turn upon cultural bias against Native village way of life); Alvarado v. State, 486 P. 2d 891 (Alaska 1971) (Native villager defendant entitled to have jurors selected from Native communities because of uniqueness of all aspects of Native life).

284. Breese v. Smith, *supra* at 169.

285. *See* 536 P. 2d at 808-09.

286. *Id.* at 809.

287. Agreement of Settlement, dated September 13, 1976, Tobeluk v. Lind, No. 72-2450, Alaska Superior Court, Third Judicial Dist. The case has a new name as a result of a change of parties.

288. Ch. 131, [1976] Sess. Laws of Alaska. The legislation did not make clear how much was used for high school construction in villages which have no secondary schools, but legislative history indicates an intent that high schools be built in many specific communities. *E.g.*, Chairman's Report on the Committee substitute for S.B. 564, House Finance Committee, Alaska Ninth Legislature, 1976. See also enumeration of several sites in the legislation.

289. Agreement of Settlement, *supra* note 285, p. 19, paragraph 8(a). The bond issue was approved by the voters and planning and construction are underway in a number of villages. The State Department of Education is bound to use its best efforts to secure approval for issuance of another $20,570,000 in bonds, adjusted by an inflationary factor, for building rural secondary schools, which would be submitted to the voters for approval in November, 1978. Any amounts above $20 million from the 1976 bond issue used for rural secondary schools as provided in the settlement agreement may be subtracted from the amount which must be produced by the 1978 issue. The agreement specifies the locations where schools are to be constructed and provides for construction at other unspecified sites where needs are identified. *Id.*, pp. 19-23, paragraphs 8-13.

290. 4 Alaska Adm. C. § 05. Under the settlement agreement, these regulations may not be changed. *Id.*, p. 16, paragraph 1.

obtain an education.[291] Elementary schools must be established in every community with eight or more children available to attend, and high school programs must be established wherever there is an elementary school and any available high school students.[292] The school programs were required to be in operation by September 1, 1976, where there were suitable facilities in the community. Subject to waiver by the commissioner of education, the required schools must be in operation by September 1, 1977, in any event.[293] Only after a properly constituted request that no school be established is received from a community school committee (or if none, the BIA advisory school board or the village or city council), can a school district be relieved of its responsibilities.[294] Every district must provide a free boarding school for all secondary students without daily access to a secondary school and may provide the option of a boarding school program to address the special needs of students.[295] The section requiring boarding schools where there is no daily access should become obsolete as districts comply with the regulations and establish schools in virtually all communities. Provision of boarding schools as supplemental facilities will continue.

Whether or not all the issues raised in the Hootch litigation are resolved by the settlement agreement, there has been significant progress toward development of community high schools in Alaska. The 1976 bond issue incorporated in the settlement was the fourth major issuance of bonds to help finance rural schools in Alaska since just before the Hootch case was commenced.[296] Furthermore, the new regulations provide a solid legal entitlement which it would be hard for the state to deny in the future. If the principles in the regulations are abandoned, the state would be in an embarrassing situation before the court. And the facts which would govern any litigated solution are carefully set forth in the settlement agreement in a manner which strongly supports the plaintiffs' legal position. Thus, if the settlement agreement fails for any reason, it is likely that remedies at least as effective could be expected from the court.

291. 4 Alaska Adm. C. § 05.030.

292. 4 Alaska Adm. C. § 05.040(a) & (b). The settlement agreement includes requirements for informing communities of their rights under these regulations, and sets up a schedule for compliance related to specific communities. Agreement of Settlement, *supra*, note 285, pp. 16-18, paragraphs 3 & 6.

293. 4 Alaska Adm. C. § 05.040(c). Procedures for seeking an extension of time for compliance are found at 4 Alaska Adm. C. § 05.060.

294. 4 Alaska Adm. C. § 05.050.

295. 4 Alaska Adm. C. § 09.050.

296. Ch. 170, [1970] Sess. Laws of Alaska, $20,300,000; Ch. 195 [1972] Sess. Laws of Alaska, $16,000,000; Ch. 142, [1974] Sess. Laws of Alaska, $20,337,000.

C. The North Slope Borough

Perhaps the most obvious and effective means of securing localized education and responsiveness to rural community needs is through a borough or city school district. It is the method created for that purpose by the architects of Alaska's Constitution and government. It has not been used extensively to solve education problems of bush Alaska because local tax bases are usually thin and state funding of school districts, while substantial, is inadequate. The device has been used in one notable case with considerable success.

About the time the Hootch case was filed, Eskimos in the Arctic were in the process of forming a local government which was to include the entire Arctic Slope. They were moved by a lack of state or BIA responsiveness to local educational needs and a strong desire for local control. An adequate tax base was available because of oil exploration and development activity.

> [T]here were no schools in the entire North Slope area with classes above the tenth grade. Outside of Barrow, the highest grade for any school was the eighth grade. Of the five schools operating on the North Slope, three were run by the Bureau of Indian Affairs and two by the state. None was subject to local control.[297]

The meager provision of schools and total absence of secondary facilities for the predominantly Eskimo residents of this gargantuan and hostile Arctic desert seemed to be a problem which lent itself to local solution. The growing tax base resulting from Prudhoe Bay petroleum development made feasible consideration of incorporating a borough. Although there were other reasons, such as protecting the land and game resources on which the people rely for subsistence from imbridled activity by the oil industry, "[t]he lack of a high school in the immense region was perhaps the single greatest impetus to borough development."[298]

Formation of the North Slope Borough to include a 56.5 million-acre area was hotly contested in a lawsuit brought by the oil companies who would foot most of the tax bill (Mobil Oil Corp. v. Local Boundary Commission).[299] The State Supreme Court upheld its creation, however, finding that the Alaska Constitution "favor[s] upholding organization of boroughs."[300] The court acknowledged the importance of local government in establishing and controlling an education system.[301]

The North Slope Borough School District is now the basis for locally controlled, locally based educa-

297. Getches, *The North Slope Borough, Oil, and the Future of Local Government in Alaska*, 3 U.C.L.A.-Alaska L. Rev. 55, 59-60 (1973).

298. *Id.* at 60.

299. 518 P. 2d 92 (Alaska 1974).

300. *Id.* at 99.

301. *Id.* at 102, n. 30.

tion. The district has expanded the education program, and the board is free to shape it consistent with community will. High school facilities are available within the borough so that no child need forego a secondary education as the alternative to a lengthy separation from family and community while attending school in areas hundreds or thousands of miles away. The all-Native school board has input from advisory councils in each of the seven villages it includes.[302]

D. Legislative Reform of State-Operated Schools

The furor over the lack of high schools in many Alaska villages and the unresponsiveness of administrators to community needs should be seen as a part of a larger struggle for local control of education in the state. Many villages apparently felt some of the same impulses for autonomy that moved proponents of statehood. They were, however, at the mercy of the state legislature, which was in a key position to make systemic changes. Displeasure voiced from the politically impotent bush met with little action.

In 1966, the state made a concession aimed at permitting more local direction for rural education. An act of the legislature instituted elective advisory school boards in all communities where state schools were operating.[303] Like their counterparts in the BIA system, the boards had no legal power. Their only "duty" was to "advise and assist the Board of Directors . . . through the local official administering the school." Most of the boards under the Alaska State-Operated School System never functioned effectively. In 1975, some 50 percent of the boards were considered nonfunctional."[305]

The education system for the entire state, outside municipalities (the unorganized borough), had been administered by the State Department of Education. There was not even a statewide policy-making board to address the diverse needs of the area separately from those of the state as a whole. Concern for the clumsy, inefficient system led the legislature to create a state corporation called the Alaska State-Operated School System (ASOSS) in 1970.[307]

ASOSS was a separate quasi-agency charged with responsibility for education throughout the unorganized borough. It was governed by a board of directors appointed by the governor. Six of the nine board members had to be from rural areas, outside boroughs and military reservations.[308] The board was delegated some of the authority which formerly had been exercised by the legislature and the State Board of Education, although the exact relationship between the state and ASOSS board was never clear. Administration of rural schools became separate from the State Department of Education's many other duties. Administrative matters still had to be funnelled through the State Department of Administration, however.

The conception of an entity whose sole responsibility was delivery of education in the unorganized borough may have appeared to be a wise move. At the least it would enable a policy-making board and full-time administrators to focus exclusively on that task. But the fundamental impediment of no localized decision making continued. There was not even a procedure for getting input to the board of directors from advisory school boards.

Because ASOSS was still administering an unwieldly system, great improvement was not forthcoming, nor could it have been expected. The capability of ASOSS for effecting change was severely limited because of its behemoth service area with distant clusters of population and a variety of conditions.

Individualized attention was needed for each of the more than 130 schools served by ASOSS but was out of the question. Native leaders saw little difference in rural education in the state system as viewed from the receiving end; they remained essentially disenfranchised in education matters. They urged that the only solution would be decentralization of control.

Energies of Native leaders had been concentrated heavily upon the issue of resolving their claims to land and other rights in the years prior to 1972. Congress had been considering enactment of legislation that would extinguish those claims. It had been prodded not just by Natives seeking justice and a settlement of claims that had been preserved since the purchase of Alaska from Russia, but by oil companies needing to clear land titles in order to get permits to build an 800-mile pipeline which would bisect the state.[309]

On December 18, 1971, the Alaska Native Claims Settlement Act was signed into law.[310] The complicated act left much to be done by Natives—formation of 12 regional corporations and more than 165 village corporations, selection of 80 million acres to be held by the corporations, and more. But its passage freed some Native leaders so that they could concentrate on matters at home with new vigor. Their

302. Interview with Dr. John Anttonen, Superintendent, North Slope Borough School District, January 19, 1976.

303. Ch. 98, [1966] Sess. Laws of Alaska; Alaska Stat. § 14.14.170 (revised and reenacted in 1975).

304. *Id.* at § 1; Alaska Stat. § 14.14.200 (revised and reenacted in 1975).

305. Alaska State-Operated School System, FY 1976 Budget Submission, Analytic Statement, 00808 (Nov. 15, 1973).

306. In 1965 the department had been reorganized to establish a separate Division of State-Operated Schools. *Report of the Alaska Commissioner of Education, 1965*, 23. Any change in delivery of rural education was imperceptible.

307. Ch. 46, [1970] Sess. Laws of Alaska.

308. *Id., as amended*, § 1, Ch. 199, [1972] Sess. Laws of Alaska. Formerly there were seven members, four from rural areas.

309. See generally, M. Berry, The Alaska Pipeline (1975).

310. 43 U.S.C. § 1601 *et seq.* (1976 Supp.).

successful experience with Congress added to their confidence and credibility.

The ASOSS board and staff were impressed not only by the increased pressure for local control, but also by the demonstrated need for it. Their suggestions and discussions with the State Department of Education led to a proposal in early 1973 by Commissioner of Education Marshall L. Lind that there be a thorough investigation of alternatives for education in the unorganized borough and development of recommendations.

Lind requested the Center for Northern Educational Research (CNER) at the University of Alaska to coordinate the project.[311] CNER had been established in 1971 to foster improvement of education in Alaska through research, program development, and educational policy analysis.[312] Together with the Alaska Federation of Natives Human Resources Committee and the Alaska Legislative Committee on PreHigher Education, CNER undertook a year-long study. CNER was assisted in the undertaking by its advisory council—a committee of eminent educators, legislators, public officials, and organization leaders, most of whom were Natives. A series of meetings was held to address issues surrounding the matter, including meetings of the CNER advisory council, of the AFN Human Resources Committee, of the council and the Legislative Interim Committee jointly, and a rural input meeting where "grass roots" sentiment was expressed by bush residents. The CNER staff of professionals met with education agencies, regional corporations, and other groups to discuss the problem and the process of attacking it. The staff also compiled materials, presented alternatives for optimizing local control, and generally coordinated efforts.[313]

In December, 1973, a Forum on Education in the Unorganized Borough was held by the CNER consortium. Position papers were presented by persons from throughout the state. After that meeting a report was prepared by CNER staff for the Legislative Interim Committee on PreHigher Education.[314]

During the course of the CNER study two bills were introduced in both houses of the state legislature[315] to decentralize the state-operated schools by establishing educational service areas in the unorganized borough. Neither bill passed, but the plans proffered in them were fodder for discussion. Eight other types of alternatives (e.g., regionalization, status quo, and municipalities) were debated in the CNER inquiry. Each was exhaustively explored, and many participants in the process formed their opinions.

The CNER report found consensus that delivery of educational services in the unorganized borough had not satisfied the consumers' needs, that ASOSS had been a mistake, and that continuation of central policy and decision making was unacceptable because it was inefficient and squelched local leadership. The report concluded that community control best could be attained through formation of local governments. It found that both ASOSS and BIA are peculiar bureaucracies which inhibit improvements in education and stifle democracy among the segment of Alaskan population which they are supposed to serve and that both should be phased out.

The CNER report made numerous detailed recommendations which would convert ASOSS into a transitional agency until areas of the unorganized borough could form into districts. State government would foster the conversion process through an active program of school district development, including public education, assistance, and grants. All schools would be under districts and removed from ASOSS or BIA by 1980. Some communities would be required to incorporate as municipalities. State financing of schools would be studied to appraise its abilities to deal with the recommended changes. Provision would be made for waiver of existing school laws and regulations to allow innovation.[316]

The legislature failed to act on the CNER recommendations during the 1974 session. The Alaska Federation of Natives (AFN) took steps to insure that the recommendations would be acted upon in the next session. When the legislature convened in 1975, several bills were introduced reflecting the CNER and AFN positions.[317] Similar bills were passed in both houses (S.B. 35 and H.B. 24) after considerable lobbying and input from Native groups. The conference version of the bills was signed into law on June 9, 1975.[318]

The act which now is law (S.B. 35) deviates considerably from several of the CNER recommendations, although it heeds others. Basically, S.B. 35 made ASOSS transitional, charting it for dissolution by July 1, 1976. ASOSS was replaced with several regional education attendance areas (REAA), each with elected school boards controlling all but ultimate fiscal decisions.

Perhaps the most remarkable aspect of the legislation is the rapidity with which it had to be implemented. The shape of Alaskan education always has

311. Letter from Dr. Marshall Lind to Dr. Frank Darnell, dated January 8, 1973, included in Center for Northern Educational Research, Delivery of Educational Services to the Unorganized Borough 392-93 (Univ. of Alaska, Aug., 1973).

312. *Resolution Concerning the Establishment of A Center For Northern Education*, University of Alaska Board of Regents, Fairbanks, Feb. 18, 1971.

313. F. Darnell, K. Hecht & J. Orvik, Prehigher Education in the Unorganized Borough: Analysis and Recommendations 9-14 (1974) (hereinafter cited as Darnell, Hecht & Orvik).

314. *Id.*

315. H.B. 192 & S.B. 122, Alaska Eighth Legislature, 1st Sess (1973).

316. Darnell, Hecht & Orvik, *supra* at 33-53.

317. S.B. 35, S.B. 94, S.B. 136, H.B. 24, Alaska Ninth Legislature, 1st Sess. (1975).

318. Ch. 124, [1975] Sess. Laws of Alaska; Alaska Stat. § 14.08.011 *et seq.* (1975).

depended on the legislative will of the federal and state governments. But never has such radical change been required so quickly. The irony is that because change must occur so suddenly, many things which ought to change will remain the same. The new REAA boards scurried to be functioning by the July 1, 1976 deadline. Some had to retain mediocre ASOSS administrators because time did not permit their replacement. Under these circumstances, little substantive improvement in local school management is predictable.

E. Decentralizing Under S.B. 35

The first major task under S.B. 35 was to determine the boundaries of the REAAs. Hearings were held throughout the state to solicit views from the affected citizens as to the extent of the REAA in which they would be located. The legislation provided that REAA boundaries would follow regional boundaries set under the Alaska Native Claims Settlement Act.[319] The statute appears to authorize division of the unorganized borough into as many REAAs as there are regional corporations, along coterminous lines. But use of regional lines was not intended to be exclusive. This is shown by subsection (b) of the same section, prescribing certain characteristics for REAAs. REAAs must contain an integrated and homogenous socioeconomic, linguistic, and cultural area. Consideration also is given to transportation and communication. Geographic features and existing boundaries are to be used in describing boundaries.[320] Of course, first-class cities and organized boroughs are excluded, as they constitute existing school districts.[321] Taken together, the two subsections suggest that REAA boundaries are to follow, rather than cross, regional corporation boundaries where they contact them and conform to natural or other predetermined boundaries. This is how the State Department of Community and Regional Affairs, which was charged with administering the act in consultation with the State Department of Education, interpreted it in a series of informational meetings in rural areas around the state in July and August, 1975. Later they began implementing it similarly when hearings were held in numerous bush locations regarding proposed boundaries. The result of the hearings was a division of the state into some 21 REAAs.[322]

Within each REAA the voters elect a board of from five to 11 members.[323] To determine the exact number for each REAA, the department of education consulted with communities during the hearings described above. To permit representation of small communities whose voices might be unheard in a large REAA, an area can be divided into school board sections, each with one or more seats on the board.[324] Section lines are drawn based on population distribution, but by adjusting the number of seats on the board, representation for very small communities can be had in most cases, assuring that they will have a resident on the board. Board members are elected at large by all voters of an REAA.[325] It was necessary to have REAA boundaries, numbers of representatives, and sections determined quickly, as elections were scheduled for February, 1976.

In addition to the elected board for each REAA, every community (or military reservation) with a school has a community school committee.[326] Members are elected at regular municipal elections or special elections set by the department of education. As with the old advisory school boards which functioned under the state-operated school system and which are replaced by these committees, duties are loosely defined and powers nonexistent. The statute merely charges them to "review and make recommendations to the board" of the REAA "concerning the curriculum, program, and general operation of the local school."[327] They may, however, be delegated other functions by the school board.

Powers of the regional school boards are not plenary, as are the powers of a district school board. Because of their financial relationship with the department of education and the fact that their only powers are those delegated by the legislature, there are limits on many things which they are able to do. For instance, the REAA boards' operation of schools and decisions to establish new schools or close old ones are all subject to approval by the commissioner of education.[328] Authority with respect to construction is limited in that an REAA may have to rely upon the State Department of Public Works to build schools requested by the REAA using funds appropriated by legislature or to accept and use grants from that department.[329] Whether the REAA or the department uses the money, choice of sites and other important matters rest in the discretion of departmental officials operating under state regulations.

319. Alaska Stat. § 14.08.031(a) (1975). The statute also uses the word "sub-boundaries" in reference to the regional corporations. It is not clear what this refers to.

320. Alaska Stat. § 14.08.031(b) (1975).

321. Alaska Stat. § 14.12.010 (1975).

322. Originally 20 REAAs were created by the Commissioner of Community and Regional Affairs on November 1, 1975, pursuant to authority in Alaska Stat. § 14.08.031(a). But after a meeting of residents of REAA 17 and the governor, REAA 21 (including Whittier and Tatitlek) was created on November 24, 1975, dividing REAA 17 along the boundary between the Chugach and Ahtna Regional Corporations. Memorandum to REAA file from Michael C. Harper, Deputy Commissioner, Department of Community and Regional Affairs, dated December 3, 1975.

323. Alaska Stat. § 14.08.041 (1975).

324. *Id.* at § 14.08.051.

325. *Id.* at § 14.08.041(d).

326. *Id.* at § 14.14.170.

327. *Id.* at § 14.14.200.

328. *Id. at* § 14.08.101(6).

329. Alaska Stat. § 14.08.101(7), 14.08.161 (1976).

Ownership of all school buildings and land remains in the state; REAAs will have use permits for them.[330]

Because of overriding authority of the commissioner with respect to REAA school operations, it is not clear how significant the enumerated powers of boards are, as the new act is only beginning to be implemented. The extent to which the power to "adopt regulations governing organization, policies and procedures for the operation of the schools"[331] can be exercised free of the commissioner's disapproval authority remains to be determined. Similarly, the board's duty to "develop a philosophy of education, principles and goals for its schools"[332] must be read in light of the commissioner's overriding control of school operations.

Matters of employment, salaries, purchasing, and disbursement of funds are lodged with the REAA boards.[333] All funds for REAAs are furnished by the state legislature. They receive "basic need," as used in computing foundation aid to districts, plus an amount equal to the average per pupil local tax contributions in city and borough districts.[334] Thus, they are relieved of local effort requirements, but the amount they can receive from the state over and above basic need is indirectly determined by city and borough decisions regarding their local tax effort.

It is unclear whether the REAAs can receive and expend voluntary contributions. It is conceivable that a local industry, a village or regional corporation, or an individual would donate funds. The donation could be motivated by sheer beneficence or it could be an inducement to the community not to form a local government which could tax the donor's property. There is no express bar to receiving and using supplemental funds, but the powers of the REAA are delegated to it by the legislature and, therefore, must be construed narrowly. If they extend only to the enumerated powers, use of funds other than those appropriated by the legislature or received under a contract with BIA, the department or some public agency would be unauthorized.[335]

Contracting authority in the statute does enable REAA's to receive Johnson O'Malley funds directly.[336] They also are eligible for assistance under the Indian Education Act. Indeed, they are eligible until 1979 for funding under special provisions for schools which have been local education agencies for less than three years.[337] Funds under the Elementary and Secondary Education Act programs are available also but are administered through the state agency, i.e., the department of education.[338] The REAAs do not receive P.L. 874 impact aid funds directly as districts do.[339] As discussed earlier, a Native-controlled REAA board is eligible to contract with BIA to take over its school operations under provisions of the Indian Self-Determination and Education Assistance Act.[340]

The unmistakable import of S.B. 35 is to vest boards in communities with local management of schools. Management is not synonymous with control, however. Many local objectives can be achieved by selecting the personnel to staff and administer schools. Innovation in operation and curriculum, choice of school locations, and design and condition of facilities are all quite important, too, but are not functions vested solidly in the REAAs. It may be that the commissioner and the department will administer the act to maximize the local control which is possible under it. There is no indication that they will do otherwise, but the specter of state intervention remains. And there is always the possibility that a policy of minimizing involvement in and preemption of local decisions will change, especially as personnel in the department changes.

330. Alaska Stat. § 14.08.151 (1975).
331. *Id.* at § 14.01.101(5).
332. *Id.* at § 14.08.111(2).
333. *Id.* at § 14.08.101(3) & (4); § 14.08.111(3), (4) & (5).
334. *Id.* at § 14.08.121.
335. *Id.* at § 14.08.101(2).
336. See *supra*, Part II C.
337. See *supra*, Part II F.
338. See *supra*, Part II D.
339. See *supra*, Part II A.
340. See *supra*, Part II G, especially text accompanying notes 230-31.

Chapter IV

Surviving the Cures: Prognosis

There was little room for Native input in education under the Russians or in the early mission schools. Natives were fortunate if their community had a government school in territorial days, and unless it was a school for Natives, chances are they would not even be able to attend.[341] So much energy and resources during the first half of the twentieth century were devoted simply to trying to meet the barest of educational needs in rural Alaska that maximizing quality, preserving culture, and making education responsive to local wills were luxuries. This is not to say that these issues were nowhere raised or dealt with; but necessarily they were not foremost.

By the early 1950's when a statehood move was well afoot, talk of "local control" struck a responsive chord with Alaskans who were weary of having their affairs determined by a distant government which had little comprehension of their situation. Inclusion of strong provisions for local autonomy in the state constitution was a manifestation of a desire to wrest control of Alaskan affairs away from the federal government. The constitutional assumption of responsibility for all of Alaska's education, notwithstanding whatever noble motives underlay it, had little practical significance because of the limited financial abilities of the fledgling state.

While state support of education has vastly increased, the proportion of federal aid has increased even more. Of course, all states have enjoyed an infusion of federal assistance during the last two decades. This has cushioned the burdens of rising education costs which fall on property taxpayers in local districts in most states, but in Alaska it has kept a state-run system of education afloat. Because of Alaska's foundation program, however, it has been cheaper at the local level to maintain state responsibility for local schools rather than to have control vested in borough and city school districts as anticipated by the state constitution.

The last decade has seen long-awaited action to remedy the most glaring structural defects in rural Native education. Native sentiments and professional concerns have evoked positive changes. The process also has yielded some perplexing side effects which must be dealt with.

Fulfillment of Native desires for local control of education is now frustrated by two ironic developments. First, there are multiple vehicles for local input via myriad boards and committees which in a small community can dissipate available talent and interest to the point of insignificance. Second, the regional education attendance areas formed under S.B. 35, while allowing far more local control than was possible under the state-operated school system, has sidetracked the movement toward local government. Indeed, the enactment may be fatally flawed by its conflict with the state constitution. Meanwhile, transfer of BIA schools to districts and REAAs may experience an acceleration greater than that with which many Native people are comfortable.

341. See *supra*, Part I A.

A. Community Control: Too Much of It?

Mechanisms for community input into education-related decision making have proliferated in recent years. The citizens of a single small village may be called upon to elect members to an REAA board, a community school committee, a BIA advisory school board, a BIA agency level school board, a Johnson O'Malley Indian Education Committee, an Indian Parent Committee under the Indian Education Act, a Title I Parent Advisory Committee, a Title VII bilingual education Community Advisory Group, and so on. There is provision in the law for the JOM Indian Education Committee to be the same as the Indian Parent Committee. And there need not be an Indian Education Committee if the school board has a majority of Indians (Natives).[342] But the structures of the various committees and boards differ just enough that there can be little other consolidation of functions without statutory and regulatory changes.

The limits of participatory democracy in rural Alaska are being tested. How many people in a village of 50, 100, or even 2,000 people have the interest, abilities, and time to serve as an unpaid board or committee member? Of those, how many are consumed with tasks as board members, officers, or employees of one of the 12 regional or 165 village corporations or with other Native activities? Native people with capabilities and inclinations for school boards and committees are in tremendous demand.

The initial REAA election placed 147 people on 21 school boards and subsequent elections and appointments placed more than 450 people on community school committees.[343] Inevitably many of these people will have to serve on more than one panel. This can dilute their effectiveness in fulfilling their responsibilities. It is unfair to expect anyone, let alone people from rural Alaska, far from resources or technical assistance and often with limited organizational background or formal education, to perform

342. See notes 171-72 *supra*, and accompanying text.

343. Statement by Nathaniel H. Cole, Deputy Commissioner, Alaska Department of Education, to E. Dean Coon, Assistant Director, Center for Northern Educational Research, December 29, 1976.

flawlessly. It is essential that there be appropriate amendment of statutes and regulations, especially those relating to federal programs, to allow consolidation of the "local input" committees. The elimination of the parallel BIA school system would itself eliminate one type of local committee.

Requirements of local committees and boards are well motivated, needed, and can serve essential functions. But it would be a travesty if communities were so burdened by their participation and their efforts spread so thin that local control collapsed of its own weight. It is not enough to build into the structure means for local input; the system must be made workable in light of actual conditions.

B. S.B. 35 — A Constitutional Clash

S.B. 35 was intended to give rural Alaska the voice in education which it was without in the state-operated system. But the legislation stops short of the most logical solution, and indeed impedes it. Municipalities and school districts formed under them indisputably are the most effective vehicles for achieving local control. Mechanisms for establishing them have existed since statehood. The state constitution manifests a strong purpose to divide the state into organized boroughs and cities which would perform education functions locally. To be sure, there have been impediments to this, especially financial ones.

A reasonable way of dealing with the need for local involvement in education while remaining consistent with existing statutes and the state constitution would have been to enact legislation which would remove impediments to, and affirmatively assist, the formation of municipalities. This would be logical as there are existing local government forms which can perform educational services without creating new structures. This was precisely the recommendation of a statewide, year-long study prepared for the Alaska Interim Committee on PreHigher Education and the department of education in 1974. [344] The recommendations surprisingly were not followed.

The new legislation (S.B. 35), while shifting considerable control to communities, still retains much authority at the state level and frustrates the goal of fostering local governments. Instead of attempting to bring rural education into the grand scheme of local government of the Alaska Constitution, a special layer of quasi-government just for education in the unorganized borough is perpetuated. Governance of educational functions is divided geographically, and this is a major improvement. But the maximum degree of local control, available only through the municipal form, is not secured to the communities.

In spite of imperfections in the approach, local people will probably strive hard to make the REAAs work as vehicles of local control. But the movement for maximum local control will be sidetracked in the process. Farther-reaching measures—such as pursuing local government forms—will await the test of S.B. 35. Expectations may be disappointed somewhat, but the new law's presence will diffuse the local control crusade as community leaders try to optimize the new law's efficacy. Beyond a preoccupation with effectuating S.B. 35, there are restraints built into the scheme which will deter municipal formation.

Perhaps the REAAs are the best available devices for consolidating the BIA and state systems, coalescing the various arms of "local control" and staging for eventual creation of autonomous districts. For this to be a reality, the system must be purged of disincentives to the goal.

There is no incentive for an REAA which lacks adequate school facilities to become an independent district, at least until construction needs have been met at state expense. Usually, it would be folly for an area to incorporate as a municipality before fully state-financed construction was completed. School districts receive only limited state aid for construction costs. [345] But if an area in need of school construction is blessed with an especially strong tax base (as the North Slope Borough with its valuable oil exploration activity), it may make sense to assume the local burden of revenue production in exchange for optimizing local control. Otherwise, municipal incorporation becomes an unnecessarily costly enterprise, probably outweighing the benefits of added local control. It should be noted, however, that there is no barrier to the state's assuming the full burden of financing municipal school district construction. [346]

Even at the sacrifice of some autonomy, voters of an REAA might reason that forming a municipality would be too costly relative to the REAA system. The foundation program simply is not as generous in its funding as is the method for financing REAA schools. Until there is provision for full funding of basic need under the foundation program, and until there is assurance that the formula for "basic need" accurately reflects operating costs in the widely disparate areas of the state, formation of municipalities in the unorganized borough, with its frail tax base, will stagnate.

To remove the financial deterrents to the municipal form the state must move toward full financing of educational needs in district schools through the

344. Darnell, Hecht & Orvik, *supra*.

345. Alaska Stat. § 43.18.100 (1974) provides for reimbursement of one half of school construction costs or payments on indebtedness for such costs. Three quarters of the cost of vocational education facilities is paid by the state. Payments are deferred until the year following payments by the district on bonded indebtedness. Alaska Stat. § 43.50.140 earmarks state cigarette tax revenues for school construction.

346. The bond issue authorized by the legislature in 1976 included funding for school construction in a number of school districts. S.B. No. 564, Alaska Ninth Legislature, 2d Sess. (1976). See *supra*. Note 285.

equalizing medium of a revamped foundation program. Meager local tax bases then can be used to finance non-education costs of municipalities. The foundation formula should allow state aid to abate to some extent for wealthier municipalities. Nothing would prevent them from using their wealth to provide optional and enhancing educational services also. A more adequate and reliable state program of construction financing must also be developed. These measures, supplemented by the panoply of federal programs available especially for the rural Native population, can lead to a system of healthy, locally directed schools. Local control does not depend on local revenue, and this can be confirmed in Alaska if but a few hurdles are cleared.

There are open questions as to some of the practicalities once a decision is made to incorporate a city or borough. It is not clear that the state is obligated to transfer all schools it operates to a new municipality. The state attorney general has indicated that on incorporation, "the Department of Education must transfer the school to the local political subdivision so such political subdivision can carry out its function of providing, operating, and maintaining schools."[347] He concluded further that the state would not be authorized "to continue maintaining and insuring such school buildings after formation of a newly organized borough or city."[348] But this transfer is not mandated in any statute.[349]

There are operational problems with any general conclusion as to the existence of an obligation to transfer. It is not unreasonable to expect that new boroughs and cities in the now unorganized borough will coincide with REAA boundaries in many cases. The standards for organized boroughs and legislative guidelines or setting REAA boundaries are similar in most respects.[350] The fact that a borough must raise revenue locally might lead it to exclude nonrevenue-generating territory in an REAA where costly services would have to be furnished. Cities are usually incorporated around single communities in contrast to the generally areawide nature of a borough and are even more likely to exclude parts of an REAA, although they may include all the schools now attended by more children than reside within the incorporated area.

If a borough were established which included less than an entire REAA or parts of more than one REAA and omitted areas where children resided but included the schools, would the state transfer all school facilities to the new municipality?

The Local Boundary Commission has authority to alter boundaries of proposed boroughs and cities before it accepts a petition for incorporation.[351] This power could be used to force coincidence between REAA and municipal boundaries, but only where it is necessary to meet statutory standards for borough incorporation or, in the case of cities, if the proposed boundaries are too restrictive or too expansive for efficient local government. It is regrettable that the legislature did not mandate the setting of REAA boundaries with future incorporation of municipalities in mind and express that goal as their purpose. Supplemental legislation could convert the REAAs into truly transitional instruments, bringing the REAA arrangement into conformity with the spirit of the local government preferences in the state constitution.

Palliatives may set the REAA mechanism on course, but probably cannot redeem it from a most rudimentary defect. The whole system may be tainted with a constitutional infirmity.

The legislation delegating management and control of REAA schools to the respective boards refers to REAAs as "educational service areas."[352] This is language used in the Alaska Statutes and Constitution. The constitution allows borough assemblies to establish service areas for provision of special services[353] and the legislature can do anything for the unorganized borough that the borough assembly can do for an organized borough.[354] The constitution is clear that "[a] new service area shall not be established if, consistent with the purposes of this [local government] article, the new service can be provided by an existing service area, by incorporation as a city, or by annexation to a city."[355] The purpose of the article "is to provide for maximum local self-government with a minimum of local government units."[356]

There is no doubt from the "service area" language that the legislature intended to act pursuant to the constitutional and statutory powers it has with respect to the unorganized borough. The Alaska attorney general several years ago ruled that the legislature could, under these provisions, establish school service areas in the unorganized borough.[357]

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347. 1963 Alaska Op. Atty. Gen. No. 24.

348. *Id.*

349. There is *authority* for the department to make such transfers. Alaska Stat. § 14.07.030(9) (1975).

350. Compare Alaska Stat. § 29.18.030 with § 14.08.031. Each must take account of social, economic, cultural, and geographic features and must consider transportation and communication. The requirement of an economic base sufficient to support local services is required for borough incorporation, but not for a REAA. There is some indication that the legislature understood that new municipalities would not include entire REAAs. Alaska Stat. § 14.17.210 (1975), allowing continued full state funding for REAA schools which become city or borough schools, refers to individual schools and not to REAAs as entities.

351. Alaska Stat. § 29.18.090 & .100 (1972).

352. *Id.* at § 14.08.031.

353. Alaska Const. art. X, § 5.

354. Alaska Const. art. X, § 6.

355. Alaska Const. art. X, § 5. This section has been implemented by Alaska Stat. § 29.03.020 (1972) which states that the legislature can establish service areas and reiterates the limitation to areas where services cannot be provided via incorporation or annexation.

356. Alaska Const. art. X, § 1.

357. 1961 Alaska Op. Atty. Gen. No. 24. A recent opinion letter of the Attorney General indicates that the

The attorney general warned, however, that establishment of such areas would be subject to the restrictive limitations of Art. X, § 5. Thus the establishment of every new service area must be predicated upon a finding that the service cannot be provided by incorporation as a city or by annexation.

It appears that the creation of every REAA which arguably could be incorporated as a first-class city, i.e., "[a] community having 400 or more permanent residents,"[358] is subject to constitutional attack. Similarly, those areas adjacent to incorporated first-class cities and which might be annexed are under a cloud of legal doubt.[359] The Alaska Supreme Court has taken a dim view of legislative acts which do not comport with the intent of the local government sections of the constitution.[360] There is no reason to believe it would look with favor on the REAA scheme in light of its impact and the purpose of the local government article.

How many of the REAAs were lawfully created as educational service areas in the unorganized borough depends on an analysis of each to determine which could have become new cities or could have been included in existing ones. Any estimate would be speculation, but the attorney general in 1961 suggested that because of the constitutional limitation, "school service areas would not be a widely applicable means of school organization for Alaska."[361]

If disgruntled citizens affected by S.B. 35 sue to challenge the creation of a particular REAA, the whole REAA design may fall. If a court found that a particular REAA could not become a city or be annexed simply because the boundary lines had been drawn in in a manner which excluded that possibility, the scheme may be found to be inherently offensive to the constitution. The task of drawing REAA lines was delegated to the State Department of Regional and Community Affairs. To withstand scrutiny the delegation must have been exercised consistent with the constitution. Unless all possible new cities and annexations were carved out of the unorganized borough before service area lines were drawn, the determination of the department of community and regional affairs may be suspect. The very delegation of authority in the act without limitation to the constitutional restraints on service area creation is questionable. A constitutional method would require findings on the matter as REAA lines are drawn and standards for reaching them consistent with the local government article of the constitution.

analysis is one in which he still "fully concur[s]." Letter from Attorney General, by Ronald W. Lorensen, to Robert S. Gates, Alaska Department of Administration, dated March 26, 1976.

358. Alaska Stat. § 29.18.010 (1972).

359. Annexations are subject to the will of the voters of the area to be annexed in most cases. See Alaska Stat. § 29.68.010 (1972).

360. *Cf.* Abrams v. State, 534 P. 2d 91 (Alaska 1975).

361. 1961 Alaska Op. Atty. Gen. No. 24 at 6.

C. The Uncertain Role of the BIA

It has been intimated that the federal government is not legally required to educate Indians and Alaska Natives and consequently could cease serving them at will.[362] It has further been suggested that the absence of treaties with Alaska Natives in which promises of education services are made weakens their claim to such services.[363] As a technical matter, this may be so, but enforceability of treaty obligations is limited because few treaties are specific as to how obligations will be discharged.[364] Treaty promises generally are fulfilled by including Indians of treaty tribes in BIA school programs and in statutory aid programs,[365] such as those under the Johnson O'Malley Act. Courts have recognized great latitude and discretion in the Congress and Executive in determining how obligations to Indians will be carried out.[366] Thus, Indian beneficiaries of a general treaty promise to furnish education would not be in a more advantageous legal position than Alaska Natives or other Native Americans who are without the benefit of such a promise.

The absence of a specifically enforceable duty does not leave the BIA unrestrained in its decision making with respect to Indian education programs. In order to cut off Native Americans from substantive rights in federal programs administered by the BIA for their benefit, the Secretary must give notice and an opportunity to be heard to the public pursuant to the federal Administrative Procedure Act.[367] Because the BIA had led Congress and Natives themselves to believe that its education programs would include Alaska Natives, a sudden curtailment of those programs in Alaska by administrative action would be improper and not in keeping with the "overriding duty of our federal government to deal fairly with Indians wherever located."[368] The "distinctive obligation of trust incumbent upon the government in its dealings" with Indians[369] is as applicable to Alaska

362. *See* Rosenfelt, *Indian Schools and Community Control*, 25 Stan L. Rev. 489, 502 (1973) (hereinafter cited as Rosenfelt).

363. See, *e.g.*, discussion in Ray, *supra* at 3-5 and F. Darnell, *Systems of Education for the Alaskan Native Population*, in Education in the North (Darnell, ed.) 296-97 (1972).

364. Rosenfelt, *supra* at 503.

365. See Wilkinson and Volkman, *Judicial Review of Indian Treaty Abrogation: As Long as Water Flows, or Grass Grows Upon the Earth—How Long a Time is That?* 63 *Calif. L. Rev.* 601, 602, n 4 (1975); Rosenfelt, *supra* at 503.

366. *E.g.*, National Indian Youth Council v. Bruce, 366 F. Supp. 313, 322 (N.D. Utah 1973), *affirmed* 485 F. 2d 97, 99 (10th Cir. 1973), *cert. denied* 417 U.S. 920 (1974). The lack of specific treaty language likewise has prevented a tribe from recovering damages for failure to provide adequate medical and education services. Gila River Pima-Maricopa Indian Community v. United States, 427 F. 2d 1194 (Ct. Cl. 1970), *cert. denied* 400 U.S. 819 (1970).

367. 5 U.S.C. § 551 *et. seq.* (1970).

368. *E.g.*, Morton v. Ruiz, 415 U.S. 199, 236 (1974).

369. Seminole Nation v. United States, 316 U.S. 286, 296 (1942), cited in Morton v. Ruiz, *supra*, 415 U.S. at 236.

Natives as to other Native Americans.[370] Natives cannot insist on any specific type of education from the federal government, and the state clearly has ultimate responsibility for their education. But it would be beyond the Secretary's authority for him to withdraw services so rapidly that the state could not as a practical matter do its job, leaving Alaska Natives with no means of getting an education.

The enactment of the Alaska Native Claims Settlement Act has the effect of extinguishing all Native claims based on aboriginal title, statute, or treaty and settling those claims "without establishing any permanent racially defined institutions, rights, privileges, or obligations . . . or lengthy wardship or trusteeship."[371] The future of "all Federal programs primarily designed to benefit Native people" is left open. The Secretary was to study the subject and to report back to the Congress with "his recommendations for future management and operation of these programs . . . ."[372] That study has been completed.[373] The Department of the Interior contracted for the study to be done by Robert R. Nathan Associates, Inc., but the report was not intended to, and did not, include policy recommendations. So far the Secretary has not made any recommendations on the subject, although the act required a report and recommendations by December 18, 1974.

What recommendations will flow from the study and what action Congress might take are uncertain. Congress could decide that the new status of Natives after the Settlement Act, Alaska's growing financial ability to carry out its duties to educate all children in the state, and the newly created REAA mechanism signal a reason to pull out of Alaska. It does not appear, however, that there is as yet any move toward terminating federal educational services for Alaska Natives. Indeed, Congress has passed increased funding for BIA schools and Johnson O'Malley aid in Alaska in the years since the act.[374]

While the BIA has no unwavering legal duty to educate Alaska Natives, and the Alaska Native Claims Settlement Act renders uncertain the future of all BIA services in Alaska, there is no likelihood of withdrawal of education services in the near future. Practical, political, and legal impediments will slow the withdrawal. The principal question, then, is how to accommodate BIA policy to serve best Alaska's rural population. In recent years BIA has been committed to aligning its education goals with those of the state and facilitating transfer of its education functions to the state system (including local districts). The transfer policy has been reiterated in public statements for 30 years. The 1962 Memorandum of General Agreement between the BIA and the state manifested this intention. Remarkably, the BIA Area Office in Juneau has terminated the existing agreement and invited the state to reopen negotiations for a new memorandum of agreement on school transfer.[375]

The timing and conditions of transfers have been something of a problem. The state's financial inability to assume full responsibility consistent with its legal obligation has been the main impediment. The state's shortage of revenue is being turned around with the development of petroleum.[376] Community preference for keeping BIA schools has dissuaded the Bureau from some transfers. It takes the position that schools should not be transferred unless there is local assent. The 1962 Memorandum of General Agreement refers to "local participation" in planning the transfer process. Also, the government's current policy is one of self-determination for Indians which supports a requirement of consent.[377] One reason communities favor retention of BIA schools is that several jobs for local people are related to the schools, such as maintenance, cooking, etc. There is fear that fewer jobs will be available if the schools are transferred to the state.

Another barrier to transfer of BIA schools has been the high cost of bringing some of the federal facilities to state standards.[378] A policy statement from the State Department of Education in 1969 indicated that "[no] facilities should be transferred to the state, cities or boroughs unless they meet minimum standards for safety and the program to be offered by the date of the proposed transfer."[379] Such costs can be extremely high, and the state's reluctance to assume them is understandable. On the other hand, the BIA has no legal obligation to transfer its

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370. Alaska Pacific Fisheries v. United States, 248 U.S. 78 (1918); United States v. Berrigan, 2 Alaska 442 (1905); Edwardsen v. Morton 369 F. Supp. 1359 (D.D.C. 1973); Koning, Inc. v. Kleppe, 405 F. Supp. 1360 (D.D.C. 1975), appeal pending *sub nom.* Salamantof Village Assoc. & Cook Inlet Region, Inc. v. Kleppe, Nos. 76-1325-35 (D.C. Cir.); F. Cohen, handbook of Federal Indian Law 404 (1942). *See generally*, on the trust relationship, Chambers *Judicial Enforcement of the Federal Trust Responsibility to Indians*, 27 Stan. L. Rev. 1213 (1975).

371. 43 U.S.C. § 1601(b) (1976 Supp.).

372. *Id.* § 1601(c).

373. 2(c) Report, *supra.*

374. Budget data indicate the following monies were spent for education in Alaska in the years shown:

	Johnson O'Malley	BIA Schools
FY 1972	$3,505,092	$ 9,368,975
FY 1973	4,600,000	10,581,460
FY 1974	4,500,000	11,476,900

2(c) Report, *supra*, "Indian Education, Federal Schools Program" at 13.

375. Letter from Clarence Antioquia, Area Director, Bureau of Indian Affairs, Juneau, to Honorable Jay S. Hammond, Governor of Alaska, dated January 20, 1977.

376. It has been estimated that severance taxes will account for $4 billion in state revenues by 1985. Study of Title II, *supra* at 271.

377. See, *e.g.*, Statement of Emil Kowalczyk, Assistant Area Director, BIA Juneau Area Office, included in Darnell, Hecht & Orvik, *supra*, Appendix at 37; Lind, SOS/BIA Schools Dissolution (undated, unpublished) at 5; 2(c) Report, *supra* "Education Programs" at 1.

378. 2(c) Report, *supra*, "Indian Education, Federal Schools Program" at 1.

379. Ray, *supra* (Appendix C) at 57.

schools to the state or a school district. The apparent policy of transferring schools without charge when the state or district agrees to operate the schools is a reasonable one. It has the effect of encouraging the state to perform its constitutional duties but is not legally compelled.[380] So long as BIA accedes to state demands that federal schools be renovated to meet state standards before they will be accepted, the state cannot be faulted. But it would be shortsighted to refuse "gifts" of even substandard school buildings from the federal government which can facilitate the state's assumption of its legal duty to provide education for all the state's children.

The establishment of regional education attendance areas under Senate Bill 35 has prompted discussions between BIA and the State Department of Education concerning transfers. It has been agreed that BIA will transfer schools to the state in any communities where REAA boards by resolution agree to operate them.[381] Several REAAs have accepted the invitation, and transfer of a number of BIA schools has been effected.[382] To the extent that consent of an REAA board does not reflect the will of the community this new policy marks a retreat from BIA's earlier insistence on a manifestation of local desire to have schools transferred from BIA to state operation. The BIA objected, however, to a state proposal[383] that suggested REAAs would take over all BIA schools unless the REAA board expressly opposed the transfer.[384]

It is predictable that many communities with BIA schools will adopt a policy of "wait and see" before pushing for transfer of the schools to the state. For those who choose to wait, there will be the advantage of being able to assess the performance of the particular REAA of which they are part.

BIA schools are within REAAs,[385] and voters, regardless of the fact their children may attend a BIA school, are entitled to vote for school board members and community school committees and even to serve on those bodies. Although under the statute voting is to be by "qualified voters of the communities receiving educational services in the entire regional attendance area,"[386] this would not exclude people in a BIA-served community. Because no REAA school is in fact in a community does not mean people there are not "receiving educational services." There is no proviso saying that "services" refers only to those supplied by the REAA. It would be absurd if voters were disenfranchised because BIA gratuitously was doing a job in their community which the state legally is required to do. Furthermore, the absence of an REAA school building does not mean that the community is not served. Services may be available from the REAA in the form of boarding programs, resource centers, or libraries.

Communities with BIA schools can begin to participate in their REAA now. As they perceive that the system is working well, they can determine the best time and conditions for transferring their local school to REAA control. In the meantime, the possibility of seeking state-financed, supplemental services for children being educated by the BIA could be considered. The REAAs have a duty to "provide . . . an educational program for each school age child who is a resident of the district."[387] This implements in the unorganized borough the constitutional mandate requiring the legislature "to establish and maintain a system of public schools open to all children of the state."[388] It is well established that public education must be made available to all children on equal terms.[389]

Given the constitutional duty of the REAAs, they may have to bear the brunt of remedying any deficiencies or inequalities that are shown to exist in BIA schools vis-a-vis REAA schools. For instance, assume that a particular REAA (and schools in the state generally) have a regular program for assisting children with the inability to speak and understand English. Assume that the BIA has no such program. The fact that BIA has elected to maintain a school in a community does not relieve the state of giving children there an equal educational opportunity. It is reasonable, then, to conclude that the state must, at a minimum, assure that there are programs necessary to rectify language deficiencies of children suffering from them.[390] Consequently, an REAA (and the

380. Such transfers in the past were considered unlawful without specific congressional authorization. 29 *Op. Atty. Gen.* 272 (1911). In 1950 Congress enacted a blanket authorization for conveyance of school properties to school authorities (then under the territorial government) whenever the secretary determines that the properties are no longer required for Native school purposes. Act of Aug. 23, 1950, 64 Stat. 470.

381. Letter from Marshall L. Lind, Commissioner, Alaska State Department of Education to Chairman, REAA Board, dated March 5, 1976.

382. E. Dean Coon, Anne E. Just, and Jerry N. Waddell, *School Finance in Alaska Report No. 1: An Overview of Current Issues, Sources and Distribution of Funds for Public Elementary and Secondary Education* (Fairbanks, Alaska: University of Alaska, Center for Northern Educational Research, 1976), p. 5. REAAs and the BIA schools they accepted on or after July 1, 1970 included: Northwest Arctic REAA—Kotzebue (K-12), Kiana (K-12); Lower Yukon Schools REAA—Emmonak (1-8), Hooper Bay (K-9), and Mountain Village (7-8); and Kuspuk Schools REAA—Kalskag and Lower Kalskag (1-8).

383. Memorandum of Agreement, State of Alaska and Bureau of Indian Affairs, Juneau Area Office (proposed), April 15, 1976.

384. Letter to Dr. Marshall Lind, Commissioner of Education, from John A. Moore, Acting Area Director, Juneau Area, Bureau of Indian Affairs, dated April 16, 1976. BIA also objected to provisions for continued federal funding of the schools once under REAA operation, which funding was to phase out over a five-year period.

385. Alaska Stat. § 14.08.031(d) (1975).

386. *Id.* at § 14.08.041(b) & (d).

387. Alaska Stat. § 14.08.111(1).

388. Alaska Const. art. VII, § 1.

389. Brown v. Board of Education, *supra*, 347 U.S. at 493. See discussion *supra* in text accompanying notes 266-71.

390. Compare Lau v. Nichols, 414 U.S. 563 (1974).

state) may have an enforceable duty to assure that all schools under its jurisdiction have programs to prevent children from being deprived of meaningful schooling.

A harder question is whether parents can insist upon having their children educated in a REAA school rather than a BIA school. The outcome if the question were litigated would depend partly on the reason for the parents' objection. If the school were deficient, the remedy probably would not be a court order requiring a second school to be built in a small village where a BIA school already operates. Rather it might be designed to deal with specific deficiencies, such as language disabilities discussed above. On the other hand, if the only available school were a mission school and the objection were based on constitutional grounds, the possibility of an order requiring the state to provide schools for all children "free from sectarian control" would be substantially greater.[391] Furthermore, the state could not claim that education in a religious milieu satisfies its legal obligation in light of the prohibition against establishment of religion in the first amendment to the United States Constitution,[392] which is substantially reiterated in the state constitution.[393]

If courts are faced with questions of whether the state's obligation to provide an education system for all children has been met, they will undoubtedly apply a rule of reasonableness. They will probably find that to the extent BIA schools assure an equal educational opportunity, the state's duty is done. The history of education in the state, the fact that state and the BIA have long had an agreement to cooperate in educating rural Native children, the realities of state finance, and the progress toward transfer of BIA schools to the state and its political subdivisions would all be influential.

Another possibility short of complete abandonment of a community's BIA school exists. Native communities have options for obtaining control of BIA school operations under the Indian Self-Determination and Education Assistance Act.[394] As we have indicated earlier, local communities, via Native corporations or village councils, can contract to take over some or all of the BIA's education functions. With the approval of such tribal groups even a Native-controlled REAA board can contract to run a BIA school with federal money. So far this device has been untried.

391. Alaska Const. art. VII, § 1; U.S. Const. amend. 1.

392. U.S. Const. amend. 1, cl. 1. Dependency of state function upon a religious function has been held to be unconstitutional. *E.g.*, School Dist. of Abington Township v. Schempp, 374 U.S. 203 (1963).

393. Alaska Const. art. 1, § 4.

394. See Part II G, *supra*.

Chapter V

Conclusion

Education for rural Alaska Natives has come along a lengthy and tortuous path. The saga is far from complete, but the willingness to try fresh approaches and the sincerity of those who are shaping policy are encouraging.

The major attempt of the state to decentralize control—S.B. 35—will not fully achieve the goal, but will be a vast improvement over the state-operated school system it replaces. It also should speed up the withdrawal of BIA education functions. The new law raises some serious legal problems because of its inconsistency with Alaska's local government mandate. Prompt legislative attention to this problem is needed. Action before the S.B. 35 system is declared unconstitutional is essential if dislocations and disappointed expectations are to be avoided.

Federal assistance for Native education adds an array of options for bush education. Perhaps the most notable is the contracting mechanism in the Indian Self-Determination and Education Assistance Act. The patchwork of community-based committees, especially for federal programs, must be simplified. Local control should not become a charade which drains the time and energy of Native leadership through innumerable board and committee meetings, and is so dispersed that there is no real power in any one entity. Consolidating functions would ease burdens on Native participants and broaden the effect they can have.

There is reason to be optimistic about the future. The most remarkable phenomenon is that Native people have remained involved and hopeful in a situation which could be expected to evoke cynicism. They continue to work with state and federal officials and to invest their personal and emotional resources in the search for the right education system for bush Alaska. Assuming the good faith efforts of responsible agency personnel and education professionals are sustained, progress toward the goals of optimizing local control and enhancing the quality of rural education compatibly with Native lifestyles and desires can continue.

14.17.250(1) Indian Self Determination and Education
v. Sitka School Board Study of Title II of Public Law
District No. 3 v. Jorgenson 25 U.S.C. Sec. 458
72-2450, Superior Court of the State of Alaska Thi
of the Johnson O'Malley Act Public Law No. 89
advisory committees Education Amendments of 1974
v. Board of Education Board of Indian Affairs, Juneau
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Morton v. Mancari U.S. 535 A.S. Sec. 29.33.050 Th
taxes and planning, platting and zoning. Alaska State
No. 44 parent advisory committees Public Law 974
Davis v. Sitka School Board Study of Title II of Public
14.17.250(1) Indian Self Determination and Education

RURAL SCHOOLS

May 24, 1977

Mr. Jim Jennings, Supt.
Annette Island Schools
P.O. Box 7
Metlakatla, Alaska 99926

Dear Mr. Jennings:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

We have currently a small data base containing some information about each community but need more. Could you supply us with pictures of each school within your district? Specifically we would like:

1. A picture of each school complex.

2. Photos of special interest (school constructed greenhouse, shop, etc.)

3. Photos of concern - documenting the need of repair.

Please don't feel a need to send us more than one picture per school if you deem that sufficient. If you send undeveloped film, please identify location by numbering the pictures taken.

These photos will give the committee a visual understanding of the communities that will be assisted by next year's legislation. We appreciate your efforts and assistance.

Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

May 24, 1977

Mr. George White, Supt.
Northwest Arctic Schools
P.O. Box 51
Kotzebue, Alaska 99752

Dear Mr. White:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

We have currently a small data base containing some information about each community but need more. Could you supply us with pictures of each school within your district? Specifically we would like:

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

May 24, 1977

Mr. Joe Cooper, Supt.
Yukon/Koyukuk Schools
P.O. Box 367
Nenana, Alaska 99760

Dear Mr. Cooper:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

We have currently a small data base containing some information about each community but need more. Could you supply us with pictures of each school within your district? Specifically we would like:

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

May 24, 1977

Mr. James Zuelow, Supt.
Iditarod Area Schools
P.O. Box 105
McGrath, Alaska 99627

Dear Mr. Zuelow:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

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May 24, 1977

Mr. Monty McBride, Supt.
Adak Region Schools
Adak Naval Station, Box 34
FPO Seattle 98791 (Intra-AK)

Dear Mr. McBride:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

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May 24, 1977

Mr. Lewis Joe Weaver, Supt.
Pribilof Schools
St. Paul Island, Alaska 99660

Dear Mr. Weaver:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

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May 24, 1977

Mr. Dick Bower, Supt.
Aleutian Chain Schools
P.O. Box 121
Cold Bay, Alaska 99576

Dear Mr. Bower:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

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May 24, 1977

Mr. Loren Logie, Supt.
Chugach Schools
P.O. Box 638
Whittier, Alaska 99502

Dear Mr. Logie:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

May 24, 1977

Mr. Charles White, Supt.
The Lake & Peninsula Schools
P.O. Box 119
Naknek, Alaska 99633

Dear Mr. White:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

May 24, 1977

Mr. David Dickerson, Supt.
Southwest Region Schools
P.O. Box 196
Dillingham, Alaska 99576

Dear Mr. Dickerson:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

May 24, 1977

Mr. Glen Erickson, Supt.
Kuspuk Schools
P.O. Box 108
Aniak, Alaska 99557

Dear Mr. Erickson:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

May 24, 1977

Mr. B. A. Weinberg, Supt.
Lower Kuskokwim Schools
P.O. Box 305
Bethel, Alaska 99559

Dear Mr. Weinberg:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

May 24, 1977

Mr. LaVerne Etter, Supt.
Lower Yukon Schools
P.O. Box 200
Mountain Village, Alaska 99632

Dear Mr. Etter:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

May 24, 1977

Mr. Ron Hohman, Supt.
Bering Straits Schools
P.O. Box 1088
Nome, Alaska 99762

Dear Mr. Hohman:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

May 24, 1977

Mr. Bruce Hill, Supt.
Southeast Island Schools
P.O. Box 8340
Ketchikan, Alaska 99901

Dear Mr. Hill:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

May 24, 1977

Mr. Joe Kahklen, Supt.
Chatham Schools
P.O. Box 109
Angoon, Alaska 99820

Dear Mr. Kahklen:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

We have currently a small data base containing some information about each community but need more. Could you supply us with pictures of each school within your district? Specifically we would like:

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

May 24, 1977

Mr. Robert Woodward, Supt.
Copper River Schools
P.O. Box 108
Glennallen, Alaska 99588

Dear Mr. Woodward:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

We have currently a small data base containing some information about each community but need more. Could you supply us with pictures of each school within your district? Specifically we would like:

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

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May 24, 1977

Mr. Carl Peterson, Supt.
Alaska Gateway Schools
P.O. Box 226
Tok, Alaska 99780

Dear Mr. Peterson:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

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Michael E. Davis
Administrative Assistant

MED:ab

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May 24, 1977

Mr. Glen Chowning, Supt.
Delta/Greely Schools
P.O. Box 527
Delta Junction, Alaska 99737

Dear Mr. Chowning:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

We have currently a small data base containing some information about each community but need more. Could you supply us with pictures of each school within your district? Specifically we would like:

1. A picture of each school complex.

2. Photos of special interest (school constructed greenhouse, shop, etc.)

3. Photos of concern - documenting the need of repair.

Please don't feel a need to send us more than one picture per school if you deem that sufficient. If you send undeveloped film, please identify location by numbering the pictures taken.

These photos will give the committee a visual understanding of the communities that will be assisted by next year's legislation. We appreciate your efforts and assistance.

Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

May 24, 1977

Mr. Larry Nyland, Supt.
Upper Railbelt Schools
P.O. Box 4009
Clear, Alaska 99704

Dear Mr. Nyland:

Next year the Health, Education & Social Services Committee will consider legislation upgrading the existing rural schools and providing for new construction. It behooves us to have as much information as possible in order that the communities in most need are assisted first.

We have currently a small data base containing some information about each community but need more. Could you supply us with pictures of each school within your district? Specifically we would like:

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Sincerely,

Michael E. Davis
Administrative Assistant

MED:ab

P.S. Color slide film would be best of all.

Rural Schools (HB 619, 620)

Dr Hyderdorf - Env-Health -

Dr Frank Pauls - Pub Health - regulations

Env-health -

water
waste
disease control
} prevention

will have public hearings before adoption -
(Anch, Fbks, Juneau)

Water + food borne diseases: salmonella
hepatitis
otitis media
dysentery
staph infections

need to train kids -

Kabluyn - need village system - school not in vacuum

John Scribner -

Jerry Sargent -

Inventory not conducted by DCS

DEC position to assist in inventory not funded

Village Safe Water Act

Selawik
Alakanuk
Nulato

Northway
Chevak
Pitka's Point (540,000)
Koyukuk (summer 78)
Beaver (" "

Lots of PHS but not all successful.

DEC has one man (with them four months) to do this

EPA demo project

Back up of tech + management assistance rec.

Possible tie-in w/ HSA's

DEC position that school should be closed if no safe water can be furnished

Two villages in FY 79 budget

DEC –

4 hearings on Title 18 Regs (drinking water), now being revised. Now going to performance standards (minerals, bacteria, etc)

Hr SS resp begins at tap –

Chris Louet – (came on board in Aug) DOE

telegram listing ST water sewer upgrade came from ex – SOS man, now with Louet.

– state self-insurance up to $600,000, insurance above that for replacement cost

– wanted emergency loss revolving fund – $ 8.3 million

file
Rural schools

Rural schools

PLEASE POST

STATE OPERATED SCHOOLS

DISTRICT ONE EDUCATION ASSOCIATION

NEWS FLASH

George White sent us a letter on January 30 in which he again stated that "we must deny the District One Education Association's request" for negotiations. I immediately contacted the NEA-Alaska staff, our lawyer, and the Governor's office (I am still trying to reach the Commissioner). I then called John Cooper, Chairman of the AUBSD Board. After discussion he agreed to call George White, and then call me back Saturday night, January 31. He advised that George would meet with me on Tuesday to exchange proposed items for negotiations. We will go from there.

Mr. White cited Judge Ripley's November decision in his letter. Judge Ripley stated only (in my humble opinion and that of two of our lawyers) that in September we had not demonstrated irreparable harm by the board's refusal to negotiate a new contract for 1976-77. He said nothing about the fact that the Board was violating State Statute (14.20.550) and our Master Contract (Negotiations Section), and found only that a mandatory injunction was not proper then. In addition he found that our contract "will be transferred into the new districts". I have stated in a recent communication to Mr. White that "it is our desire to clean up ambiguities and inconsistencies, while providing for a maintenance of standards." We are asking at this time only for the "maintenance of our contract terms and conditions." I further solicited Mr. White's support of the negotiations process.

Please advise your local boards of this action. I also need to know your desires as to whether you want us to call for coordinated bargaining or to let you and your regional board negotiate separately. Poll your membership and forward the information to me by March 4. For further information contact your DOEA Boardmember or me.

Jim Alter - President-elect - Aniak
Graham Ward - Secretary - Glennallen
Marian Nickelson - Treasurer - Ft. Yukon
Peter MacManus - Shungnak
Willie Theis - Adak

Will Files

Will

President DOEA
116 1/2 E. Manor Ave.
Anchorage, Alaska 99501

DOEA
DISTRICT EDUCATION ONE ASSOCIATION

Rural schools

JANUARY 1976

WILL FILES - PRESIDENT
116½ E. Manor Ave.
Anchorage, Alaska 99501

DOEA MINI-DELEGATE ASSEMBLY AND NEA-ALASKA DELEGATE ASSEMBLY
JANUARY 15 - 17, 1976

Delegates from each of the newly formed REAA's convened in Anchorage to discuss present problems with the decentralization process and to recommend changes and directions for the future. Your delegates were all actively involved in the DOEA sponsored mini-DA at which much information was shared and preparation for DA was made. DA lasted two days plus one evening, and resulted in many resolutions calling for action to improve education in Alaska. Highlights from this session are included elsewhere in the Newsletter. For further information on what happened contact your delegate or DOEA Executive Board Member. Make sure they share the information they have with you.

Will Files - Pres. DOEA
Graham Ward -DOEA Glennallen
Marian Nickelson - DOEA Fort Yukon
Peter MacManus - DOEA Shungnak
Jim Alter - DOEA Aniak-Pres-elect

Stan Reed - #1 Northwest
Gerry Hurley - #2 Bering Straits
Ray Virg-in - #3 Lower Yukon
Diane Carpenter - #4 Lower Kuskokwim
Judy Thomsen - #4 LK(Bethel)
LaMont Albertson - #5 Upper Kuskokwim
Joan Brown - #6 Nushagak/Bristol Bay
Bob Cook - #7 Lake Pen./Bristol Bay
William Eubank - #8 Aleutian Chain

Kristy Hummel - #9 Pribilof Islands
Van Chaney - #10 Adak
Rich Brenden - #11 McGrath
Don Kratzer - #12 Middle Yukon
George Nicholson - #12 MY (Hughes)
Charles See - #13 Upper Yukon
Carroll McCaleb - #14 Upper Railbelt
Glenn Hildebrand - #15 Upper Tan. West
Win Stiefel - #16 Upper Tanana East
Larry Dollarhide - #17 Copper River
John Kaufman - #18 Frederick Sound
John Garland - #19 Southeast
Den Christiansen - #20 Annette Island
Bettie Estes - #21 Chugach

Diane Carpenter served well as DOEA Caucus Chairperson.

NEWSFLASH

NEGOTIATIONS

At the January meeting of the AUBSD Board of Directors the DOEA began the negotiations process. According to the terms of our contract the first meeting must be held within twenty days. The DOEA believes it is vital to determine a number of spin-off items before any of the REAA's are given operating control. Since it seems fairly apparent that our current contract continues until renegotiated it is reasonable to want to clear up some unresolved issues in that document. For example we need clarification of the grievance procedure what happens to the sick leave bank; where will our personnel files be kept for those REAA's without a central office by June 30; what about the Administrative leave days for association business; what staffing patterns will be used in determining budgets; will each region get the full amount in the contract for extra duty pay or student travel; what salary will be used on contract worksheets or in budget planning; what happens to our medical insurance on June 30; how about all our current deductions for annuities, etc?? These questions must be answered before spinoff. We hope that the Board will support this process in an effort to provide some continuity for our staff. Already we hear of teachers quitting because of uncertainties and poor working conditions. We cannot let this trend continue. IT is not our intent to negotiate a Master Contract for each region at this time. We are only attempting to nail down loose ends in the current contract in order to eliminate costly and time-consuming legal battles on July 1. Teacher groups and Boards may negotiate at any time if either party feels the contract to be unfair or inequitable. There is still the possibility of coordinated bargaining for all those regions who wish to remain a part of that process. Let your leadership know your desires.

PERSONNEL PROCEDURES

The DOEA PR&R Committee grieved the procedures as reported in the last newsletter. The result was that the Board of Directors reconsidered their action and adopted the following revised procedures:

1. The Alaska Unorganized Borough School District Board will act on all leaves of absence at the regular April Board meeting. The Board will consider allowing leaves up to a maximum of 5% of the teaching staff or one person in those REAA's where 5% would be less than one person. Sabbatical leaves will be considered at the February board meeting. Where possible, leaves will be approved by the REAA Board prior to the AUBSD Board giving consideration.
2. Tenure and non-tenure employees will be given a letter of intention. The AUBSD board will take action prior to March 15. A letter will be issued after review by the respective REAA Board. Administrative Personnel will be issued letters of intent for a teaching position.
3. Any employee who desires a transfer from one REAA to another will be allowed to do so upon the approval of the REAA Board of the Regional Education Attendance Area into which the employee desires to transfer. Transfers within an REAA will be the responsibility of the REAA Board when that Board has assumed the control and management of the schools.

(ed.note.- This implies that the administrator can effect transfers before the Board approves, but ultimately the Board must approve the placement action.)

The NEA-Alaska Placement Service is now functioning. Send all transfer requests direct to NEA-Alaska. They will process and forward to the respective Districts.

DA HIGHLIGHTS

Form a state level task force on small school districts.
Continue support of $28,000 foundation unit.
Develop new or improve existing orientation programs.
Survey and seek steps to provide adequate employee housing.
Push for training of Alaskan Natives and ensure their hire in education.
Sponsor an "Aleyeska" type conference on certification.
Develop a model in-service teacher training program in multicultural education.
TECAB should establish guidelines and minimum standards for the development of paraprofessional/teacher aide training programs throughout the State.

MAKE $$$$$$

According to our tax experts you can contribute $50 to PACE and $25 to the Defense Fund which can be claimed as tax credits, and you might even come out a bit ahead, if you itemize deductions for the Defense amount. The $50 PACE contribution results in a state tax reduction of $50 and a federal tax break of $25. Check it out. Send in your contributions NOW.

DOEA EXECUTIVE BOARD

The next meeting of the DOEA BOARD will be on March 6 in Anchorage immediately following the Teachers' Conference.

MAINTENANCE TASK FORCE

The Joint Task Force has been unable to get needed support from the regional superintendents. Some have been very cooperative, but the feeling generally expressed is that "we have the problems under control and don't need the help of the Task Force". From the surveys that principal/teachers submitted we know that problems do exist. We are also aware of numerous bad situations that were not reported. Since the information to date is incompiete we are turning it all over to the new REAA Boards as soon as they are elected. We will also copy various legislators so those proble.s that were reported can begin to see relief. Major areas in which more than local help is needed are funding for maintenance needs and training of personnel to perform maintenance tasks. This would seem to be a statewide concern requiring a broad-based attack. Work with your new Boards. They will want quality facilities for their children. Our thanks to Graham Ward, Peter MacManus, Mike Stitchick, Marian Nickelson, George White and Al Weinberg for their contributions.

THE VILLAGE VOICE

According to an article by this RuralCap based newsletter, none of the employees in rural schools are guaranteed a job next year. This is of course erroneous. State Statutes provide for continuous employment of certificated staff except under very unusual circumstances. The whole area of personnel management is poorly understood. It is hoped that the group working through the Department of Ed. on school board development will be able to put positive ideas into practice, rather than these scare tactics which negatively affect morale and performance.

ELECTIONS

Even though the future of the DOEA superstructure is somewhat indefinite we will conduct elections for the Executive Board and President-elect. As of May Jim Alter will be the President, Marian Nickelson, Willie Theis and Peter MacManus will be remaining Board members. This means we need to elect a president-elect and two new Boardmembers.
At Mini-Da the following nominations were made: President-elect -

Will Files

Boardmembers -

Van Chaney - Adak
Stan Reed - Noorvik
Gerry Hurley -Teller
John Garland -Ketch.
LaMont Albertson-Aniak
Reyne Athanas-Bethel

IF you would like to nominate others please fill out the blank below and forward to DOEA, 116 1/2 E. Manor Ave. Anchorage, Ak 99501, by March 15.

_____
(name)

_____
(position) (school)

Please enclose a brief resume along with your nomination. You also should have spring elections for your local officers this year. Thus they will be able to deal more effectively with any problems that may arise over the summer. Make certain each local has a communications tree functioning for the summer months.

GRIEVANCES

Two points have been made in recent grievances: A local PR&R committee or a local Executive Committee may file grievances at level two, but this is recommended only for class action problems; Some continuing types of situations may not fall under the 30-day limit. It is still best to stay within it to eliminate any question of procedure, but it is not applicable in all cases.
In other action we are still trying to clarify the role of the joint committees One case is at level three, and another is going to arbitration.

READER'S DIGEST

There's an interesting article in the February issue of the RD about "Teachers on the March".

HOUSING

Ron Wesley stated, at the Nov. 18-19 meeting of the AUBSD Board in Bethel, that "the State had directed State-Operated Schools to seek long-term lease arrangements with private contractors." It is the position of the DOEA Board that it is still the RESPONSIBILITY of the School Board to Provide adequate housing and at reasonable rental rates. Our position is further that there shall be no change in rental rates except through the recognized negotiations process.

COORDINATED BARGAINING

The NEA-Alaska Delegate Assembly resolved, with a little encouragement from the Small Schools Caucus, to push for enactment of legislation which would improve the current coordinated bargaining statute. At present the procedures are very fuzzy, and for the statute to be effective it needs to be more precise. Don't look for changes this year, but we need to begin drafting support for this concept. Contact Will Files, Charlie Gustafson, or Bob VanHoute for further information

LOCAL CHAPTERS

We now have twelve functioning regional chapters. Two more are almost ready to go. The other seven are working hard to gear up for the July 1 transition. NEA-Alaska has given tremendous support to this organizing effort. NEA has also contributed $15,000 for a new Uniserve position to serve small school needs.

TRAVEL PAY

The case regarding travel pay for the 1972-73 school year is being dropped due to lack of response. However, any individual who wishes to pursue it may do so. Contact: John Strachan at 310 K St., Suite 702, Anchorage, Alaska 99501.

YOUR PRESIDENT'S LOG

The grievance regarding personnel procedures was satisfactorily resolved at level 3 - see report. Christmas was quiet but happy. During the holidays I visited with my old roommate from 1963 in Ft. Yukon, Meo Yergeau, who is now teaching in Perryville-seems like communications out there are practically non-existent. Had breakfast with Bill Bemmels from Koyukuk, talked with Tony Borgman of Buckland and President Stan Reed (NATA) from Noorvik. Stan and Tony are laying some excellent groundwork for the coming years.
Was halfway ready for mini-DA, and was glad to see the excellent new leaders we have around the State in the new REAAS. After a rather frenetic DA I was plopped into the middle of the AUBSD Board meeting on Jan.20,21. That was quite a meeting. We received a lot of flack and verbal abuse, particularly on the subject of negotiations. This was followed by a number of grievance hearings which were not too satisfactory from my point of view. But your president goes on! Your continued support and input are what keeps me going and knowing that your views are being represented.
Saturday, January 24, drove to Glennallen for the afternoon to finalize our negotiations package with Graham Ward, Al Finifrock and Pete Lyse. Looks OK. Bear spent an enjoyable afternoon with an old friend of his there in Glenallen. Ed. Sorry for the typos in the last newsletter. Your beloved editor must have been asleep when he proofread.

EVALUATION

We have received a number of reports from the field that indicate administrators without proper credentials are evaluating certificated staff. If you are aware of this occuring contact the President of DOEA immediately. The information will be forwarded to the PTPC. Any derogatory evaluation performed by an improperly certificated supervisor should be immediately challenged through the grievance procedure. Department of Ed. Regulations and our Master Contract both call for evaluation of administrators by staff. Work with your local administration to develop forms and procedures. Copies of forms used in Noorvik and Bethel will be sent to you. If a joint form in not developed, the DOEA Executive Board recommends you use your own instrument and turn the results over to the administrator. For further information contact Peter MacManus, Willie Theis or Will Files.

WANTED IN RURAL ALASKA - SCHOOL DISTRICT SUPERINTENDENTS

The Alaska State Department of Education is acting as a clearing house for the receipt of applications for superintendents' positions in the new REAA's. The Department will receive the applications and all supporting documentation and forward them to the districts for screening, interviewing and all further action. The DOEA recommends that teachers be actively involved in the local selection process. We are the ones who have to work directly under these people, so we should have some input into personalities and background that will help support our rural schools.

DEPARTMENT OF EDUCATION
Position Paper

Agency Comments for Senate Bill #564

Senate Bill #564, "an Act relating to the issuance of general obligation bonds for the purpose of paying the cost of constructing rural secondary school facilities."

Background

The question "What shall be the delivery system of equality educational programs for rural secondary aged students?" has been a concern of educators and the general public since statehood. First formal inquiry into this problem was a state commissioned study done in 1966 by Training Corporation of America. That study which was endorsed by state leadership within and without the educational community recommended, in terms of social, academic and economic benefits, the state embark on a system of regional schools varying from 500 to 2,000 student capacity to be built at different geographical hubs throughout the state. General acceptance of the study by the state was predicated upon the immediate problem of providing for the in-state education of some 3500 rural secondary native students being educated at the time by the Bureau of Indian Affairs at such places as Haskell, Kansas; Chilloco, Oklahoma; Chemewa, Oregon.

In 1966 the public approved a general obligation bond to assist in carrying out the concept as outlined in the state study which called for the provision of regional schools at Nome and Bethel. Furthermore, in 1968 the state of Alaska entered into an agreement with the United States Department of Interior called "An Overall Plan for Rural Education in Alaska" which provided that the Bureau of Indian Affairs would build the living facilities and the state would build the regional academic complexes, and the Bureau of Indian Affairs and the state cooperated in constructing regional complexes at Nome, Bethel and Kodiak.

Beginning approximately in 1970, the educators and general public throughout Alaska began to have increasing concerns about the academic and social benefits that rural children were experiencing in attending a large regional high school program after having attended a small village elementary school. Furthermore, the economic efficiencies that were anticipated to be derived by providing education in these regional complexes, were not occurring, (costs of providing living accommodations coupled with education was in 1972 what Training Corporation of America had forecasted as being per pupil cost in approximately 1980. In addition, as rural people became more familiar with educational processes and opportunities, parents of students were requesting that resident secondary educational programs be provided in the local communities. A suit demanding that residental secondary programs was filed on the behalf of secondary students in Kivalina in 1971 against the Alaska State Department of Education. The outcome was the state pleading no contest and establishing a secondary program for five secondary school aged students in that community.

This action precipitated a class action suit filed by Alaska Legal Services on the behalf of all secondary children in the Unorganized Borough who had to leave home to attend a ...sident secondary educational program. The first part of the so-called Hootch Case ... settled when the Alaska Supreme Court ruled that the State, by definition of ...ndance area, was not required to establish a residence school program in the community

where the students reside. The second part of that case is the plaintiff's contention that failure of the State to provide residential secondary educational programs is a denial of the U.S. Constitution 14th Amendment, Equal Protection clause is in effect that the state has practiced discrimination in the establishment of resident secondary programs. This contention is still in litigation.

The passage of Chapter 124 SLA 1975, relating to education in the Unorganized Borough, provides a funding mechanism by which any community which has an elementary school program can be assured funding for a secondary school program. Thus, there is nothing to prevent any community from establishing a resident secondary program; however, the problem of adequate facilities for secondary programs continues to be a problem. Nevertheless, the Alaska State Legislature has provided approximately $77,000,000 for secondary schools in the unorganized areas of the state or for those city and borough school districts that have no bonding capacity in the past ten years.

As can be seen by the attachment of the communities listed some 72 of those communities would have between 1 and 30 secondary school age children.

What the Proposed Legislation Would Do

The proposed legislation would provide secondary school facilities in all of the communities in the Unorganized Borough which have an elementary school but do not have a secondary school. These communities represent the total number of communities in the Unorganized Borough named in the class action suit, Hootch Case.

Special Problems

The Department would recommend on Page 1, Line 12, that the purpose "paying the cost of constructing" be expanded to "cost of acquiring, constructing and equipping." The rationale for this change is that many of the smaller locations, particularly those listed in the amount of $25,000 each may not need a facility but will need funds for capital instructional equipment or minor remodeling. Also, this language has been in previous bond issues. The Department of Education has also estimated that the project costs for secondary schools in those locations having from 10 to 20 secondary students would be $450,000 to construct a 2300 sq. ft. multi-purpose classroom with associate facilities. Such classroom would be used both to conduct the regular educational program and also the recreational program.

DOE Position

The State Board of Education and the Department are committed to the policy of providing a secondary educational opportunity to all students throughout the state and communities with sufficient population and economic and social stability.

At present, the state finds itself in a position of having provided elementary schools in every rural area in the state with a school age population large enough to justify such. However, this has not been the case with secondary schools, although a local secondary school program in every rural area with sufficient school age population is a goal that could be achieved by the opening of school in the fall of 1978.

Other Groups that Have an Interest in the Legislation

The Department of Law, Alaska Federation of Natives, Alaska Legal Services, Rural CAP, Alaska Unorganized Borough School District, and the Department of Public Works.

August 1975

CAPITOL BUDGET REQUEST
MOLLY HOOTCH LITIGATION
ANALYSIS OF UNHOUSED SECONDARY STUDENTS

STUDENT POPULATION AND ESTIMATED CONSTRUCTION COSTS

GION	30+		21-29		11-20		0-10
istol Bay	Manokc[illegible] (50) New Stuyahok(40)	$1,300,000 900,000	Koliganek(23) Nondalton(23)	$ 690,000 690,000	Chignik Lake(13) Clarks Point(11) Egegik(15) Ekwok(14) Kokhanok(14) Levelock(13) Newhalen(20) Perryville(15) Twin Hills(13)		Chignik (8) Chignik Lagoon(7) Iguigig(6) Ivanoff Bay(6) Pedro Bay(5) Port Heiden(9) Ohgsenakale(10)
Sub-totals	(90)	$2,200,000	(46)	$1,380,000	(128)	$4,050,000	(51)
Total by Region:	$7,630,000 (264)						
eutian Chain					St. George (20)	$ 450,000	Akutan (6) Atka (7) Belkofski (5) Nelson Lagoon (6) Nikolski (5) False Pass (9)
Sub-totals					(20)	$ 450,000	(38)
Total by Region:	$ 450,000 (20)						

August 1975

REGION

STUDENT POPULATION AND ESTIMATED CONSTRUCTION COSTS

REGION	30+		21-29		11-20		0-10
Lower Kuskokwim	Kongiganak (35) Akiachak (42) Kasigluk (37) Kipnuk (49) Kwethluk (59) Napakiak (32) Napaskiak (34) Quinhagak (39) Tununak (36) Nunapitchuk (43)		Atmautluak (24) Chefornak (24) Eek (21) Goodnews Bay (29) Kwigillingok (27) Mekoryuk (23) Tuluksak (26) Tuntutuliak (28)		Akiak (15) Nightmute (17)		Platinum (6) Oscarville (4)
Sub-totals	(363)	$10,220,000	(202)	$6,060,000	(32)	$ 900,000	(10)
Total by Region:	$15,890,000 (597)						
Upper Kuskokwim	Kalskag (33) (combined)	$ 990,000	Chuathbaluk (21) Crooked Creek (21)	$1,260,000	Sleetmute (17)	$ 450,000	Lime Village (8) Red Devil (6) Stony River (9)
Sub-totals	(33)	$ 990,000	(42)	$1,260,000	(17)	$ 450,000	(23)
Total by Region:	$2,700,000 (92)						
Northwest	Ambler (31) Noatak (39)	$ 930,000 770,000	Buckland (21)	$ 630,000	Deering (12)	$ 450,000	Kobuk (8)
Sub-totals	(70)	$1,700,000	(21)	$ 630,000	(12)	$ 450,000	(8)
Total by Region:	$2,780,000 (103)						

REGION — STUDENT POPULATION AND ESTIMATED CONSTRUCTION COSTS

REGION		30+		21-29		11-20		0-10
Bering Straits		Stebbins (35)	$1,050,000	Elim (21)	$ 630,000	Koyuk (15) Teller (18) Brevig Mission (17) Diomede (15) Golovin (12) St. Michael (18) Shaktoolik (13)	$3,150,000	Council (4) Wales (9) White Mountain (10)
	Sub-totals	(35)	$1,050,000	(21)	$ 630,000	(108)	$3,150,000	(23)
	Total by Region:	$4,830,000 (164)						
Lower Yukon		Pilot Station (35) Kotlik (41)	$1,050,000 1,230,000	Fortuna Ledge (24) $ 720,000 Scammon Bay (27) $ 810,000		Russian Mission (15) Sheldon's Point (15) Pitka's Point (15)		
	Sub-totals	(76)	$2,280,000	(51)	$1,530,000	(45)	$1,350,000	
	Total by Region:	$5,160,000 (172)						
Yukon-Kuskokwim						Anvik (12) Nikolai (11) Grayling (17) Shageluk (16)		Takotna (12) Telida (0)
	Sub-totals					(56)	$1,800,000	(12)
	Total by Region:	$1,800,000 (56)						

STUDENT POPULATION AND ESTIMATED CONSTRUCTION COSTS

REGION	30+	21-29		11-20		0-10
Middle Yukon		Allakaket (23)		Huslia (20) Koyukuk (16) Minto (17) Ruby (16)		Bettles (5) Hughes (9) Manley (5)
Sub-totals		(23)	$ 690,000	(69)	$1,800,000	(19)
Total by Region: $2,490,000 (92)						
Upper Yukon				Arctic Village (17) Eagle (16)		Birch Creek (4) Chalkyitsik (10) Circle (6) Rampart (6) Stevens Village (7) Beaver (8) Venetie (10)
Sub-totals				(33)	$ 900,000	(51)
Total by Region: $ 900,000 (33)						
Upper Tanana				Dot Lake (11) Tetlin (13)		
Sub-totals				(24)	$ 900,000	
Total by Region: $ 900,000 (24)						

August 1975

STUDENT POPULATION AND ESTIMATED CONSTRUCTION COSTS

REGION	30+		21-29		11-20		0-10
Copper River					Mentasta (12) Whittier (12)		Tatitlek (8) Paxson (Ø)
Sub-totals					(24)	$ 900,000	(8)
Total by Region:	$ 900,000 (24)						
Southeastern	Angoon (40) (to complete)	$ 500,000			Cape Pole (15) Coffman (18) Whale Pass (13)		El Capitan (5) Elfin Cove (4) Gildersleeve (7) Gustavus (7) Kasaan (4) Naukati (6) Port Alice (8) Roosevelt Harbor (7) Rowan Bay (7) St. Johns (5) Shakan Bay (1) Thorne Bay (Ø) Tuxecan (6) Klukwan (7) Metlakatla (Ø) Annette (Ø)
Sub-totals	(40)	$ 500,000			(46)	$1,350,000	(74)
Total by Region:	$1,850,000 (86)						
GRAND TOTAL BY REGION:	$ 18,940,000		$12,180,000			$18,450,000	
GRAND TOTAL:	$49,570,000						

Column 1 + 2 = $29,830,000
Assume 16 students as minimum number for which facilities will be constructed; grand total reduced by 24 sites @ $450,000/site = $11,250,000

Rural schools

STATE OPERATED SCHOOLS

DISTRICT ONE EDUCATION ASSOCIATION

Charlie- For your Info-
we have some serious
concerns which I believe
are very reasonable-
Will

N E W S F L A S H

February 11, 1976

I met with Mr. White on February 4 to exchange our "Proposed Items for Negotiations". At that time Mr. White refused to accept our package. Mr. Cooper came into the office and advised me I had slightly misinterpreted what he had told me on the phone the previous Saturday night.

After consultations with our lawyer, Collin Middleton, and two conference calls with the DOEA Executive Board, we decided that the issue was of serious enough concern to us and our members that we must persue the most effective avenue to seek resolution of this direct violation of Statute and our Master Contract. We carefully examined the possibility of negotiating with ourselves and declaring impasse and then seeking advisory arbitration set up by the Governor (called for in the new SB 135 enclosed). That approach had curious implications, but did not seem realistic. We also investigated the possibility of filing a grievance and seeking arbitration of the grievance. Informally, the AUBSD Board advised that they would not honor an arbitrator's decision on this issue. That seemed a rather blatant misuse of power and another direct violation of good faith bargaining and statutory and contract provisions. It therefore became apparent that the Courts were the only avenue that afforded the kind of decision that could force a solution. A complaint was filed by Mr. Middleton on February 16 in the Superior Court for the State of Alaska. We expect the AUBSD to file a motion for dismissal within 20 days. A hearing on the main complaint and an initial decision is possible by mid-March.

Our complaint asks for any of three alternatives:

1. That the AUBSD be enjoined to negotiate as the Contract and the laws of the State of Alaska command.
2. That the Court reform the Contrat to include those items contained in the "Proposed Items for Negotiation."
3. That the State of Alaska, empower the AUBSD to negotiate the above mentioned items, or to provide immediately some alternative organization with such power so as not to interfere with our contractual rights.

We deeply regret having to take this action. Mr. White has accused the DOEA of attempting to violate the "rights of the people to local control." This is a "red herring", and completely ignores the fact that the AUBSD continues to flaunt the law. We as teachers have consistently supported the concept of local people (including local teachers) having input into the control and management of schools, but we will not be pawns in this political game. A rose by any

other name is still a rose. We are still dealing with educating the children of the State. The State still has the ultimate responsibility for the educational process. We are delegating authority from the AUBSD to the REAA's, but prior to spinoff the AUBSD has "the powers of, and is subject to the duties imposed upon, a regional school board under this Act."(SB 35) One of those duties as called for in AS 12.20.550 is to negotiate.

My friends and colleagues, our requests are reasonable. The action of the AUBSD Board and Mr. White is not only unreasonable but illegal in the opinion of the DOEA Board. Our goal is not to make long term commitments to the new REAA's. They may call for negotiations at any time, just as we can. Our goal is to protect your rights by maintaining our contractual terms and conditions of employment during the transition. Your continued support is essential. Discuss this issue with YOUR colleagues. Call me or your DOEA Board Representative prior to our March 6 Board meeting. We continue to support you and will fight to secure at least minimal standards for you.

Will

Wilfred C. Files, Jr.
President DOEA
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Anchorage, Alaska 99501
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cc: DOEA Board
21 Regional Leaders

Rural Schools

DEC

TITLE 18. ENVIRONMENTAL CONSERVATION

18 AAC 80.010
18 AAC 80.020

CHAPTER 80. DRINKING WATER

SECTION

010 Alaska Drinking Wate· Standards
020 Source and Source Protection
030 General Practices Required
040 Water Treatment and Disinfection
050 Sampling and Analysis
060 Examination of Water
070 Reports and Records
080 Compliance
090 Public Notice of Noncompliance
100 Plan Review
110 Penalties
120 Maximum Contaminant Concentrations
130 Definitions

DRAFT
OCT. 28, 1975

18 AAC 80.010. ALASKA DRINKING WATER STANDARDS (a) No person may make available, permit, allow, or cause the use of any water from the distribution system of a public water system which contains contaminants in excess of the "Maximum Contaminant Concentrations" in section 120 of this chapter. The department may waive a requirement for public water systems if such waiver does not affect the health of the consumers.

(b) No person may make available, permit, allow, or cause the use of any water from the distribution system of a public water system which contains fecal contamination, fiberglass, asbestos, metal bits, or other deleterious or foreign material.

(Eff. __/__/__, Register __)

AUTHORITY: AS 46.03.020 (10)(A)
AS 46.03.020 (10)(C)
AS 46.03.050
AS 46.03.070

18 AAC 80.020. SOURCE AND SOURCE PROTECTION. No person may permit, allow, or cause pollution or contamination to enter a public water system.

(a) Requirements for water wells are as follows:

(1) A well exposed to flooding shall be constructed with provisions for sealing the well or vents when flood waters threaten to contaminate the well.

(2) The surface, ten feet in all directions around the well, shall be sloped to drain away from the well. The department may require an impervious surface, extending at least two feet in all directions from the well.

(3) A well pit is prohibited.

(4) Newly constructed or reworked wells shall be flushed of sediment and disinfected by techniques approved by the department before use.

(5) Drain pipes from a well house to a sewerage system are prohibited.

(6) All well piping, pumps or other equipment exposed to vehicular traffic shall be protected with curbs, posts, or other barriers.

(7) Requirements for cased water wells are as follows:

(A) All well casings shall have a sanitary seal.

(B) A well shall have its casing terminate at least 12 inches above ground level or level of the well house floor.

(C) The annular open space outside the well casing shall be filled with a watertight cement grout, sealing clay, bentonite, or equivalent to a minimum depth of ten feet below the ground surface.

(D) The well casing shall be sealed off from aquifers containing water of undesirable quality.

(8) For driven wells, the department may require the annular open space outside the suction line to be filled with a watertight cement grout, sealing clay, bentonite or equivalent to a minimum depth of ten feet below the ground surface.

(b) No person may, in the watershed of a surface or subsurface water supply, engage in any activity which may pollute or contaminate that water supply. Prohibited activities may include the discharge of wastewater, either treated or untreated, and the deposition of solid waste.

(c) Upon written notice from the department, a person who owns or is responsible for any well abandoned or not in use, any hole, either drilled, augered, or jetted, for the purpose of subsurface exploration or sampling, any cathodic protection well, or any form of excavation which may allow or cause contamination of the groundwater, may be required to seal, protect, or fill up the well, hole, or excavation as directed.

(d) No person may construct, install, maintain or operate a surface or subsurface water source unless the separations in Table A, measured horizontally in feet, are maintained. Where the department determines that soil conditions do not provide adequate protection against contamination of the source, greater separation may be required. If the water systems are adequately protected by techniques approved by the department, these distances may be reduced.

TABLE A - SEPARATIONS
(Measured horizontally in feet)

Water System	Wastewater Treatment and Disposal Systems Sewage Pump Stations Sewer Line Manholes and Cleanouts	Community Sewer Lines Other Potential or Actual Source of Pollution or Contamination	Private Sewer Lines
Public, serving more than 25 persons	200	200	200
Public, serving 25 or less persons	150	100	75
Private	100	75	25

(In effect before 7/28/59)

AUTHORITY AS 46.03.020 (10)(A)
AS 46.03.020 (10)(C)
AS 46.03.020 (10)(D)
AS 46.03.050
AS 46.03.070
AS 46.03.800
AS 46.03.810

18 AAC 80.030. GENERAL PRACTICES REQUIRED. (a) No person may construct, install, maintain, permit, cause, or allow a cross connection in a public water system.

(b) The department may require a person to install, maintain and test an approved backflow prevention device on the service line to, or at other locations in, a sewage treatment works, hospital, mortuary, laboratory, food processing facility, irrigation or fire protection system, or other facility determined by the department to have a high potential for cross connections.

(c) The department may require the owner, operator, or other persons responsible for the operation or maintenance of a public water system serving 100 or more persons to be examined and certified by the department to be competent to operate or maintain that system.

(d) The department may require a person who owns or operates a public water system serving 100 or more persons to have an approved comprehensive plan, developed in accordance with guidelines issued by the department. This plan shall contain, but not be limited to, a program to meet projected needs for future population growth, a schedule for conducting sanitary surveys, an inventory of any existing deficiencies, and a schedule to correct deficiencies.

(e) The department may require a person who owns or operates a public water system serving 100 or more persons to have an approved emergency plan, developed in accordance with guidelines issued by the department. This plan shall contain, but not be limited to, a program for supplying safe drinking water in the event of earthquake, fire, flood, avalanche, landslide, freeze-up, power or equipment outage, pressure loss, source failure, or other disaster which may disrupt water service.

(f) The department may require a person who owns or operates a public water system serving 100 or more persons to submit a system master plan. This plan shall be at a suitable scale and shall show, at least, the correct location, size and type of all pipe, valves, and fire hydrants, and the location of all sources of water, treatment works and pumping facilities.

(In effect before 7/28/59)

AUTHORITY: AS 46.03.020 (10)(A)
AS 46.03.020 (10)(C)

18 AAC 80.040. WATER TREATMENT AND DISINFECTION. (a) No person may operate, maintain, make available, permit, cause or allow the use of sub-surface water in a public water system without continuous disinfection by techniques approved by the department. The department may waive this requirement for a public water system serving less than 300 persons.

(b) No person may operate, maintain, make available, permit, cause or allow the use of surface water in a public water system without continuous filtration and disinfection by techniques approved by the department.

(c) If chlorination is used for disinfection in a public water system, no person may operate, maintain, make available, permit, cause or allow the use of any water that does not maintain a total chlorine residual of at least 0.1 mg/l throughout the distribution system.

(d) If a public water system is fluoridated, the owner or operator of that water system shall provide fluoride concentrations in the range of 0.9 mg/l to 2.4 mg/l, and as far as practicable, maintain an optimum concentration of 1.2 mg/l.

(In effect before 7/28/59)

AUTHORITY: AS 46.03.020 (10)(C)
AS 46.03.070

18 AAC 80.050. SAMPLING AND ANALYSIS. A person who owns or operates a public water system shall make, or cause to be made, sampling and analysis of the water at representative points, approved by the department, for water quality parameters at frequencies listed below. The frequencies listed are the minimum required; the department may require an increased frequency or additional monitoring for a contaminant listed in section 120 of this chapter if such contaminant is likely to be present.

(a) Initial sampling and analysis for public water systems shall be performed no later than the dates specified in Table B.

(b) Routine sampling and analysis shall be performed at the frequencies specified in Table C upon completion of the initial sampling and analysis required by Table B.

(c) Daily coliform sampling, in addition to the routine sampling, shall be required if coliform contaminants are present in a single standard sample. Daily samples shall be collected from the same sampling point and examined until no coliforms are present in two consecutive samples.

(In effect before 7/28/59)

AUTHORITY: AS 46.03.020 (10)(C)

18 AAC 80.060. EXAMINATION OF WATER. For the purposes of determining compliance with the requirements of this chapter, the analytical results of water samples shall be considered only if the analyses have been performed by a person, laboratory, or procedures certified by the commissioner.

(In effect before 7/28/59)

AUTHORITY: AS 46.030.020 (10)(C)
AS 46.030.070

ALASKA
STATE-OPERATED SCHOOLS SYSTEM

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TABLE B - INITIAL SAMPLING AND ANALYSIS

Analyses	Systems serving 1000 or more residents.		Systems serving more than 25 and less than 1000 residents.		Systems serving less than 25 residents or non-resident populations.	
	Surface Source	Subsurface Source	Surface Source	Subsurface Source	Surface Source	Subsurface Source
Inorganic Chemicals (listed in section 120)	12/31/77	12/31/77	12/31/78	12/31/78	12/31/79	12/31/79
Organic Chemicals (listed in section 120)	12/31/77	Not Required	Not Required	Not Required	Not Required	Not Required
Coliform Bacteria	6/30/76	6/30/76	6/30/76	6/30/76	12/31/76	12/31/76
Color	6/30/76	Not Required	Not Required	Not Required	Not Required	Not Required
Turbidity	6/30/76	Not Required	6/30/76	Not Required	Not Required	Not Required
Gross Alpha Radioactivity	12/31/77	12/31/77	Not Required	Not Required	Not Required	Not Required
Chlorine Residual	6/30/76	6/30/76	6/30/76	6/30/76 (if added)	12/31/76	12/31/76 (if added)
Fluoride (if added)	6/30/76	6/30/76	6/30/76	6/30/76	12/31/76	12/31/76

TABLE C - ROUTINE SAMPLING AND ANALYSIS

Analyses	Systems serving 1000 or more residents.		Systems serving more than 25 and less than 1000 residents.		Systems serving less than 25 residents or non-resident populations.	
	Surface Source	Subsurface Source	Surface Source	Subsurface Source	Surface Source	Subsurface Source
Inorganic Chemicals (listed in section 120)	1 per 3 years	1 per 5 years	1 per 10 years	1 per 10 years	Not Required	Not Required
Organic Chemicals (listed in section 120)	1 per 10 years	Not Required	Not Required	Not Required	Not Required	Not Required
Coliform Bacteria	1 per mth. per 1000 persons 2 per mth. min.	1 per mth. per 1000 persons 2 per mth. min.	1 per month	1 per month	1 per month	1 per month
Color	1 per week	Not Required	Not Required	Not Required	Not Required	Not Required
Turbidity	1 per day	Not Required	1 per week	Not Required	Not Required	Not Required
Gross Alpha Radioactivity	1 per 10 years	1 per 10 years	Not Required	Not Required	Not Required	Not Required
Chlorine Residual	2 per day	1 per day	1 per day	1 per day (if added)	1 per day	1 per day (if added)
Fluoride (if added)	1 per day	1 per day	1 per day	1 per day	1 per day	1 per day

18 AAC 80.070. REPORTS AND RECORDS. (a) A person who owns or operates a public water system shall retain the following records, and make reports to the department with the following frequencies on forms and in accordance with instructions furnished by the department. Upon request, the department may waive all or part of this requirement.

(1) Records of inorganic chemical, organic chemical, and radioactivity analyses shall be submitted within one month after each analysis is completed, and shall be permanently retained.

(2) Records of coliform bacteria, turbidity, color. chlorine and fluoride analyses for public water systems serving 1000 or more persons shall be submitted by the tenth of each month for the month previous, and shall be retained for the preceding five year period.

(3) Records of coliform bacteria and turbidity analyses for public water systems serving less than 1000 persons shall be submitted by the tenth of each month for the month previous, and shall be retained for the preceding five year period. Records of chlorine and fluoride analyses for public water systems serving less than 1000 persons shall be retained for the preceding five year period.

(4) Records of daily water consumption, daily treatment chemical quantities used, equipment failures, chemical spills, any system malfunction and corrective action, and any written consumer complaint for public water systems serving 1000 or more persons shall be submitted by the tenth of each month for the month previous, and shall be retained for the preceding 10 year period.

(5) Records of well logs, as-built plans and specifications, engineering reports, and any public notice of noncompliance shall be submitted within thirty days after completion of construction, the report, or action, and shall be permanently retained.

(b) A person who owns or operates a public water system shall immediately notify the department if coliform contaminants are present in a single standard sample, and shall continue notification daily until no coliforms are present in two consecutive samples.

(In effect before 7/28/59)

AUTHORITY: AS 46.03.020 (10)(C)

18 AAC 80.080. COMPLIANCE. A person who owns or operates a public water system shall be required, upon written notification from the department that the water system does not meet a provision of this chapter, to furnish the department with a written plan of proposed compliance. The plan of proposed compliance shall be submitted within 15 days from receipt of the notice and shall be subject to department approval. The compliance plan shall include but not be limited to, a complete definition and analysis of all factors causing the system to be in noncompliance, a program to bring the system into compliance, and a time schedule for the proposed program.

(In effect before /59)

AUTHORITY: AS 46.03.020 (10)(C)
AS 46.03.130

18. AAC 80.090. PUBLIC NOTICE OF NONCOMPLIANCE. Upon notification by the department, a person who owns or operates a public water system shall give public notice to consumers served by the system if the system is in noncompliance with any requirement of this chapter.

(a) The public notice shall state, at least, what is in noncompliance and if a quantitative limit has been exceeded, what the limit is and at what level the water system has been operating, and an explanation of the public health significance of the items in noncompliance.

(b) The public notice shall be disseminated by publication in newspapers, by radio or television broadcast, by inclusion in water bills, or by other methods, and at frequencies approved by the department.

(c) If there is an imminent or present hazard to the health of persons consuming the water, the owner or operator shall give immediate public notice of the specific hazard, and of protective measures to be taken by the consumer.

(Eff. __/__/__, Register__)

AUTHORITY: AS 46.03.020 (10)(C)

18 AAC 80.100. PLAN REVIEW. No person may construct, install, alter, modify, renovate, improve or enter into a contract to construct, install, alter, modify, or improve a public water system or any part thereof without prior written approval from the department. Upon request, the department may waive all or part of this requirement for public water systems serving less than 100 persons.

(a) Approval shall be based on, but not limited to, complete engineering reports, plans and specifications prepared, signed and sealed by a professional civil engineer registered in the State of Alaska. If construction has not commenced within two years from date of department approval, the plans and specifications shall be resubmitted. The engineering reports and plans shall include but not be limited to the following:

(1) Results of analyses required by section 050(a) of this chapter, when developing new sources of water.

(2) Data showing the capability of a water supply source to meet water consumption needs.

(3) Location of each proposed or existing wastewater treatment and disposal system, sewage pump station, sewer line manhole and cleanout, sewer line, fuel oil or gasoline storage tank, or any other potential or actual source of pollution or contamination within 500 feet of a proposed water source.

(4) The name, address and statement of responsibilities of the water system's owner, operator or other persons responsible for operation and maintenance.

(5) Evidence of having applied to the Department f Natural Resources for a right to appropriate water as required by AS 46.15.040.

(6) Evidence of having applied to the Department of Commerce, Alaska Public Utilities Commission for a certificate of public convenience and necessity as required by AS 42.05.221.

(b) The department shall adopt guidelines by which engineering reports, plans and specifications are to be reviewed and approved.

(In effect before 7/28/59)

AUTHORITY: AS 46.03.020 (10)(C)

18 AAC 80.110. PENALTIES. A person who violates any provision of this chapter is punishable by the appropriate penalties contained in AS 46.03.760(a) and AS 46.03.790. These penalties include the possibility of a maximum punishment by fine of not more than $25,000 or by imprisonment for not more than one year or both. Each unlawful act or each day of violation may constitute a separate offense.

(Eff. __/__/__, Register__)

AUTHORITY: AS 46.03.760 (a)
AS 46.03.790

18 AAC 80.120. MAXIMUM CONTAMINANT CONCENTRATIONS. No person may make available, permit, allow or cause the use of any water from the distribution system of a public water system which contains contaminants with concentrations in excess of those listed below. The department may waive a requirement if such waiver does not affect the health of the consumers.

(a) Inorganic chemical contaminants.

Contaminant	Maximum Contaminant Concentration (mg/l)
Arsenic	0.05
Barium	1.
Cadmium	0.010
Chromium	0.05
Cyanide	0.2
Fluoride	2.4
Iron	0.3
Lead	0.05
Manganese	0.05
Mercury	0.002
Nitrate (as Nitrogen)	10.
Selenium	0.01
Silver	0.05
Sodium	250.
Zinc	5.

(b) Organic chemical contaminants.

Contaminant	Maximum Contaminant Concentration (mg/l)
Phenols	0.001
Chlordane	0.003
Endrin	0.0002
Heptachlor	0.0001
Heptachlor Epoxide	0.0001
Lindane	0.004
Methoxychlor	0.1
Toxaphene	0.005
Aldrin	0.001
DDT	0.05
Dieldrin	0.001
2,4-D	0.1
2,4,5-TP Silvex	0.01

(c) Physical contaminants.

Contaminant	Maximum Contaminant Concentration
Color	15 units
Turbidity	1 unit

(d) Radioactive contaminants.

Contaminant	Maximum Contaminant Concentration (pCi/l)
Gross Alpha	15.
Gross Beta	50.
Strontium-90	2.
Combined Radium-226 & 228	5.
Tritium	20,000.

(e) Coliform bacteria contaminants.

Test Method	Maximum Contaminant
(1) Membrane Filter Technique with less than 20 samples per month	The coliform densities shall not exceed one per 100 milliliters as the arithmetic mean of all samples examined per month and four per 100 milliliters in more than one standard sample per month.
(2) Membrane Filter Technique with 20 or more samples per month	The coliform densities shall not exceed one per 100 milliliters as the arithmetic mean of all samples examined per month and four per 100 milliliters in more than five percent of the standard samples per month.

(3)	Fermentation Tube Method with 10 ml portions with less than 20 samples per month	Coliforms shall not be present in more than 10% of the portions in any month and in three or more portions in more than one sample per month.
(4)	Fermentation Tube Method with 10 ml portions with 20 or more samples per month	Coliforms shall not be present in more than 10% of the portions in any month and in three or more portions in more than five percent of the samples per month.
(5)	Fermentation Tube Method with 100 ml portions with less than 5 samples per month	Coliforms shall not be present in more than 60% of the portions in any month and in all five portions in more than one sample per month
(6)	Fermentation Tube Method with 100 ml portions with 5 or more samples per month	Coliforms shall not be present in more than 60% of the portions in any month and in all five portions in more than 20% of the samples per month.

(Eff. __/__/__, Register__)

AUTHORITY: AS 46.03.020 (10)(A)
AS 46.03.020 (10)(C)
AS 46.03.050
AS 46.03.070

18 AAC 80.130. DEFINITIONS. Unless the context indicates otherwise, in this chapter

(1) "as-built plans and specifications" mean the original plans and specifications prepared for construction and approved by the department, corrected to reflect how the facility was actually constructed or installed.

(2) "backflow" means the flow of any foreign liquids, gases, or substances into the collection or distribution system of a public water system.

(3) "cathodic protection well" means any artificial excavation, constructed by any method, for the purpose of installing equipment or facilities for the protection electrically of metallic equipment in contact with the ground.

(4) "cesspool" means a subsurface pit which receives untreated sewage. New cesspools are prohibited.

(5) "coliform bacteria" means all of the aerobic and facultative anaerobic, gram-negative, nonspore-forming, rod-shaped bacteria which ferment lactose with gas production within 48 hours at 35° C. Coliform bacteria also means all organisms which produce a colony with a golden green metallic sheen within 24 hours of incubation in a nutrient enriched medium.

(6) "commissioner" means the Commissioner of the Department of Environmental Conservation.

(7) "community sewer lines" means the pipelines or conduits which carry sewage, industrial liquid waste, or other wastewater from two or more residences or business establishments to a wastewater treatment and disposal system.

(8) "contaminant" means any physical, chemical, biological, or radiological substance or matter in water.

(9) "cross connection" means any physical arrangement whereby a public water system is connected, directly or indirectly, with any non-potable water system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains, or may contain, contaminated water, liquid, gases, sewage, or other waste, of unknown or unsafe quality which may be capable of imparting contamination to the water supply as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or change over devices, and other temporary, permanent or potential connections through which, or because of which, backflow could occur, are considered to be cross connections.

(10) "department" means the Department of Environmental Conservation.

(11) "disinfection" means the controlled use of chemicals, heat, ultraviolet light, irradiation, or ionizing radiation in a sufficient concentration and followed by an adequate contact time so as to destroy all pathogenic organisms.

(12) "distribution system" means post treatment storage facilities, conduits, mains, lines and appurtenances, pumping stations or other devices used to transport water from the treatment works to the property line of the consumer.

(13) "fecal contamination" means contamination from excrement of human or animal origin as shown by analytical testing for fecal coliform or fecal streptococci bacteria.

(14) "filtration" means an operation in which water and suspended matter are separated by passing the water through a porous material such as sand, anthracite, diatomaceous earth, or similar material.

(15) "person" means any individual, public or private corporation, political subdivision, government agency, municipality, industry, co-partnership, association, firm, trust, estate or any other entity whatsoever.

(16) "private sewer lines" means the pipelines or conduits which carry sewage, industrial liquid waste, or other wastewater from a single residence or business establishment to a community sewer line or to a wastewater treatment and disposal system.

(17) "private water system" means any source of water, intake works, collection system, treatment works, storage facility, and distribution system, serving a single family residence, or a system not providing water to the public.

(18) "public water system" means any source of water, intake works, collection system, treatment works, storage facility, and distribution system from which water is available for public consumption. The term includes, but is not limited to, systems providing water to residences, factories, office buildings, restaurants, schools, and other similar facilities, but excludes systems serving only a single family residence.

(19) "resident" means a person occupying a dwelling unit on a year-round basis.

(20) "sanitary seal" means a watertight seal at the top of a well casing or pipesleeve which prevents water or other liquids from entering the well.

(21) "sanitary survey" means an on-site review of the water source, facilities, equipment, operation and maintenance of a public water system for purposes of evaluating compliance with the requirements of this chapter.

(22) "septic tank" means a settling tank in which solid and scum materials may be removed from sewage.

(23) "service connection" means a connection between the distribution system of a public water system and the customer's system. The customer's system shall be considered part of the distribution system when it consists of a circulating loop or when it serves more than one single family residence.

(24) "soil absorption system" means a subsurface system, including lateral perforated discharge pipes, gravel trenches, and crushed rock, that uses soil for the percolation of septic tank effluents, treated sewage, or wastewater. This definition includes filtering fields, leaching fields, seepage beds or seepage pits, but not cesspools.

(25) "solid waste" means all unwanted or discarded solid or semi-solid material whether putrescible or nonputrescible, originating from any source, including but not limited to garbage, paper, wood, metal, glass, plastic, rubber, cloth, ashes, litter, street sweepings, dewatered sewage sludge, dead animals, junked vehicles and equipment, material and debris resulting from construction or demolition projects, hazardous wastes, gravel pit and quarry spoils, and overburden except that originating from the construction of single buildings.

(26) "storage facility" means any tank or reservoir, whether above or below ground, pond, holding basin, or other container used to hold water before or after treatment.

(27) "subsurface water" means water occupying a permeable saturated zone of soil 30 feet or more below ground surface whether perched above impermeable strata, confined between impermeable strata, or unconfined.

(28) "surface water" means water from streams, ponds, lakes, creeks, reservoirs, the oceans, and water collected from a depth less than 30 feet below ground surface.

(29) "treatment works" means the structure and appurtenances including chemical feeders, coagulation and sedimentation tanks, filtration devices, ion exchange apparatus, aeration tanks, or other works used to condition, purify, or refine water for human consumption.

(30) "wastewater" means sewage, waterborne industrial wastes, laundry liquid effluent, shower or sink water, or other wastes which are waterborne.

(31) "wastewater treatment and disposal system" means soil absorption systems, septic tanks, cesspools, and sewage treatment works.

(32) "well" means an excavation, opening, shaft, or hole from which water can be extracted from the ground.

(33) "well log" means a written report containing but not limited to a description and classification of soil and ice strata and the depths at which encountered, the depth to ground water, depth of well, length, diameter, wall thickness, and type of casing, location of perforations in casing, geographic location of well, yield, and name of owner and well driller.

(34) abbreviations used in this chapter are defined as follows

mg/l - milligrams per liter
pCi/l - picocuries per liter
ml - milliliter
mth - month
min - minimum

(In effect before 7/28/59)

Alaska State-Operated School System
Commodities and Equipment Guidelines
Military Schools
Basic Instruction Program

Commodities (assumes only existing programs) - $40./student plus the following freight differentials:

Location	Differential
Adak	25%
Eielson	10%
Elmendorf	-0-%
Fort Greely	15%
Fort Richardson	-0-%
Fort Wainwright	10%

Equipment (assumes only existing programs) - schedule below plus the above freight differentials:

Amount	Students/School
$2,000.	50-149
3,000.	150-349
4,000.	350-749
5,000.	750+

ALASKA STATE-OPERATED SCHOOL SYSTEM
Staffing Pattern
Military Schools
Basic Instruction Program

ON-BASE CLASSROOM TEACHERS

Level	Minimum Number of Teachers (1975-76)
Kindergarten	At least one teacher for each 40 students
Elementary (Grades 1-6)	At least one teacher for each 25 students
Secondary (Grades 7-12)	At least one teacher for each 20 students

ON-BASE SPECIAL TEACHERS

Special teachers include counselors, librarians, nurses, and teachers of music, vocational education, distributive education, business, home economics, industrial arts, and other courses not considered as required core-curriculum.

Level	Enrollment	Minimum Number of Teachers
Elementary (Grades K-6)	250-450	1
	451-600	2
	601-900	3
	901-1200	4
	1201-1500	5
	1501+	6+ One additional teacher for each additional 250 students
Secondary (Grades 7-12)	150-299	1
	300-449	2
	450-599	3
	600-749	4
	750-899	5
	900+	6+ One additional teacher for each additional 200 students

PRINCIPALS

Number of Teachers Per School	Type of Administrator
1-7	Principal Teacher
8-15	Principal - required to teach a minimum of one class per day
16-30	Principal

NOTE: An assistant principal may be added for each school with 31 or more teachers, with a school being defined for budgetary purposes as Elementary (Grades K-6) or Secondary (7-12) These two basic categories will then be further subdivided into primary and intermediate and junior high and senior high when justified by increases in enrollment.

CLERICAL SUPPORT

Teachers Per School Location	Clerical Support
0-6	None
6-7	1 Clerk - 4 hours/day
8+	1 Clerk - 7½ hours/day

NOTE: Additional clerical support will be added to individual school locations in increments of one full time clerk per each additional principal or assistant principal

TEACHER AIDES

Aides will be allocated to administrative regions. A region will be allocated one 7½ hour per day teacher aide for every 10 teachers allocated to the region. The on-base superintendent will evaluate the individual school location needs and make assignments to the individual schools.

BUILDING OPERATIONS PROGRAM

14,000 Square Feet - 1 - 7.5 Hour Day

Add 1 hour for each 1,866 Square Feet

Building Custodian not included in standard and must be justified for security and supervisory purposes.

BUILDING MAINTENANCE PROGRAM

0-48,000 Square Feet	1 Maintenance Mechanic
Each additional 48,000 Square Feet	1 Maintenance Mechanic

Supervisory Requirements:

1-3 Maintenance Men	1 Maintenance Mechanic
4 and above Maintenance Men	1 Building Maintenance Foreman

FOOD SERVICE PROGRAM

Type A Lunch Program

ADP	Staff Level	Hours Required	Weekly
1-29	Cook I	4	20
30-49	Cook I	5	25
50-69	Cook I	6	30
	Food Service Worker	2	10
70-99	Cook I	7.5	37.5
	Food Service Worker	3	15
100-149	Cook I	7.5	37.5
	Food Service Worker	4.5	20-25
150-249	Cook II	7.5	37.5
	Senior Food Service Worker	7.5	37.5
	Food Service Worker	4	20
250-349	Cook II	7.5	37.5
	Senior Food Service Worker	7.5	37.5
	Food Service Worker	5	25
	Food Service Worker	4	20
350+	Cook III plus supporting staff		

Add one worker for each additional 100 students served, up to 500 (based on an 8 hour day). Estimate 13 lunches per hour of labor.

Type B Lunch Program

ADP	Staff Level	Hours Required	Weekly
1-49	Food Service Worker	2	10
50-99	Food Service Worker	3	15
100+	Food Service Worker	4+	20

Breakfast Program

ADP	Staff Level	Hours Required	Weekly
1-50	Food Service Worker	2	10
50+	Food Service Worker	3	15

NOON DUTY ATTENDANTS

ADP	Positions Per Location	Hours Required	Weekly
50-99	1	1.5	7.5
100-299	2	1.5	15.
300+	3	1.5	22.5

Alaska State-Operated School System
Commodities and Equipment Guidelines
Rural Schools
Basic Instruction Program

Existing Programs:

(A) Commodities - $40./student plus 25% freight differential.
(B) Equipment -

Amount	Students/School
$1,000. (+25% freight)	8-49
2,000. " "	50-149
3,000. " "	150-349
4,000. " "	350-749
5,000. " "	750+

New Programs (proceeded by "turnkey" capital construction):

(A) Commodities - same as "existing programs" plus $2,000. per school location and 25% freight differential
(B) Equipment - same as "existing programs" plus $2,000. per school location and 25% freight differential.

Expanded Programs (in existing facilities):

(A) Commodities - same as "existing programs" plus $1,000. per school location and 25% freight differential.
(B) Equipment - same as "existing programs" plus $10,000. per school location and 25% freight differential.

ALASKA STATE-OPERATED SCHOOL SYSTEM
Staffing Pattern
Rural Schools
Basic Instruction Program

CLASSROOM TEACHERS

Level	Enrollment	Minimum No. of Teachers	Number Enrolled When Additional Staff Required**
Elementary	8-19	1	
(Grades K-6)*	20-44	2	Second by 20
	45-69	3	Third by 45
	70-89	4	Fourth by 70
	90-111	5	Fifth by 90
	112+	6+	One for each 22 students
Secondary	12-15	1	
(Grades 7-12)	16-39	2	Second by 16
	40-59	3	Third by 40
	60-79	4	Fourth by 60
	80-99	5	Fifth by 80
	100+	6+	One for each 20 students

* This schedule is also applicable to combined elementary and secondary enrollments when the enrollment is less than 12 secondary students.

** Except where teacher housing is determined to be unavailable by the Association and the District.

SPECIAL TEACHERS

Special teachers include counselors, librarians, nurses, and teachers of music, vocational education, distributive education, business, home economics, industrial arts, and other courses not considered as required core-curriculum.

Level	Enrollment	Minimum Number of Teachers	
Elementary	125-200	1	
(Grades K-6)***	201-350	2	
	351-500	3	
	501-650	4	
	651-800	5	
	801+	6+	One additional teacher for each additional 250 students
Secondary	30-59	1	
(Grades 7-12)	60-89	2	
	90-119	3	
	120-149	4	
	150-179	5	
	180+	6+	One additional teacher for each additional 50 students

*** This schedule is also applicable to combined elementary and secondary enrollments when the secondary enrollment is less than 30.

PRINCIPALS

Number of Teachers Per School	Type of Administrator
1-7	Principal Teacher
8-15	Principal - required to teach a minimum of one class per day
16-30	Principal

NOTE: An assistant principal may be added for each school with 31 or more teachers, with a school being defined for budgetary purposes as Elementary (Grades K-6) or Secondary (7-12). These two basic categories will then be further subdivided into primary and intermediate and junior high and senior high when justified by increases in enrollment.

CLERICAL SUPPORT

Teachers Per School Location	Clerical Support
0-6	None
6-7	1 Clerk - 4 hours/day
8+	1 Clerk - 7½ hours/day

NOTE: Additional clerical support will be added to individual school locations in increments of one full time clerk per each additional principal or assistant principal.

TEACHER AIDES

Aides will be allocated to administrative regions. A region will be allocated one 7½ hour per day teacher aide for every 10 teachers allocated to the region. The regional superintendent will evaluate the individual school location needs and make assignments to the individual schools.

BUILDING MAINTENANCE PROGRAM

1-5 School Locations	1 Maintenance Mechanic
6-10 School Locations	2 Maintenance Mechanics
11-15 School Locations	3 Maintenance Mechanics
16-20 School Locations	4 Maintenance Mechanics
21+ School Locations	5 Maintenance Mechanics
Total Square Feet Over 100,000 and Each 25,000 Above	1 Maintenance Mechanic
Complex Mechanical or Structual Variances	1 Maintenance Mechanic
Supervisory Requirements and/or Special Skills	1 Building Maintenance Foreman

FOOD SERVICE PROGRAM

Type A Lunch Program

ADP	Staff Level	Hours Required	Weekly
1-29	Cook I	4	20
30-49	Cook I	5	25
50-69	Cook I	6	30
	Food Service Worker	2	10
70-99	Cook I	7.5	37.5
	Food Service Worker	3	15
100-149	Cook I	7.5	37.5
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	Senior Food Service Worker	7.5	37.5
	Food Service Worker	5	25
	Food Service Worker	4	20
350+	Cook III plus supporting staff		

Add one worker for each additional 100 students served, up to 500 (based on an 8 hour day). Estimate 13 lunches per hour of labor.

Type B Lunch Program

ADP	Staff Level	Hours Required	Weekly
1-49	Food Service Worker	2	10
50-99	Food Service Worker	3	15
100+	Food Service Worker	4+	20

Breakfast Program

ADP	Staff Level	Hours Required	Weekly
1-50	Food Service Worker	2	10
50+	Food Service Worker	3	15

NOON DUTY ATTENDANTS

ADP	Positions Per Location	Hours Required	Weekly
50-99	1	1 5	7.5
100-299	2	1.5	15.0
300+	3	1.5	22 5

BUILDING OPERATIONS PROGRAM

12,000 Square Feet = 1 - 7.5 Hour Day
Assign 3 5 Hours up to 6,000 Square Feet
Over 6,000 Square Feet add 1 Hour for each 1600 Square Foot
Extra - Generator Care/Surveillance - 1 Hour
Extra - Fuel Transfer, Water/Freight Haul - 1 Hour

ALASKA STATE-OPERATED SCHOOL SYSTEM

Guidelines for Planning Rural Schools

I. SPACE

A. GENERAL PURPOSE SPACE (Instruction halls, Media Centers, Health Rooms, General Offices)

ELEM ENROLL.	INCREMENT	SEC. ENROLL.	INCREMENT	SQ. FT.	INCREMENT
MIN. Thru 24	24	MIN. Thru 15	15	1000	1000
26-39	15	16-35	20	1900	900
40-59	20	36-55	20	2800	900
60-79	20	56-75	20	3700	900
80-99	20	76-95	20	4600	900
100-124	25	96-115	20	5500	900
125-149	25	116-135	20	6400	900
150-174	25	136-145	20	7300	900
175-199	25	146-165	20	8100	800
200-224	25	166-185	20	8900	800
225-249	25	186-205	20	9700	800
250-274	25	206-225	20	10,500	800

B. MULTI PURPOSE SPACE (Gyms, Bleachers, Seating, Showers, Locker Rooms, Stages, etc.

1. GYM/STAGE SPACE - OPEN FLOOR SPACE

ELEM. ENROLL.	SEC. ENROLL.	SITE
Thru 80	Thru 35	None
81-175	36-75	45' x 80'
176 and Larger	76-135	52' x 95'
	136 and Larger	60' x 104'

For combined enrollment, use the following rules:

a. If $\frac{\text{Elem. Enroll.}}{81} + \frac{\text{Sec. Enroll.}}{36}$ is less than 1, no MP Space

b. If $\frac{\text{Elem. Enroll.}}{81} + \frac{\text{Sec. Enroll.}}{36}$ is more than 1, "1/2 Gym"

c. If $\frac{\text{Elem. Enroll.}}{176} + \frac{\text{Sec. Enroll.}}{76}$ is more than 1, "3/4 Gym"

d. If $\frac{\text{Elem. Enroll.}}{177} + \frac{\text{Sec. Enroll.}}{136}$ is more than 1, "Full Gym"

2. SEATING SPACE

12 SQ. FT. x Enrollment (4 SF), FT./Seat)

Rev. 6-21-74

3. STAGE

Space included in Open Floor Space. 60' x 104' Size has permanent stages; smaller sizes have portable stages.

4. STORAGE SPACE FOR MULTI-PURPOSE SPACE

200 SQ. FT. for 45' x 80' Size
250 SQ. FT. for 52' x 95' Size
300 SQ. FT. for 60' x 104' Size

5. OFFICE SPACE FOR MULTI-PURPOSE SPACE

100 SQ. FT. Per Multi-Purpose Facility

6. DRESSING SPACE

25% of enrollment x 10 sq. ft., with a minimum of 150 sq. ft. and a maximum of 300 sq. ft. for boys; same for girls. (10 sq. ft. per person space allowance.) Schools over 150 enrollment handled on an individual basis.

7. SHOWER SPACE

Minimum 60 sq. ft. (3 heads) each for boys and for girls.
Maximum 160 sq. ft. (8 heads) each for boys and for girls.
3 Minimum fixtures each for boys and for girls.
9 Maximum fixtures each for boys and for girls.

8. TOILETS FOR SPECTATORS - Included under utility space.

C. BUSINESS EDUCATION PROGRAM - VOCATIONAL EDUCATION

At the secondary enrollment level of 96-115, the Division of Vocational Education-ASDOS recommends the following program guidelines for Vocational Education occupational skills training courses and programs:

1. Types of courses which comprise a Business Education Program:

Office Simulation	Bookkeeping
Office Machines	Business Law
Typing I	Typing II
Gen. Business Education	Record Keeping
Clerical Occupations	Shorthand
Secretarial Occupations	Business Principles & Management
Accounting Occupations	Business Math
Business English	Cooperative Work Experience Training
Distributive Occupations	Specialty Area - Keypunch, etc.

2. Sq. Ft. Per Student - 33
No Less Than 2,500 Minimum Sq. Ft. Per Business Education Prog.
No More Than 7,500 Maximum Sq. Ft. Per Business Education Prog.

3. For each secondary enrollment increment above 115 students, 25% of the Sq. Ft. increment is recommended for additions to construction to accomodate a school's Business Education Program. Allow 10 percent of the total Sq. Ft. of the program for additional storage of equipment and supplies.

D. CONSUMER AND HOME ECONOMICS EDUCATION PROGRAM

At the secondary enrollment level of 96-115, the Division of Vocational Education-ASOSS recommends the following program guidelines for planning Vocational Education occupational skills training courses and programs:

1. Types of courses which comprise a Consumer and Home Economics Education Program:

Food & Nutrition	Creative Arts
Clothing Construction	Housing and Interior Decorating
Child Care & Development	Home Management
Environmental Planning	Family Life Education
Consumer Education	Tailoring
Cosmetology	Food Service
Culinary Arts	Food Preservation
Health Occupations	

2. Sq. Ft. Per Student - 60
No Less Than 1,500 Minimum Sq. Ft. Per Consumer and Home Economics Education Program.
No More Than 3,000 Maximum Sq. Ft. Per Consumer and Home Economics Education Program.

3. For each secondary enrollment increment above 115 students, 25% of the Sq. Ft. increment is recommended for additions to construction to accomodate a School's Consumer and Home Economics Education Program.
Allow 10 percent of the total Sq. Ft. of the program for additional storage of equipment and supplies.

E. TRADES AND INDUSTRIAL ARTS EDUCATION PROGRAM

At the secondary enrollment level of 96-115, the Division of Vocational Education-ASOSS recommends the following program guidelines for planning Vocational Education occupational skills training courses and programs.

1. Types of Courses which comprise a Trades and Industrial Arts Education Program:

Power Mechanics	Welding
Electricity-Electronics	Appliance Repair
General Metals	Fishery
Drafting	I.C.T.
Graphic Arts	Refrigeration

1. Plastics
   Woods
   Auto Body
   Machine Tool
   Business Machine Repair
   Cabin Building
   Auto Mechanics
   Boat Building
   Cabinet & Carpentry
   Printing
   Radio, TV Repair

2. Sq. Ft. Per Student - 100
   No Less Than 2,500 Minimum Sq. Ft. Per Trades and Industrial Education Program.
   No More Than 5,000 Maximum Sq. Ft. Per Trades and Industrial Education Program.

3. For each secondary enrollment increment above 115 students, 25% of the Sq. Ft. increment is recommended for additions to construction to accomodate a school's Trades and Industrial Arts Education Program.
   Allow 10 percent of the total Sq. Ft. of the program for additional storage of equipment and supplies.

F. UTILITY SPACE (Restrooms, storage for General Purpose, Custodian's Closet)

1. RESTROOMS

   Meet Labor Department (HSS) Standards (Subtract sinks included in Gen. Purp. to extent allowable)

2. STORAGE FOR GEN. PURP.

   15% to 20% of Gen. Purp. space

3. CUSTODIAN'S CLOSET (Excluding storage)

   30 SQ. FT. Per FTE Custodian

G. FOOD SERVICE (Hot lunch preparation space, eating space included in Gen. Purp., and Multi-Purp.)

ENROLLMENT	SQ. FT. PREPARATION	SQ. FT. DRY STORAGE	SQ. FT. EATING
Min. - 29	200	200	0 (Classroom) *
30 - 59	300	300	0 (Classroom) *
60 - 99	400	400	400 *
100 - 149	600	600	Multi-Purpose Room
150 - 199	700	700	Multi-Purpose Room
200 - 249	800	800	Multi-Purpose Room
250 - 349	900	1000	2500 Separate Eating Area
350 +	1000	1200	2700 Separate Eating Area

Add 100 Sq. ft. per 100 students for preparation, storage, eating area.

* Elementary programs only.

H. EMPLOYEE HOUSING

It is the policy of Alaska State-Operated School System to discontinue all housing units for all employees.

I. LAND

1. Amount

Enrollment	Elem. (acres)	Sec. (acres)
Under 700	10	20
201 - 300	15	30
Over 300	20	40

2. Ownership

State should have title to all school sites.

II. WATER SUPPLY

A. Quality - meets public health standards

B. Quanity - 25 gal/student/day
250 gal/unit/day

. SEWAGE DISPOSAL

Meet secondary treatment standards (Public Health)
Use lagoon if possible; sewage treatment plant if necessary.

IV. HEAT

A. Furnace - sustain 70° indefinitely at local minimum temperature. Use only hot air type. Simplify, standardize, use bank of small furnaces instead of a single large one, etc.

B. Fuel Storage - sufficient to store 120% of average annual consumption; storage facilities meet environmental conservation standards.

C. Heat Retention - insulated such that long-run discounted total cost is minimized (generally, 6" of fiberglass or equivalent insulation in walls and floors and 8" in ceiling).

V. POWER

A. Where available from local sources, standby generators sufficient to maintain basic plant operations, i.e. furnace, water pumps, heat tapes, refrigerators, and emergency lights, but not regular lights, kitchen stoves, etc. Minimum 10 KW generator - larger as needed. Fuel storage included under IV Heat.

B. Where own power must be supplied, 50 KW generator minimum; larger as needed for plant.

VI. MAINTENANCE SPACE

Provide work space only in small schools; work and storage space in larger schools.

Minimum - 60 sq. ft. (6 x 10)
Over 100 Students - 120 sq. ft. (10 x 12)
Over 150 Students - 225 sq. ft. (15 x 15)
Over 300 Students - 375 sq. ft. (15 x 25)
(No differentiation between Elementary and Secondary Students.)

Assumptions

1. Kindergarten enrollments count as 1/2.
2. Seventh and Eighth grade enrollments are counted as Elementary if there is no separate, distinguishable, secondary-type program for them, and as Secondary if there is.

ALASKA STATE-OPERATED SCHOOL SYSTEM
650 International Airport Road
Anchorage, Alaska 99502
Division of
RESEARCH & DEVELOPMENT

TO: ALL CONCERNED WITH COMPREHENSIVE PLANNING

FROM: DICK H. BOWER, DIRECTOR
RESEARCH & DEVELOPMENT

The Alaska State-Operated School System has recently received additional responsibility in regard to planning for school facilities to be constructed within the District. High school facilities are now under design or construction which will nearly double the number of rural secondary programs, for which we are responsible, within the next year.

We are going to implement a planning procedure by which our programs and facilities will best reflect a cooperative and coordinated approach to meeting a community's educational, cultural and recreational needs. Facilities should consider optimum multiple or joint use. The conservation of energy and other resources, as well as obtaining maximum return from the construction, operation and maintenance dollar should be a central theme of the plan.

Because community involvement, understanding and commitment is the most critical element of this process, it is reflected within every planning element. OUR OBJECTIVE IS TO PLAN WITH, RATHER THAN FOR, PEOPLE.

The Bering Straits/Northwest Region has been selected for pilot development and application of the process. Within this vast geographical region are found five of the new facilities now underway. Several of these projects place us for the first time in Bureau of Indian Affairs areas. These high schools will serve elementary schools still operated by the Bureau so that well-coordinated curriculum is mandated.

The pages which follow represent DRAFT WORK COPIES of materials which will provide the framework for the project. Your comments, criticism and recommendations will be appreciated.

PROGRAM EVALUATION AND REVIEW TECHNIQUE (PERT)[1]

The Program Evaluation and Review Technique (PERT) is a methodology for planning diverse activities or tasks. It is easily adaptable to the nature and size of a project. Since one of the purposes of this project is the actual development and testing of a model system for planning, no attempt is made in this proposal to fully outline a PERT network.

As a part of the model system construction and testing, a PERT outline will be developed in cooperation with the planning team to be made up of consortium members, regional staff, cooperating agencies, and individuals from the community. Such factors as: work breakdown structure, network development, activity time estimation, network time calculations, scheduling, probability aspects of PERT, replanning the project, and an introduction to PERT/COST will be given initial attention.

The PERT system of organization will both permit and encourage systematic feedback of reactions and evaluations. In conjunction with the Charrettes, this data will then be used for modification of the approach being used and its application to subsequent projects.

A UNIQUE PLANNING ELEMENT -- THE CHARRETTE

An important and somewhat unique element of the work plan proposed for this project is a planning charrette. The charrette is described by the U.S. Office of Education as "a technique for studying and resolving educational facilities development problems within the context of total community planning needs. The technique requires a multi-disciplinary group -- educators, planners, architects, engineers, economists, psychologists, local public officials, citizen participants, and students -- intensely studying community problems." "The charrette is kept practical and viable through local commitment of (1) the direct participation of key public officials and local citizens; and (2) demographic data, maps, existing planning documents, studies of the area and other materials essential to problem analysis. These commitments of local resources lead to a high probability of implementation of charrette solutions."

This technique is believed particularly appropriate for this project for two reasons: (1) the restricted time frame within which initial testing of the planning system model is to be accomplished and (2) the high degree of broad involvement that is afforded by a charrette.

Numerous charrettes are viewed as integral parts of the project, first helping to outline, then utilizing and augmenting the data base established in the earlier stages. The charrette may be the method used to both establish and evaluate the technique of data collection and the appropriateness of data available to support necessary projections of need and priority decisions.

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[1] U.S. Office of Education, Program Evaluation and Review Technique, Applications in Education, U.S. Government Printing

ALASKA STATE-OPERATED SCHOOL SYSTEM
650 International Airport Road
Anchorage, Alaska 99502
Division of
RESEARCH & DEVELOPMENT

BERING STRAITS, NORTHWESTERN REGION

LONG RANGE PLANNING

A number of interrelated elements or concurrent phases are seen as integral parts of this process:

I. Overall Project Outline

II. Administration, Organization, Data Analysis Element

III. Educational Program Development and Review Element

IV. Staff Requirement Element

V. Facility Requirement Element

VI. Site Requirement Element

VII. Financial Element

VIII. Demographic Element

IX. Architect Selection Element

X. Governmental Agency Liaison Element

XI. Local/Community Involvement Phase

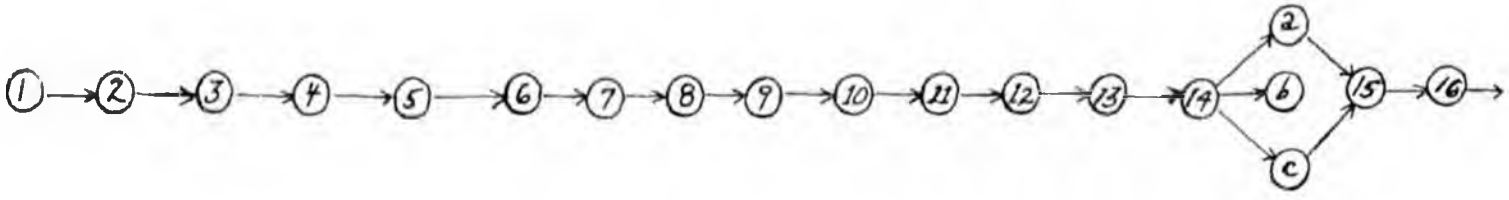
XII. Research, Development and Evaluation Element

On the following pages are found draft outlines of each of these activities. Using Program Evaluation and Review Techniques (PERT), complete activity-events networks will be worked out for the whole project. In this way critical time and task factors can be accommodated and responsibilities assigned in keeping with the project schedule. An overall chart would show the interrelationship of many of the activities and their elements or events.

ALASKA STATE-OPERATED SCHOOL SYSTEM
650 International Airport Road
Anchorage, Alaska 99502
Division of
RESEARCH & DEVELOPMENT

I. PROJECT OUTLINE

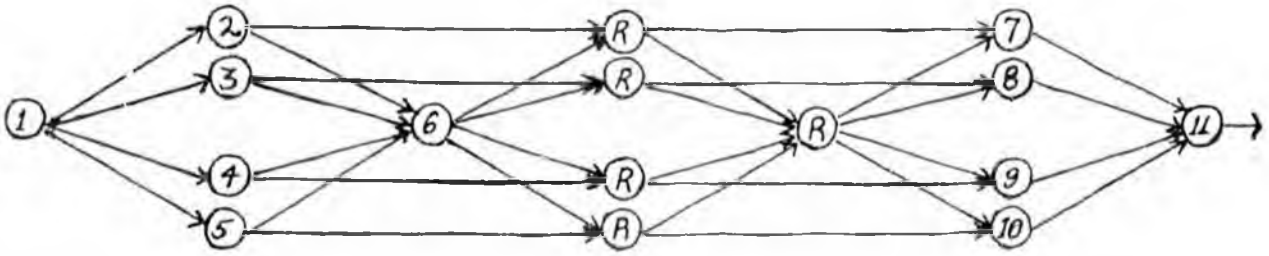
This element outlines that portion of the project under which the planning process is developed and implemented. Directed involvement of the staff and public will generate sufficient relevant data, and an understanding of it.



1. Project Start
2. Discussion of Project With Regional Superintendent
3. Draft of Comprehensive Planning Process Outline Completed
4. Draft Reviewed With Regional Superintendent
5. Draft Submitted to Appropriate Central Office Staff for Comment and Recommendations
6. Comments and Recommendations Received from Central Office Staff
7. Draft Submitted to Local/Regional Advisory School Boards and Administrators for Comments and Recommendations
8. Comments and Recommendations Received from Local/Regional Advisory School Boards and Administrators
9. Summary of Comments and Recommendations Discussed with Regional Superintendent
10. Revised Plan Outline Prepared
11. Revised Plan Outline Distributed to Central Office Staff
12. Revised Plan Outline Distributed
13. Orientation and Operational Procedures Established
14. Meetings Held with Appropriate Organizations and Groups
    a. Advisory School Boards
    b. Parent, Teacher, Community Groups
    c. Other
15. Full Report Given to Board of Directors
16. Process Implemented

II. ADMINISTRATION, ORGANIZATION, DATA ANALYSIS ELEMENT

The effective development and implementation of the long range planning process requires careful administration and organization of the people and data involved. Data must be organized and analyzed by those familiar with the systems objectives. A monitoring of all aspects of the program occurs within this element.

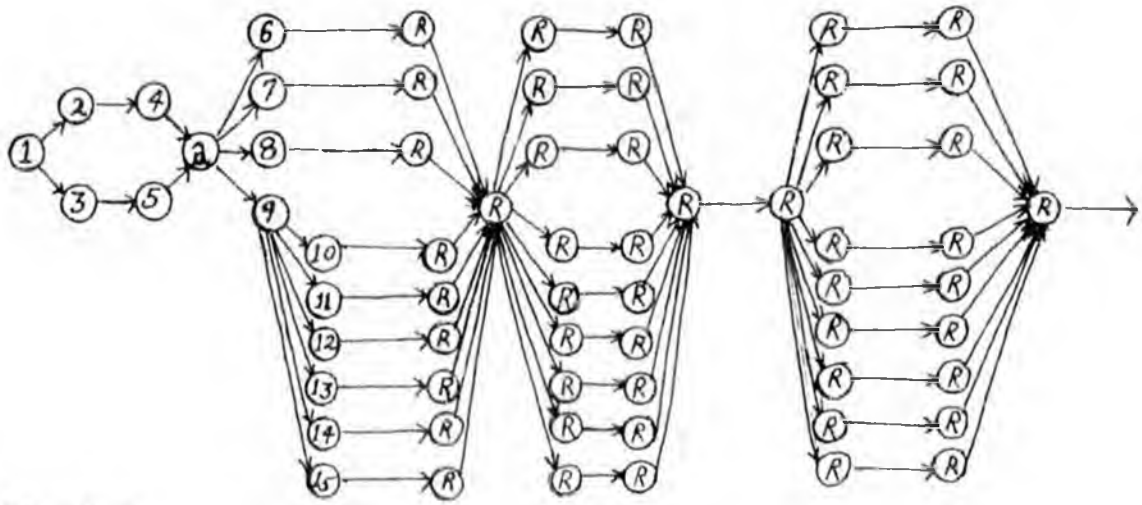


1. Project Start
2. Review Begun of Local and Board Policies and Philosophy
3. Review Begun of Local Program and Curriculum
4. Review Begun of Present and Projected Grade Organization Patterns
5. Review Begun of Staffing Requirements for Various Organization Patterns
6. Interim Analysis of Findings
7. Local and Board Policy and Philosophy Review Complete
8. Program and Curriculum Review Complete
9. Present and Projected Grade Organization Patterns Review Completed
10. Staffing Requirements Determination Made
11. Summary of This Phase Complete

(R) Repeat of Preceding Event (As data for any element is compiled, interim analysis and review may occur (R) as many times as necessary to effect review completion. (7) (8) (9) (10)

III. EDUCATIONAL PROGRAM DEVELOPMENT AND REVIEW ELEMENT

At the core of the educational system is the program of studies and activities which includes the materials, supplies and equipment necessary for student and teacher use. Instructional techniques, media and other forms of staff and resource utilization are integral parts of the program included in this element.



1. Project Start
2. Review Begun of General Curriculum Requirements
3. Review Begun of Special Curriculum Requirements
4. General Curriculum Requirements Review Complete
5. Special Curriculum Requirements Review Complete
6. Begin Analysis of Instructional Techniques
7. Begin Determination of Media and Materials Production Needs
8. Begin Review of Special Support Area Requirements -- Transportation, Food Service, Special Education, Occupational/Vocational Education
9. Begin District Program Specification Development
10. Elementary
11. Intermediate
12. Secondary
13. Community Programs
14. Special Programs
15. Sites

(R) Periodic Review or Repeat Preceding Event

(a) Synthesis of General and Specific Curriculum Requirements

ALASKA STATE-OPERATED SCHOOL SYSTEM
650 International Airport Road
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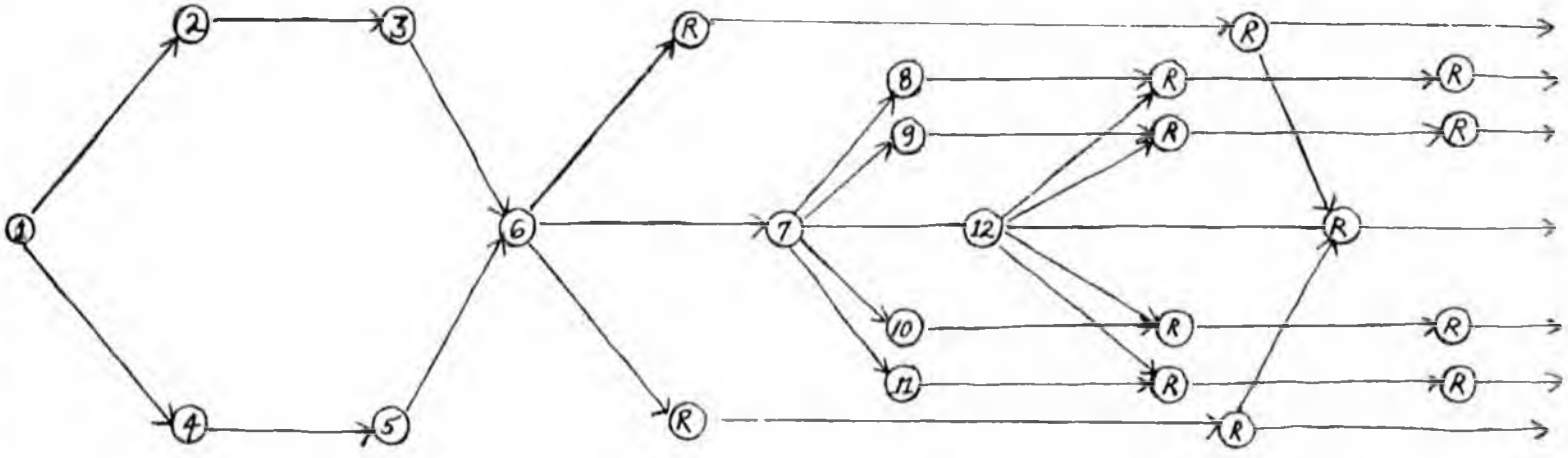
RESEARCH & DEVELOPMENT

IV. STAFF REQUIREMENT ELEMENT

Persons to be involved in the educational program are included in this element. Based upon program requirements, types and duration of interpersonal contact are determined. Existing staff competencies are assessed, training, recruitment and utilization are studied, and other human resources available to the student and teacher are identified.

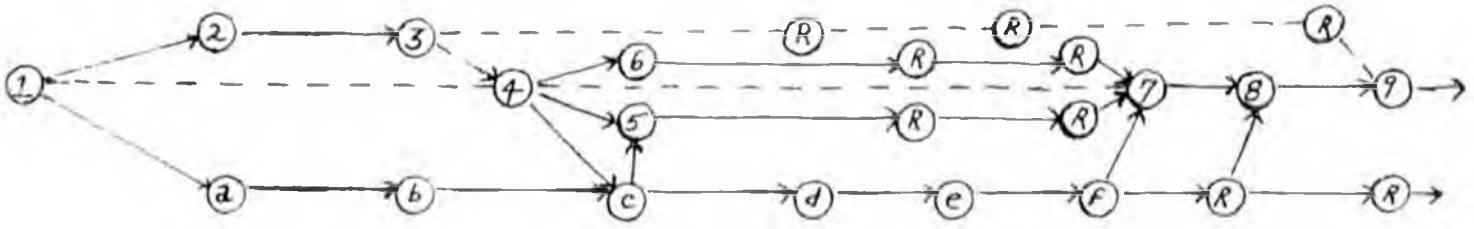


1. Project Start
2. Begin Inventory/Analysis of Local/Regional Staff
3. Preliminary Staff Inventory/Analysis Complete
4. Analysis of Program Data to Determine Staff Requirements Begun
5. Analysis of Program Data to Determine Staff Requirements Complete
6. Begin Comparison Between Program/Staff Needs and Availability
7. Staff Needs/Requirements Determined
8. Inservice Education Program Established
9. Staff Utilization Procedure Study Begun
10. Recruitment Program Initiated
11. Resource Person Inventory and Utilization Program Established
12. Staff Needs Reassessed

(R) Periodic Review or Repeat Preceding Event

V. FACILITY REQUIREMENT ELEMENT

The School Building, though viewed as the core facility, is but one part of the school/community facility given consideration in this element. An initial effort does involve, however, an inventory of existing "school buildings" which will permit a qualitative evaluation of school-owned facilities. Additional needs, related to the educational program and community expectations, will become the basis for determining a priorization by which modernization or new construction can be placed in proper perspective. Such perspective must include maintenance and operation requirements and procedures.



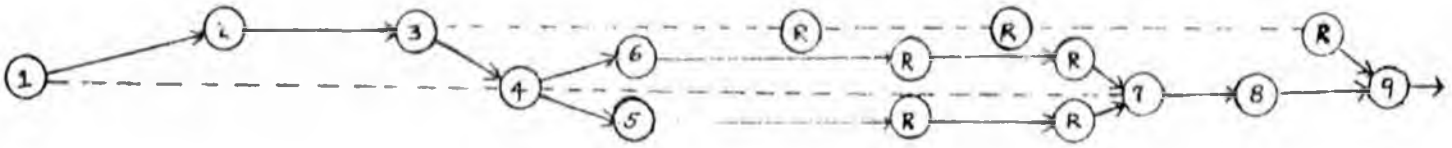
1. Project Start
2. Facility Inventory Sheet Prepared
3. Facility Inventory Completed
4. Facility Inventory Recapitulation Prepared
5. Program Specifications and Demographic Data Received
6. Facility Adequacy Study Begun
7. Facility Needs Determined
8. Facility Cost Estimates Determined
9. Incremental or Phased Facility Development Plan Completed

(R) Periodic Review or Repeat of Preceeding Event

a. Maintenance and Operation Program Planning Begun
b. Required Level of Maintenance Established
c. Preventive Maintenance Schedule Completed
d. Maintenance Personnel Requirements Determined
e. Maintenance Personnel Training Program Established
f. Operation and Maintenance Monitoring System Implemented

VI. SITE REQUIREMENT ELEMENT

The school site, besides serving as the location for the building, should also meet expectations of the community for a wide range of cultural and recreational as well as educational activities. When selected and developed in the right manner, this community-owned property can contribute in a positive manner to the overall atmosphere of the community.

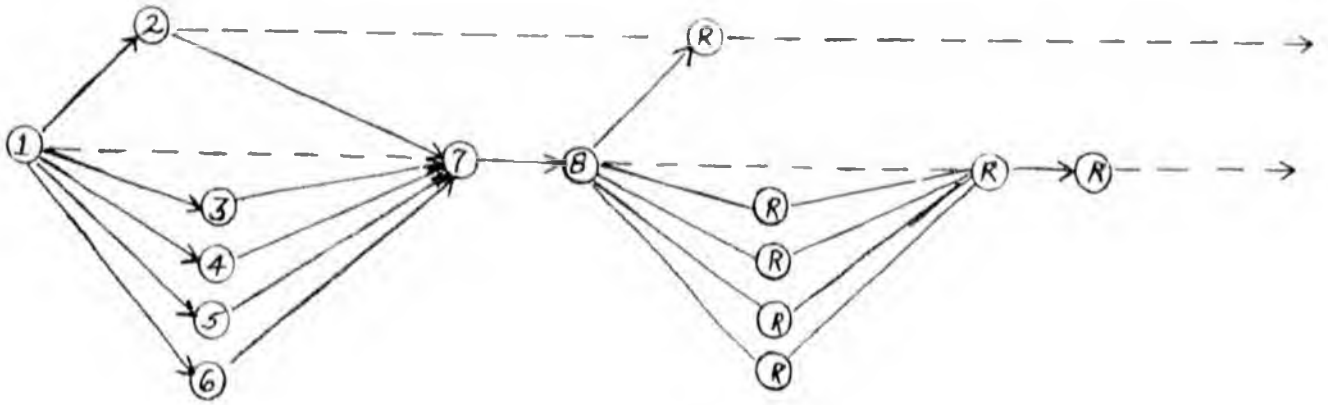


1. Project Start
2. Site Inventory Sheet Prepared
3. Site Inventory Completed
4. Site Inventory Recapitulation Prepared
5. Program Specifications and Demographic Data Received
6. Site Adequacy Study Begun
7. Site Needs Determined
8. Site Cost Estimates Completed
9. Incremental or Phased Site Acquisition or Development Plan Complete

(R) Periodic Review or Repeat of Preceeding Event

VII. FINANCIAL ELEMENT

There are many sources of financial support for school/community programs. This element identifies and attempts to quantify these resources based upon general availability and determination of special or categorical sources directly related to non-typical programs.



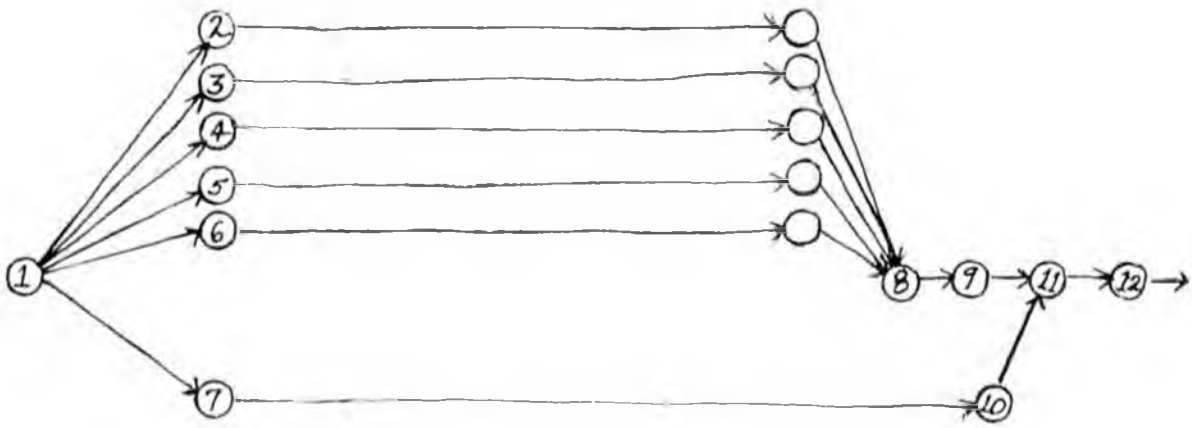
1. Project Start
2. Assessed Valuation Determined (When Appropriate)
3. Local Funding Ability Established (When Appropriate)
4. State Sources of Funds Established
5. Federal Sources of Funds Established
6. Foundations, Endowments, Special Sources Determined
7. Total of All Funding Sources Determined
8. Funds Available Compared to Needs -- Priorities Determined

(R) Periodic Review or Repeat of Preceeding Event

ALASKA STATE-OPERATED SCHOOL SYSTEM
650 International Airport Road
Anchorage, Alaska 99502
Division of
RESEARCH & DEVELOPMENT

VIII. DEMOGRAPHIC ELEMENT

Of critical importance to long and short range decision-making is adequate and continually updated information in regard to population, land use, and a wide range of social, economic and political factors. This element embraces a cooperative effort by which both the public and private sectors share data regarding the community.



1. Project Start
2. Contact Established with Relevant Sources of Data
3. State of Alaska Agencies
4. Federal Agencies
5. Local Agencies, Organizations
6. Other Appropriate Sources
7. Development of Detailed Regional/Local Maps Begun
    a. Major Land Ownership
        (1) Federal
        (2) State
        (3) County
        (4) Municipal
        (5) Private (in large blocks)
    b. Major Transportation Routes
    c. Present/Future School Sites
        (1) Location
        (2) Type and Size
        (3) Enrollment (where applicable)
8. Begin Analysis of All Available Demographic Data
9. Analysis of Demographic Data Complete
10. Detailed Maps Complete
11. Begin Preparation of Slides to Visually Present Demographic Data
12. Slide Set Complete

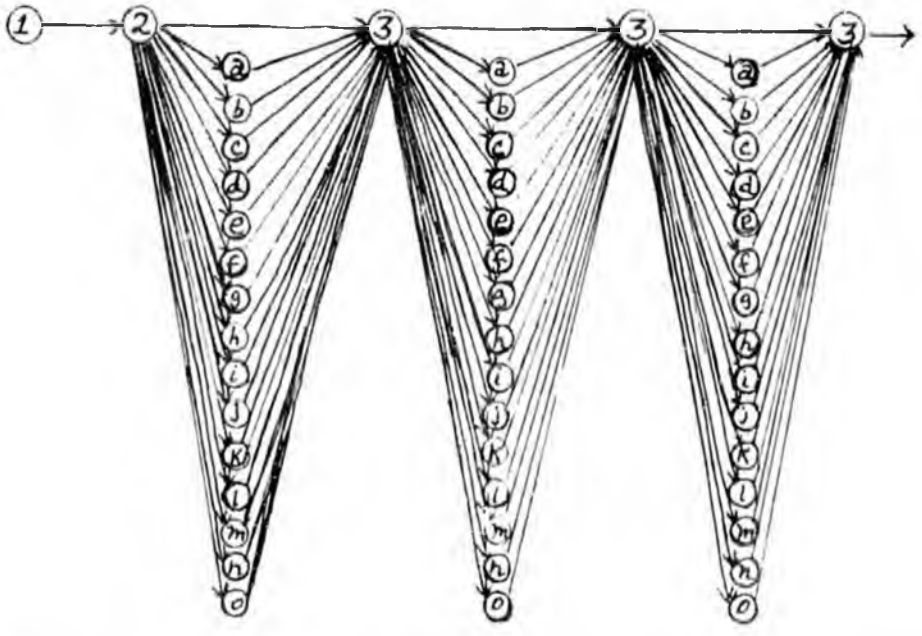
IX. ARCHITECT SELECTION ELEMENT

Capital improvements, new or of a remodeling nature, require skilled consultants possessing a strong but balanced potential for creative, yet practical, design. The selection of such individuals is a thougntful process represented by this element. It must be implemented initially in sufficient time to assure the development of concepts by which to define and communicate phase one capital construction needs.

1. Project Start (Division of Buildings, State of Alaska, Lead Agency)
2. Architect Proposal Invitation List Compiled
3. Letter Mailed Inviting Proposal
4. Architect Proposal Receipt Deadline
5. Initial Proposal Analysis Complete
6. Preliminary Group of Architects Identified
7. Visitation of Preliminary Group by Superintendent and Staff Completed
8. Final Group of Architects to be Interviewed Identified
9. Visitation of Finalists by Superintendent and Staff Completed
10. Visitation of Representative Facilities by Superintendent and Staff Completed
11. Finalists Make Formal Presentation to Board
12. Architect Selection Made

X. GOVERNMENTAL AGENCY LIAISON ELEMENT

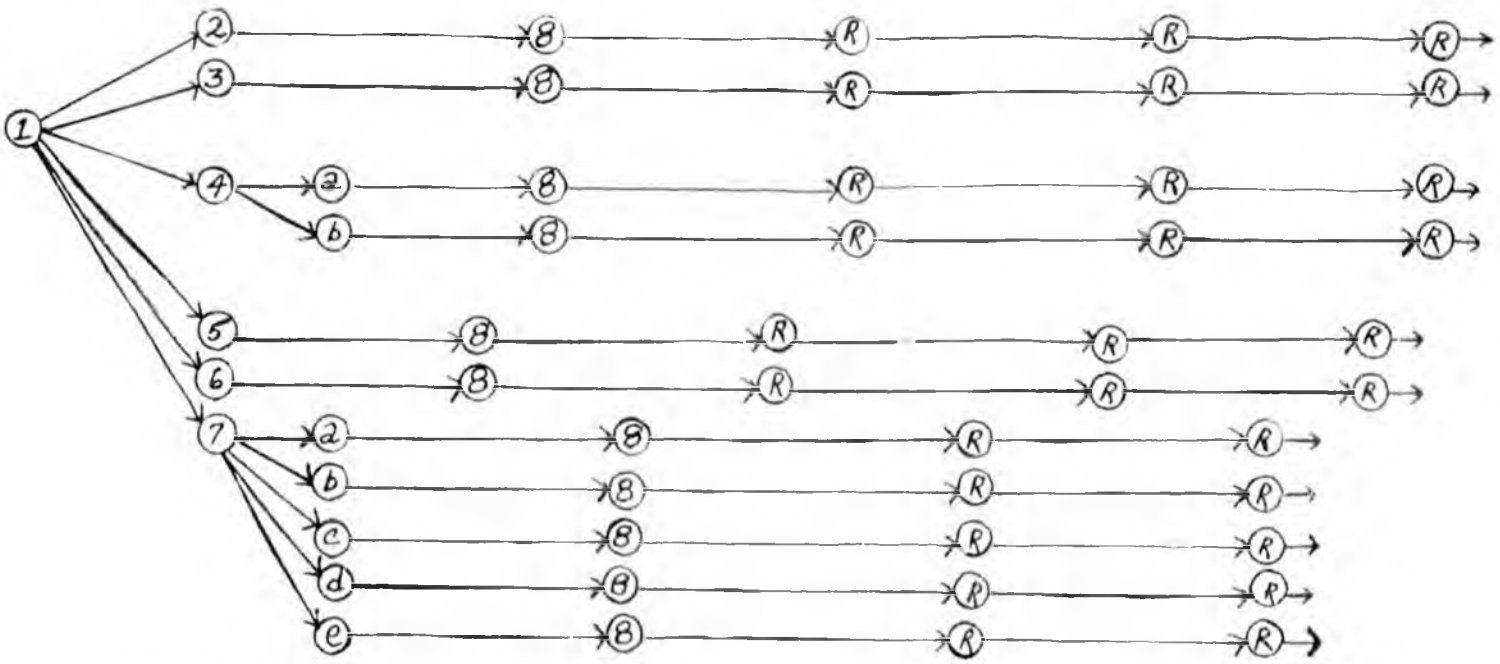
The many regulatory responsibilities of various governmental agencies can be positively met by early involvement. Some governmental agencies have either primary or shared responsibility for educational, cultural or recreational service to the community. If the school facilities are to be planned to meet some of these needs, it is critical that the appropriate agencies be involved in the planning.



1. Project Start
2. System Established for Contact and Review of Data with Appropriate Governmental Agencies
    a. Local Governmental Agencies
    b. Other Educational Agencies
    c. Bureau of Indian Affairs
    d. Bureau of Land Management
    e. Public Health Service
    f. Agricultural Extension Agent
    g. Department of Public Works
    h. Department of Environmental Conservation
    i. Department of Education
    j. Department of Regional and Community Affairs
    k. Office of the Governor
    l. University of Alaska
    m. Military Bases (where appropriate)
    n. U.S. Office of Education, Regional Office
    o. Soil Conservation Service (Soil Conservation District)
3. Liaison Continuation

XI. LOCAL/COMMUNITY INVOLVEMENT PHASE

The schools of the community, and the programs with which they are charged, should directly reflect the needs of its individuals and its organizations. To achieve initial and continuing support, the community must view its schools with pride and share a feeling of responsibility for the direction of programs and the resources necessary for their support. This phase is, therefore, the mainstream of the planning process envisioned by this project.

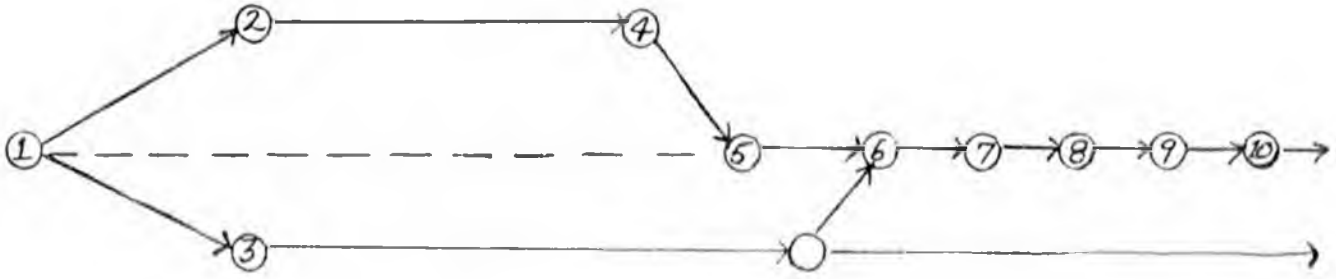


1. Project Start
2. School Board of Directors Element
3. Standing Advisory Committees Element
4. Special Ad-hoc Advisory Committees or Task Forces Element
    a. Program Requirements
    b. Facility Requirements
5. P.T.A. Element
6. Chamber of Commerce, Service Clubs, Other Community Organizations Element
7. Dissemination Element
    a. Printed Materials
    b. Visual Materials
    c. Press
    d. Speakers Bureau
    e. Radio
8. Meeting or Interrelated Data Exchange

(R) Repeat of Preceeding Event

XII. RESEARCH, DEVELOPMENT AND EVALUATION ELEMENT

The continued growth in the quality and direction of the educational system requires sound data on past and present practices as well as developed alternatives for the future. The decision makers in the school system are assured this information through practices developed, carried out, or coordinated by this element.



1. Project Start
2. Present Program Review Begun
3. Begin Identification of Other Program Alternatives
4. Present Program Review Complete
5. Unmet Needs Identified
6. Begin Comparison Between Unmet Needs and Alternatives
7. Viable Alternatives Identified
8. Begin Development of Plan for Improvement/Expansion of Program Plan Completed
9. Plan Completed
10. Plan Reviewed, Progress Evaluated, Direction Affirmed

ALASKA STATE-OPERATED SCHOOL SYSTEM

650 International Airport Road
Anchorage, Alaska 99502

Division of
RESEARCH & DEVELOPMENT

SCHOOL FACILITY INVENTORY

Name of Building _____
Address _____
Name of Principal _____
Date This Form Completed _____
Telephone Number _____

Capacity _____
Present Enrollment _____
Grades Housed _____
Site Size in Acres _____

TEACHING STATIONS

Classrooms	Total
1. General Purpose	
2. Commercial/Business	
3. Dramatics/Speech	
4. Science	
5. Shop	
6. Mechanical Drawing	
7. Music	
8. Kindergarten	
9. Handicapped	
_____	
_____	
Laboratories	
10. Biology	
11. Chemistry	
12. Physics	
13. General Science	
14. Arts & Crafts	
15. Home Economics	
_____	
_____	
Shops	
16. General Purpose	
17. Wood	
18. Metal	
19. Electric	
20. Welding	
21. Auto	
22. Farm	
_____	
_____	
Special	
23. Physical Education (Gyms)	
a. Pools	
b. Wrestling/Apparatus/etc.	
24. Small Room/Reading	
25. Small Room/Speech	
26. Portable/Relocatable Unit	
_____	
_____	
TOTAL TEACHING STATIONS	

SUPPORT & SERVICE FACILITIES

	Total
1. Library	
a. Work/Storage	
2. Audio-Visual Room	
a. Work/Storage	
3. Multipurpose Rooms (Specify combinations)	
4. Covered Play Area	
5. Cafeteria	
6. Auditorium	
7. Music Practice Rooms	
8. Journalism Workrooms	
9. Dark Room	
10. Student Projects Laboratory	
11. Radio Station	
12. Student Store	
13. Student Commons	
14. Shower Rooms	
a. Boys	
b. Girls	
c. Staff	
15. Locker Rooms	
a. Boys	
b. Girls	
c. Staff	
16. Kitchen	
17. Teachers' Room	
a. Teachers' Lavatories	
18. Student Lavatories	
a. Boys	
b. Girls	
c. Classroom/Kindergarten	
d. Classroom/Handicapped	
19. Conference Rooms	
20. Teachers' Workroom	
21. Health Room	
22. Offices	
a. Administrator	
b. Counselor	
c. Nurse	
d. Teacher	
23. Storage Rooms	
24. Hearing/Mechanical	
_____	
_____	
_____	
_____	

Rural schools

STATE OF ALASKA

DEPARTMENT OF EDUCATION

JAY S. HAMMOND, GOVERNOR

DIVISION OF ADMINISTRATIVE SERVICES / POUCH F – STATE OFFICE BUILDING
JUNEAU 99811

20 January 1976

Implementation of Senate Bill 35 Authorizing the
Decentralization of the Alaska Unorganized Borough School District

Efforts to implement the free conference version of Senate Bill 35 began quickly after its signature into law on June 4, 1975. Numerous informal hearings were held by teams from the Department of Community and Regional Affairs and the Department of Education. These public information meetings, held in over 120 rural communities, were designed to elicit preliminary public opinion about the proposed boundaries for the new regional educational attendance areas as well as to answer the many questions about the decentralization process. Following the informal hearings in July, August and September, a series of formal hearings were held in 21 Alaskan communities during September and October. At this time formal testimony on boundaries was taken, and again the hearings served as a forum for providing information to the public.

On November 1, 1975, the Department of Community and Regional Affairs drew up boundaries which ultimately resulted in the formation of 21 new REAAs. The boundaries were created on the basis of extensive public input, taking into consideration socio-economic, linguistic and cultural ties as well as transportation and communication networks and natural geographic features. Announcement of the boundaries was followed shortly by the announcement of the number of school board seats and the designation of sections within each REAA on November 17. Again the decisions were made largely on the basis of collected public input.

The next step in the decentralization process is the election of school board members for the REAAs; the filing deadline for nominating petitions was yesterday, January 19, and a list of candidates will be available tomorrow. Preliminary information suggests that around 300 candidates have filed for the available seats. The elections will be held February 24, 1976, for all the REAAs except the Southern Panhandle REAA (Region 19) in which the election will be held sometime in April. (This REAA contains mostly logging camps whose residents are not present at this time).

300 filings 140 seats

b. Local hire act by Mar 15 on non-tenured
Tenured ~~tea~~ teachers do have job no loss pay

c. AVEC paid for out of school budget (FCC decision)
safe water out of school budget

4. Dist must have policies fwd to Dept for review. Expect all in by June 30

5. Regs due next few weeks

The Department of Education's Rural Education Task Force has identified four major areas in which the new school boards will probably be requiring some assistance: staff negotiations, fiscal management, staffing and policy development. Plans are to provide this assistance through the employment of identified resource people around the state. Potential school board trainers (people from existing school districts, administrators, business managers, teachers, and members of the communities) will be participating in a training workshop in February. The identified resource people, using a talent bank concept, will be available to aid the emerging school districts upon request from those districts. The Department will act as a facilitator or clearing house for those requests. The other major area in which the Department will function as a clearing house is that of superintendents' applications. The emergence of several new school districts means numerous openings for administrators. Because of the short timeline with which districts must cope, the Department is easing the search for administrators by initiating the recruiting process through advertisements. The applications thus gathered will be sent directly, without review or screening, to those REAAs requesting hiring assistance.

Rural schools

DAN G. TURNER
SUPERINTENDENT

DILLINGHAM CITY SCHOOL DISTRICT

POST OFFICE BOX 202
DILLINGHAM, ALASKA 99576

PHONE OFFICE
842-3181

January 31, 1975

The Honorable Charles Parr
Alaska State House
Pouch "V", State Capitol Bldg.
Juneau, Alaska 99801

Dear Representative Parr:

By this letter I want to call attention to a rather critical need which is imminent in the Dillingham City Schools. Over the past year our facilities have been crowded and we have had to use several inadequate structures outside of our school buildings. With a 50 student increase this one year alone it is evident that such temporary provisions are completely inadequate. The projected growth for this area make it imminent that a new facility must be constructed no later than a year from the coming summer. Last year Representative Joe McGill tried to have a new facility included in the state bond issue, however long-standing requests from other districts and higher priority. Now we can wait no longer to yell loud and clear about our increasingly difficult situation.

As a member of the House Health, Education and Social Services Committee, you will no doubt have opportunity to provide considerable assistance on behalf of education and this part of the State. We urge your careful consideration. We appreciate your attention to this need. Perhaps I can call on you personally when I am in Juneau during late February.

Respectfully yours,

Charles R. White

Charles R. White, Ed.D.
Superintendent of Schools

CRW:lan

HIGHER AND ADULT EDUCATION NEEDS IN RURAL ALASKA

A Report
by the
ALASKA NATIVE FOUNDATION
to the
Policy Council
of
The Alaska Native Human Resource Development Program

(The cover for this report was drawn by Benjamin Nayamin, Peter Atchak and Mary Abruska of the Cultural Heritage Program of Yupiktak Bista in Bethel. We thank them and also all of the persons throughout Alaska who generously gave their time and thoughts to us during our interviews with them.)

December 1974

PREFACE

The Alaska Native Claims Settlement Act, which was signed into law by the President of the United States on December 18, 1971, thrust the Native people of Alaska into a new world. About 73,000 Alaska Natives, most of whom live in rural areas of the state and maintain a lifestyle which depends largely on subsistence hunting, became eligible to share in payments from the federal and state governments of 962.5 million dollars and to share in the selection and ownership of forty million acres of land in Alaska. The Act was the result of an intense lobbying effort by Alaska Natives to obtain compensation for Alaska lands already taken from them by United States government withdrawals, state selections or private development, and to prevent further losses of land.

Twelve regional Native corporations and over 200 Native village corporations were established to receive and administer the benefits of the Act for the Native people. Most Natives eligible to receive the benefits are enrolled as shareholders in a regional corporation and a village corporation. The boards of directors of the corporations are elected by the shareholders.

Whereas most previous settlements between Native American groups and the federal government have contained some arrangement whereby money and land is held in trust and managed for Natives by the government, settlements with Alaska Natives have granted outright ownership of money and land to the Natives. This provision was written into the Tlingit-Haida settlement of 1967, wherein the Tlingit and Haida Indians received 7.5 million dollars in compensation for lands taken in southeastern Alaska. The principle of outright ownership thus established also became part of the Settlement Act of 1971.

The Natives of Alaska fought for outright ownership of their land and money not only because they had never agreed that they did not already own the land, but also because they had witnessed the ways in which the government carried out its trust responsibilities in education and health care for Alaska Natives and were frustrated by not being able to control or have any meaningful influence on matters of both physical and spiritual life and death. They had learned that Native American groups outside of Alaska whose land and money were held in trust by the federal government suffered from the same frustrations. Therefore the Natives insisted that provision be made in the settlement for outright ownership of the land and money granted.

Outright ownership of 962.5 million dollars and forty million acres would present a tremendous challenge to any group of people, but the challenge to Alaska Natives is especially great. It is estimated that by 1978 between 170 and 270 professional administrative personnel will be needed to successfully administer the Settlement Act.[1/] Although there are about 73,000 Natives enrolled to receive the benefits of the Act, very few of them have training or experience in business administration or land management. Between 1967 and 1972 an average of 22 Alaska Natives per year graduated from college in Alaska. Of these, only 6 majored in business administration and one majored in economics. Three majored in office administration and one majored in wildlife management. The rest of the graduates majored in fields not directly related to the administration of the Settlement Act, such as education, sociology and the humanities.[2/] There was a slight increase in the number of Native graduates per year in 1973 and 1974 (insert statistics when available) and of course there are a few Natives who graduated from college before 1967 and established themselves in professions. Many Native college graduates have been attracted to work for the Native corporations. However, although no study has been made of the educational attainments of the leaders of the Alaska Native corporations, it is safe to say that most of those holding leadership

positions today have not graduated from college and of those who have, practically none majored in fields related to business administration or land management.

Therefore both the immediate and long-range needs for trained personnel to implement the Settlement Act are great. Most of the corporations are presently using a great deal of non-Native talent in administering the Settlement. This practice will certainly continue even as more trained Native manpower becomes available, but everything from the physical isolation (in non-Native terms) of many corporation headquarters to the desire of regional people to be involved with decisions determining their destiny points to the need for training Native people in management skills at once.

The twelve regional corporations which have been formed to implement the Settlement Act are, by the terms of the Act, profit-making corporations. Their first responsibility is to profitably invest the money they are receiving and to select lands the ownership of which will protect their present interests and allow profitable natural resource development. In order to carry out these responsibilities and in order to raise the level of awareness of the terms and probable impact of the Act in the regions the corporations have planned

a number of training sessions for corporation personnel and shareholders. These sessions have often been offered under the auspices of the nonprofit corporation which has been established in each region in recognition of the profit-making corporations' inability to become involved in badly needed social service areas such as education, employment assistance, health, and housing.

The twelve non-profit corporations, using grants from the federal and state governments, have become very active in the social services, including offering training programs at the request of the profit-making corporations. Training programs offered so far have drawn heavily on federal and state agency personnel and profit-making corporation consultants as teachers. The success of the programs has been mixed. Some really useful sessions have been held. Others were to a large degree unsuccessful. One of the reasons for the uneveness of the sessions seems to be that there is no central agency which can supply reliable teachers and materials to the corporations and which can offer and get feedback on programs several different times in order to perfect them. So far, most of the training sessions have been one-shot affairs, with very little opportunity for evaluation and no follow-up. Nonetheless, through the training sessions which they have put on and through their other social service activities, the nonprofit corporations have developed

considerable knowledge of the overall education needs in their regions and thev are developing the expertise needed to administer programs to meet those needs. 3/

INTRODUCTION

This study was carried out by the Alaska Native Human Resource Development Program which is funded by a grant from the Kellogg Foundation. The grant is jointly administered by the University of Alaska and the Alaska Native Foundation. The purpose of the grant is to provide higher and adult education and training programs to Alaska Natives. The purpose of this study was to determine what fields of study are important to Native people today, and how higher or adult education programs might be structured so as to be of maximum use to Native people.

Fifty-one leaders of Native corporations were interviewed to determine Native education and training needs. The procedure for the interviews was as follows: Questionnaires were mailed out to the chairman of the board and manager of each of the twelve profit corporations and the manager of each of the non-profit corporations. The cover letter which accompanied the questionnaires explained that a representative of the Alaska Native Human Resources Development Program would visit each person to whom the questionnaire had been mailed in order that the desired information could be gathered in a personal interview. Personal interviews were important for two reasons: First,

all of the people to whom the questionnaires were mailed are extremely busy, and we knew that we could not count on them to take the time to respond to the questionnaires in writing. In addition, it was desirable that we get a "feel" for the interviewees' thinking in the process of carrying out a personal interview and become familiar at first hand with the problems, physical properties and "flavor" of each of the twelve regions.

The questionnaires were developed with the assistance of many people, including Dr. Lou Jacquot, Executive Director of the Alaska Native Human Resources Development Program, members of the Alaska Native Human Resources Development Program Policy Council, Dr. James Matthews, Director of the University of Alaska Cooperative Extension Service, and Irene Rowan of the Rowan Group polling firm. It was decided to make the questions as open ended as possible in order to find out how extensively and deeply the corporation leaders have thought about education concerns in their regions. We tried not to suggest any possible "answers" to the questions by the manner or form of the questions themselves. Also, extreme care was taken during the interviews not to suggest any "answers" to the questions in the course of conversation. The benefit of the open-ended approach was that we feel we have gained an accurate reading on the level and depth of

concern for higher education by Alaska Native leaders. The open-ended approach also led us away from some cherished assumptions of our own, and made us aware of some issues that are of concern to Alaska Natives that we did not previously perceive. On the other hand, the problem with the open-ended approach was that it evoked a tremendous variety of responses. Also, it often happened that different questions were answered in response to one question from the interviewer. These factors made it difficult to tabulate, analyze, and eliminate repetitions from the data gathered. The reader will note that in most cases the total number of responses to a question far exceeds the total number of people interviewed. This is because most people mentioned several factors in answer to each question.

Although the questionnaires were mailed to the chairman of the board and manager of each corporation, sometimes these people were either not available when we arrived at their office for the interview (even though, in most cases, we had made advance arrangements for the interview), or they asked us to talk to another corporation employee who was directly concerned with the development of education and training programs for people in that region. Therefore, the list of people to whom interviews were originally sent is very different from the list of people who were actually interviewed. However, we feel that we did achieve an accurate sampling of the thinking of the leaders

of the Native corporations.

Another deviation from the planned procedure was that in several cases the interviewer and the respondent were joined by several other corporation employees during the course of the interview. Sometimes this happened at the instigation of the respondent, who wanted someone who was more knowledgable in a certain subject to answer a question or two. Sometimes others just happened by and stayed to help answer questions. In these cases we were very careful to keep clear records of each person's response to questions. The "group interviews" (no group was larger than three) were all very informal, with people coming and going, but the original interviewee remained throughout and we kept the discussion pointed to the questionnaires. In several cases we felt that the "group interview" contributed substantially to serious thought and articulation of the issues.

Fred Bigjim, an instructor at the Alaska Methodist University and member of the Alaska Native Human Resources Development Policy Council, did the interviews in the Doyon and the Arctic Slope regions. Lisa Rudd of the Alaska Native Human Resources Development Program, carried out the

interviews in the remaining ten regions and wrote this report. In addition to interviewing the regional corporation leaders, Paul Gaskin of the Native Foundation and Lisa Rudd interviewed five representatives from Venetie, Arctic Village, Savoonga, and Elim, which are four of the six villages which decided to take their land under the Indian Reorganization Act of 1934 rather than to participate in the Land Claims Settlement. We thought it would be valuable to obtain some reading on the situation of these villages, not only because they have a special status outside the terms of the Settlement Act, but also because their leaders tend to be less urbanized and probably more representative of village Natives than the regional corporation leaders.

Since this study is an attempt to assess the overall higher and adult education and training needs of Alaska Natives, no attempt has been made to appraise the differences between the educational needs of each Native region in the state. Such differences do exist, though not, we believe, so much in general areas of concern as in specific course subjects needed. For instance, some regions are looking more towards petroleum development than towards the timber business. Both of these interests, however, fall into the general category of concern with natural resource

development, and it is such broad areas that this study was designed to identify.

Awareness of higher and adult education and training needs and concerns varies widely among the leaders of Alaska Native corporations. Some have thought very deeply about what is needed and how it can be obtained. The Arctic Slope and Doyon Regions have, in fact, established their own higher education programs this year. The Calista and Koniag Regions have developed working relationships with the community colleges in their regions. Others are aware of the need for further education and training for their own employees but have given very little thought to the development of higher or adult education programs in their region. It is our belief that this latter group has been so concerned with trying to improve and gain control of elementary and secondary education in their regions that higher education programs are simply a low-priority item for them at this time. We believe that this study has already served a useful purpose by causing these Native leaders to begin to think seriously about the need for higher and adult education and training programs and how they can be structured and developed so as to make them really useful to the Native people.

SECTION I

Education and Training Needs

A glance at Table 1 and Table 1a will show the frequency with which certain areas of study were mentioned by the persons interviewed as needed by Alaska Native people. Most frequently mentioned was training in various vocational skills.[4/]

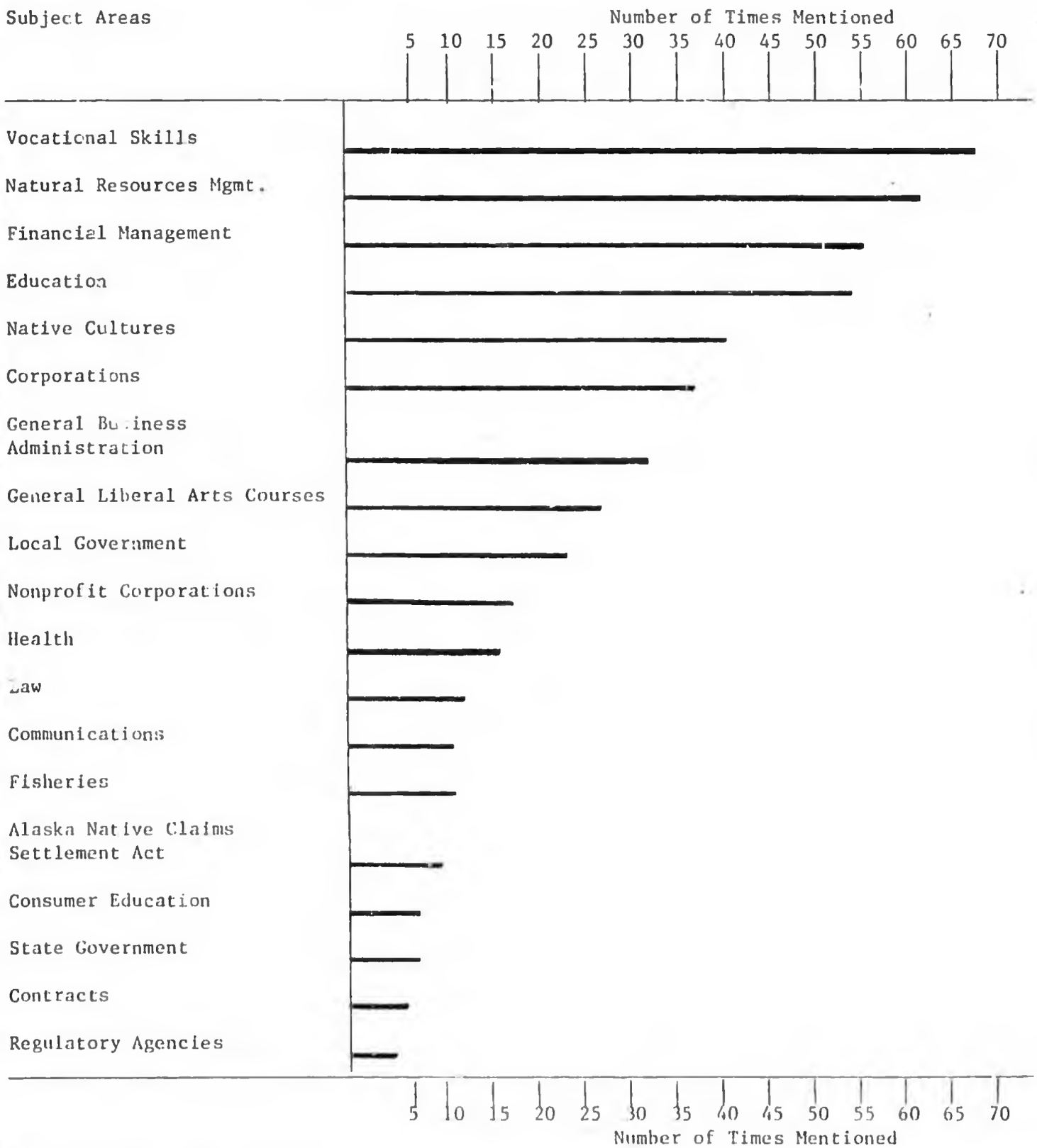
The interest in vocational skills is not primarily a response to the new demands of the Settlement Act but rather reflects the necessity of earning money. Even in small villages there are now certain necessities of life such as rifles, outboard motors, and fuel for the engines and snow machines which cannot be obtained from a subsistence lifestyle, but which enhance the ability to maintain a subsistence lifestyle. These items, and others less necessary to life, must be bought with money. Therefore, there is a strong interest in training which will lead to a paying job. This interest was reflected also in the fact that "the possibility of a job on completion of the course" and "the possibility of better pay or promotion on completion of the course" were ranked second and third out of ten suggested factors that might motivate people to take courses. (See Table 6.)

Two caveats cropped up often in discussions of

Table 1

COURSES NEEDED

Frequency of Mention



(See Appendix I for listing of areas of study mentioned under each subject.)

Table 1a

COUR[illegible]S NEEDED

General Areas of Study Mentioned
(derived from Table 1)

Total Course Requests: 458

Study Area	No. of Requests	% of Total
General Administration (Financial Management, Business Administration, Natural Resources Management, Contracts, Regulatory Agencies)	146	31.9
Professional/Paraprofessional (Education, Health, Law, Communications)	86	18.8
Institutional Administration (Corporations, Local Government, Alaska Native Claims Settlement Act, Nonprofit Corporations)	80	17.5
General Education (Consumer Education, Native Cultures, General Liberal Arts)	73	15.9
Vocational Skills	67	14.7

skill training. One was that skill training be directed at known job openings, and the other was that Native people, in general, want to be trained in skills which they can exercise in their home areas While this dichotomy of wanting a job and wanting to remain close to home used to present a real dilemma for Native people, it seems that today this dilemma may be easing. In many areas of the state there is a lack of skilled craftsmen. With housing and construction and electrical power and communications projects in many villages, and with the constant need to maintain and repair these installations, the need for locally available skills is growing.

The next two most frequently mentioned needed areas of study were natural resource management and financial management, both of which are obvious responses to the demands of the Settlement Act. Two thoughts seemed to lie just below the surface of many of the comments received on education needs in these fields. One was that it will be necessary that the courses first address themselves to the question of why the information that is about to be imparted is needed. That is, the students will have to know not only the terms of the Settlement Act and that they are going to have to manage large amounts of land and money, but they are also going to have to understand the basic principles of

resource management and economics. A course on record keeping, for instance, must teach not only the techniques but also the rationale for and legal requirements of keeping accurate records.

The second idea, closely tied to the need for understanding the underlying value systems of the subjects to be taught is the distinct feeling gained in the interviews that Alaska Natives are desperately trying to keep ahead of developments in their world. Mention has already been made of the lack of trained Native brainpower available to the Native corporations. The Settlement Act has presented such a staggering series of tasks and deadlines to the corporations that one often gets the feeling that they are struggling just to keep their heads above water. There have been a number of courses developed and offered by the corporations to prepare regional and village corporation personnel to do the tasks and meet the deadlines. (See Appendix II for a compilation of training sessions offered by each region in the past year.) However, with the filing of village land selections of December 18th of this year the deadline crunch will ease a bit and there will perhaps be time for the corporations to contribute to the planning of long-range higher and adult education and training programs in their regions and time for Native people (whether corporation

employees or not) to enroll in less hurried programs to provide them with the background they need to successfully continue implementation of the Act.

Education was the fourth most frequently mentioned area of need. In this category are included the need, often expressed, for the training of Native elementary and secondary school counselors and teachers and the need for adult basic education programs in the villages. In response to a specific question about adult basic education programs every corporation leader said they were needed and many echoed the statement of Vera Skaflestad of the Aleut League, who said that ABE programs are a "big basic need" in her region. Discussion of adult basic education programs centered around the need to provide older village people with the communications skills they will need to understand and contribute to the implementation of the Settlement Act. A number of comments were made to the effect that adult basic education teachers must be people who speak the language of the village and who have established a trusting relationship with the older people of the village. Often the comment was made that adults would be embarrassed to enroll in adult basic education programs unless the teacher is someone they trust,

i.e. someone who had made a fairly substantial commitment to the life of the community. The same desire for trusted and committed teachers was expressed in discussing other courses as well. (See Table 7.)

There were a number of themes which ran through conversations with the respondents on the subjects in which Natives feel they must be educated.

The first concern was that higher education programs must be available to people in the villages of Alaska. It is understandable that such a concern should be prominent in the minds of regional corporation leaders, as the regional corporations and village corporations have, under the terms of the Settlement Act, a symbiotic relationship which neither can ignore. The regional corporations, in order to operate successfully (that is, at a profit), must have the support of the village corporations, and they also have obligations under the Act to work for the success of the village corporations. In order for the village corporations and shareholders to support the efforts of the regional corporations, they must be aware of the basic concepts of business administration and the options that are available at any given time to both the regional and village corporations. The respondents

to the questionnaire also were concerned that while many individuals from native villages have been trained in the terms of the Settlement Act and in the knowledge that they need to implement the Act, this knowledge has not settled into the consciousness of the mass of Natives living in villages. Instead of helping a community to deal with the decisions facing it, the present practice of educating only one or two members of each community in a certain aspect of implementing the Act tends to isolate the "educated" persons from their community and makes the process of community decision-making and management even more difficult. This concern with education for more than a few "elite" village community members was reflected in very strong recommendations that higher education programs be delivered locally, which will be discussed further in Sections II and III.

The other great concern frequently expressed was that higher education programs be fitted into the present day physical realities of life in Native villages. That is, the subsistence lifestyle must not be interrupted by rigid or lengthy course time frames or study demands. This concern was based both on a desire that large numbers of village people be able to enroll in courses and on the desire to affirm the fundamental value of the present lifestyle.

Courses which take hunters away from their hunting--especially courses which teach the subsistence systems of an entirely different culture--not only take food from the table, but also tend to plant doubt in the mind of the student that hunting is an acceptable way of obtaining the food for the table. There is great concern that by the accumulation of such seeminly small and unimportant events as a class held during a peak hunting period the fabric of the Native life-style and culture will be destroyed.

This concern was perhaps best expressed by John Schaeffer, the executive director of the NANA Corporation, who explained that the object of all of the corporation's activities is to prepare the people of the region to enter the cash economy if they wish, but at the same time they are trying to preserve the possibility of maintaining the present lifestyle for those who wish it. They are trying to keep all of the options open for the people of the region. The desire for the affirmation of the value of the Native life-style was also expressed by Harold Napoleon, executive director of Yupiktak Bista, the non-profit corporation in the Calista Region, when he said that there should not be such emphasis on the Settlement Act that Native people are encouraged to abandon their present lifestyle in favor of another. Napoleon went on to say that the

present village lifestyle is as good as any and education for village people should reinforce that point.

The ideas expressed by Schaeffer and Napoleon were echoed by many of the respondents and confirmed by the number of times some aspect of Native culture was included in course requests. (See table 1.) It is especially noteworthy that these courses were so often requested in view of the emphasis in the questionnaire on finding out what education programs are needed to aid in the implementation of the Settlement Act. Presumably, courses having to do with the culture of Alaska Natives are not needed to help Natives become better business managers, and yet they were frequently mentioned. It should be noted also that other studies of the education needs of Alaska Natives have shown the same strong concern.[5/]

The desire to involve large numbers of village people in higher or adult education and training and the desire to retain (or at least maintain the option of retaining) the village lifestyle present challenges to the University of Alaska not only in the development of a course delivery system but also in the development of a philosophy of higher education for Alaska Natives which will encourage cultural pluralism at the same time that it gives instruction in some very specific techniques of American economic development and vocational skills.

SECTION II

Attitudes Towards the University of Alaska

When this study was designed it was decided to try to discover what attitudes Natives have towards the University of Alaska in order that the University, in designing programs to meet their needs, can build on the positive things that Natives see in the University and can eliminate or modify elements of the University system which present problems to Native students. Therefore, the question "What is your general impression of the University of Alaska?" was asked. It was surprising that many of those interviewed said that they had no impression of the University. (See Table 2.) In several cases these respondents gave the definite impression that they felt negatively about the University but did not wish to express those feelings to someone who is connected with the university. Therefore, they simply said they had "no impression" of the university. However, the "no impression" answers, when viewed in relationship to the answers to the question "Are there any college courses being offered in your region?" (no table given) did seem to indicate that the University of Alaska has not touched the lives of many Alaska Natives. The leaders of the Aleut, Ahtna,

Table 2

Response to the Question:

"WHAT IS YOUR GENERAL IMPRESSION OF THE UNIVERSITY OF ALASKA?"

Number of Responses	Comments
16	No impression.
12	University is not sensitive to Native cultures. Out of touch with reality, ivory towered. Course offerings not relevant to Native interests.
9	University is slow to change, bureaucratic, institutionalized.
7	Community colleges are meeting our needs.
7	University is not serving rural areas of the state.
6	Not enough Native input. University is unresponsive, doesn't listen to Natives.
6	University is beginning to try to meet our needs.
5	University is not meeting the education needs of Natives.
3	There are too many dropouts.
3	Good. Teachers are not paternalistic.
3	Too far away.
2	Bad attitudes towards Native students.
2	Good school.
2	Wide variety of resources and courses are available.
2	Beautiful campus (Fairbanks).

Bristol Bay, and Chugach Regions indicated either that no courses are being offered in their region or that courses being offered are not suited to the needs of the Native people in the region. On this point a common complaint was that most courses being offered are graduate courses, designed to allow teachers and nurses in the region--most of whom are not Natives--to upgrade their skills, but that few or no courses are being offered which cover subjects of interest to the majority of the people in the region or are offered in locations convenient for them. In these regions there seems to be a serious lack of communication between the university and the Native people.

In the Bering Straits, Sealaska and NANA regions the corporation leaders seem to be aware that the university is available to help develop education programs, but so far neither the Native groups nor the University have made serious attempts to work together.

In the Doyon and Arctic Slope Regions the Native leadership has entered into agreements with Antioch College West and Sheldon Jackson College to develop higher education and training programs. The Tanana Chiefs Conference Land Claims College (Doyon Region) opened this fall, offering

eight courses in Fairbanks with videotapes of the classes being made for persons who have enrolled in the region's 53 villages.[6/] The North Slope Borough (Arctic Slope Region) post secondary program is still in the planning stages. Because of these developments, which seem to have grown out of dissatisfaction with the response of the University of Alaska to education needs in those regions, the Native leadership is looking towards the University of Alaska only to complement their own programs.

The leaders of the Cook Inlet, Koniag, and Calista regions are all aware of and taking advantage of higher and adult education programs in their regions. In the Koniaga and Calista regions close and productive working relationships have been developed with the Kodiak and Kuskokwim Community Colleges. Local advisory committees with a good representation of Native residents have been established and sometimes have been encouraged to go beyond advising to making policy decisions. Courses have been developed and offered in response to needs expressed by Native groups. Such statements by Native leaders as, "They have been our salvation," and, "No one has tried harder to meet our education needs," speak of the very positive contributions which community colleges can make. In the cases where the community colleges are highly thought of by the Native leadership it seems that a strong and implemented personal commitment to meet Native

education needs by the director of the college is the major factor in developing a positive response on the part of the Natives.

The Cook Inlet Region, most of whose enrolled members live in Anchorage, is unique in that there is a full university program available locally. There is also a strong feeling on the part of the leadership of the profit-making corporation that its shareholders, if they want any education at all, must obtain it according to the standards of the dominant culture in the region. The Cook Inlet Native association, Cook Inlet's non-profit corporation, is, however, interested in the idea of making arrangements with the University to present special interest courses (such as consumer education or a course on the Settlement Act) for Native people in the Association's own facilities.

The number of "no impression" responses to the question on the University of Alaska was increased by a solid "no impression" response from the five reserve village representatives interviewed. It is probable that their response is a reflection of the isolation of those villages from university programs. Since the other 225 or so villages in Alaska are similarly isolated, their people would probably

give a similar "no impression" response. Therefore, despite the fact that some of the respondents were just being polite when they answered that they had "no impression" of the university, it seems to be safe to say that the University of Alaska has made neither a positive nor negative impression on most of Alaska's Natives.

On the other hand, most of the respondents who did express an impression of the university spoke negatively of it. Their complaints were founded on the university's insensitivity to Native cultures and needs and failure to involve Natives in the development of programs. A sampling of the comments follows:

> "People at the university live in a dream world, but they are making decisions for us."
>
> "They're trying to meet the needs of Natives. Unfortunately they're trying to do it in a centralized way when they should be de-centralizing. There are important and dedicated people on faculty, but now instead of growing like an amoeba in one spot the university should spread out and bring education to the people instead of bringing the people to the University. When the University was founded in Fairbanks it was a very unfeasible location. They should be looking at some more unfeasible locations now."

"The university is such a huge, slow-moving thing it would be like trying to push an elephant off its path to make changes in university attitudes or systems."

"Their involvedness is limited as far as our rural areas are concerned. The University of Alaska needs sensitive faculty to work with policy-making people in rural areas. As of now, my impression of the University of Alaska is their insensitive lack of cultural understanding, etc."

"The university does not seem to work with our local advisory board."

"Generally speaking, the university has remained a traditional institution with science priorities. They are very conservative in their social sciences, particularly concerning the social changes in rural Alaska."

Despite the above-cited negative feelings about the University of Alaska, reponses to the question, "What prevents Alaska Natives from getting a college education?" (see Table 3) did not indicate that Alaska Natives think that the University of Alaska or any other university is the major deterrent to higher education for Natives. Instead, the most frequently mentioned problem for Natives seeking higher education was finances. Numerous respondents indicated that it is difficult to find out what Bureau of Indian Affairs or other scholarship monies are available and where to apply for them.[7/] Complaints were also registered that

Table 3

Response to the Question:

"WHAT PREVENTS ALASKA NATIVES FROM GETTING A COLLEGE EDUCATION?"

Number of Responses	Comments
20	Finances: It's a hassle getting money from the BIA and they don't give you enough. Many people must support, or help support, a family.
19	Fear of failure. Lack of self confidence, motivation, goals. Parents don't care.
16	Poor academic preparation. Bad study habits.
13	Strong ties to home, family. College too far away. Homesickness. Fear that you may not return home once you leave.
11	Social, emotional dislocation in adjusting to urban and academic life. Alien environment, different values. Difficult to adjust to rigid time schedules.
11	Lack of pre-college counseling, information on options available.
4	Native manpower is spread too thin. Capable people cannot be spared to attend college.
4	Transportation, housing, child care difficulties.
4	Courses are not relevant to Native concerns. No Native input into curriculum. White middle class values are taught.
4	Teachers are insensitive. Don't understand "where students are coming from."
2	Lack of Native role models who have succeeded at college.
2	Social isolation (especially at colleges outside Alaska).

getting money from the BIA is a big hassle and that the money often does not come through until just a day or two before the semester starts, and many young people who had been hoping to go to college have, by that time, had to make other commitments. Some feelings were also expressed that the BIA funds for college students are just barely enough for the necessities of life and leave no latitude for any emergencies which might arise or even for the purchase of an occasional piece of clothing.

It should be noted that payments to individual shareholders under the Settlement Act have been and will continue for some time to be small. (Each shareholder enrolled to a village received a total of about $275 during 1974.) Therefore it would seem that increasing the amounts and improving the delivery of financial aids to students are important to achieving the maximum possible Native enrollment in college programs.

Fear of failure, or lack of self confidence and motivation was the second most frequently mentioned deterrent to education for Alaska Natives. Hank Eaton of the Koniag Corporation expressed these factors well when he said, "For at least five generations the BIA has bred an inferiority complex into our people. The hell of it is most

of them believe it." Fear of failure is heightened by the fact that going to college is a tremendous step in the life of an Alaska Native. It entails a conscious decision to leave home, to subject oneself to rigorous academic demands (for which you are not properly prepared) and to face the social and emotional dislocations of new ways of living and new values. These factors were also frequently mentioned reasons why Natives don't get a college education. Small wonder, then, that, in response to the question, "How can the university improve its services to your region?" an overwhelming number of people called for the establishment of higher or adult education programs in the regions and the villages. (See Table 4.) (One respondent put it this way: "Any service at all would be an improvement.") Such programs, simply by being close to home, and especially if they are combined with strong local input into the design of curricula (the second most frequently requested improvement in university service), would eliminate or mitigate many of the factors which were mentioned as preventing Alaska Natives from getting a college education, or as undesirable features of the University of Alaska.

A number of respondents mentioned counseling and recruitment programs for high school students as a desired university service to their region. There seems to be a real dearth of information in rural Alaska on p st secondary

Table 4

Response to the Question:

"HOW CAN THE UNIVERSITY IMPROVE ITS SERVICES TO YOUR REGION?"

Number of Responses	Comments
49	Establish education programs available to people in Native regions and villages.
40	Structure programs to meet local needs and conditions. Obtain local advisory or policy-making input.
10	Counsel and recruit high school students.
5	Improve on-campus orientation programs.
5	Hire more faculty. Make sure they are effective teachers.
2	Speed up degree programs.
2	Work to upgrade academic standards of rural elementary and secondary schools.

vocational and educational opportunities and options. The Aleut League's recently published handbook is a good compendium, but rural high school students also need the personal interest and support of counselors as they try to decide what to do after finishing high school.

Table 5

Response to the Question:

"SHOULD CLASSES BE HELD IN YOUR REGION? IF SO, WHY?"

Yes: 44

No.: 0

	Reasons
14	Students learn faster in a familiar environment. (Self image enhancement, among friends, community of interest, learn together.)
12	People don't want to leave home, or they can't leave home because of family responsibilities.
9	Courses should be accessible to corporation employees. (The manpower needs of the corporations are so great that corporations can't spare people to go away for whole semesters.)
9	Students would not experience dislocation trauma as they do on campuses in Anchorage and Fairbanks.
8	Courses can be relevant to local job opportunities or issues.
7	People who leave to go to school often don't come back.
6	Going to school close to home would be financially easier than going to Anchorage and Fairbanks.
4	Teachers can (should) learn about our needs.
4	Courses can be scheduled around seasonal or subsistence work.
3	Travel to and from Anchorage or Fairbanks is difficult.
2	More people will enroll.

SECTION III

Considerations in Planning Higher or Adult Education Programs

As mentioned in Section I, there is very great concern that higher or adult education programs be available to village people without disrupting the pattern and values of village life. Therefore it was not surprising that the responses to the question, "Should classes be held in your region?" was universally "Yes." (See Table 5.) The seven most frequently given reasons for the "yes" answer showed the opposite side of factors often mentioned as preventing Alaska Natives from getting a college education (as discussed in Section II and depicted in Table 3).

Mentioned as part of the frequent general comment that students learn faster in a familiar environment were such elements as being among friends, sharing a community of interests and the satisfaction of learning together. Other reasons given for having courses offered in the regions are listed in Table 5. They add up to a very forceful argument for offering higher or adult education programs in rural Alaska.

A strong contributing factor to the universal response that courses should be offered in the regions was the concern that courses be available to village people, as

Table 6

Response to the Question:

"WHAT FACTORS WOULD INTEREST PEOPLE IN YOUR REGION IN PARTICIPATING IN CLASSES?"

Rank		Raw Score
1	Course available close to home	169
2	Possibility of a job on completion of course	178
3	Possibility of better pay or promotion on completion of course	180
4	General interest in subject area	217
5	Use of community members as resource people	243
6	Use of local examples and problems as learning devices	248
7	Obtaining a certificate of training	250
8	Course of short duration	254
9	Progress towards a degree	263
10	Obtaining college credit	273

How was New Pearl Contacted

well as people in the regional centers (such as Dillingham or Kotzebue). For the reasons outlined in Section I the corporation leaders recognize the need to educate a great number of Alaska Native people, and not just the few who can leave home regularly for classes of varying lengths. Often the request was made that classes be held in the villages rather than in the regional centers or that classes in the regional centers be of short duration and scheduled so as not to interrupt the subsistence activities of the villages in the region, so that village people could participate.

A few of the respondents qualified their request that classes be offered in the regions with comments that some courses should be taught on campuses to provide the stimulation of a professional atmosphere or if the resources needed to teach a subject are available only on a campus.

The response to the question asking respondents to rank ten factors which would interest people in participating in classes confirms the desire that courses be available in the regions. Having the course available close to home was ranked as the most strongly motivating factor of the ten listed. (See Table 6.) The second and third ranked factors

(possibility of a job on completion of course, and possibility of better pay or promotion on completion of course), are a reflection of the desire and need to earn money, as was shown in the large number of requests for skill training discussed in Section I.

+ + + + + +

Four strong concerns emerged when respondents were asked a very general question about what factors should be considered in planning courses. The two most forcefully expressed concerns were for finding effective teachers and for making course content relevant to Native concerns. Other comments concerned the academic level at which courses should be taught and the structure of courses to be offered.

Since tabulation of the comments received on these subjects is difficult and would at any rate take the force out of the comments, all of the comments made are reproduced in Appendix IV. It will be noted that comments on teachers are strongly interrelated with comments on relevance. The feeling seems to be that hiring teachers who are familiar with village concerns and can relate to village people will do much to satisfy the need for relevance in courses. Such

teachers would naturally use local examples and cases and resource people, which would build relevance into any course.

Comments on course level illustrate clearly a desire that courses be taught to normal academic standards, though the statistic from the Calista Region on the average number of grades finished by adults indicates that the reading level of course materials must be very basic. (The Calista Region also is one in which bilingual classes would be desirable.) However, Natives do not want "watered down" or undemanding courses. They recognize that Native people must (especially in the administration of the Settlement Act) be able to function according to non-Native values and standards. The requests for relevance in course offerings and basic level courses were not therefore requests for easy courses. They were instead requests that foreign subject matters be taught in ways that make them understandable and useful to Native people.

The comments on course structure emphasized the desirability of offering courses in ways which will enable village people to enroll in them. Flexibility seems to be the key word. Courses could be scheduled as short workshops in central regional locations in order that people from a

Table 11

Response to the Question:

WHAT ASPECTS OF PLANNING THEIR OWN EDUCATIONAL PROGRAMS ARE PEOPLE IN YOUR REGION INTERESTED IN?

	Comments
15	A local advisory or policy-making board for local programs.
12	Choose courses to be offered.
10	100% local control.
6	Program philosophy and planning, curriculum development.
5	Choose teachers.
4	Student recruitment.
4	Needs identification.
3	Course evaluation.
3	Course timing and length.
2	Choose program director.
2	Budgeting.

SECTION IV

Summary and Recommendations

Four major findings emerged from this study. They are:

1. There is a need for higher and adult education programs in rural Alaska.
2. The programs must be developed with special attention to factors which are not usually part of academic program planning.
3. The programs should be developed with maximum local involvement in planning and implementation.
4. The University of Alaska has not to this date responded in a satisfactory way to these needs.

It is obvious to us that a clear recognition of the need for innovative thinking in meeting these needs and strong commitment to meet the needs are needed if the University of Alaska is to respond in a useful way. We therefore recommend that the University of Alaska establish a new statewide division of the University to meet rural higher and adult education needs. Such a division might be called the College of Village Instruction. We recommend that the

College of Village Instruction have an advisory board with strong Alaska Native representation. We further recommend that the College of Village Instruction contract with the non-profit corporations in the Native regions of the state to represent the University in the rural areas of the state.

A separate and statewide division of the University is needed for several reasons. First, as mentioned above, it is essential that education programs for rural Alaska be developed with special attention to factors which are not usually part of academic program planning, such as building local or cultural relevance into courses, scheduling courses around the living patterns of each rural area, planning for bilingual instruction if needed and using teachers who can work effectively with Native students. The College of Village Instruction must address itself to determining what information is needed and how it can be presented. New courses and materials must be developed and methods of delivery must be devised. The university cannot hope to meet the needs of rural Alaska by exporting normal university courses (at any level) and teachers who have not been chosen carefully for teaching in rural Alaska. In order to use these teachers full time, the College of Village Instruction should be able to use their services throughout the state. A new commitment is called for and an administrative structure which will allow the commitment to be carried out must be established.

The College of Village Instruction would carry out three major functions. First, it would develop courses, curricula and course materials. Second, it would identify and hire teachers. Third, it would coordinate the scheduling of courses to be delivered in rural Alaska. In carrying out these functions it would receive the advice and draw on the knowledge of the advisory board. This board would provide a strong voice of rural Alaska at the policy-making level, such as has been called for by the Native people.

The proposed contracts with the non-profit corporations would provide the local involvement which was asked for by the Natives whom we interviewed for this survey. Such liaisons would also provide the university with the support services which it will need in the rural areas to carry out the village instruction program. Such services would include identifying desired courses and suggesting elements of curricula; supplying local resource people and orienting teachers to local conditions; identifying any need for bilingual instruction; recruiting students and planning for their transportation, room and board; scheduling courses at times when people in the region or village can attend them; and course evaluation. As discussed in the Preface, the nonprofit corporations now know the education needs in their regions and are developing the expertise to administer courses and training sessions. In response to the fact of the nonprofit corporations' knowledge and expertise the university should discontinue its practice

of sending non-local representatives to the rural areas of the state and instead develop formal relationships with the non-profit corporations.

The proposal for a College of Village Instruction does not deny that there is also a need for community colleges in the smaller Alaska communities. They can provide more formal academic training and associate of arts degrees for those who desire them. Also, we recognize that there will always be (and should always be) Native students who will want to enroll in a full four-year program on a campus in Anchorage, Fairbanks or Juneau. The College of Village Instruction should be designed to meet the needs of those who cannot, or do not want to, use community colleges or large campuses. It can produce and deliver courses in a variety of modes to meet specific and immediate needs. If, as seems likely in the near future, the State of Alaska purchases a communications satellite, the College of Village Instruction could serve as the headquarters for the production of video and audio courses for students in villages. The College could also develop external degree programs for students who wish to pursue a degree without leaving their jobs and/or homes in rural Alaska. (In the course of our interviews for this report we met or heard of a number of people who would be interested in an external degree program.)

The College of Village Instruction should be founded on the philosophy that village community life should be strengthened by the education process. It should be administratively structured with maximum local input and control.

It should be noted that the findings of this survey are not startlingly new or different from concerns which have been previously identified by researchers in education, particularly at the University of Alaska (see Bibliography). Previous research has usually been directed to elementary or secondary education, but now the Native people are telling us that some of the same issues are of concern in the development of higher or adult education and training programs. The need for effective teachers, the need for local control, the need for education to be available close to home, the need for adult basic education programs, and the need for counseling programs for high school students have all been previously identified. Our research confirms all of these needs. Since the same findings have been confirmed several times, it behooves the University of Alaska, a statewide institution which bears the statutory responsibility to provide higher and adult education to all of the citizens of the state, to act now to establish the needed programs.

The Natives of Alaska are eager to take up the challenge of learning new things. They ask only that the learning take place within the physical and philosophical framework of their own communities. We hope that the University of Alaska will eagerly meet the challenge of providing such learning environments for them.

HB-24

M E M O R A N D U M

TO: Senator George Hohman, Jr., Chairman
Senate Health, Education & Social Services Committee

Senator Genie Chance, Vice Chairman
Senate Health, Education & Social Services Committee

Rep. Susan Sullivan, Vice Chairman
House Health, Education & Social Services Committee

FROM: Stuart C. Hall, Legislative Counsel
Ronald W. Lorensen, Assistant Attorney General

SUBJECT: Amendments to CSSB 35 (Public Education in the Unorganized Borough)

We recommend consideration of a series of amendments to the legislation presently under consideration that would decentralize the State-Operated Schools into regional educational attendance areas. In some instances we have prepared specific language to take care of particular problems which we see in the pending legislation; in others, we recommend that the respective committees consider the policy questions involved, and then we will draft the specific language required to carry out the policy decision.

Amendment No. 1

The Director of Elections, Mrs. Patty Ann Polley, points out that as presently conceived the three-year term for regional school board members will complicate the administration of elections during the regular election year (even-numbered years) because it would require the state to administer a school election between the Primary and the General Election. She suggests consideration of a four-year staggered term with elections being held in the odd-numbered year. This would requrie an amendment to page 6, line 21, or therabouts. Also she points out it is unclear when the redivision of a regional educational attendance area into sections becomes effective (page 4). On page 6, line 18, some adjustment in the reference to the number of days in which the Lieutenant Governor's office has to prepare for an election after the statute is effective must be made. She suggests 90 days, instead of 60, after the effective date of the Act; or, within 60 days Amdt # 1 after the establishment of the regional educational attendance

areas, a recommendation of the Department of Education.

Amendment No. 2

Expiration of terms of office. Some modification in the present language (p. 6, proposed AS 14.08.061(b)) should be made, with a possible cross-reference to AS 14.14.070 and 14.12.090, with respect to the expiration of terms of office following the next regular school board election. We will draft whatever language seems appropriate to accomplish this.

Amendment No. 3

School construction. The committee should address the question as to whether the Department of Public Works or the regional educational attendance area is to be charged with the responsibility for school construction. It is presently lodged in the Department, per sec. 33, ch. 46, SLA 1970, which established the State-Operated Schools. If you decided to retain the Department of Public Works for that purpose, then the language in that seciton should be repealed and codified in the body of AS 14, as amended by this bill, by adding a new section: AS 14.08.161. The committee might also want to consider incorporation of HB 319 or some variant of that scheme in this bill.

Amendment No. 4

The committee should address itself to the question of whether the residents of military reservations whose schools are contracted to a city or borough school district should be permitted to vote for members of regional educational attendance area boards. If the answer is "no", they should not be able to vote, then an amendment to AS 14.08.031(c) (page 2, line 17, after "14.14.110", insert the following new sentence: "Where the operation of the military reservation schools in a regional educational attendance area by a city or borough school district is required by the

department, the military reservation shall not be considered part of the regional educational attendance area for the purposes of regional school board membership or elections."

In this same subsection, it may be necessary to exempt military reservations from the requirement of contiguity that appears in the previous subsection (b). E.g., both Elmendorf AFB and Ft. Richardson are entirely surrounded by either the Kenai, Mat-Su or Greater Anchorage Area Boroughs; thus it may become necessary to attach those bases to another regional educational attendance area, or one would have to be established for those bases alone. If the former, an amendment to page 2, line 15, after "area", insert the following:

"that need not be contiguous to the reservation notwithstanding the provisions of (b) of this section"

Amendment No. 5

A technical correction: On page 2, line 7, strike out "school" and insert "educational"

Amendment No. 6

If you exclude military reservations from the regional educational attendance area for electoral purposes, their population should be excluded for redistricting purposes: thus an amendment to page 4, line 1 would be necessary.

Amendment No. 7

A provision should be made in AS 14.08.051, which relates to sectioning of regional educational attendance areas, to make it possible for the voters in an area to eliminate sectioning altogether if it exists in the area, as well as voting for sectioning or for changing section boundaries. An amendment to accomplish this would read as follows:

page 4, line 17 - after "sections," delete "or" and insert "the"
- after "section boundaries," insert "or the elimination of all sections in the regional educational attendance area"

Page 4, line 21 - after "sections," delete "or"

page 4, line 22 - before "is subject" insert "or the elimination of all sections in the regional educational attendance area"

Amendment No. 8

A technical correction of a typographical error: On page 4, ~~line 23~~ line 10, strike out "questions", and insert: "question"

Amendment No. 9

Due to an amendment made on the Senate floor to SCSHB 188 am S (ch. 13, SLA 1975), an amendment to AS 14.12.030(d) is required to clarify the legislature's apparent intent. The legislature desired to eliminate the mandatory on-base advisory school board where the schools were contracted; however, as now written the only individuals eligible for appointment as the non-voting delegate to the city or borough school board are members of those advisory boards. This creates problems where, as in Anchorage, there are two separate bases. Was the intention that there be one advisory board for both bases, or could there be one board on each base? What if one base has a board and the other does not, who then is eligible for appointment as the delegate? As we see it, it's a matter of reconstructing the syntax, and we propose an amendment to page 11, between lines 4 & 5, inserting the following:

Amdt #9

"* Sec. 6. AS 14.12.030(d) is amended to read:

(d) Each city or borough school district that is operating schools on a military reservation under sec. 20(a) of this chapter has one nonvoting delegate from the military reservation or reservations to the school district board to advise and

assist the board in matters relating to the military reservation schools and assist the board in matters relating to the military reservation schools operated by the school district and to act as liaison between the board and the military community. The nonvoting delegate shall be appointed by the state Board of Education [FROM AMONG THE MEMBERSHIP OF THE ADVISORY SCHOOL BOARD IF THERE IS AN ELECTED ADVISORY BOARD], shall serve at the pleasure of the state Board of Education, and shall be an inhabitant of the area served by the military reservation schools operated by the school district by contract. If an elected community school committee is established on a military reservation, the only inhabitants of that military reservation who are eligible for appointment as the nonvoting delegate are those inhabitants who are members of the elected school committee." Amd #9

Renumber bill sections accordingly.

If this wording does not correctly set out the intention of the legislature, we will, with your direction, draft language to do so.

Amendment No. 10

The Department of Education and the Attorney General find difficulty with the formulation of language amendatory of AS 39.25.110(8) which, at present, exempts the certificated employees of the State-Operated Schools, but which as proposed for amendment in Section 35 of the bill would complicate administration of personnel employed at the department-operated school at the Seward Skill Center. Accordingly, we propose deleting the entirety of Sec. 35, and replacing it as follows: On page 23, strike out lines 23-27, inclusive, and insert:

Amd #10

"* Sec. 37. AS 39.25.110 is amended by adding a new paragraph to read:

(16) certificated teachers and noncertificated employees employed by a regional educational attendance area organized under AS 14.08.031 to teach in, administer or operate schools

operated by a regional educational attendance area." Amd #10

Amendment No. 11 Check w Hall

A technical amendment to ensure the applicability of the Elections Code (AS 15) to regional educational attendance area elections:

On page 22, between lines 19 and 20, insert:

"* Sec. 32. AS 15.60.010(2) is amended to read:

(2) "local election" means an [ANY] election held by a borough, city, or by or in another [OTHER LOCAL] unit of local government, including a service area or regional educational attendance area.

Amd #11

* Sec. 33. AS 15.65.050 is amended to read:

11(b) Pg 22 before line 12 renumber sections

Sec. 15.65.050. APPLICATION OF SECTION 40 OF THIS CHAPTER. Section 40 of this chapter applies to all elections, general or special, held in a [ANY INCORPORATED] city, organized borough, [INCORPORATED SCHOOL DISTRICT OR] school district or regional educational attendance area in the unorganized borough [OUTSIDE OF AN INCORPORATED CITY]. Amd #11

Renumber bill sections accordingly.

Amendment No. 12

A technical amendment to correct a drafting error; no change in substance.

On page 19, line 11 ~~18~~, after "the", insert: "certificated"

On page 19, line 19, strike out "districts and the respective district boards", and insert: "boards"

On page 19, line 20 ~~26~~, after "districts", insert: "or regional

educational attendance areas"

Amendment No. 13

A technical amendment to ensure that all of the provisions of this Act relating to elections are effective immediately, on page 25, the following series of amendments: (to the final enactment section)

On page ~~25~~ 24, line 3 29, strike out ", 14.08.051 and", and insert a dash ("-").

On page 25, line ~~1~~ 2, strike out ", 14.08.041, 14.08.061," accepted

"An Act relating to public education in the unorganized borough; and providing for an effective date."

COMMITTEE REPORT

3/5/75 HOUSE FINANCE

Mr. Speaker: Date April 1, 1975

The Committee on RESS has had SSHB 24 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR SSHB 24 AND THAT CS FOR SSHB 24 DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Fullerton

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Fullerton Chairman

CAMP ALASKA

HB 24

ALASKAN WILDERNESS EXPERIENCES
AND CONSERVATION LEADERSHIP SCHOOL

Wood River, Alaska
Mail: P.O. Box 1616
Fairbanks, Alaska 99707

March 6, 1975

Mr. Sullivan
Chairman, Health, Education and Social Services Committee
House of Representatives
Juneau, Alaska 99801

Dear Mr. Sullivan,

REFERENCE: HB 24
SB 35 and 95

What an unwieldy quagmire this set of bills would create. I understand the principles involved and feel that they are noteworthy, i.e., so that the educational system would be accountable to the constituency it serves. However, to those of us who care about education directly, it already is accessible and reasonably accountable. If you create a series of regional and advisory boards, you have too many amatures trying to do the work of paid and responsible professionals. Not to mention the expenses and logistical problems of such a series of regional boards!

KEEP EDUCATION CENTRALIZED and controllable. One State Advisory Board (public) is control enough. We already have a Borough School Board in areas of major utilization. Perhaps a better solution to the rural and unorganized borough "communication" problems would be to see that the State Board adequately represents these needs.

Samantha Castle

Samantha Castle

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

3-26-75

Members Present:

Ose	Parr
Hackney	Sullivan
Osterback	Swanson
Ostrosky	

Chairman Sullivan called the meeting to order at 7:00pm. to take up a continuation of HB 24. HB 78 was also briefly considered.

HB 78

Mr. Wesley from SOS gave briefing of the bill. SOS classifies income as restricted income. The problem we have is that in order to honor our contracts (pupil teacher ratio) the commitments have to be able to be made in advance. It is impossible to reduce the program to 2.2 million because of contracts already made.

Hackney You say $300,000 was found in the budget? If you had gotten the shortfall for this year would you still have found the $300,000?

Wesley No, we would not have been able to reduce the costs, or have reasoning to do so. 75% of this budget is under Federal regulation 874. 7 or 8% of 874 appropriations are included in present SOS.

Hackney AVEC utilities did not go up this year?

Wesley Yes, they remained at the same rate of fiscal 74.

Hackney I don't understand why the utilities go up on the Bases?

WEsley The military command has the power to raise the utilities and did so of about 30%. AVEC changes their structure, the utilities went up only at the sites where there were multiple buildings.

Swanson I find it strange that under the sale of electricity to AVEC by SOS.... at one time the Legislature had to set the regulations by resolution, it seems to be changed to what it was three years ago.

Wesley AVEC did not raise the rates, when a new building was added the utility costs were increased.

HB 24

Senator Ferguson:

These are feelings of my own concerning the SOS Program. One problem I see is that there is not sufficient time for the transition. At least one years time

fall to let all Region 10 areas take care of themselves. I think we should allow SOS to continue to run for exactly one more year. Commissioner Lind in consultation with CRA could change regional attendance areas into sections allowing them to run their own schools. My amendments to the bill are as follows:

1) Pg. 1 Line 9 - Delete Repealer and put it on the last page where it would repeal it on July 1, 1976.
   Line 29- Using Boundaries
2) Pg. 2 Line 5 - Delete 'may' and include 'shall'
   Line 9 - Delete everything after control and add on 'July 1, 1976'. Propose that no area take over their own schools until that date.
3) Pg. 3 Line 11- Add 'only' after into sections'
   Line 21- Add Sect. B after period
4) Pg. 6 Line 5 - Delete '60 days' and add'Oct.1976'
5) Pg. 23 Sec. 36 - Add 'remain in the regional educational attendance areas...'

Clark Do you propose that this is mandatory to wait a full year before the districts can transfer over?

Ferguson Yes, with the Oct. 76 date in mind. I fear that if we allow small regional attendance areas to be created all over the state there will be problems.

Hackney How would you propose to handle the chain?

Ferguson That could be done by the ALeut, their boundaries would be a Regional Board and set up subsections where the Regional School Board could delegate the powers. It is my understanding that first class cities can not participate in the regional attendance areas.

Mr. Files Representing SOS Teachers from DIstrict I
Submitted amendment to the bill. (see attached)

Hackney Do any of the SOS representatives have any comments about extending the phase out for one more year?

Clark The only problem I see is when you try to have people phase themselves out. Working members now in SOS will be abit reluctant to phase out their own positions. The statewide trend is using the existing regional boundaries.

Parr On page 21, you mentioned Statewide Resource Center, what is that?

Clark One thing they may do is provide bilingual education type services.

Parr Does not mean that they will deal only with bilingual education services?

Clark Correct. I will go over all of my proposed amendments one more time for clarity purposes. (See attached)

Parr In the resource centers we're talking about three or four of them across the state.

Hackney I would like to request that we ask Rich Guthrie to check on AVEC situation to find the possible problems there.

Van Houte At the top of page 24, We can not drop this out because of the existing contracts. This would make us liable for law suits.

Parr Who pays AVEC bills now?

Clark SOS does, they have contracts out on all these.

Sullivan Some SOS contracts include things such as buildings, etc. and I'm sure they don't expire on July 1?

Van Houte It the State has a lease they are their responsibility. The leases would have to be examined on an individual basis.

Mr. Hayes SOS Representative
The lease agreement, for example, on the SOS building in Anchorage is for three years. We have talked to the owner and he has made it clear that he is willing to compromise. Based on your bill it would be a year before these buildings would be evacuated. I personally don't see this as a problem to this bill.

Sullivan My intentions are to give Stu Hall all the proposed amendments and get his opinion in the legal area, then meet again to put it all together and complete this bill.

Meeting was adjourned at 9:30. Bill will be reconsidered on April 1, 1975.

Alaska State Legislature

House

JUNEAU ALASKA

January 31, 1975

Mr. Robert Van Houte
Executive Secretary
N.E.A. Alaska, Inc.
207 Seward Building
Juneau, Alaska 99801

Dear Bob:

We have in the House Health Education and Social Services Committee the following bills; HB 24, HB 56, HB 59, and HB 83. These bills concern your organization and we hope to have them on our agenda in the next few weeks.

We would appreciate any background information that you feel would be relevant in our hearings.

Thank you for your attention to these matters.

Sincerely,

Susan Sullivan

Susan Sullivan, Chairperson
Health Education & Social Services
Pouch V
Juneau, Alaska 99801

SS/lm

Alaska State Legislature

House

JUNEAU ALASKA

January 31, 1975

Jeff Jeffers, Director
Educational Program Support
Pouch F
Juneau, Alaska 99801

Dear Mr. Jeffers:

We have in the House Health Education and Social Services Committee the following bills; HB 24, HB 56, HB 59 and HB 83. We feel that these bills concern your Department and hope to have them on our agenda in the next few weeks.

We would appreciate any background information that you feel would be relevant in our meetings.

Thank you for your attention to these matters.

Sincerely,

Susan Sullivan

Susan Sullivan, Chairperson
Health Education & Social Services
Pouch V
Juneau, Alaska 99801

SS/lm

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS MEETING

3-25-75

Members Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Sullivan
Osterback	Swanson

Chairman Sullivan called the meeting to order at 7:00pm.

SSHB 24

Chairman asked Mr. Van Houte if he wanted to testify and he answered that he would be available for any questions of the Committee

Mr. Clark Our changes to this bill correspond pretty much with SB 35.
1) Pg 2 Line 14 (b) delete ' in each regional' and add 'of the communities receiving educational service from an attendance area' etc.

2) Pg 14 Sect. 14.14.200 - to read- shall review and make recommendations to the Board of Regional Educational attendence area concerning the curriculum, program and general operation of the local schools and shall excercise additional responsibilities and function as may be delegated by the regional school board.

3)Pg. 20 Line 4 - delet (or State Operated School) and insert 'or regional educational attendence area'.
Line 6, 9, 10, same as above.

4)Pg. 20 Line 26 - delete through line 27 to (.)

5)Pg. 21 Line 12 - After 'areas' add ' and a State wide Center.'

6)Pg. 24 Line 5 - After(.) delet rest of paragraph through Line 8.
Sect. 37 - Delete Lines 12 through 16

Hackney Could we Hear from Commissioner Lind on this last deletion of Sect. 37?

Lind The foundation program might not cover AVEC contracts in smaller schools, we would have to find some way to cover this.

Hackney The money is available through SOS but not through the school foundation Program?

Lind Yes, we can't drop those contracts but the foundation monies won't cover them in smaller schools.

Chairman Can we hold this amendment over until tomorrow when we will have more information available? (No Objection)

Clark Pg. 1 at the bottom , addresses itself to the same thing as pg. 24, Sect. 37, lines 5-8.

Swanson They address two different things.

Clark It depends on how you interpret this section, my people say they are the same.

Sullivan I have to agree with Mr. Swanson, but my question is do we want to make these restrictions?

Swanson I don't think I want to delet that section.

Clark SB 35 struck this but added at the top of page two and inserted ' an educational service area....' that would cover sect. 37, Lin es 5-8.

Swanson No, that doesn't cover the same material.

Sullivan Mr. Clark recommends that Sect. 37 be moved and be placed at Sect. B.

Parr I never minded it being deleted, only wanted to know why?

Swanson I didn't want to follow line by line SB 35 because it wouldn't fit into HB 24, I would like to think we were here to work on HB 24 since it is the bill before our Committee.

Beirne Mr. Clark, I would like to ask a question on military reservation schools.

Sullivan Excuse me Dr. Beirne but I don't think that applies at this time.

Beirne Does this wording negate what has already been done for the military erserv?

Commissioner Lind Yes, more work might have to be done on this bill considering HB 188. Mr. Hall can advise us on this.

Sullivan 'Military reservations shall' what is this intended to mean and how many are we talking about?

Lind Two primarily, but then we can wait for legal council on this by Mr. Hall.

Swanson There are three principle areas in my district, Ft Greely, and the city manager want to annex the base and so there will be no trouble.

Van Houte We need some language to cover HB 188 so as not to undo what has already been done.

Chairman Mr. Clark, do you have any other explanations of the amendments?

Clark Alright, with the insert of "B" are there any problems there?

Swanson Yes, I don't want SB 35 inserted in the middle of this bill.

Chairman Do we want to move Sect. 37 to a forward part of the bill and expande SEct. B?

Parr I am in favor if we take out the "shalls" and insert 'if practicle'.

Chairman We will bring in some legal advice on this matter and let Sect. 041 B go for now.

Clark Line 14 B, delete and add, 'voters of the Community shall receive' this makes more sense.

Sullivan That doesn't make much sense, it might not cover everyone.

Clark The BIA schools may be included in regional educational areas but shouldn't be any trouble because they can still contract.

Parr I am wondering what the need or change is?

Beirne BIA can choose not to be part but can still vote and with an amendment they won't be able to vote.

Parr Are you saying that the village with SOS School and BIA would vote?

Beirne I move to accept this amendment.

Parr Object

Swanson Before we accept this amendment, let's bring in some legal advice.

Clark I agree.

Parr We also need legal definition of community.

Clark A possible problem area is on Pg. 8, Lines 26-28 Sec . 14.08, deleted and reworded.

Van Houte This amendment was written by an express request by Senate Hess Committee.

Parr This amendment will help us to equalize education in this State.

Sullivan Mr. Swanson, do you want to move this amendment?

Swanson No I don't. When we worked on this bill our idea was to give these people the beginnings of local control of their government and we might be getting into people getting into 3rd Class Boroughs. If you want to hasten this than you can adopt this amendment.

Chairman Is there a motion to this amendment?

There was no motion to this effect and the meeting was continued.

Clark Pg. 14 Sec.14.14.200 - Community School Committee shall review and.... This amendment gives more teeth to local communities to let them take on as much responsibility as they can handle.

Swanson I have no objection to that amendment.

(add)

Clark Pg 20 Line 4)a school district or regional educational attendence area
Line 6-7 " " " "
Line 9 & 10 " " "
Line 26 & 27 after area, delete rest of line to English.
Pg 21 Line 1 = After Department, delete ' this follows Federal legislation on Civil Rights Act.

Parr Is 14.34.400 covering regular schools now?

Lind No, this extends what we now have.

Beirne Deleting these lines will not do what Mr. Van Houte wants.

Chairman Do I have a motion on the amendment?

Beirne There may be another one so maybe we could sleep on it because we just don't want to lose it.

Chairman Sullivan adjourned the meeting at 9:30pm. SOS will be taken up again tomorrow evening, Wed. 25th, at 7:00pm.

H/B-28

"An Act relating to the scholarship loan program: and providing for an effective date."

1/20/75

COMMITTEE REPORT

FINANCE

HOUSE

Mr. Speaker: Date Feb 5, 1975

The Committee on HESS has had House Bill 28 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

(✓) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: HESS Committee

To: _____ HOUSE BILL No. 28

SENATE BILL No. _____

PAGE: 1 LINE: 27 - 29

Change lines 27 through 29 to read.

(1) one - two years residency 20 per cent

(2) two - three years residency 40 per cent

(3) three - four years residency 60 per cent

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS MEETING

2-5-75

Members All Present

Chairman Sullivan called the meeting to order at 3:00
We will begin where we left off yesterday with HB 28.

Jac Carruthers gave his testimony to the bill.

Carruthers - From an administrative point of view, the 100% forgiveness as presently set up has a very serious flaw in it. At the end of the first year grace period, the student begins making his payments. If at the end of 2 years, we have forgiven 25%, do we give him back the money he paid during the second year? Or the other side would be that it looks as if the student was going to be forgiven so you decided not to collect that first years money because eventually he was going to be 100% forgiven, and then after 22 months in the State he decides to move south and then suddenly he would be almost 1 year in arrears in his payments. The only way around this would be to start the forgiveness at the end of the first year. With the 100% we will just have to do something about when the forgiveness starts. Otherwise its an administrative headache.

The other thing about the 100% forgiveness is the immense amount of paperwork that would have to go through. You would have the student, every year, certify that he is still an Alaskan resident, we go through all the paperwork each year for every student just to tell them they have gotten 25% again that year. But if you want the hold on them to make sure they stay in Alaska I don't see any other way around it. Psychologically to the problem, as you may recall the 68-69 and 70-71 loans were 100% forgiven to residencs in Alaska, then the students attitude tends to be why go through all this paperwork, I'm still here in Alaska and I'm 100% forgiven so don't bother me. We send out the forms - they are not returned - we send follow up forms etc. One idea is that a student must, by June 1 of each year, certify to us that he is an Alaskan resident and if he fails to do so he looses the given per cent for that year. That could possibly be one approach.

Parr - You gave me the figures that roughly 62% of the students overall were out of state. 206 graduates and 1459 undergrad. How much money are we talking about that these students are spending at out of state universities?

Carruthers- Out of state undergrad student - $1,408,978. Inside the state for undergrads - $895,000. $514,000. for out of state graduates and $106,000. for inside state graduates.

Parr How many students are going out of state to take programs which are adequately offered here?

Carruthers Every year we do a survey of the students and about 40% of them are returned. On that form we ask their major. So that 40% is just a cross section and there is no way of any accurate information in that area. We do have them broken down to what state they are going to. We have 16 international students.

Ose - Why is it going to be so much more paperwork on this 100%?

Carruthers - I was talking in the sense that there is no return for all this work we do. With a revolving fund when we get payments from the students why then it seems worthwhile to go thru the paperwork. If they are 100% forgiven, psychologically I think they are harder to trace down. There are 622 total in state students. Outside students is 1,043.

We have only had a positioned staff for repayments since the first of September. It will be another six months before we can say exactly how many people.

Hackney - Have you done any kind of survey among the students to see whether or not it does keep them in the state? And particularily if it does keep them in Alaska?

Carruthers - Yes, I have. We asked them the question that if the forgiveness clause influenced their plans to stay in Alaska. We asked three catagories; totally based on that, partially, or if it made no difference at all. Roughly the split was 40-40-30. Wasn't quite 1/3. Alot of them that said it didn't influence them at all, in the comment section they put 'I love Alaska whether I'm forgiven or not I'm going to come back.'

Beirne - How much money has flown through the loan program at this time and how much have you received back?

Carruthers - In the neighborhood of 8 million that has gone out over the last six years and our repayments last year was approx. $124,000. the year before that was about $60,000. So far this year we've collected about $80,000.(fiscal 75)Our projected estimate for this year was about $200,000.

Beirne - Since we changed it last year so the money now is supposed to come back into the loan fund and make it a truly revolving fund rather than into the general fund, is that working?

Carruthers - What happened was that the Legislature tempered the amount of general funds. If I asked for a certain amount of money they then subtract from it my expected return and give me a lesser amount. And of course the people we forgive keep it from ever being a 100% revolving fund. From about 4 or 5 years from now the payment schedule gets up to where there is about ½ the funds needed. It goes into the revolving fund but my budget statement, they take the amount anticipated in collections and subtract that from the amount asked so that the amount of the general fund plus the amount of program receipts add up to the total on hand.

Parr What is the average amount of money per year for the student in either paying or being forgiven?

Carruthers - The average loan last year was about $1,800 and about $2,000 this year if we hadn't had that roll-back to make the funds stretch to every student. If a student had a $10,000 loan, the payments would be $170 per month.

Beirne Theoretically, they are to begin paying back in one year. Do you have any idea how many actually do pay back in one year?

Carruthers - At the end of the one year grace period they have to start paying. I don't know how many of them actually do pay.

Beirne How many have asked for the 5 year hardship which would make it six years before they even start paying and 11 years before they finish paying.

Carruthers - They start paying at the same time but merely at a reduced amount. I don't believe there are more than 5 or 6. We have them furnish us with notarized proof of expenses.

Ostrosky How is the size of the loan determined from the individual student?

Carruthers - Determine first what the tuition fee, board and room and books cost. Then we have a column for complete education expenses, supplies etc. Then list the sources of funds available to the students for all the expenses. We subtract one column from the other and that is the financial need. Then is the statuatory ceiling of $2,500. Of those three figures, whichever one is the lesser is the amount of the actual award. $2,500 is the maximum amount for an undergraduate, for a graduate it is $5,000. It works out to about $17 per thousand per month for the repayments.

Hackney - Your major objection to it is the bookkeeping involved?

Carruthers My personal objection to it is having two kinds of Alaskans- 40% and 100%. Eventually they'll say there will be 100% forgiveness for people who go outside providing they're taking a major that is not offered in the state. And I don't think anybody would want to be in the position of saying that this major is adequate and this one is not.

Beirne - How much is left in your revolving fund?

Carruthers - About $250,000 uncommitted. The total number of awards is 2,149 for just this year. There are several hundred that have dropped out of the program. There is no more than about a 2 week delay in backlog due to the paperwork. We met the requirement of awarding to all eligible students. What we have left will take care of us through summer school which has never happened.

Fink - I think in some ways you've given the impression that you have enough money to go around but really you're 30% short on that money when you cut everybody back to 70%. I think you're way short in funds. Some people just can't go when they are cut back that much. My impression is that you're misleading the committee.

Beirne Do you have a staff now to get notifications out, bring the money back in, interest which is due etc?

Carruthers I have also asked for additional people for this fiscal year. I had two new positions this year so we are better off then ever before so that gives us four girls now. We aren't falling as far behind as we used to be.

My solution to this bill would be at the end of the first year, give 20%, 2nd year 40% and so on until you reach 100%. Then it gets away from the whole bit about the four years forgiveness.

Ose I would recommend there be an amendment to this bill with starting the end of the first year of 20% forgiveness etc.

Miller Mr. Carruthers suggestion makes total sense to me. He has pointed out a mechanical deficiency and also suggested an amendment so I'd be delighted to go along with an amendment.

Ose - I move that we add this amendment to this bill.

Ostrosky Second

Chairman - All in Favor 9 Opposed 0

Amendment passes. Is there a motion yet in regard to the bill as amended?

Ose I move we pass it out with individual recommendation.
Hackney Second

Chairman All in favor 9 Opposed 0

Bill passes.

Mr. Sam Trivett gave a brief orientation of his Dept. and the Div. of Corrections. It has been taped and is available upon request.

HB 27

Swanson This bill came to me by request of a pilot who also works and drives a school bus. It isn't anything more than a vehicle where a pilot or anyone holding a valid first or second class medical certificate under the FAA would be exempt from taking another medical exam. when he asks for a permit to run a school bus. In rural Alaska there are many times where you might have to go 100 miles for the examination which would cause an extreme hardship.

Ostrosky Is that a regulation or is that a statuatory requirement?

Swanson I'm sure it is a statuatory regulation.

OSe Is a TB test required?

Mr. Ose's question could not be answered and it was suggested that the bill be held over until Thursday's meeting in order that there may be further witnesses to testify in regards to HB 27.

Chairman Sullivan adjourned the meeting until 3:00 Thursday.

TO: HESS Committee
Susan Sullivan, Chairman

FROM: Mike Bradner

SUBJECT: Scholarship Loan Program

DATE: February 13, 1975

The attached materials are intended to assist you and your committee with a study of the Student Scholarship Loan Program.

The Student Scholarship Loan Program was started in 1968-69 with a maximum $500.00 award granted. The same program was continued in 1969-70. These loans were forgiven in their entirety for all recipients who remained in the state for six months.

The program was then changed to a revolving fund which allows for a maximum $2500 scholarship for undergraduates, and $5000 for graduate students. Students pay 5% simple interest annually. There is provision for 40% forgiveness of the loan if the student remains in the state for five years. The first year following graduation and/or completion of military service is a period of grace. The loan recipient then has five years in which to repay the loan.

The Loan Program has been functioning for several years. For the first time, scrutiny of the system for repayment of loans seems in order by the HESS Committee. I hope the attached materials will prove useful to you in such a study of the Loan Program and repayment system.

MB

SG/kb

SCHOLARSHIP LOAN PROGRAM

FY 1975

No figures available until the end of the fiscal year. Loans are constantly changing as students drop out during the year or change colleges. In the latter case, students must reapply for a loan.

Repayments

From the beginning of the Student Loan Program in 1968 to June 30, 1974, 10,379 separate payments have been made. One student may have received several payments. These payments represent a total of $7,653,939.33.

Complete figures are not available regarding repayment of loans. Legislative Audit is now completing an internal audit of the loan program, and anticipates a full report before the end of the 1975 legislative session. They will be strongly recommending that a better record be kept of outstanding loans and corresponding repayments.

7/1/74 - 1/31/75

Principal	$72,512.21
Interest	$31,588.16
	$104,100.37 *

* 350 loan recipients have paid this amount.

TABLE I

1972-73 STUDENT LOANS

COLLEGE OR STATE OR REGION	GRADUATE STUDENT NO.	$	UNDERGRADUATE STUDENT NO.	$	COMBINED NO.	$
U of A - FAIRBANKS	31	67,725	437	537,020	468	604,745
U of A - ANCHORAGE	15	44,200	214	269,959	229	314,159
AMU	2	2,550	43	48,475	45	51,025
SJC	-	-	12	19,550	12	19,550
COMMUNITY COLLEGES	-	-	14	20,000	14	20,000
AK. BUSINESS COLLEGE	-	-	31	64,450	31	64,450
OTHER AK. SCHOOLS	-	-	10	11,950	10	11,950
WASHINGTON, STATE OF	27	98,900	252	403,887	279	502,787
OREGON, STATE OF	25	73,700	115	209,275	140	282,975
CALIFORNIA, STATE OF	11	40,600	56	92,270	67	132,870
HAWAII, STATE OF	2	5,800	18	26,775	20	32,575
MIDWEST REGION	25	90,000	60	100,450	85	190,450
ROCKY MOUNTAIN REGION	5	13,250	176	303,197	181	316,447
SOUTHWEST REGION	13	42,500	65	101,400	78	143,900
NORTHEAST REGION	12	43,850	34	60,675	46	104,525
SOUTHERN REGION	15	47,850	20	30,825	35	78,675
FOREIGN COUNTRIES	3	11,500	5	9,100	8	20,600
SUB-TOTAL - IN-STATE	48	114,475	761	971,404	809	1,085,879
SUB-TOTAL - OUT-OF-STATE	138	467,950	801	1,337,854	939	1,805,304
GRAND TOTAL	186	582,425	1562	2,309,258	1748	2,891,683
				APPROPRIATION		2,904,600

TABLE I

1973-74 STUDENT LOANS

COLLEGE/STATE/REGION	GRADUATE STUDENTS NUMBER	GRADUATE STUDENTS DOLLARS	UNDERGRADUATE STUDENTS NUMBER	UNDERGRADUATE STUDENTS DOLLARS	COMBINED GRAD/UNDERGRAD NUMBER	COMBINED GRAD/UNDERGRAD DOLLARS
U OF A - FAIRBANKS	19	37,725	312	438,377	331	476,102
U OF A - ANCHORAGE	16	60,420	202	356,955	218	417,375
ALASKA METHODIST UNIVERSITY	2	7,950	36	55,690	38	63,640
SHELDON JACKSON JUNIOR COLLEGE	-	---	5	5,550	5	5,550
OTHER COMMUNITY COLLEGES	-	---	15	14,030	15	14,030
ALASKA BUSINESS COLLEGE	-	---	8	19,690	8	19,690
OTHER ALASKA SCHOOLS	-	---	7	5,275	7	5,275
STATE OF WASHINGTON	36	102,525	227	375,484	263	478,009
STATE OF OREGON	26	68,050	150	236,072	176	304,122
STATE OF CALIFORNIA	21	67,805	72	117,816	93	185,621
STATE OF HAWAII	1	2,400	26	28,968	27	31,368
REGON - MIDWEST	25	73,800	65	103,229	90	177,029
REGION - ROCKY MOUNTAIN	11	31,590	185	313,508	196	345,098
REGION - SOUTHWEST	13	44,425	74	111,592	87	156,017
REGION - NORTHEAST	13	47,850	42	75,364	55	123,214
REGION - SOUTHERN	16	50,800	24	31,465	40	82,265
FOREIGN COUNTRIES	7	25,700	9	15,480	16	41,180
SUB-TOTAL IN-STATE	37	106,095	585	895,567	622	1,001,662
SUB-TOTAL OUT-OF-STATE	169	514,945	874	1,408,978	1043	1,923,923
GRAND TOTAL	206	621,040	1459	2,304,545	1665	2,925,585

1973-74 STUDENT LOANS

	$	Number of Students	
APPROPRIATION	$2,952,900	awards	1454
WAITING LIST	$1,124,250	waiting	665
CANCELLED AND RE-AWARDED	$755,200	awards	416
STILL ON WAITING LIST	$369,050	waiting	249

STUDENTS NOT CURRENTLY RECEIVING LOANS

TO BE CONTACTED	750
PENDING REPAYMENT	400
STILL ATTENDING OR MILITARY	500
IN GRACE PERIOD	375
TOTAL	2025

ACTIVE REPAYMENTS 179

(WILL COLLECT ABOUT $104,000 IN FY 73-74)

PAID IN FULL 37

Principal $28,700.00 Interest $1,050.38 Total $29,750.38

DECEASED 14 (1969-74) $20,659.95 forgiven-in-full

BANKRUPTCY 1 Total $1250.00

Table IV is a comparison chart for student loans for the years 1971-72 through 1973-74 with graduate and undergraduate students reported separately.

The table contains number of students, average dollar amount, percent of dollars, and percert of students in and out-of-state for the first three (3) years of the program.

It is quite apparent that the percent of students attending in-state has shown a decline while the out-of-state students show a steady climb. Obviously, the student loan program has given the Alaska students a wider choice in selection of a college by lessening the financial barrier. Also to be considered in this shifting is the liklihood that our publicity has been within Alaska primarily and upper class students may have been a bit slower in learning of the program than were their counterparts attending college within the state. The dramatic increase in the total of graduate students indicates that the loan program has opened the fiscal doors for graduate degree candidates. Of course in addition, we would expect graduate degree candidates to seek education out-of-state for the most part due to the limited offerings in-state. Economically, it is sounder to finance student attendance out-of-state than to try to duplicate programs in Alaska.

TABLE IV

COMPARISON CHART
STUDENT LOANS
1971-72 through 1973-74

	NUMBER UNDERGRADUATE STUDENTS		AVERAGE DOLLAR AMOUNT		PERCENT DOLLARS		PERCENT STUDENTS	
YEAR	IN-STATE	OUT-OF-STATE	IN-STATE	OUT-OF-STATE	IN-STATE	OUT-OF-STATE	IN-STATE	OUT-OF STATE
1971-72	570	420	$ 1194	$ 1587	50.5	49.5	57.6	42.4
1972-73	761	801	1276	1670	42.1	57.9	48.7	51.3
1973-74	585	874	1531	1612	38.9	61.1	40.1	59.9

	NUMBER GRADUATE STUDENTS		AVERAGE DOLLAR AMOUNT		PERCENT DOLLARS		PERCENT STUDENTS	
YEAR	IN-STATE	OUT-OF-STATE	IN-STATE	OUT-OF-STATE	IN-STATE	OUT-OF-STATE	IN-STATE	OUT-OF-STATE
1971-72	31	60	$ 2407	$ 3028	29.1	70.9	34.1	65.9
1972-73	48	138	2385	3391	19.7	80.3	25.8	74.2
1973-74	37	169	2867	3047	17.1	82.9	18.0	82.0

-- PROGRAM ACCOMPLISHMENT PLAN 1973-74

MEASURE	PRIOR YEAR 74 PLAN	PRIOR YEAR 74 ACTUAL	74-75 CURRENT YEAR PLAN (CY)	MAINTENANCE	REQUEST	EXPLANATION
1. STUDENT LOANS						
(a) number of loan awards	1700	1986*	2200	2450		* does not include waiting list
(b) average amount of award	$1800.	$1856.	$1400	$1950		** with 30% reduction to reach all eligibl
2. TUITION GRANTS						
(a) number of tuition grants awarded	900	962	890*	850		* reduction due to fewer part-time students
3. REPAYMENT OF LOANS	$84.8	$114.6	$216.4	$308.5		

SCHOLARSHIP LOAN PRINCIPAL (REPAYMENTS)

Fiscal Year 1974 Actual: 89,178,000

FISCAL YEAR	BUDGET ESTIMATE
1975	$168,800
1976	$240,600
1977	$428,300
1978	$634,500
1979	$841,800
1980	$990,800

SCHOLARSHIP LOAN INTEREST (REPAYMENTS)

Fiscal Year 1974 Actual: $25,479,000

FISCAL YEAR	BUDGET ESTIMATE
1975	$47,600
1976	$67,800
1977	$120,800
1978	$179,000
1979	$237,400
1980	$279,500

ASSUMPTIONS

1. Amount available for student loans increases at 5% per year
2. 70% of students remain in Alaska and 40% is forgiven
3. 30% leave Alaska and repay 100%
4. 5% simple interest
5. 5% default rate
6. Estimate drop-outs at 20% between freshman and sophomore years; 10% between sophomore and junior years; 5% between junior and senior years; and 5% between senior and graduate years

ANALYSIS OF MAINTENANCE

ITEM	AMOUNT	FUNDING SOURCE		EXPLANATION
A. SCHOLARSHIP LOAN PROGRAM				
Fiscal Year 1975 Authorized	$3,322,000	General Fund Program Receipts	$3,105,600 $216,400	Loan repayment
Fiscal Year 1976 Bu get Request	$4,334,200	General Fund Program Receipts	$4,025,700 $308,500	Reflects increase in number of students and rising educational costs; an increase of $1,012,200
B. ADMINISTRATION	$139,400	General Fund		
	$16,300	General Fund		Personal services
Adjusted Fiscal Year 1975 Authorization	$155,700	General Fund		
Increased Costs	$37,400	General Fund		Reflects need for larger staff as repayment volume is increasing plus the student loan and tuition grant programs are growing.
FISCAL YEAR 1976 MAINTENANCE LEVEL	$193,100			

Personal services (2 new positions plus merit increase)	$26,300
Travel	$700
Contractual services	$11,100
Commodities	$1,300
Equipment	($2,000)
	$37,400

HB-71

POSITION PAPER
ON
HOUSE BILL 71

An Act relating to foster care custody of children committed to the custody of the Department of Health and Social Services.

Prior to placement of a child it is the Social Worker's responsibility to gather as much information as possible regarding the child and it is Federally required to have a casework plan for every child which includes a diagnostic service and treatment plan. Generally this plan, insofar as possible, includes the wishes of the legal parents of the child.

When a child is removed from the home by court order there is generally a degree of animosity and hostility toward the petitioning agency personnel and also toward the foster parents. The agency personnel can and do act as a buffer between parents and foster parents as well as arrange and supervise visits between parents and their children. It would appear to be an imposition to place foster parents in a direct involvement with legal parents and thereby establish an involvement which could hamper the relationship of the foster parent to the child.

As court orders are written, the petitioning agency is given the authority to consent to medical procedures and make decisions for the wellbeing of the child, including, but not limited to, social and educational factors.

It is not within the purview of the Department of Health and Social Services to place custody; this is a prerogative of the court. It is the responsibility of the Department to provide for appropriate care for the child in custody. In the case of the dependent child this would most often be foster care. It is also the responsibility of the Department to work with the child and the legal parents toward returning the child to the family unit. To accomplish this goal it is necessary for the Department to have authority and latitude to make decisions affecting the child.

It is the responsibility of the foster parent to provide the day by day care to the child that will provide the child with an atmosphere conducive to healthy emotional and physical growth with the supervision of the placing agency.

The concerns of the Department regarding House Bill 71 are as follows:

1. If the foster parent has legal custody of the child, the child, it appears, could be taken out of the State with no supervision, or handed on to other unknown persons without knowledge or permission of either the legal parents or the Department.

2. The foster parents could provide or deny medical care to the child according to their desires, thereby leaving themselves open to suit by the legal parents.

3. The foster parents could petition the court for termination of parental rights, although it might not be in the best interest of the child.

4. Custody implies financial obligation. The Department could not provide financially for care of a child for whom it has no legal responsibility.

5. Revocation of license is only accomplished through administrative action which, if appealed through court hearings, could lead to a time-consuming process.

In summary, it appears to be in the best interest of the child, the legal parent, and the foster parent for custody of the child to remain with the Department of Health and Social Services.

As the bill is written, there appears to be no additional expense to the Department of Health and Social Services.

The Department does not favor passage of the Bill.

Recommended By: _____ 2-5-75
Stanley P. Harris, Director — Date

Approved By: _____ 2/6/75
for Frederick McGinnis, Commissioner — Date

Comments by Governor's Office:

By: _____ _____
Date

TELEGRAM

ACA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

1975 FEB 6 AM 12 58

02155 NL ANCHORAGE ALASKA 51 02-05 1041P AST

PMS HEALTH EDUCATION AND SOCIAL SERVICES COMMITTEE

0197

ALASKA STATE HOUSE SUSAN SULLIVAN CHAIRMAN

POUCH V

JUN

ALASKA CHAPTER NATIONAL ASSOCIATION OF SOCIAL WORKERS SUPPORTS THE CONCEPT EMBODIED IN HOUSE BILL 71 BUT BELIEVES SERIOUS QUESTION EXISTS AS TO THE LEGALITY OF MANY OF ITS PROVISIONS ESPECIALLY LINES 5 TO 8 PAGE TWO. WE URGE THE COMMITTEE TO CONSIDER APPROACHING THE CONCEPT VIA THE GUARDIANSHIP STATUTES

LUCIEN POUSSARD CHAIRMAN ALASKA CHAPTER NATIONAL ASSOCIATION OF SOCIAL WORKERS

TO: The Honorable Suzan Sullivan
Chairperson
The Committee on Health, Education
and Welfare
State of Alaska
House of Representatives

DATE: February 7, 1975

FROM: Ken Fallon
Office of Comprehensive Health Planning

SUBJECT: House Bill No. 71

SYNOPSIS = House Bill No. 71 provides for the following:

1. Provides for the Department of Health and Social Services to grant custody to a foster home when the Department has custody.

2. Provides that foster homes may have custody granted to them by the Department for a specified period of time.

CONTRA INDICATION:

1. The bill provides that the Department will have the authority to grant custody. Heretofore that has not been the privilege of the Department but the responsibility of the court. The court has provided an objective forum where the rights of the legal parents and the child are considered in making decisions about legal custody. Often the Department is in an adversary position with the legal parent which would call into question decisions made by the Department in matters of custody.

2. Once foster care custody is granted it is not clear what the responsibility of the Department would be in assisting the foster parents with support services such as counselling, training and other support functions.

IMPRESSIONS:

I am not certain as to the reasons for this bill. I would suspect that the bill is an attempt to deal with frustrations that foster parents experience in owrking with the Department by granting them more responsibility thru legal custody.

RECOMMENDATIONS:

1. If in fact this bill is written in response to grievances by foster parents, these grievance should be heard in order that the Department can become more responsive to their needs.

2. The matter of legal custody is best left with the court in order that the legal rights of all affected are protected.

3. Bob Gin, Foster Home Coordinator, Helen Waley Center 2220 Nichol Street, Anchorage, Phone: 274-4586 has a most exemplary program in foster care and would be an expert resource to your committee.

KF:ap

H/B-28

"An Act making a supplemental appropriation to the State-Operated School System; and providing for an effective date.'

1/27/75

COMMITTEE REPORT

FINANCE

HOUSE

Mr. Speaker: Date 4/16/75

The Committee on WSS has had HB 78 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

3-26-75

Members Present:

Ose	Parr
Hackney	Sullivan
Osterback	Swanson
Ostrosky	

Chairman Sullivan called the meeting to order at 7:00pm. to take up a continuation of HB 24. HB 78 was also briefly considered.

HB 78

Mr. Wesley from SOS gave briefing of the bill. SOS classifies income as restricted income. The problem we have is that in order to honor our contracts (pupil teacher ratio) the commitments have to be able to be made in advance. It is impossible to reduce the program to 2.2 million because of contracts already made.

Hackney You say $300,000 was found in the budget? If you had gotten the shortfall for this year would you still have found the $300,000?

Wesley No, we would not have been able to reduce the costs, or have reasoning to do so. 75% of this budget is under Federal regulation 874. 7 or 8% of 874 appropriations are included in present SOS.

Hackney AVEC utilities did not go up this year?

Wesley Yes, they remained at the same rate of fiscal 74.

Hackney I don't understand why the utilities go up on the Bases?

WEsley The military command has the power to raise the utilities and did so of about 30%. AVEC changes their structure, the utilities went up only at the sites where there were multiple buildings.

Swanson I find it strange that under the sale of electricity to AVEC by SOS.... at one time the Legislature had to set the regulations by resolution, it seems to be changed to what it was three years ago.

Wesley AVEC did not raise the rates, when a new building was added the utility costs were increased.

HB 24

Senator Ferguson:

These are feelings of my own concerning the SOS Program. One problem I see is that there is not sufficient time for the transition. At least one years time

fall to let all Region 10 areas take care of themselves. I think we should allow SOS to continue to run for exactly one more year. Commissioner Lind in consultation with CRA could change regional attendance areas into sections allowing them to run their own schools. My amendments to the bill are as follows:

1) Pg. 1 Line 9 - Delete Repealer and put it on the last page where it would repeal it on July 1, 1976.
   Line 29- Using Boundaries
2) Pg. 2 Line 5 - Delete 'may' and include 'shall'
   Line 9 - Delete everything after control and add on 'July 1, 1976'. Propose that no area take over their own schools until that date.
3) Pg. 3 Line 11- Add 'only' after 'into sections'
   Line 21- Add Sect. B after period
4) Pg. 6 Line 5 - Delete '60 days' and add'Oct.1976'
5) Pg. 23 Sec. 36 - Add 'remain in the regional educational attendance areas...'

Clark Do you propose that this is mandatory to wait a full year before the districts can transfer over?

Ferguson Yes, with the Oct. 76 date in mind. I fear that if we allow small regional attendance areas to be created all over the state there will be problems.

Hackney How would you propose to handle the chain?

Ferguson That could be done by the ALeut, their boundaries would be a Regional Board and set up subsections where the Regional School Board could delegate the powers. It is my understanding that first class cities can participate in the regional attendance areas.

Mr. Files Representing SOS Teachers from DIstrict I
Submitted amendment to the bill. (see attached)

Hackney Do any of the SOS representatives have any comments about extending the phase out for one more year?

Clark The only problem I see is when you try to have people phase themselves out. Working members now in SOS will be abit reluctant to phase out their own positions. The statewide trend is using the existing regional boundaries.

Parr On page 21, you mentioned Statewide Resource Center, what is that?

Clark One thing they may do is provide bilingual education type services.

Parr Does not mean that they will deal only with bilingual education services?

Clark Correct. I will go over all of my proposed amendments one more time for clarity purposes. (See attached)

Parr In the resource centers we're talking about three or four of them across the state.

Hackney I would like to request that we ask Rich Guthrie to check on AVEC situation to find the possible problems there.

SOS continued

Van Houte At the top of page 24, We can not drop this out because of the existing contracts. This would make us liable for law suits.

Parr Who pays AVEC bills now?

Clark SOS does, they have contracts out on all these.

Sullivan Some SOS contracts include things such as buildings, etc. and I'm sure they don't expire on July 1?

Van Houte It the State has a lease they are their responsibility. The leases would have to be examined on an individual basis.

Mr. Hayes SOS Representative
The lease agreement, for example, on the SOS building in Anchorage is for three years. We have talked to the owner and he has made it clear that he is willing to compromise. Based on your bill it would be a year before these buildings would be evacuated. I personally don't see this as a problem to this bill.

Sullivan My intentions are to give Stu Hall all the proposed amendments and get his opinion in the legal area, then meet again to put it all together and complete this bill.

Meeting was adjourned at 9:30. Bill will be reconsidered on April 1, 1975.

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. HB 78

Title: SOS Supplemental Appropriation

Requested by: _____ Date: _____

Return Date Requested: _____

Agency: _____ Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: State-operated Schools

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL						

B. FUNDING: (Thousands of dollars)

	GENERAL FUND	1809.4					
	FEDERAL FUNDS						
	OTHER						

C. POSITIONS:

	PERMANENT/TEMPORARY	/	/	/	/	/	/
	MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

see attached

IV. ATTACHMENTS

V. DATE: 2/28/75 PREPARED BY: T. Emerman

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

MEMORANDUM State of Alaska

TO File

DATE: February 3, 1975

FILE NO:

TELEPHONE NO:

FROM: Richard Emerman, Budget Analyst
Division of Budget and Management
Department of Administration

SUBJECT: SOS Supplemental Appropriation

SOS has submitted the following computations in support of their FY 75 supplemental request:

P.L. 81-874 Appropriation	$30,234,500
Current Revenue Estimate - P.L. 81-874	28,025,108
Estimated Shortfall in P.L. 81-874 Revenue	$ 2,209,392
Estimated Cost Savings due to Enrollment declines	$ 400,000
Net Deficit Applicable to SOS Operations	$ 1,809,392

The $400,000 in cost savings is comprised of the following:

Estimated 15 teacher positions	$ 300,000
Decline in tuition payments due to anticipated declines in military student enrollments at borough schools	$ 75,000
Miscellaneous variable costs	$ 25,000
	$ 400,000

The attached analysis indicates that the original 874 estimate was $30,558,533, in contrast to the actual 874 appropriation of $30,234,500. This discrepancy is due to the removal of Selawik from the SOS computation midway through the FY 75 budget process.

P.L. 81-874 funds are not identified with any specific program or operation within SOS - neither surpluses nor shortfalls in collection of 874 funds affect the scope of SOS activities. In other words, 874 funds have been treated simply as a General Fund offset in whatever amount they are received. In the case of higher than anticipated 874 revenues, the surplus funds would be deposited in the General Fund without increasing SOS expenditure authorization. Conversely, a shortfall does not automatically reduce spending requirements but means instead that less General Fund money will be supplanted by federal receipts than was initially projected. In this case, unexpected enrollment declines do result in some cost savings as well as a reduction in 874 reimbursement.

Most of the problem in enrollment declines has occurred in the on-base schools:

	ADM estimate in FY 75 budget	1st Quarter enrollment
Adak	666	680
Eielson	2,248	1,946
Elmendorf	1,886	1,758
Greely	318	277
Richardson	1,452	1,355
Wainwright	902	928
	7,472	6,944

Alaska State-Operated School System
PL 81-874 Supporting Computations
FY 1975

	Original FY 1975 Estimate (Form 22)			Revised FY 1975 Estimate		
	"A"	"B"	Total	"A"	"B"	Total
Rural Schools	4,388.	1,612.	6,000.	3,954.	1,291.	5,245.
Military Schools	9,880.	1.	9,881.	6,503.	-0-	6,503.
District Schools (Tuition)	2,805.	221.	3,026.	3,357.	165.	3,522.
	17,073.	1,834.	18,907.	13,814.	1,456.	15,270.
Data (cost per pupil)	$1,655.64	$1,668.64		$1,038.27	$1,038.27	
	$28,000,680.72	$3,115,305.76		$27,055,683.98	$2,851,241.12	
Collection Factor	100%	80%		100%	80%	
Entitlement PL 81-874 Dollars	$28,000,680.72	$2,492,244.61	$30,492,925.33	$27,055,683.98	$2,280,992.90	$29,336,676.88

THE FOLLOWING DOCUMENT(S) MAY NOT FILM LEGIBLY BECAUSE OF POOR QUALITY OF THE ORIGINAL.

Schools with ADM - Study B Including Rural Schools
FY 1975

Region	ADM by Category A	B	C or D	Total
Aleutian	71	23	151	245
Fort Yukon	107	78	60	245
Annette Island	408	-0-	-0-	408
Northwest and Bering Strait	644	47	22	713
Glennallen	114	77	315	506
Delta/Tok	192	351	316	739
Southwestern	682	97	55	834
Bethel	636	288	321	1245
Southeastern	304	49	70	423
Upper Kuskokwim	70	180	59	309
Tanana	410	113	58	581
Lower Yukon and McGrath	298	102	152	552
Bethel - Special Education	13	8	8	29
Southeastern (Port Alice - Correspondence)	5	-0-	-0-	5
	2954	1291	1587	6832

Alaska State-Operated School System
Estimated ADA – Students Attending Military Schools
FY 1975

Military Base	ADA by Category			
	A	B	C	Total
Adak	638	-0-	-0-	638
Eielson	1,705	-0-	-0-	1,705
Elmendorf	1,694	-0-	-0-	1,694
Fort Greely	271	-0-	-0-	271
Fort Richardson	1,284	-0-	-0-	1,284
Fort Wainwright	828	-0-	-0-	828
Eielson – Special Education	17	-0-	-0-	17
Elmendorf – Special Education	66	-0-	-0-	66
	6,503	0	0	6,503

Estimated ADA - Students Attending District Schools
FY1995

District	ISBs by Category A	B	-0-	Total
Anchorage	2,132	18	66	2,216
Bristol Bay	1	1	-0-	2
Cordova	17	6	32	55
Dillingham	133	20	14	167
Fairbanks	192	10	10	212
Galena	14	2	-0-	16
Haines	12	4	-0-	16
Juneau	-0-	-0-	2	2
Kenai	144	-0-	-0-	144
Ketchikan	10	2	2	14
Kodiak	519	5	3	535
Matanuska - Susitna	20	4	7	31
Nenana	16	34	12	62
Nome	102	9	10	121
Pelican	-0-	-0-	8	8
Petersburg	2	15	87	104
Sitka	1	1	1	3
Wrangell	8	25	165	198
Yakutat	36	7	24	67
Total Estimated ADA-FY1995	3,357	165	443	3965

1974-75 Rate
Per Capita Cost for Current Expenditures
Alaska State Operated School System

Statistics for 1972-73 school year

Schools outside incorporated districts and on-base	$33,053,922
Non-resident tuition to districts	1,546,491
State aid to districts for non-resident pupi	4,175,363
State aid to ASOS - Administration	511,000
	$39,286,561

ADA for schools outside incorporated districts	7,026
ADA for on-base schools	9,367
ADA for non-resident tuition pupils	3,692
Total ADA	20,085

Cost per pupil in ADA - 1972-73 $1,956.27

I hereby certify that the above information is correct and complete and verifiable from records in the Alaska Department of Education.

Kenneth R. Cole
Deputy Commissioner of Education

HB-104

"An Act providing for the issuance of general obligation bonds in the amount of $5,000,000 for the purpose of paying the cost of constructing and equipping a pioneers' Home in Ketchikan; and providing for an effective date."

1/30/75

COMMITTEE REPORT

FINANCE

HOUSE

Mr. Speaker: Date _____

The Committee on HESS has had HB 104 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC
PHONE: 586-6410
JUNEAU, ALASKA 99801

1975 FEB 19 PM 9 57

3

06060 NL TDJU KETCHIKAN ALASKA 50 02-19 942P PST

PMS SUSAN SULLIVAN

1161

CHAIRMAN HOUSE COMMITTE

JUN

BEING RESIDENCE OF KETCHIKAN FOR 35 YEARS WE FEEL

AN URGENT NEED OF CONSTRUCTION OF A PIONEER HOME

AND FACILITIES FOR THE ELDERY AND NEEDY GOLDEN AGE

CITZENS OF KETCHIKAN

FRANCIS AND ELANOR MUNTER

TELEGRAM

ACA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6410
JUNEAU, ALASKA 99801

1975 FEB 19 PM 4 49

#

13019 NL KETCHIKAN ALASKA 50 02-19 355P PST

PMS SUSAN SULLIVAN CHAIRMAN HEL AND SOC SVCS, POUCH V

125

JUN

PLEASE EXERT ALL EFFORTS IN BEHALF OF SUPPORT OF THE PIONEERS

HOME CONSTRUCTION IN KETCHIKAN.

PAUL M HANSEN

TELEGRAM

NCA ALASKA COMMUNICATIONS, INC
PHONE: 586-6340
JUNEAU, ALASKA 99801

13013 NL KETCHIKAN ALASKA 60 02-19 236P PST 1975 FEB 19 PM 3 21

PMS SUSAN SULLIVAN CHAIRMAN HEL AND SOC SVCS, POUCH V

JUN

WE URGE THE PASSING OF THE BILL FOR A NEW PIONEER HOME AT KETCHIKAN. WE ARE FOUR GENERATIONS LIVING IN KETCHIKAN. ALSO THERE ARE APPROXIMATELY 800 LONGIVITY PIONEERS HERE. A HOME WOULD BE A BLESSING FOR MANY OLD TIMERS WHO HAVE FRIENDS AND RELATIVES HERE, ESPECIALLY IN THEIR LATER YEARS WHEN THEY NEED THE LOVE OF THOSE CLOSE, RESPECTFULLY.

MR AND MRS JACK SEREVOG

AGNES WELCH

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

1975 FEB 13 PM 3 41

13022 NL KETCHIKAN ALASKA 50 02-13 335P PST

PNS SUSAN SULLIVAN CHAIRMAN HEL ED & SOC SVCS

POUCH V

JUN

AS A SENIOR CITIZEN AND REGISTERED VOTER I AM IN FAVOR OF

HB 134 AND SENATE BILL 35 IN REGARDS TO BUILDING A PIONEER

HOME IN KETCHIKAN

MRS CLARENCE COOPER

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC
PHONE: 586-6410
JUNEAU, ALASKA 99801

13009 NL KETCHIKAN ALASKA 50 02-19 215P PST 1975 FEB 19 PM 3 19

PMS SUSAN SULLIVAN CHAIRMAN HEL AND SOC SVCS, POUCH V

JUN 1107

AS 2ND AND 3RD GENERATION ALASKANS WE STRONGLY URGE YOUR

SUPPORT OF SENATE BILL 25 AND HOUSE BILL 104.

DR AND MRS J T THOMPSON

MR AND MRS J A THOMPSON

MR AND MRS G W THOMPSON

MR AND MRS DARRELL HOPSON

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

1975 FEB 18 PM 7 54

;

13015 NL KETCHIKAN ALASKA 50 02-18 505P PST

PMS SUSAN SULLIVAN CHAIRMAN HEL AND SOC SVCS, POUCH V

0953

JUN

THERE IS A DIRE NEED FOR A PIONEER HOME IN KETCHIKAN

AS THE ELDERLY REPRESENTS TEN PERCENT OF OUR POPULATION.

I HEAVYLY SUPPORT THE FREEMAN - GARDINER BILL 104 IN THE

HOUSE, AND SENATOR ZIEGLAR'S RESOLUTION 25 IN THE SENATE

MRS JUNIA LOVE

TELEGRAM

ACA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

1975 FEB 18 PM 8 22

13022 NL KETCHIKAN ALASKA 50 02-18 625P PST

PMS SUSAN SULLIVAN CHAIRMAN HEL AND SOC SVCS, POUCH V

JUN

THERE IS A DIRE NEED OF A PIONEER HOME IN KETCHIKAN AS NOTED IN SENATE BILL 25 PRESENTED BY SEN SIEGLER AND HOUSE BILL 104 PRESENTED BY REPRESENTATIVES FREEMAN AND GARDINER. I REQUEST THAT BOTH BILLS BE CONSIDERED FAVORABLY IN THE 1976 BOND ISSUE. TEN PERCENT OF OUR POPULATION ARE PERSONS 62 YEARS AND OVER.

S. CAROL DE YOUNG

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

1975 FEB 18 PM 8 31

#

13012 POM KETCHIKAN ALASKA 15 02-18 427P PST

PMS SUSAN SULLIVAN CHAIRMAN HEL & SOC SVCS POUCH V

JUN 0983

K ENDORSE AND SUPPORT SEN ZIEGLER'S RESOLUTION FOR PIONEER

HOME IN KETCHIKAN, PLEASE PROMOTE PASSAGE

GEORGE ROSWICK OWNER ROSWICK SCHOOL OF MUSIC

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

1975 FEB 18 PM 8 34

13010 POM KETCHIKAN ALASKA 15 02-18 420P PST

PMS SUSAN SULLIVAN CHAIRMAN HEL & SOC SVCS POUCH V

JUN

I ENDORSE AND SUPPORT SEN ZIEGLER'S RESOLUTION FOR PIONEER HOME IN KETCHIKAN, PLEASE PROMOTE PASSAGE.

ROGER HOFF OWNER FRONTIER SALOON

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

13010 POM KETCHIKAN ALASKA 15 02-18 420P PST 1975 FEB 18 PM 8 38

0991

PMS SUSAN SULLIVAN CHAIRMAN HEL & SOC SVCS POUCH V

JUN

I ENDORSE AND SUPPORT SEN ZIEGLER'S RESOLUTION FOR PIONEER

HOME IN KETCHIKAN, PLEASE PROMOTE PASSAGE.

ROGER HOFF OWNER FRONTIER SALOON

TELEGRAM

WUA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

1975 FEB 18 PM 8 38

13011 POM KETCHIKAN ALASKA 15 02-18 425P PST

PMS SUSAN SULLIVAN CHAIRMAN HEL & SOC SVCS POUCH V

JUN

I ENDORSE AND SUPPORT SEN ZIEGLER'S RESOLUTION FOR PIONEER

HOME IN KETCHIKAN, PLEASE PROMOTE PASSAGE

VIGO ANDERSON MNGR N C MACHINARY

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

1975 FEB 18 PM 8 47

13017 NL KETCHIKAN ALASKA 50 02-18 520P PST

0999

PMS SUSAN SULLIVAN CHAIRMAN HEL AND SOC SVCS POUCH V

JUN

I ENDORSE AND SUPPORT SEN ZIEGLAR'S RESOLUTION 25 AND REP FREEMAN AND GARDINER HOUSE BILL 104 IN FAVOR OF PIONEER HOME IN KETCHIKAN, PLEASE PROMOTE PASSAGE.

WILLIAM J FULLAN, CERTIFIED PUBLIC ACCOUNTANT

February 17, 1975

Representative Susan Sullivan
Pouch "V"
State Capitol
Juneau, Alaska 99801

Dear Mrs. Sullivan,

I'm Writing to you to ask for your support of House Bill No. 129, which was introduced by Representative Mike Miller of Juneau.

As a non-smoker, I am very much in favor of this bill as it would insure my right to clean, fresh air indoors as well as outdoors. We have many laws governing the outside air, but none to govern the inside air. I have a great deal of trouble when I go out, especially to meetings and other public places.

I will appreciate your efforts on behalf of this bill.

Thank you.

Very truly yours,

Joyce Fuhr

Joyce Fuhr (Miss)
1720 Muldoon Circle, #3
Anchorage, Alaska 99504

Alaska State Legislature

House

JUNEAU ALASKA

January 31, 1975

David Freer, Admin. Officer
Dept. of Health & Social Services
Pouch H
Juneau, Alaska 99801

Dear Mr. Freer:

We have, in the ~~Health~~ Education and Social Services Committee, HB 104. This bill concerns the Ketchikan Pioneers Home proposition and we hope to have it on our agenda in the next few weeks.

We would appreciate any background information that you feel would be relevant in our meetings.

Thank you for your attention to these matters.

Sincerely,

Susan Sullivan

Susan Sullivan, Chairperson
Health Education & Social Services
Pouch V
Juneau, Alaska 99801

SS/lm

MEMO February 12, 1975

FROM SENATOR ZIEGLER

TO REPRESENTATIVE SULLIVAN

RE KETCHIKAN PIONEERS HOME

It is my understanding you are going to be holding public hearings in the near future on the House bill which is the counterpart of Senate Bill 25, pertaining to the construction of a Pioneers Home in Ketchikan. That's good.

I am enclosing many petitions which are indicative of the fact that a great many people who reside in Ketchikan think the idea is an excellent one and that the need exists.

RHZ/pkz

enc. 3

of Ketchikan's population is 62 or over and

Whereas: there is a dire need to establish a Pioneer Home in Ketchikan

Therefore, we the undersigned registered voters of Ketchikan do beseech the 1975 State Legislators to pass a resolution to provide said home for our elderly.

	NAME	ADDRESS
1	Floyd. Montgomery	Box 845 - Ketchikan
2	[illegible]	Box 238 - "
3	Jean Meader	Box 1435 - "
4	Beth Hanks	308 Ravine View Ketchikan
5	[illegible]	2701 Third Ave, Ketchikan
6	[illegible]	P.O. Box 162, Ketchikan
7	Alice M. Jones	2415 Meinbeck - Ketchikan
8	Dora C. Riley	Box 1444 - City
9	Edith Mae Kelsey	100-2 Martin City.
10	[illegible]	[illegible]
11	Mrs Billy Bedding	2111 - 2nd Ave Ketchikan
12	Estelle Hardick	436 Main - Ketchikan
13	G F Thompson	2503 3rd Ketchikan
14	Helen Thompson	" "
15	L C Sisko	637 Main St
16	Jack C Wibstrom	506 Mary Frances Apts -
17	Mary C. Smith	Box 3481 - Ketchikan
18	Rita K Chigi	Box 2726 - Ketchikan
19	Lucile C. Robertson	115 N. Tongass (RT 1, Box 223)
20	Lillian Ives	851 Jackson
21	Selina Minnick	Box 685 - 2521 2nd Ave.
22	Mildred Manty	P.O. Box 809 KTN AK 99901
23	Minnie Spencer	Box 1315 - Ketchikan
24	Shirley M. Nauss	121 Carlanna, Ketchikan
25	Frank Rappel	435 Washington Ketchikan
26	Constance McPhee	2123 Second Ave
27	Margaret McGilvray	1412 Water Street
28	Donald E. McGilvray	1412 Water Street
29	Mrs. Hazel Langley	323 - Edmonds St KTN
30	Mrs. A. Vukelich	609 - Tongass Ave
31	Nadine L Boatwright	P.O. Box 3812 Ketchikan
32	Hannah Ca Kelley	531 Second Ave Ktn

Whereas: there is a dire need to establish a Pioneer Home in Ketchikan

Therefore, we the undersigned registered voters of Ketchikan do beseech the 1975 State Legislators to pass a resolution to provide said home for our elderly. Senate Bill 25 has been presented to the Legislature.

	NAME	ADDRESS
1	Barbara Ferguson	3 mile So. Tongass
2	Marian M. Thorson	520 Main St. Ketchikan
3	Miriam M. Kamm	657 Canyon Rd Box 1513
4	Carlyle Elkins	Mile 5½ N. Tongass
5	Melanie Dutton	1006 Tongass Avenue
6	Jane L. McGuigan	Mile 3½ So. Tongass Ketchikan
7	Laura M. Madison	Box 280 - Ketchikan
8	Blanche E. [illegible]	Box 1201 Ketchikan Alaska
9	Edison M. [illegible]	1501 Wildrose Dr Ketchikan
10	[illegible]	1776 [illegible]
11	Bessie Comsbey	321 Jefferson St.
12	[illegible]	Box 1472 Ketchikan
13	[illegible]	[illegible]
14	Robert E. Campbell	2341 - 4 T.V. Acres (Box 1042)
15	Elizabeth Thorson	561 Jackson Ketchikan
16	Marilyn A. Howes	2712 South [illegible]
17	Ed Kamm	1787 Tongass Ketchikan
18	(Wilma) Kamm	1787 Tongass, Ketchikan
19	Ronald W. Ladtkow	3855 Tongass, Ketchikan
20	George Gosnick	2501 2nd Ave. Ketchikan
21	Audrey Stevens	Mile 6 South Tongass
22	Mildred F. Tolan	511 Dock St. Ketchikan
23	Josephine B. Hopkins	615 Main
24	Ellen M. Dennis	578 Jackson
25	Tracy A. Edens	311 Austin
26	Debra C. Case	537 Bawn #57
27	Peter L. Johnson	532 Bawn #29
28	[illegible]	531 Gilmore Court
29	[illegible]	So Pt Mayer Rd.
30	Margaret M. Johnson	Rt. 1, Box 557
31	Majorie A. Johnson	Rt. 1 Box 557
32	[illegible]	[illegible]

of Ketchikan's population is 62 or over and

Whereas: there is a dire need to establish a Pioneer Home in Ketchikan

Therefore, we the undersigned registered voters of Ketchikan do beseech the 1975 State Legislators to pass a resolution to provide said home for our elderly.

Senate Bill 25 has been presented to the Legislature.

	NAME	ADDRESS
1	[illegible]	Box 1557
2	[illegible]	Box 2232
3	[illegible]	370 Bawden
4	Patricia M. Simpson	410 Washington
5	[illegible]	Box 318
6	[illegible]	2111 - 2nd Ave.
7	Margaret E. Hankins	Box 1046
8	[illegible]	2523 - 3rd Ave
9	Marjorie J. Claudy	Rt 1, Box 327
10	[illegible]	Box 2432
11	[illegible]	" 2432
12	[illegible]	1007 Woodland Ave.
13	[illegible]	1126 Park Ave
14	[illegible]	1413 Millar St.
15	[illegible]	320 Bawden #616
16	[illegible]	Box 541
17	[illegible]	Box 518
18	[illegible]	106 Main St
19	[illegible]	2536 2nd Ave
20	[illegible]	724 W Mitchell Lf
21	[illegible]	2033 2nd Ave
22	[illegible]	1940 2nd Ave
23	[illegible]	Ketchikan
24	[illegible]	752 Seven Dees Road, Ket.
25	[illegible]	Box 651
26	[illegible]	Box 1691
27	[illegible]	Box 2254 Ctr
28	[illegible]	501-A Front St Ctr
29	[illegible]	2329 First Ave
30	[illegible]	847 Jackson Ketchikan
31	[illegible]	1932 Tongass Ave Ctr
32	[illegible]	Box 721 Ketchikan

of Ketchikan's population is 62 or over and

Whereas: there is a dire need to establish a Pioneer Home in Ketchikan

Therefore, we the undersigned registered voters of Ketchikan do beseech the 1975 State Legislators to pass a resolution to provide said home for our elderly.

Senate Bill 25 has been presented to the Legislature.

	NAME	ADDRESS
1	L Case Pe Henry	P.O. Box 1704
2	[illegible]	P.O. Box 1410, KTN
3	[illegible] William Collins	P.O. Box 2665
4	Robert Milonich	Box 1432
5	Mabel Melonich	Box 1432
6	[illegible]	P.O. Box 2665 Ktn
7	[illegible]	[illegible]
8	[illegible]	3515 [illegible]
9	[illegible]	34 [illegible]
10	[illegible]	704 Tongass Apartments
11	[illegible]	[illegible]
12	[illegible]	[illegible]
13	[illegible]	3518 [illegible]
14	[illegible]	[illegible]
15	[illegible]	520 Front St Ktn.
16	[illegible]	431 Dock St
17	[illegible]	305 HARBORMASTER
18	[illegible]	Rt. 1 Box 813 (S. Pt. Higgins)
19	[illegible]	[illegible]
20	[illegible]	Rt 1, Box 911-A, Ktn.
21	[illegible]	Box 2522
22	[illegible]	Ketchikan 99853
23	[illegible]	Rt. 1, Box 1574
24	[illegible]	Box 821, WARD COVE
25	[illegible]	Box 1061, Ketchikan
26	[illegible]	Rt 1 Box 731 KET AAA
27	[illegible]	P.O. Box 1720 Ketchikan
28	[illegible]	Box 1171 [illegible]
29	[illegible]	837 Jackson St
30	[illegible]	Box 1616
31	[illegible]	Box 798
32	[illegible]	Rt 1 Box 304

of Ketchikan's population is 62 or over and

Whereas: there is a dire need to establish a Pioneer Home in Ketchikan

Therefore, we the undersigned registered voters of Ketchikan do beseech the 1975 State Legislators to pass a resolution to provide said home for our elderly.

Senate Bill 25 has been presented to the Legislature.

	NAME	ADDRESS
1	Nancy Bass	2132 - 3rd Ave.
2	[illegible]	333 B Dermond Ave
3	[illegible]	2029 - 2nd Avenue
4	[illegible]	2027 - 2nd Ave.
5	[illegible]	[illegible]
6	[illegible]	320 [illegible]
7	[illegible]	1608 [illegible]
8	[illegible]	444 [illegible]
9	[illegible]	2729 [illegible]
10	[illegible]	2417 4th [illegible]
11	[illegible]	1207 [illegible]
12	[illegible]	100 Martin St (124)
13	Karen Sivigstad	2623 Second Ave.
14	[illegible]	2960 A [illegible]
15	[illegible]	13 mile [illegible]
16	[illegible]	Box 758 [illegible]
17	[illegible]	
18	Marie Byers	Rt. 1, Box 700, Ketchikan
19	[illegible]	3353 [illegible]
20	[illegible]	532 [illegible]
21	[illegible]	Box 713 [illegible]
22	[illegible]	Box 604 [illegible]
23	[illegible]	P.O. Box 2341 [illegible]
24	[illegible]	2529 2nd Ave
25	[illegible]	2415 Hemlock ave.
26	[illegible]	312 Pine St.
27	[illegible]	Box 1309
28	[illegible]	2418 11th Ave.
29	[illegible]	1782 1st Ave.
30	[illegible]	PO Box 2214
31	[illegible]	PO Box 2214
32	[illegible]	Box 811

of Ketchikan's population is 62 or over and

Whereas: there is a dire need to establish a Pioneer Home in Ketchikan

Therefore, we the undersigned registered voters of Ketchikan do beseech the 1975 State Legislators to pass a resolution to provide said home for our elderly.

Senate Bill 25 has been presented to the Legislature.

	NAME	ADDRESS
1	Thelma L. Bird	3512 Baranof
2	Alice M Marsden	R.H.1 Box 605
3	Linda Koons	Rt. 1 Box 165.
4	[illegible]	R 1 Box 674
5	Alice N Johnson	757 Deermount.
6	Mamie E Rapuzo	Rt 1 Box 904
7	Katherine S. McAfee	153 Tongass Apt. 7 Ketch. Alaska
8	Jennie T Bonning	Pond Key Rd Ketchikan
9	Virginia C. Jackson	Pond Key Rd. Ktn
10	Bonnie McLean	2828 Tongass
11	A. Jensen Co. Owner	P.O. Box 4644 Ketch.
12	Jean Gabriel	P.O Box 2517 K-Tk.
13	Phyllis Bray	P.O Box 1451 Ktn
14	Evelyn Simpson	Rt 1 Box 1022
15	Sonja Johnson	2729 Tongass #107
16	Dayton & Stewart	603 Bawden
17	James McMahon	Box 992 Ward Cove Alaska
18	Polly Hall	Box 161 Ketchikan
19	Alyce Jones Morgan	Rt 1 Box 748 - Ktn
20	Emma Lee Cosgrove	886 Jackson
21	Mrs K K Kuffel	139 Jefferson
22	William W Smith	517 Loveland
23	C.C. Wilson	P.O. Box 2227, Ketchikan
24	Dorothy K. Bell	810 Marine View, Ketchikan
25	A S Mills	Rt. 1 Box [illegible]
26	L G Turner	2321 2nd Ave
27	Mrs Doris R Gardner	3516 Bawden [illegible]
28	Ellen Collins	2127 Tongass
29	Harold Ness	Box 514
30	Veronica Walker	135 [illegible]
31	George Sipla	Box 6411 Ward Cove
32	See Reverse Side	Ketchikan Alaska

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Senate Bill 25 has been presented to the Legislature.

	NAME	ADDRESS
1	Gladys A Lonsdale	Box 1437 - Ketchikan
2	Eugene A Russell	PO Box 1437 Ketchikan
3	Norma B. Smith	311 Main St Ketchikan
4	R. L. Beach	311 Main St - 807 Hemlock KTN
5	Marjorie R Hanson	225 White Cliff, Ketchikan
6	Janice E Johnson	125 White Cliff St Ketchikan AK 99901
7	Barbara H Bementer	2336 4th Ave Ketchikan Alaska
8	Billie Thomas	100 Main #29 Crest 1596
9	Bonnie Jennesi	Island View Manor Ketchikan
10	Kathy Reichmuth	330 First St.
11	Marguerite E. LeFevy	PO Box 995 Point Cove, Ca.
12	Cecille Langlow	Rt. 1 Box 668 Ketchikan
13	Robert Crawford Anderson	2455 - 1st Ave. Ketchikan
14	Hedy Rami	1306 Water Ketchikan
15	Virginia J. Kelly	3411 Tongass
16	Hazel Davis	Rt. 1, Box 4
17	Edward Brand	Rt 1 Box 78
18	Inger A. Tallman	145 Austin St. Ketchikan
19	Jan Neal	100 Main #10
20	Helma Ludvigsen	415 Bawden Road
21	Harold Ludvigsen	415 Jory Road
22	Barbara Jan Williams	905 Andersen Dr.
23	Annalise Tallman	Rt 1, Box 1045
24	Grace Radford	119 Austin No 1106
25	Harold Gilmore	1623 Woodland Ave
26	Archie Cole	P.O. Box 467
27	Barbara Feney	411 Largo
28	Mildred Henrikson	1007 Marine View 2484
29	Emil Haglan	Box 931
30	[illegible]	[illegible]
31	[illegible]	[illegible]
32	Virginia A Brandel	[illegible]

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	NAME	ADDRESS
1	Ina A. Yancy	121 Carlanna Lk. Rd
2	James C. Kinney Sr.	3208 1st St. KTN.
3	Hattie E. Kinney	711 Harris Ketchikan
4	Dan L. Simpson	3903 Alaska Ave.
5	Ruby M. Brown	P.O Box 845 Wood Cove, Alaska
6	R W Slick	917 Bawden Ketchikan
7	Paul M Enright	Rt 1 # Box 857
8	Claire E. Stanton	Cranberry Rd Ket. Box 911
9	Maxine L Boyce	Rt 1 Box 871 (Pole 12)
10	Lois D Johnson	757 Deermount
11	Carla Engering	2728 - 2nd Ave. Ketchikan
12	Carroll H Foster	0533 2nd Ave. (Box 784)
13	Edward K McNulty	2735 Hanagan Ketchikan
14	Alvina K Cruz	832 Deermount 29 Ketch
15	Ann Ray Kotsenburg	Box 1056
16	Tina Maliashowski	Box 1056
17	Anne H Jones	#1 Box 656 Ketchikan
18	Dorothy M Tillinghast	Box 2646 Ket
19	Charles C. Traylor	Box A-8 Ward Cove
20	Barbara A. Hansen	Rt. 1, Box 360
21	Mrs Tina J. Traylor	Box A-8 Ward Cove
22	Dora M. Ward	P.O. Box 1853
23	Alice A. Slick	" " "
24	Mary Kenetic	Box 923 Ket.
25	C Johnson	Box 1053 - KTN
26	A. J. Benning	Box 703 Ward Cove
27	Helen Pusateri	2104 1st Ave
28	Mary Dalton	506 Main Street KTN, AK.
29	Mayme Christiansen	Rt. I Box 806 - Ketchikan, Alaska
30	Frances Co Forbes	214 Mission, Ketch.
31	Lucy M. Price	519 Ketchikan Ave
32	Tom Dill. Smith Pd.	561 Poly

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	NAME	ADDRESS
1	[illegible]	[illegible]
2	[illegible]	[illegible]
3	[illegible]	[illegible]
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	NAME	ADDRESS
1	Ivan Tenney	P.O. Box 153 Ketn
2	[illegible]	870 [illegible]
3	[illegible]	P.O. Box 1004
4	[illegible]	PO Box 153
5	Bernie Markham	1234 [illegible]
6	[illegible]	1311 [illegible]
7	[illegible]	RR1 Box 813 Ketn [illegible]
8	[illegible]	Box 151 Ketn
9	[illegible]	Ketchikan DS - POBox 302
10	[illegible]	Ketn Box 5114
11	[illegible]	Box 1124 Ketn
12	[illegible]	412 Hill St.
13	[illegible]	612 Hill Road
14	[illegible]	[illegible]
15	[illegible]	P.O. Box 1766 Ketn
16	[illegible]	P O Box 366 Ketn
17	[illegible]	PO Box 141
18	[illegible]	[illegible]
19	[illegible]	Rt 1 Box 151
20	[illegible]	Box 2668
21	[illegible] Ketn	Box 644 Phone 5-2214
22	[illegible]	Box 1464
23	[illegible]	Box 1276 Ketn [illegible]
24	[illegible]	436 - Main St Ketn
25	[illegible]	[illegible]
26	[illegible]	314 Creek St
27	[illegible]	320 Franklin
28	[illegible]	601 [illegible]
29	[illegible]	1116 [illegible]
30	[illegible]	212 2nd St
31	[illegible]	384 Edmond St.
32	[illegible]	Box 2493

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	NAME	ADDRESS
1	[illegible] Nelson	310 Hemlock Loop
2	[illegible]	1813 Tongass
3	[illegible]	RT 1 Box 553, KTN.
4	[illegible]	RT 1 Box 557, KTN.
5	[illegible]	[illegible]
6	[illegible]	[illegible]
7	Stephen Reve	344 Front St Ketchikan
8	[illegible]	1209 Sayles St. Ketchikan
9	[illegible]	RT 1, Box 151, Ketchikan
10	[illegible]	[illegible]
11	[illegible]	3202 Tongass Ketchikan
12	[illegible]	Box 2421
13	[illegible]	Box 223
14	[illegible]	Elks Alder Park
15	[illegible]	Alder Park
16	[illegible]	514 Steadman St.
17	[illegible]	223 Grant
18	[illegible]	3-2 alder pk
19	[illegible]	3149 - Steadman - St
20	[illegible]	1208 Dilla... P.O. Box 731
21	[illegible]	Box 1034 - Ktn
22	[illegible]	P.O. Box 1034 - Ktn
23	[illegible]	[illegible]
24	[illegible]	P.O Box 356 City
25	[illegible]	Box 818 Hill
26	[illegible]	526 [illegible]
27	[illegible]	725 Harris
28	[illegible]	3735 3rd Ave
29	[illegible]	R1601 Ketch...
30	[illegible]	[illegible]
31	[illegible]	407 Stedman
32	[illegible]	[illegible]

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	NAME	ADDRESS
1	Edward Williams	Ketchikan 1158 Hemlock St
2	LaRue S Rasmussen	P.O. Box 791 Ketchikan
3	Frank E. Johnson	3520 Tongass 1-4
4	Georgiana Chapman	21-253 S. Vine St. Anchorage 99516
5	Ruth Schuder	Box 6 Walnut Creek Anchorage 99507
6	Ronald Jewett	Ketchikan Alaska 411 Mission Apt. D. 6 93
7	Conrad Schaefer	Ketchikan Box 16-01
8	Calvin Craig	
9	Eugene R. Swanson	P.O. Box 601
10	Frank Love	Box 1443
11	Mary Lou Smith	Box 730 Ketchikan
12	Carol Hoffbuhr	Rt. 1, Box 3 Ketchikan
13	Colleen Riley	P.O. Box 1624
14	Esther Powell	Box 2567 Ketchikan
15	Rose Kelley	1006 Main Ave Ketchikan
16	Mr. Stephen Cook	P.O. Box - Ketchikan
17	Glen N. Wick	2311-2nd Ave. Box 2311 Ketchikan
18	Mrs Glen Wick	115 Ave. B Box 256 Ketchikan
19	Robert M. Coffee	Box 2496 Ketchikan
20	Christina Mallinder	Box 1614 City
21		Box 2 Tongass
22	Mark E. Eckhart	785 Nelson St.
23	Richard Young	Box 551
24	Mrs Otis Eddins	Rt 1 Box 95 Ketchikan
25	George Mabrie	231 Garden Lane
26	Jim Frederick	Box 13-91 - City
27	Mrs Evelyn Coons	207 Simon Rd. - City
28	Thomas E Wilkes	R.F. 1. Box 5 Ketchikan
29	Sam T. Wilkes	RT 1 Box 214 Hilton
30	Otto G. Johansen	3453 Bucanan
31	Ella Mendelsen	231 Bucanan Lane
32	Patty Eckhart	RT 1 Box 3 44

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1	[illegible]	[illegible]
2	[illegible]	[illegible]
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	NAME	ADDRESS
1	Joellen Guthrie	P.O. Box 1595
2	Jackie L Collins	Box 954 Ketchikan
3	[illegible]	1504 [illegible]
4	[illegible]	2306 [illegible]
5	[illegible]	124 [illegible]
6	[illegible]	[illegible]
7	[illegible]	2110 [illegible]
8	[illegible]	[illegible]
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	NAME	ADDRESS
1	Bonnie Maier	134 White Cloud St.
2	Wm A Tomsen	303 Jenny St X
3	Michael L Kouns	1306 Water Street
4	Heidi Thompson	Shoreline Dr
5	Edwin Wheeler	P.O. 1145
6	Lili M Radford	119 Portin 1106
7	[illegible]	Box 2307
8	Stanley Ochsner X	Box 1578
9	Mary Norman	Box 2206
10	Henry W Norman	Box 2206
11	Jack Sirevog	1112 G Ave K
12	Janet Cotton	[illegible]
13	Linda Shelton	Box 2664 Ketchikan
14	[illegible]	[illegible]
15	Dorothy Fish	P.O Box 962
16	Cynthia Stampflee	Box 451
17	Beatrice Baughn	Box 2698
18	Vera Rabitoy	P.O. Box 93
19	Robert Allen	Box 2653
20	Evelyn Allen	Box 2653
21	[illegible]	222 Grant [illegible]
22	[illegible]	[illegible]
23	Virginia L Nelson	514 [illegible]
24	C.E. Burk	1813 Tongass
25	Helen Burk	1813 Tongass
26	Evelyn L Kouns	Pool Box 1151
27	Ed Benson	Pte-1-Box 393
28	Bill Berg	Pte-1-Box [illegible]
29	Edna Bartholomew	315 Madison
30	[illegible]	106 Main St
31	[illegible]	[illegible]
32	[illegible]	[illegible]

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	NAME	ADDRESS
1	Marjorie Fowler	Rt. 1 Box 7051 Ketchikan
2	Matthew Cruse	606 - 7th Ave Ketchikan
3	E.R Cruse	11
4	Mary Cruse	Rt. 1 Box 7051 Ketchikan
5	Hazel Aldyen	P.O. Box 1702
6	R. L Hallock	232 Madison Ave #1
7	[illegible]	[illegible]
8	Ruth Hardaway	Box 1564, Ketchikan
9	Richard Wm. Fraser	Box 1218 Ward Cove
10	Ethel Abel	Bx 1135 4-36 Main
11	Jerry Swanson	1646 A Tongass, Ketchikan
12	Betty Bruno	Rt 1 Box 896, Ketchikan
13	Judy DeBuler	1100 Main St Ketchikan
14	Dina Stein	mile 3 5 Tong[illegible]
15	Mario Ciccolo	122 A Dock St - Box 112
16	Linda Lang	Rt 1 - Box 219
17	Sally Shaw	1766 Riverside Dr. Ketchikan
18	Ernestine Henderson	216 11th Ketchikan
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	NAME	ADDRESS
1	Birdie M. Parr RN	Box 1111 Ketchikan Alaska
2	Earl C. Parr	24th Box 1111 Ketchikan Alaska
3	Clarence E. Cooper	BX 1212 Ketchikan Alaska
4	Lois O. Cooper	BX 1212 Ketchikan Alaska
5	Johnny Oleta Box 1014	Ketchikan Alaska
6	Leo Smith	PO 24-241-307 Cygan Hotel
7	William Hubbard	1723-A Tongass Ave.
8	Julia Calvimont	Box 301
9	Ralph D. Rogers	439 Courtland St.
10	Mrs. E. Reynolds	
11	Mrs. E. Y. Brown	P.O. Box 1855
12	C. Edna Rizer	439 Courtland Ketch.
13	Evelyn Lacombe	Tongass Court #8
14	Dayton Wallace	P.O. Box 605
15	Georgiana Hoyt	1st Ave. Ketchikan Alaska
16	D Dell Hoyt	636 Deermount Ketchikan
17	Ida Mabrey	319 Bawn
18	Lee Lewis	Box 1224 Ketch
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HB 104

Susan Sullivan
ALASKA STATE LEGISLATURE

7530 MARGE COURT
ANCHORAGE, ALASKA 99504
333 6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

May 20, 1975

Robin Taylor, President
Greater Ketchikan Chamber of
Commerce
P.O. Box 2637
Ketchikan, Alaska 99811

Dear M. Taylor:

Thank you for your letter of March 6 in which you address three issues currently before the Legislature.

The first of these relates to House Bill 104, "Bond of $5,000,000 for Ketchikan Pioneer's Home". Our committee showed strong support for this bill, passing it on to the Finance Committee with a unanimous "do pass" recommendation. As it has yet to go to the Senate, it is very unlikely that HB 104 will be enacted this session. I will, however, follow its progress closely, and do whatever I can to expedite its passage.

Senate Bill 8 which pertains to the second issue you discussed, appropriation for a bridge to the Ketchikan Airport, is still in Senate Committee. It will, therefore, probably not be taken up by the House until next year. As this bill does not relate closely to Health, Education, and Social Services, I doubt that it will be sent to our committee, but will take your letter into consideration when it comes to the House.

As you have no doubt heard, the bill to increase workmen's compensation benefits, Senate Bill 146, was passed into law despite the Governor's veto.

Again, thank you for your letter as it has been most helpful to me in assessing public opinion in the Ketchikan area.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

HB 101
SB 8
SB 146

Greater Ketchikan Chamber of Commerce

P. O. BOX 2637 — KETCHIKAN, ALASKA 99901
Telephone 907 225-3184

March 6, 1975

WILLIAM L. BAKER
General Manager

Honorable Susan Sullivan
State House of Representatives
State Capitol Building Pouch V
Juneau, Alaska 99811

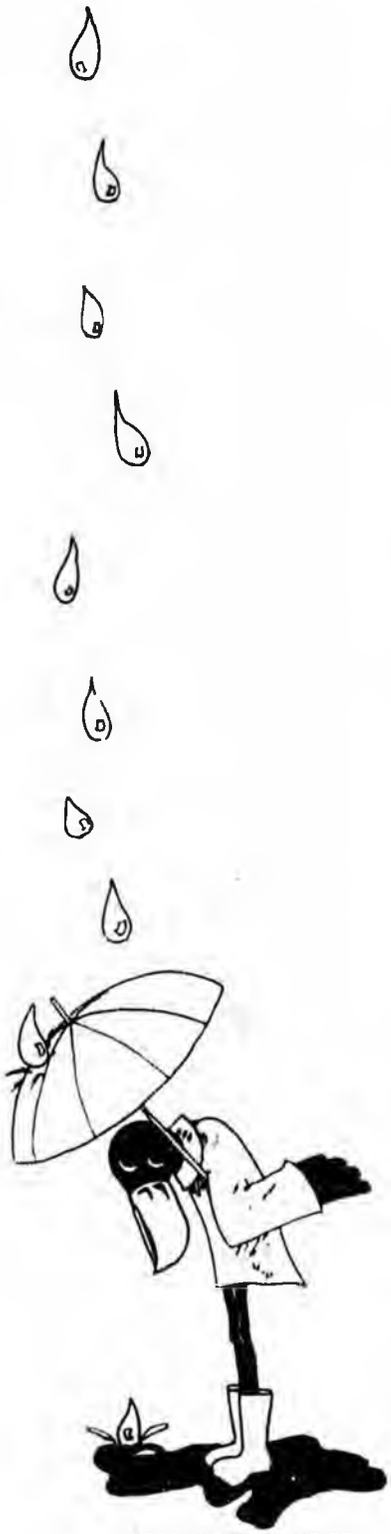
Dear Representative Sullivan:

Our Chamber is planning its annual visitation to Juneau in a short time and hopes to discuss some matters of mutual interest with you. In the meantime, we hope you will consider some items of immediate interest and their possible effect on Greater Ketchikan.

Some of our civic leaders testified before the House Committee on Health, Education and Social Affairs requesting a Pioneers' Home for this area. This project has been under study for several years and there are 800 or more persons over 60 who might qualify, so we do need the Pioneer Home Legislation and the unanimous "do pass" vote from the House Committee. It is hoped you will support this Legislation on its way through the session.

Senators Robert Ziegler and Pete Meland have offered a measure to start planning the designing of a bridge to connect the new international airport on Gravina Island with the city of Ketchikan, which is located across Tongass Narrows. Its construction would lead to development of Pennock Island, which lies between Gravina and Ketchikan as well as Gravina itself near the airport. The bridge would eliminate a costly and expensive airport ferry service operated by the Gateway Borough and speed up the flow of traffic to and from the airport. The State Highway Department has prepared studies on four proposed routes.

A pending measure on Workmen's Compensation, which would average the payroll income from all Alaskans, would work a hardship on existing industry in Southeastern Alaska. Existing operators and those coming onto the scene from native corporations have a high-cost, high freight rate barrier that excludes them from most stateside markets in some fields, including lumber. The chief



KETCHIKAN RAINBIRD

buyer of lumber products in recent years, Japan, is suffering from galloping inflation, high fuel costs and high interest rates. Some 3,000 people depend on the timber industry in our area for jobs and the past few months have seen unemployment increasing rapidly due to the depressed market. Anything that can sustain employment in these industries will reduce unemployment costs, keep many Alaskans in a self-supporting situation and maintain schools, utilities and other public services needed in the area. By increasing the cost of doing business in Alaska, we make our basic industry less able to compete for the markets of similar industry down south.

Most coastal towns in Alaska depend on seafoods for major income and with consumers unable to afford king or tanner crab or even canned salmon, any artificial increase in costs of producing these products deals Alaskans a costly blow. The crab fleet has taken a real beating this year due to the falling demand. Prices paid to fishermen in our area must go down as a result of this depressed market. It can hardly be called a wise move to hitch costs of timber and seafood production to a booming demand for oil and natural gas. As a matter of record, Alaskans last fall voted to use part of the petroleum royalty income to help restore waning salmon stocks and even improve timber stands, to assure a varied economy throughout Alaska and a stable continuity for our renewable resource industry.

Since you Legislators are working for a better statewide economy, I know you will consider these factors before reaching decisions on the matters discussed herein. It is better to sustain the industry we have than to contribute to its demise. By averaging in the huge inflated wages of pipeline workers with those of the depressed areas, the depressed industries will suffer. We hope you will vote against this further burden on our renewable resource industries.

Sincerely yours,

Robin Taylor

Robin Taylor
President

RLT:svw

HB-107

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

2-19-75

Members Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Sullivan
Ost	Swanson
Osterback	

Chairman Sullivan called the meeting to order at 3:00.

The first order of business was HB 107.

Mary Beth Hilbourne-Office of Drug Abuse

Ms. Hilbourne passed out a Departmental Position Paper concerning the bill. This same bill has been introduced in previous years. We have been trying to get the Uniform Control Substance Act in its updated form. We have a complete list of the 'substances' as they now stand. Alchohol is a depressant and should be included in any mentioning of depressant drugs. It is not on this list . We feel that this may be the time to introduce a much more constructive bill to revamp the entire Title 16.

Parr Concerning this Uniform ontrol Substance Act, we don't now adopt it by reference, is alcohol listed there?

Hilbourne No it is not and should be.

Gruening As stated in Title 17 can't the Commissioner of Health & Social Services set alcohol under this list by regulations?

Hilbourne I believe that he has to bring it before the Legislature a number of weeks before and hold hearings also before doing so.

Swanson What is it that you would suggest to amend line 16?

Hilbourne You could take out some of the wording but actually what is needed here is the total revamping of Title 17. It is an old bill and a new list of the Uniform Substance Act is badly needed for the whole Title 17.

Mr. Brenton - Div. of Corrections
Only here to answer questions as far as the effect of this bill on our department.

Hackney I think we should hear from the Attorney General's office before acting on this bill.

Ostrosky I would like to direct a question to the sponsors of this bill and that is what exactly was meant by the wording of this bill, what were the intentions?

Ose I can't really say.

Hackney I don't feel that the intent was to make it a mandatory decision on the part of the courts.

Swanson I don't believe it is mandatory. Line 23 or 24 says 'probably' which removes it from being mandatory.

Parr The line above that has the word 'is' which makes that statement a definate fact.

Chairman Sullivan appointed Rep. Ostrosky to work as a subcommittee and research this bill further. She also asked that the Attorney General's opinion on this matter be taken into consideration.

Announcements:

Going to Anchorage for H & SS Hearings the first week in March will be:
Sullivan
Beirne
Osterback

On the first and second of March there will be meetings at the Eagle River Facility and also the MacClaughlin Youth Center. Sullivan, Beirne and Parr will be in attendance.

9:00 on Friday there will be a Joint Hearing for the HESS Committees with the Executive Board of the laska State School Board of Education.

Meeting Adjourned.

POSITION PAPER

ON

HOUSE BILL NO. 107

"An Act relating to possession of depressant, hallucinogenic and stimulant drugs."

Pharmacologically, alcohol is a depressant drug (sedative-hypnotic) and it may cause some legal problems if a second offense alcohol possession on public or private schools or at some school or community sponsored activity attended by persons less than 19 years of age results in a felony charge. It is equitable but probably will not receive great community support if enforcement is stringent.

Recommendation: Consideration of the Uniform Controlled Substance Act in place of this legislation.

Department of Public Safety would have to prepare a fiscal note.

Recommended by: Kelly Howatt for February 7, 1975
Mary Beth Hilburn, Coordinator

Approved by: Francis S.L. Williamson Feb. 12, 1975
F. S. Williamson, Commissioner date

Comments by Governor's Office:

By: _____ _____
date

file HB 107

1041 Pedro Street
Fairbanks, Alaska 99701
February 24, 1975

TO: HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTTEE
ALASKA STATE HOUSE
SUSAN SULLIVAN, CHAIRMAN

RE: HOUSE BILL # 107
An act relating to the possession of depressant, hallucinogenic and stimulant drugs.

Since alcohol is the most damaging of the depressant drugs, and nicotine the most deadly of the stimulant drugs, it would seem fair and righteous to include these drugs in the felonious definition of minors. That would mean the law would define as a felon a high school kid with a Lucky Strike in his pocket or an Oly in his locker.

The Act is ridiculous, of course--as are most of the present laws dealing with "drugs". Dishonest and descriminatory are two of the kinder terms applicable to the present drug laws.

We hope this Legislative Body will have the courage to be honest about the regulations concerning all drugs we use for pleasure and relaxation, instead of condoning some while condemning others.

Please ignore House Bill # 107 as being too dishonest to be worthy of your time or consideration.

Sincerely yours,

Donald & Millicent Hering

Donald M. Hering
Millicent B. Hering

House HESS

STATE OF ALASKA

Inter-Department Route Slip

TO:
MAIL STATION NUMBER Pouch V

ATTENTION Susan Sullivan

☐ Approval	☐ Note & Return
☐ Signature	☐ Initial & Return
☐ Comment	☐ Return As Requested
☐ Contact Me	☐ Return For Approval
☐ Prepare Reply	☐ Necessary Action
☐ For Your File	☐ Your Information

Remarks:

FROM:
DEPARTMENT

BY Rita DATE 3-17

02-002 (REV.11/72)

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, Governor

Pouch H01, Juneau 99811

March 10, 1975

The Honorable Susan Sullivan
Chairman, House HESS Committee
Pouch V
Juneau, Alaska 99811

Dear Ms. Sullivan:

Thank you for your letter of February 4, 1975 relative to HB 107 and HB 111.

In order for you to obtain background information on HB 111, it is felt it would be best for you to contact Dr. F. S. Honsinger, DVM, State Veterinarian, Department of Natural Resources, Juneau.

Simultaneous with your response, the Office of Drug Abuse and the Division of Corrections testified before your Committee concerning HB 107; however, if you feel there is further information that the Department can provide, please do not hesitate to request this.

Sincerely,

Francis S.L. Williamson

Francis S.L. Williamson
Commissioner

Alaska State Legislature

House

JUNEAU ALASKA

February 4, 1975

Fred McGinnis, Commissioner
Dept. Health & Social Services
Pouch H
Juneau, Alaska 99801

Dear Commissioner:

We have, in the Health Education and Social Services Committee, HB 107 which pertains to the possession of drugs, and HB 111 relating to spay clinics for dogs and cats.

We would like to place these bills on our calendar in the near future. If you have any background information that may be useful in our meetings, we would appreciate hearing from you as soon as possible.

Sincerely,

Susan Sullivan

Susan Sullivan, Chairperson
Health Education & Social Services
Pouch V
Juneau, Alaska 99801

SS/lm

HB-111

"An act relating to state-operated spay clinics for dogs and cats; and providing for an effective date."

2/3/75

COMMITTEE REPORT

FINANCE

HOUSE

Mr. Speaker: Date April 1, 1975

The Committee on HESS has had HB 111 under consideration. A Majority of the members of the Committee

(X) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ~~ATTACHED AMENDMENT(S)~~ Unidentified Pass.

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 1, 1975

Members Present:

Davis	Ostrosky
Hackney	Parr
Ose	Sullivan
Osterback	Swanson

Chairman Sullivan called the meeting to order at 3:00pm.

HB 111

Romana Kelley was the prime sponsor of the bill. Gave a briefing of bill. This bill sets a flat fee. Did not include an appropriation to the bill as it would be better to pass the bill as it now stands first. The revenues from the bill would be approximately $43,000. The financial statement along with this bill was not correct because it did not take this particular bill into consideration. For example, in Anchorage last year there were 700 - 900 animals put to sleep per month because of the inability of the pounds to care for all the animals turned over to them. All inocculation shots would also be included in the spay fee of $18.

Hackney What is the present situation? Are they spaded by the clinics now?

Kelley No, they are put to sleep after a weeks time and no one claims the animal. They don't have the facilities to keep them any longer than that.

Sullivan If, by chance, when a person was getting a dog from the pound, under this bill it would be feasible for the keeper to suggest the animal be spaded.

Kelley The only opposition I have heard pertaining to this bill is by veternarians. I have recieved a considerable amount of correspondence in favor of such legislation. Presently, to have an animal spaded, the cost is anywhere from $45 to $115. In this bill it is only $18. Many more people will be able to afford this service.

Ose I move this bill out of Committee with a 'do pass'.

Swanson Second the motion.

Chairman Hearing no objection, so orderd.

MEMORANDUM

2414

State of Alaska

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF THE COMMISSIONER

TO: Chairman
HESS Committee
State House of Representatives

DATE: March 7, 1975

FILE NO:

TELEPHONE NO:

FROM: Fred S. Honsinger, D.V.M.
State Veterinarian

SUBJECT: Department of Natural Resources - Agriculture - Position Analysis on HB 111

HB 111 in the Ninth State Legislature is identical to HB 336 in the Eighth State Legislature and HB 637 in the Seventh State Legislature.

Our position on HB 111 remains the same as the testimony presented on the two identical previous bills, and that is that we recognize the overpopulation animal problem in many areas of the State, primarily the urban areas.

Spay clinics will be a partial solution to the areas served, however, as only a percentage of the animals in any given area served will be neutered, there still will remain a large percentage of untreated animals in the area to continue the problem.

We are not aware of any State sponsoring a Statewide Spay Clinic concept. There are, however, throughout the lower 48 States an increasing number of municipal sponsored local Spay Clinic Programs.

In past testimony, we have recommended this type of local concept be followed in Alaska as outlying areas have questioned their tax dollars paying for selected areas receiving the Service.

It might be that local communities could work something out with the local eterinary practitioners for a subsidized clinic program as the four communities mentioned in amending Section 2 AS 03.25.020 have available practitioners and clinic facilities.

HB 111

Susan Sullivan

ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

May 15, 1975

Ms. Charlotte Calhoun
Box 927
Homer, Alaska 99603

Dear Ms. Calhoun:

Thank you very much for your letter pertaining to HB 111, in which you suggest that the proposed spay clinic be expanded to service rural as well as urban areas.

I agree that the dog population is a problem statewide, and that both rural and urban communities require means with which to alleviate it. Our limitation, however, is budgetary, with resistance being offered to the bill even as it presently reads.

For this reason, you would probably do best to write to Hugh Malone, Chairman of the House Finance Committee, Pouch V, Juneau, stressing the rural need. HB 111 is presently in this committee.

I hope that your efforts meet with success, and again express my appreciation for your letter.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

Box 927
Homer, Alaska 99603

Representative Susan Sullivan
Alaska House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Sullivan,

I understand that House Bill 111 which provides for spay clinics for cats and dogs has been referred to your Health, Education and Social Services committee. I noticed in reading the bill that the clinics are to be are to be in Anchroage, Fairbanks, Juneau and Ketchikan, at least four times a year. I realize this is proposed this way because of the population concentrations, however, there is none-the-less a very real need for such clinics in the rural communities many of which do not have any veterinary services at all, consequently the dog and cat population continues to grow at a high rate.

I would like to recommend that the bill be amended to provide that the clinic be sent to other communities, if the local governing body should request it. I realize cost could be a problem and possibly it should be required that the community pay the transportation costs to get the clinic to their area. I believe allowing this clinic to get into the rural areas would be doing a great service for them, and I believe the local Council's would be willing to pay such travel expenses to have such a service available. I have heard the Homer Council discuss the need for spay clinics more than once.

I certainly hope this legislation receives favorable action by the legislature. It is badly needed.

Yours truly,

Charlotte Calhoun

HB 111

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

May 23, 1975

Marie I. Ginsin
225 W. 23rd Avenue
Anchorage, Alaska 99503

Dear Ms. Ginsin:

Thank you for your petition showing support of House Bill 111, pertaining to state-operated spay clinics for dogs and cats.

In recognition of the need to control the dog and cat population, our committee passed this bill out to the Finance Committee with a unanimous "do pass" recommendation on April 1.

It is unlikely that the bill will come to the House for a vote until next year, but I will watch its progress closely and do whatever I can to expedite its passage.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

Same sent to list of names on petition

HB 413?

Anchorage, Alaska
February 10, 1975

State Legislators
State Office Building
Juneau, Alaska 99801

Dear Legislator:

I am writing to ask you to enact or support legislation to require Distemper shots for domestic dogs and cats in much the same way that Rabies shots are required. As Distemper is an airborn virus it is imperative that all dogs and cats be inoculated in order to lessen if not end this disease that affects so many animals.

Also, will you please support House Bill No. 111, introduced by Representative Kelley to operate spay clinics in Anchorage, Fairbanks, Juneau and Ketchikan for the spaying of domestic dogs and cats of private owners, the fee for which may not exceed $10 an animal; the fee shall include innoculations against distemper and rabies, etc. Many people would be more than glad to have their animals spayed but cannot afford the exorbitant charges for this service.

Any support you can give will be much appreciated.

Sincerely,

Fay W Malone

Fay Malone
405 East 9th Ave.
Anchorage, Alaska 99501

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

HB 111

May 22, 1975

Fay Malone
406 East 9th Avenue
Anchorage, Alaska 99501

Dear Ms. Malone:

Thank you for your letter pertaining to spay clinics for cats and dogs. The House HESS Committee has passed out House bills 111 and 435, dealing with this subject, both with a "do pass" recommendation. Both bills are now in the House Finance Committee.

I do not believe that any bills have been introduced requiring distemper shots for domestic dogs and cats.

Please feel free to contact me in the future on matters that concern you. These letters better enable me to dispense my duties as legislator.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

COMMISSIONERS

MS. JOAN PECK
PRESIDENT
SAUL REIDER
VICE-PRESIDENT
MS. NANCY AVERY
MS. DORIS SILVERTON
PHILIP McCLAVE, DVM

PEGGY BODFISH
SECRETARY

CITY OF LOS ANGELES
CALIFORNIA

TOM BRADLEY
MAYOR

DEPARTMENT OF
ANIMAL REGULATION
ROOM 410, CITY HALL SOUTH
LOS ANGELES, CALIF. 90012
485-5771

ROBERT I. RUSH
GENERAL MANAGER

February 20, 1975

Ms. Betty McKean
Box 19943 Klatt Station
Anchorage, Alaska 99502

Dear Ms. McKean:

Your mailgram requesting information regarding the Los Angeles City public low cost Spay and Neuter Clinic program reached my desk this morning for response.

I am enclosing our 1974 progress report, the latest we have compiled on the program. I am also enclosing two more recent press releases providing statistics relative to the program.

The press release, dated September 4, 1974 provides late statistics--the latest I have compiled--on the impoundment and destruction of animals since the inception of the spay-neuter clinic program.

We have five veterinarians working in the three city clinics. Each veterinarian averages ten surgeries per day. The number of fatalities is less than one per cent. The animals are thoroughly examined and must be in good physical condition before they are accepted for surgery.

All necessary inoculations pertinent to the operation are included in the cost of surgery--$17.50 for spaying and $11.50 for neutering. Type of inoculations: See enclosed brochure.

Cost factors, as they developed last year, are cited in the 1974 Progress Report.

The clinics are considered to be very successful. They are not financially self-sustaining at this date, but are providing a needed service for city pet owners who can not pay the higher fees charged by private veterinarians. Because of public participation at the public clinics, there are less unwanted stray dogs and cats to be impounded and eventually destroyed.

COMMISSIONERS

MS. JOAN PECK
PRESIDENT
SAUL REIDER
VICE-PRESIDENT
MS. NANCY AVERY
MS. DORIS SILVERTON
PHILIP McCLAVE, DVM

PEGGY BODFISH
SECRETARY

CITY OF LOS ANGELES
CALIFORNIA

DEPARTMENT OF
ANIMAL REGULATION
ROOM 410, CITY HALL SOUTH
LOS ANGELES, CALIF. 90012
485-5771

ROBERT I. RUSH
GENERAL MANAGER

TOM BRADLEY
MAYOR

The ultimate hope of the Los Angeles City Department of Animal Regulation is to have a spay-neuter clinic at each of its six animal shelters. Our next step involves the expansion of one of the existing clinics in a new animal shelter which will replace an outmoded shelter.

From the inception of the clinic program February 17, 1971 (when the first of three clinics was established) 23,020 cats and dogs have been altered. Following the opening of the first clinic in 1971, two other clinics were opened in May and June of 1973.

I hope the enclosed information assists you in your planning.

Very truly yours

James McNamara

James McNamara
Public Relations

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. H.B. 111
Title: State Operated Spay Clinics
Requested by: Hess Committee, House Date: 3-6-75
Return Date Requested: ASAP
Agency: Natural Resources Program: Agriculture

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Agricultural Inspection

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES	32,000	34,000	36,000	38,000	40,000	42,000
200	TRAVEL	5,000	5,000	5,000	5,500	6,000	6,000
300	CONTRACTUAL	21,000	21,500	22,000	22,500	23,000	23,500
400	COMMODITIES	5,600	5,600	5,600	6,000	6,000	6,000
500	EQUIPMENT	7,000	3,000	3,000	3,000	3,000	3,000
600	LAND & STRUCTURES	25,000					
700	GRANTS, CLAIMS, ETC.						
	TOTAL	95,600	69,100	71,600	72,000	78,000	80,000

B. FUNDING: (Thousands of dollars)

GENERAL FUND	95,600	69,100	71,600	72,000	78,000	80,000
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	2/	2/	2/	2/	2/	2/
MAN MONTHS (P./T.)	24/	24/	24/	24/	24/	24/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

Budget attachment is one submitted in 1972 by Mercy Crusade the prime sponsors of an identical bill in the 7th State Legislature.

V. DATE: 3-6-75 PREPARED BY: F. S. Honsinger, D.V.M.
State Veterinarian

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

HB 111

REPRESENTATIVE SUSAN SULLIVAN
Pouch V
State Capitol Building
Juneau, AK 99801

Dear Mrs. Sullivan:

We are a group of concerned citizens who urgently advise a favorable consideration of House Bill No. 111, state operated spay clinics for dogs and cats.

At the present time, the GAAB Animal Shelter exterminates an average of 1200 animals per month. These animals are deserted, or a product of an unwanted litter. We strongly feel that if the spay charge was a reasonable dollar figure, more people would have their pets spayed and therefore dilute the over population of these creatures.

With the projected increase of population, we can assume the problem will increase with unwanted pets as well. House Bill No. 111 would be a preventative measure against this. Please, vote for the passage of this bill.

Janice L. Winsin
225 W 12 3rd ave
Anch Ak 99503

Barbara A Cox
P.O. Box 1126
Anch. AK. 99510

J Rude
237 W 93rd ave
Anch ak 99503

Andrea Miller
1202 W. 36 Apt 1
Anch. Ak 99503

Rosemary Porter
Gen Del
BETHEL AK

Earl Ilana
1247 W 88th
Anchorage, Alaska 99503

Colleen Kautz
843 W 17th #210
Anchorage, Ak.

Ms. D. L. Lane
4434 E. 5th Ave
Anchorage, Alaska 99504

(Susan, I shall have your signature my first card - Please see to it that this bill is approved — Dee)

Kurt Rain
7524 Zurich St
Anch.

Rondo Conatser
SRA Box 204
Anch. Ak 99507

Linda My Jane
Anch, Alaska

Yah!

Cheryl Nutting
4003 Minnesota Dr.
Anch.

Jackie J Kalkins
P.O. Box 4-1215
Anch. Ak. 99509

Donald E Compton
1211 W. 27th Ave
Anchorage

Jayne A Mariman
225 W. 33rd Ave.
Anch Ak 99503

Beverly J Wilson
5516 W Angela Cir
Anchorage 99504

BUDGET - PROPOSED BY MERCY CRUSADE

10x40 Trailer - $24,000

100	Veterinary Assistant	$9,200.
200	Travel-Moving expense for trailer	2,000..
300	Contract-5,000 pmt on trailer	5,600.
	600 interest	
	500 heat	500.
	100 refuse	100.
	600 pad rental	600.
	3,800 Vet. Travel	3,800.
400	Veterinary Supplies	7,200.
	Office Supplies	3,600.
	Incidental	2,000.
	TOTAL	$59,600

No provision for hiring veterinarians - additional personal service cost if present State hired veterinarians can not be utilized.

Alaska State Legislature

House

JUNEAU ALASKA

Assigned as per to appropriate dept.

February 4, 1975

Fred McGinnis, Commissioner
Dept. Health & Social Services
Pouch H
Juneau, Alaska 99801

Dear Commissioner:

We have, in the Health Education and Social Services Committee HB 107 which pertains to the possession of drugs, and HB 111 relating to spay clinics for dogs and cats.

We would like to place these bills on our calendar in the near future. If you have any background information that may be useful in our meetings, we would appreciate hearing from you as soon as possible.

Sincerely,

Susan Sullivan

Susan Sullivan, Chairperson
Health Education & Social Services
Pouch V
Juneau, Alaska 99801

SS/lm

HB-113

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 9, 1976

Present: Parr Swanson Beirne
Davis Sullivan

Testifying: Bill Mack, KAKM
Frank Mengel,
Larry Verable, Ak. Carriers Assoc.

HB 447 Ak. Educational Broadcasting - Beirne

Bill Mack made opening presentation for K.A.K.M.

Frank Mengel, explained progress of the prject and why more $ was needed.

Charlie, line 10, delete $225,000", add "$185,000"
Change line 11 "13" to "11"

Hohman, explained situation of Bethel-Kuskokwim Com College, they would like to expand their T.V. system.

Red, move to have a new section add""$140,000 for 15 translators, $81,000 for talk back capability, SW Ak., KYUK, Kuskowim Com. College

Red, move out with do pass, as a C.S.HB 447
unanimous

HB 113 - Noise Pollution - Beirne

Robertson, presented Public Safety psotiion.

Larry Verable, presented the Ak. Carriers Assoc. position.

Bill held over till Helen geta C.S.

HB 113

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

2-25-75

Members Present:

Beirne
Davis
Hackney
Osterback
Sullivan
Swanson

Chairman Sullivan called the meeting to order at 11:00 am. The first bill up for consideration is HB 29.

HB 29 - School Tax On Oil
Mr. Swanson is the sponsor of this bill and gave a briefing of his bill. We are allowed to do this by Chapters 57 and 58. By law the revenue will go into the general fund. This is not a dedicated bill. With a tax of this type, a per barrel tax, as the production grows, the returns increase. The revenue goes right along with it. This bill deals with the future more than with the immediate time. It will add $6 million annually to our treasury by the passage of this bill. Also it will be very easy to amend it if our costs are much higher.

Hackney On page 2, line 10. What is the meaning of this applying only on intra state oil?

Swanson Intrastate is the feeder line that we have control of, we have no control of the Interstate Pipeline.

David Walker Legislative Affairs
The meaning of this is that when you're talking about the transportation of oil, the oil transported within the state pertains to this bill. The rates are set by the Commission.

Beirne I am questioning the concept or content of this bill. We're dealing with proposing another small tax, it would seem to me, on how we tax our greatest resource. The big issue here is how much the oil companies put into the state. This might complicate it. Is there any other need for this bill, we already have a school tax which doesn't really go strictly for schools?

Swanson Putting tax on oil hoping it will go into the general fund. We shouldn't every top an industry, everyone can argue this but I don't have any sympathy for an industry that makes such an overwelming profit from the state.

Davis What percent are we talking of, pertaining to Intrastate Oil?

Swanson 125 Million up to 620 Million barrels. (see attached sheet)

Hackney This would tax all the oil moving within the state where there's pipeline action?

Swanson Yes, this is the only defense we have in dealing with interstate situations. We can tax, by this bill, any feeder line.

Beirne The only oil at this time is out of the Kenai area and its being taxed right out of existence. I'm insulted that you would ask to send this important bill out of committee with no more testimony than we have here.

Hackney I'm inclined to agree with Dr. Beirne, I think its a crime to treat such an important bill in this manner.

Davis I move we pass this bill out of committee with individual recommendations.

Chairman Sullivan Without hearing objection, so ordered.

Meeting Adjourned until 3:00 pm. this afternoon.

---------- Chairman Sullivan recalled the committee at 3:00 to take up HB 113. Mr. Ose was the only one absent

HB 113 Dr. Beirne is the sponsor of this bill. This is the same bill as was introduced in 1974 session (HB 201) At that time we had considerable hearings in Anchorage area. Dr. Fritz was the co sponsor at that time. Right now we have some considerations and amendments to add to this bill at its present state.

Charles Smith - Dept. Public Safety
We held meeting on this and proposed legislation in the Attorney General's office requiring periodic inspection programs to the state only relating to highway vehicles. We would suggest to incorporate some type of check on snow machines through motor vehicles registration. This would require certain controls on them at the time of registration.

Beirne Would you propose the section of motor vehicles be changed? Or reflect?

Smith This would reflect our regulations. At the present time there are nuisance regulations. And if motorcycles are used on the highways they are under our control.

Hackney Are you aware of any case of conviction of a nuisance case?

Smith No, not to my knowledge.

Commissioner Mueller - Dept. Environmental Conservation
If the primary thrust of this Legislation is for motor vehicles, then it should be under the Public Safety section. Our Dept. has an Environmental Advisory Board. A question we have is that this legislation speaks to motor vehicles and snow machines, would the Committee consider air craft boats etc. or do they come under this catagory? There would also seem to be a problem of enforcement, particularily the control on motor vehicles. Regulations should be developed, if the vehicle was sold after a certain year, it should have noise control devices on them at the time of sale and it would be illegal to modify or remove after point of sale.

Osterback You mentioned boats and planes. I don't see how you could do this. To muffle an engine on a boat would ruin the engine. I think this bill should exempt boats and planes.

Parr Are there any muicipalities to date that you know of that have a noise control ordinance?

Commissioner We have had some correspondence from Anchorage on these matters, you have some of the information in the pamphlet before you.

Parr Although the intent of this bill is good, I wonder if we're trying to do a little much here. For example comparing the noise of the City of Anchorage with the noise of a village.

Beirne The actual intent of this bill is to the decible of noise which is going to effect the health. It is not to address itself only to snow machines or motor vehicles but to building materials, architectural designs, road construction and boarders to reflect sound etc. It addresses itself to all areas of noise detrimental to health also to the psychological health of the individual.

Swanson I don't believe it is necessary to impose this regulation on country people. They couldn't afford to put control mechanisms on all their machinery.

Parr I have an objection to the Advisory Council or standards set by the department. Sec. 400 pg 3 reads to me that if you don't put the control at the local level it would be unreasonable and too costly to be regulated this way.

Beirne In terms of costs, in the big industries it will be cheaper in the long run to take these precautions rather than face the suits that are now beginning to take place.

Hackney Commissioner are you saying that OSHA would be in a better position to take care of contractors etc.?

Commissioner Not necessarily, the impingment on the individual workers should be handled by them, and construction operations.

Mr. Weeden - Dir. Div. Policy & Planning
I would only like to add that it seems that the section in the duties of the Council which speak of the education involved are the most criticle. And we would ask that the local governments be allowed to take up their own positions.

Swanson Are you comparing the noise of the typewriter with a caterpillar? In the same bill?

Beirne Every law is subject to a reasonable mans knowledge. At a decible level this could address itself to any noise making device going over the level of safety to the individual health.

Smith The biggest problem is where equipment is altered. There is a National Control Board and Federal Standards already in affect. Alaska isn't subject to the Federal Standards because it lacks the motor vehicle laws at this time.

Swanson I don't think there is anything we could pass here that would control automobiles that isn't already in effect.

Canterbury - Communicative Disorders Program.
This program is responsible for hearing testing in field work. We see a broad range of hearing loss throughout the state. Alot of this loss is because of the style of living, activities etc. The most important aspect is that hearing loss can be prevented. (Showed Committee Audiogram Chart) The OSHA standards recognise 90 DB of noise for a normal working day. I believe this bill has some good facits. We would rather see a comprehensive plan to the program by educating people as to its importants, when and why they should wear ear plugs etc.

Swanson It seems to me we are dealing in two areas. Operators who have hearing hazard, and the nuisance hazard which probably has more pressure on a person mentally and physically.

Canterbury I'm speaking of physical damage. If you have the right education program it would help alot. Its amazing how many people just don't realize that their hearing is going. They really take it for granted.

Parr Isn't there a certain amount of hearing loss with advanced age?

Canterbury Sure, progressive hearing loss exists in the elderly. What really disturbs me is the amount of hearing loss with teenagers.

Mr. Bridges Architect from Anchorage
The bill as proposed is a step in the right direction. We would hope that an architect be considered for the Advisory Council. The construction of buildings could be an important factor in ading the decible range subject to individuals.

Chairman Sullivan recalled the meeting at 7:00 pm. to take up CSSB 28.

Rep. Ose was the only member not present for this meeting.

CHairman Sullivan asked Judge Stewart how he would interpret the proposed amendment.

Judge Stewart I'm not sure I know.

Hackney If that part were deleted, what would your interpretation be?

Stewart You have to make judgements on any issue like this by considering what is in the best interest of the minor.So, consider if this marriage was or evidence was to be in the best interest of the involved minor. An example of the eveidence would be to brin in a psychiatric specialist to state that this is the case.

Chairman The competancy and maturity of the minor, is this what you would judge your decision on?

Stewart Yes, that's what I had in mind when I used the phrase, best interest of the minor.

Hackney Would a Judge call the parents?

Stewart Yes, the parents would certainly be able to come in and testify as to whether it would be good or bad.

Hackney Would the child need to have legal council?

Stewart Not necessarily, unless there is some question here about the Childrens Code.

Parr It seems that I don't understand why everyone in the family must be petitioned into court, why can't they meet informally in the judges chambers?

Stewart They must have records in the court unless you write statutes into the Childrens Laws (Title 47) to cover this.

Sullivan The whole subject here is concerned with section 3 and the amendment we have talked about, this is where the trouble will occur in courts?

Stewart Yes, what are extra ordinary circumstances?

Beirne Perhaps if we insert "in the best interests of the minor" this will comply with the childrens code.

Sullivan I think we should consider Judge Stewarts amendment: after the word "may" insert the words, "where it is in the best interest of the minor".' Another amendment I'm interested in, would you say that there are many 12 and 13 year olds in this situation? I'm wondering about setting absolute doors to the age limit.

Stewart No, but then those cases wouldn't come my way.

Sullivan I've heard this is happening and I'm very concerned.

Stewart That might be so in cases of pregnancy.

Parr This was originally an equalizer bill.

Swanson I move for the passage of these two amendments (see attached)

Chairman So ordered.

Swanson I move and ask unanamous concent to pass bill out of committee as amended.
No Objection.
Meeting Adjourned

POSITION PAPER/Department of Health and Social Services

POSITION PAPER

ON

HOUSE BILL No. 113

An Act relating to noise pollution control.

House Bill No. 113 is intended to create a Noise Control Council within the Department of Environmental Conservation, with the purpose of assisting that Department in an advisory capacity in formulating regulations for the control of excessive environmental noise levels.

Excessive exposure to intense levels of noise does have a deleterious effect upon the health, safety, and welfare of the residents of Alaska. This specifically manifests itself as an irreversible hearing loss which first affects high frequency responses, and thereafter encroaches into the frequency range of sounds which are vital to human communication. Numerous research studies have documented the detrimental effects of high intensity noise.

Excessive noise exposure is a major hazard in certain work environments and in connection with some recreational activities. In addition to loss of hearing sensitivity, noise may provoke physical and mental distress; hinder or complicate performance capability, and disrupt relaxation and sleep. The potential cost of compensation for hearing loss due to industrial noise could be very large.

Alaskans are exposed to an inordinate amount of high intensity noise originating from snowmobiles, rifle fire, light aircraft, and motor boats. In a recent study of the hearing acuity of the entire population of new students from the BIA High School at Mt. Edgecumbe, approximately 13% showed some degree of auditory nerve damage. This is the type of hearing loss resultant from excessive exposure to loud noise. Hearing conservation programs established in many sections of the United States have successfully coped with this problem. The control of excessive noise need not be an expensive undertaking for the State. In most cases minor architectural change, public education, and ear protection are satisfactory to control the problem. To be maximally effective, a Noise Control Program should include the following components:

1. Evaluation of excessive noise levels.

2. Reduction of excessive noise levels at the source.

3. A hearing testing program.

4. Individualized ear protection against noise.

5. Health education with regard to the dangers of noise induced hearing loss.

- contd -

The Communicative Disorders Program of the Department of Health and Social Services has an active program underway in the last three of the five listed. Through extension of responsibilities of the Communicative Disorders Program staff, it could function cooperatively with the Noise Control Council on service delivery aspects of all five components. The Communicative Disorders Program is the only program within the State of Alaska which has the expertise and the instrumentation necessary to perform the required technical service.

The Department suggests the following modifications to the bill:

(1) At least 1 of the 13 members of the Noise Control Council should be an individual who is familiar with the intricacies of the measurement of noise.

(2) Section 46.03.390 pertaining to noise levels of snowmobiles should be deleted along with other references to specific sources of noise pollution.

(3) In accordance with the recommendations of the Comprehensive Health Advisory Council, that all new councils relating to the health services be incorporated as committees under the State-wide Health Coordinating Council, the Noise Control Council's responsibility should be as a committee under the State-wide Health Coordinating Council, and not in the Department of Environmental Conservation.

The Department supports the bill with changes recommended above.

Recommended By: Frank P. Pauls — 4/9/76.
Frank P. Pauls, Dr. P.H. — Date

Approved By: pp Francis S. L. Williamson — 4-9-1976
Commissioner — Date

HB113

International Snowmobile Industry Association

Washington, D.C. Headquarters
1755 South Jefferson Davis Highway
Arlington, Virginia 22202
(703) 979-7600
Telex: ISIA AGTN 89-9439

February 12, 1975

The Honorable Susan Sullivan
House of Representatives
State of Alaska
7330 Marge Court
Anchorage, Alaska 99504

Dear Ms. Sullivan:

I am enclosing a copy of a letter sent to the Honorable Helen Beirne relating to H. B. 113, which you co-sponsored. I believe the information contained therein may prove useful to you.

ISIA extends its offer of full cooperation and assistance to you on this and all other snowmobile-related matters.

Sincerely,

Derrick A. Crandall

Derrick A. Crandall
Director, Government Affairs

DAC:kh
Attachments

Regional Office
1440 St. Catherine Street West
Room 1016
Montreal, Quebec, Canada H3G 1R8
(514) 871-9121

Regional Office
2950 Metro Drive, Room 210
Minneapolis, Minnesota 55420
(612) 854-8005

February 11, 1975

The Honorable Helen Beirne
Member, House of Representatives
State of Alaska
Box 4-BB
Spenard, Alaska 99503

Dear Ms. Beirne:

We note with interest your introduction of House Bill 113, "An Act Relating to Noise Pollution Control." The new proposed section 46.03.390, establishing snowmobile noise limits, of course has great significance for the snowmobile industry.

We further note the changes incorporated into this legislation as compared with your H.B. 201 of last session. Despite the incorporation of the revised date for establishing a 73 dBA level, we continue to view portions of the proposed language as at variance with similar requirements in other states.

The prohibition on the sale or offering for sale is tied in virtually all other states with a date of manufacture. As an example, I cite legislative wording of the current Massachusetts law: (Mass. Laws, Chapter 90B, Section 24):

> "No snow vehicle manufactured after July 1, 1972, shall be sold, offered for sale, or operated that produces a sound pressure level of more than 82 dBA. No snow machine manufactured after July 1, 1975, shall be sold, offered for sale, or operated that produces a sound pressure level of more than 78 dBA."

Otherwise, sale of used machines as well as machines held by dealers for sale would be in violation of the law according to our interpretation.

Massachusetts, and at least seven other states currently require that certification of compliance with this provision be

established. Currently, several states are acting to further insure compliance through independent certification by a qualified testing laboratory. In this way, the sound level reduction necessary for the public welfare is achieved without imposing additional and substantial enforcement burdens upon the state. At this time, some 90% of the entire snowmobile production is voluntarily tested for compliance with a 78 dBA maximum sound emission, as tested under SAE J192(a) under a program administered by the Snowmobile Safety and Certification Committee, Inc.

Maine has already formalized this requirement by regulation. A copy of the provision is enclosed for your information and possible use.

Additional information on the aforementioned SSCC program is enclosed. We should be delighted to answer any inquiries on this matter and/or refer you to the appropriate parties involved.

Finally, I would make mention of recent actions commenced by the U. S. Environmental Protection Agency as mandated by the 1972 Noise Pollution Control Act. In light of the preemptive nature of EPA's forthcoming regulation, a large number of states have not specified sound level reductions beyond 1975, to 78 dBA. We would support the inclusion of the 78 dBA level with a recognition of imminent Federal requirements as an amendment to your proposed legislation.

If we may be of some further assistance to you, please feel free to call upon us at any time.

Sincerely,

M. B. Doyle
President & Chief
Executive Officer

Attachments

cc: The Honorable Susan Sullivan

NOTICE OF RULEMAKING

Pursuant to Title 12 M.R.S.A. §1979 and after notice and hearing as required therein the following regulation is hereby adopted:

Regulation No. 4

Pursuant to the provisions of Title 12 M.R.S.A. §1978, Subsection 6, no snowmobile manufactured after February 1, 1975 may be sold or offered for sale by any manufacturer, distributor or dealer in the State of Maine unless such snowmobile is constructed so as to limit total vehicle noise to not more than 78 decibels of sound pressure at 50 feet on the A scale as measured by the SAE Standards J-192a and proof of compliance with the foregoing requirement in the form of either (i) an "SSCC" label conspicuously attached showing certification by the Snowmobile Safety Certification Committee, Inc. that such snowmobile meets the State's minimum noise standards or (ii) by a letter with test results submitted to the Commissioner of Inland Fisheries and Game showing an evaluation of the noise levels by a competent independent testing laboratory and showing or certifying that such snowmobile meets the State's minimum noise standards.

MAYNARD F. MARSH
Commissioner
Department of Inland
Fisheries & Game

A True Copy. Attest:

_____

There are considerable differences of opinion as to how to define "objectionable" noise. Although sound levels can be measured, human psychological responses generally cannot. What may be annoying to one person will not necessarily be so for another. However, there is general agreement that noise exposures of over 90 db(A) for an eight-hour period will cause damage to the human ear, and one of the State and National Occupational Safety and Health Standards is established at this level. Other standards have been established at 115 db(A) for a 15-minute exposure, while the allowable instantaneous noise exposure limit is set at 140 db(A).

Federal Noise Control Act of 1972

Public Law 92-574, the Noise Control Act of 1972, focuses its regulatory thrusts at controlling noise at federal facilities, and at certain classes of "products distributed in commerce." The Act requires the Administrator of the U. S. Environmental Protection Agency to "...publish proposed regulations, meeting the requirements of subsection (c), for each product--(A) which is identified (or is part of a class identified) in any report published under section 5(b)(1) as a major source of noise, (B) for which, in his judgment, noise emission standards are feasible, and (C) which fall in one of the following categories: (i) Construction equipment. (ii) Transportation equipment (including recreational vehicles and related equipment.) (iii) Any motor or engine (including any equipment of which an engine or motor is an integral part). (iv) Electrical or electronic equipment." EPA released its first set of regulations for noise control on October 22, 1974. The regulations covered in-use interstate motor carriers. At the same time, EPA issued proposed noise standards for new medium and heavy duty trucks and portable air compressors. A copy of information materials which EPA issued regarding these regulations is attached for your review.

Comments on HB 113

The Department of Public Safety will present the bulk of the Administration's comments on HB 113. We would like to focus our comments on Section 46.03.440. The Department believes the establishment of a Noise Control Council is an excellent idea, but we suggest that the public members of the Council should be members of the Department's Environmental Advisory Board. There are nine members on the Board, including the Commissioner who serves as chairman. The public members of the Board represent a broad spectrum of interests and would undoubtedly do an excellent job.

We believe the duties of the Council in Section 46.03.450 are good and will be of great assistance in fulfilling legislative intent of the bill. However, we suggest that the word "department" be replaced by "Department of Public Safety" and "Department of Environmental Conservation."

The Department will have representatives present at the Committee hearing on HB 113 today. If the Department may be of any further assistance to you, please do not hesitate to contact me.

Sincerely,

Ernst W. Mueller
Commissioner

Enclosure

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

JAY S. HAMMOND, Governor

POUCH O— JUNEAU 99801

February 25, 1975

The Honorable Susan Sullivan
Chairperson
Health, Education and Social
Services Committee
Alaska State House
Pouch V
Juneau, Alaska 99811

Dear Madame Chairperson:

The Department of Environmental Conservation has reviewed HB 113 relating to noise pollution control. We would like to present our comments on the bill, and present additional information which may be of use to the Committee in its deliberations. For ease of review, we shall present our comments in three categories: 1) background information regarding noise pollution, 2) information regarding the Federal Noise Control Act of 1972, and 3) specific comments on HB 113.

Background Information On Noise Pollution

Noise pollution is frequently referred to as the "other pollution" and has been shown to be a hazard to public health if high decibel (db) levels are reached. The standard unit of measurement of noise is the decibel which is based on a logarithmic function of the noise energy. Therefore, a sound level of 90 decibels has ten times more energy than one of 80 decibels, or one hundred times more energy than one of 70 decibels. An increase of three decibels in measured sound levels represents a doubling of the sound energy. A sound level of 110 decibels is 50 decibels higher than normal conversation levels, but the energy of the 110 decibels noise is 1,000,000 times greater than that of conversation sound levels. Because sound energy is transmitted in a wide range of frequencies and the human ear reacts differently to these frequencies, a "weighting" scale (A) typically is used to describe decibel levels.

SUMMARY OF THE INTERSTATE MOTOR CARRIER NOISE STANDARDS

Applicability: These regulations apply to motor vehicles over 10,000 pounds GVWR engaged by motor carriers in interstate commerce.

Pass-by Performance Standards: No motor vehicle shall exceed 86 dB (A) at 50 feet at speeds under 35 mph. No motor vehicle shall exceed 90 dB (A) at 50 feet at speeds over 35 mph.

Stationary Run-up Test Standard: No motor vehicle powered by an engine with a governor shall generate more than 88 dB (A) at 50 feet when accelerated from idle to wide open throttle with the transmission in neutral.

Visual Exhaust System Inspection: No motor vehicle shall be operated that is not equipped with an exhaust system that is in constant operation and properly maintained.

Visual Tire Inspection: No motor vehicle shall be operated on tires having a tread pattern composed primarily of cavities that are not vented to the shoulder of the tire (pocket tread tires) unless such tires can be shown to comply with the performance standard.

FINAL NOISE EMISSION REGULATIONS FOR INTERSTATE MOTOR CARRIERS

The Environmental Protection Agency has announced the issuance of regulations for the control of noise emissions from vehicles operated by interstate motor carriers. The proposed regulations were published in the Federal Register on July 27, 1973, as required under Section 18 of the Noise Control Act of 1972. Final regulations will be published in the Federal Register within the next few days. This is the first final standard-setting action by the Agency under authority of the Act.

The new standards, which apply to all vehicles over 10,000 lb. gross vehicle-weight rating or gross combination weight rating by interstate motor carriers, take into account the best available noise reduction technology and the cost of compliance within the one-year time period for conformance with the standard by interstate carriers.

This regulation is the first significant Federal step in a series of actions to reduce highway noise. This standard, applicable to in-use vehicles operated by interstate carriers, will have an impact within one year on reducing highway traffic noise. In conjunction with the more stringent new medium and heavy-duty truck noise control regulations just proposed by the Agency (see fact sheet on Noise Emission Standards Proposed for New Trucks), further traffic noise reduction will be accomplished in a systematic time phased manner to permit application of available technology while keeping the costs to meet the standards as low as reasonably possible.

The standards are expressed in A-weighted decibels. A decibel is a numerical expression of the relative magnitude of sound. "A-weighting" is a method of numerical adjustment to reflect impact of noise on the range of human hearing.

As new control retrofit technology is developed and can be applied at reasonable cost, the interstate motor carrier regulations will be revised accordingly. Further revision of

State and local jurisdictions may not adopt or enforce noise control regulations of the noise sources covered by this interstate motor carrier regulation unless such State or local regulations are identical to the Federal regulations. Federal preemption for interstate motor carrier noise control regulations (Section 18 of the NCA, 1972) is significantly different from the preemptive Federal authority for newly manufactured trucks (Section 6 of the NCA, 1972) which leaves to State and local jurisdictions the authority to establish and enforce controls on levels of noise emissions resulting from the operations of such new trucks. However, States and localities are strongly urged to adopt regulations applicable to interstate motor carriers which are identical to the Federal standards and to participate, through their enforcement capabilities, in achieving an effective nationwide enforcement program. It is recognized, however, that in some areas standards or controls on levels of environmental noise, or [illegible] or movement of any motor vehicle to which these regulations are applicable may be necessary or desirable based on special local conditions, as long as such action is determined not to be in conflict with the Federal regulations. In these cases, application shall be made to the Administrator for such determination. The procedures for applying for such determination will be published in the Federal Register within the next four months.

ENFORCEMENT

Under the law, the Secretary of Transportation, after consulting with the Administrator of EPA, is responsible for assuring compliance with these standards. State and local jurisdictions employing identical standards, are encouraged to act as independent enforcement agencies.

NOVEMBER 1974

PROPOSED NOISE EMISSION STANDARDS FOR NEW MEDIUM AND HEAVY TRUCKS

The Environmental Protection Agency proposes to est .ish a regulation limiting noise emission from newly manufactured medium and heavy trucks. Notice of the proposed rule making will appear in the Federal Register within the next few days.

BACKGROUND

The Congress passed the Noise Control Act in 1972 as a result of their findings that (1) inadequately controlled noise presents a growing danger to the health and welfare of the Nation's population; (2) the major sources of noise fall into four categories of which construction equipment, transportation equipment, [illegible] and (3) while primary responsibility for the control of noise rests with State and local governments, certain major sources in commerce require national uniformity of treatment and therefore Federal action is essential.

Under the provision of the Act, the EPA is to identify the major sources of noise and issue regulations designed to reduce and limit such noise. The EPA has identified new medium and heavy trucks as major sources of noise in the transportation equipment category.

THE STANDARDS

The proposed regulation would require that new medium and heavy truck noise emissions not exceed, when measured at a distance of 50 feet (15.24 meters) from the center line of the test track, the following for the vehicle model-years shown:

Date (Model Year)	Low Speed, High Acceleration Test
1977 thru 1980	83 dB(A)
1981 thru 1982	80 dB(A)
1983 and subsequent	75 dB(A)

In arriving at the standard, the Agency considered the degree of noise reduction that could be achieved by using the best available technology, as well as the cost of compliance and the benefits that would accrue to the public health and welfare.

ECONOMIC IMPACT

The 1972 population of medium-and heavy-duty trucks to which the proposed regulations are applicable is estimated to be about 3.5 million vehicles, of which approximately 65 percent are gasoline powered and 35 percent diesel. Based on current trends, this population is estimated to increase to about 5.5 million in 1990 with a greater portion of diesel powered trucks being present.

The approximate increased retail price of a truck to which the regulations are applicable over 1973 prices, to achieve the various noise levels, are:

Noise Level	Medium & Heavy-Duty Gasoline Trucks	Medium-Duty Diesel Trucks	Heavy-Duty Diesel Trucks
83 dB(A)	$ 0	$105	$195
80 dB(A)	$125	$265	$490
75 dB(A)	$300	$1120	$1130

The individual prices increase as the allowed level is lowered due to the increase in complexity of noise reduction treatment required.

The above figures correspond to the following estimated percentage increases in average truck prices:

Noise Level	Medium-Duty Gasoline Trucks	Heavy-Duty Diesel Trucks
83 dB(A)	0%	0.8%
80 dB(A)	2.2%	1.9%
75 dB(A)	5.2%	4.5%

Based on 1973 technology, the first year increased capital costs for user/truck purchasing industries are estimated to be $34 million in 1977 for 83 dB(A), $132 million in 1981 for 80 dB(A) and $318 million in 1983 for 75 dB(A). The costs actually incurred in 1983 are expected, in fact, to be less than those cited here as it is fully anticipated that technology of noise control will advance substantially over the ten year period before the 75 dB(A) standard becomes effective.

Annual costs to users (incremental depreciation, cost of capital, and operating expenses) have been estimated as $11.3 million in the first full year in which the regulations take effect. For several ensuing years the projected annual costs, excluding current year production, are:

1980	-	$ 26 million
1985	-	$ 427 million
1990	-	$1,183 million

Costs increase as the allowable level is lowered and as noisy trucks are increasingly phased out of the total truck population on the streets and highways. The 1990 value is clearly a worst case estimate. It assumes no cost reduction whatsoever due to improved technology beyond 1973. Also, the truck population is assumed to increase by approximately 50 percent even with a reduction in forecast sales volume associated with price increases due to regulation. In addition it does not take into account significant fuel savings generated by improved cooling systems which are necessary for achieving [illegible] population. The actual costs anticipated in order to meet the standards by the year 1990 are expected to be substantially lower than those cited above.

Various economic impact considerations were assessed to evaluate potential price and operating costs resulting from the proposed standard. Upper bound cost values were used to provide worst case estimates. The following economic impacts are envisioned:

1. Because of the basically strong position of the truck manufacturing industry, the volume changes brought about by noise control regulations will have little overall impact on most firms.

2. The impact of noise abatement upon all classes of truck users (i.e., line haul, contract, and private) will be very small, since the cost of noise abatement represents an increase of less than 1 percent in the annual cost of owning and operating a large diesel truck.

HEALTH & WELFARE IMPACT

It is anticipated that the implementation of a 75 dB(A) not to exceed standard, will reduce noise from new medium and heavy trucks to a point where it will no longer be a substantial

cause of annoyance to the population. Some time will be required for the older (noisier) trucks now in use to be retired and replaced by new quiet trucks, but after this occurs an estimated 35 million people who are directly and continually impacted by the noise from such trucks, will have the benefit of significant noise reduction in their environment. The benefits will accrue, however, to all Americans who experience annoyance from the noise from such vehicles.

ENFORCEMENT

Enforcement by EPA will include product verification testing, warranty labeling requirements, selective enforcement auditing procedures, and anti-tampering requirements.

PREEMPTION

No State or political subdivision thereof may adopt or enforce any [illegible] noise emissions from newly manufactured medium and heavy trucks which is not identical to the Federal regulation. However, States or their political subdivisions are not precluded from nor denied the right to establish and enforce controls of environmental noise through the licensing, regulation, or restriction of use, operation, or movement of newly manufactured medium heavy trucks under this proposed regulation.

NOVEMBER 1974

PROPOSED NOISE EMISSION STANDARDS FOR PORTABLE AIR COMPRESSORS

The Environmental Protection Agency proposes to establish a regulation limiting noise emission from newly-manufactured portable air compressors. Notice of the proposed rule making will appear in the Federal Register within the next few days.

The Congress passed the Noise Control Act in 1972 as a result of their findings that (1) inadequately controlled noise presents a growing danger to the health and welfare of the Nation's population; (2) the major sources of noise fall into four categories of which construction equipment, transportation equipment, engines or motors and electrical or electronic equipment are the headings; and (3) while primary responsibility for the control of noise rests with State and local governments, certain major sources in commerce require national uniformity of treatment and therefore Federal action is

Under the provisions of the Act, the EPA is to identify the major sources of noise and issue regulations designed to reduce and limit such noise. The EPA has identified portable air compressors with a rated output above 75 cubic feet per minute as a major source of noise.

THE STANDARDS

The proposed regulation would require that, effective one year after the date of promulgation of the final notice of rule-making, newly manufactured portable air compressors introduced in commerce shall not exceed an average sound level of 76 dB(A) when measured at a distance of seven meters (23 feet) from surfaces of the compressor. In arriving at the standard, the Agency considered the degree of noise reduction that could be achieved by using the best available technology, as well as the cost of compliance and the benefits that would accrue to the public health and welfare.

IMPACT

The portable air compressor is one of twenty typical major pieces of construction equipment that contribute to construction site noise.

The regulation is expected to eliminate the portable air compressor as a major source of noise, particularly, as a major source of construction site noise. This will occur in time as the current population of portable air compressors is replaced by newly manufactured units complying with the proposed regulation.

Compliance with the proposed standard will benefit 11 percent of the population impacted to the point of extreme annoyance by construction site noise. When considered in conjunction with proposed standards for new medium and heavy trucks, which also contribute to construction site noise, the population impacted by construction site noise will decrease by 45 percent.

The total first year capital cost increase to manufacture compressors that comply with the regulation is not expected to exceed $21 million.

Enforcement by EPA will include product verification testing, warranty labeling requirements, selective enforcement auditing procedures, and anti-tampering requirements.

PREEMPTION

No State or political subdivision thereof may adopt or enforce any law or regulation that sets a limit on noise emissions from newly manufactured portable air compressors which is not identical to the Federal regulation. However, States or their political subdivisions are not precluded from nor denied the right to establish and enforce controls of environmental noise through the licensing, regulation, or restriction of use, operation, or movement of portable air compressors or combination of products which includes portable air compressors.

NOVEMBER 1974

RTN TO TH- [illegible]
alone.

GREATER ANCHORAGE AREA BOROUGH
3330 C STREET
ANCHORAGE, ALASKA 99503

DEPARTMENT OF ENVIRONMENTAL QUALITY
274-4561

HB 113

February 19, 1975

Mr. Tom Hanna
Alaska Department of
Environmental Conservation
Pouch O
Juneau, Alaska 99801

Subject: NOISE ORDINANCE

Reference: FILE NUMBER 6-11-2

Dear Tom,

The major problem that we are experiencing with this regulation is that of not being able to enforce the provisions of the regulation. The first glaring error is in the area where the ambient of community noise levels are determined. If the current noise level is above that of the ordinance, the higher level is the standard for that area. Therefore, the increase in traffic and population will eventually raise the noise in the area to a level which no one can tolerate, and we have no means to prevent this rise. The major purpose of the ordinance, in my opinion, is to show for the record, that the Greater Anchorage Area Borough is in favor of noise control, but is unwilling to do anything that will infringe upon the right of the individual in protecting his right to a quiet environment.

At the present time, the Legal Department is working on a new ordinance for submission to the Borough Assembly. The new ordinance will be based on the Lakwood, Colorado ordinance and adapted to the peculiarities of Alaska and Anchorage.

If a vehicle noise statute is on the drawing board for the State, what specific provisions for enforcement will be installed? Will snowmobiles, trail bikes, etc. be included? A manditory state vehicle inspection

would be a good idea. The expiration date of the inspection could be staggered throughout the year so that no one month of the year had the full burden. If the State Troopers have to enforce the ordinance, where will they get the expertise for monitoring and measuring? One thing is necessary for proper enforcement, that is a clear definition of the terms used in the regulation/statute. There must be no ambiguity on what is meant by the terms of the law.

Good luck in trying to keep the peace all over Alaska.

Sincerely,

James W. Hostman

James W. Hostman
Environmental Engineer

JH:pob

Enclosure

HB-128

"An Act requiring that coverage for newly born children be included in individual or group health and disability plans."

2/6/75

COMMITTEE REPORT

COMMERCE

HOUSE

Mr. Speaker: Date Mar 10, 1975

The Committee on HESS has had HB 128 under consideration. A Majority of the members of the Committee

(X) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

3-10-75

Members Present:

Beirne	Parr
Davis	Sullivan
Hackney	Swanson
Osterback	

Chairman Sullivan called the meeting to order at 3:15.

The first thing I would like to discuss is pertaining to the confirmation of Dr. Williamson. I would like to know your feelings of maybe getting together with him informally, perhaps in the evening on Wednesday, March 12, on a social basis at my house. Would that date be alright with all of you?

Beirne I would request we act on the Commissioner today?

Chairman Sullivan Personally, I have a few more questions to ask him before making my decision. I know that Mr. Hackney and Mr. Swanson feel the same way. I would not want to call another hearing for these few questions. Our hearings on his confirmation this weekend in Anchorage showed tremendous support for his confirmation.
Are there any other announcements?

HB 120

Beirne Gave a briefing of the bill. Its purpose is to include Optomotrists under the Medicade Program Act. The Fiscal note indicates the cost of $38,500 for 1975 year. Presently their are not enough opthomologists to care for all of the needs throughout the state and at the present time they are the only Doctors under the Medicade Act.

Hackney Where did they get the figure of 1150 people that would use this service in the position paper in front of us?

Beirne I am not sure of this. This bill will not change the Medicade Act in any way. I would request we ask Mr. Larry Sullivan from the Dept. of H&SS to testify on this question and perhaps we could take up HB 128 until he gets here.

HB 128 Ms. Sullivan gave briefing of her bill. Intented to make insurance available for newborns from the moment of birth. I am interested in it because of my own experience. Before my son was a week old we had thousands of dollars of medical bills and could not get coverage. This seems to me a very logical form of insurance. The bill does not say the state should pay for it only that it should be available to all residents of the state. The increase in the premium cost would only be 5 or 10 cents more.

Hackney I am in favor of this bill.

Don Cooke Div. of Insurance
This bill would require that any insurance policy would include care for the newborn infant. This bill was endorsed by the National Insurance Directors Assoc. and on June 1974 it was law in 17 states and pending in 10 more. We didn't prepare a fiscal note because there wasn't any. The impact on the general fund would be nothing also.

Hackney Insurance is presently provided on the basis of what?

Cooke From day one on Blue Cross for state employees.

Beirne I would presume this would be an option?

Cooke No, I read it as mandatory coverage. Meaning mandate that they have to offer it, Line 15-16.

Beirne I favor this bill and for no cost to the state it seems most worthwhile.

Hackney= This bill would also give the tax payers alittle break.

Parr I move we pass HB 128 out of committee with a 'do pass' recommendation.
Chairman Hearing no objection, so ordered.

Cooke I would also like to add that SB 141 is exactly the same bill.

HB 120

Mr. Larry Sullivan Dept. of H&SS

Beirne We have the position paper and the fiscal note. Would like to ask you how you arrived at the figure of 1150 people who would take advantage of these services?

Sullivan This is the approximate number of people that would require these services. It would involve a $38,000 increase in our budget. We do not provide glasses. The only service they will receive is the refraction. Glasses are available on a very limited basis. Available to children under the Medicade Act for early treatment. Eye, Ear, and Teeth Care for Children up to the age of 21 is mandate under the Federal Program.

Parr How much of this bill is new? Just the Opthologist?

Sullivan Yes, the original bill says 'physician services'.

Parr To what extent are private agencies making glasses available?

Sullivan There is a fair chance of people getting glasses. We refer them to their local Lions Club etc. That is limited however.

Beirne The BIA and USPHS also will buy glasses. Explained difference between opthomologist and optomotrist.

Hackney How was it that you arrived at the 1150 figure?

Sullivan We took a look at the number of requests and the number of eligible people then took a percentage of these eligible people and arrived at this approximate number.

Beirne It will be 50% federal monies and 50% state monies?

Sullivan Yes, you have to authorize the entire amount in order to be eligible for the federal monies. The state had a contract with Alaska Optical of Anchorage and the contract has not been renewed because of such poor service. Now they can get glasses from their own doctors as long as it is authorized by the department.

Osterback What is the individual costs?

Sullivan Approximately $35.

Mr. Swanson had a question in line 18 about the word 'may'. The attorney from LAA was brought in to answer his question.

LAA We have a drafting manual that we go by, when using a negative phrase such as none shall, this is the correct form in the meaning of this bill.

Swanson They will do whatevery they please under the word 'may'.
I move to ammend the bill to read "no services can be provided unless approved by the Legislature".
No Second on Motion, failed.
Hackney I move we pass this bill out of committee with individual recommendations.

Davis Second

(See Committee Report for voting record)

Meeting Adjourned.

Newborn bill

HB 128

PROBLEM:

Health insurance coverage in Alaska frequently does not provide for health care for newborn infnats. Such insurance policies written in Alaska presently specifically exclude coverage for infants in the first thirty, sixty, or ninety days of life.

The newborn infant is vulnerable to many health problems. Prematurity and congenital defects often require medical care of an urgent and sophisticated nature.

The cost of this care is presently borne by a combination of families, health care providers (such as physicians and hospitals), governmental agencies (federal, state, and local), and insurance carriers.

By exclusion of newborn health care from their coverage, some insurance carriers are excluding this vulnerable newborn population from their coverage.

PROPOSAL:

The legislative committee of the Alaska State Medical Association and the Alaska Chapter of the American Academy of Pediatrics recommend that health care coverage for newborn infants be included in all health insurance policies written in Alaska.

STATE OF ALASKA

Inter-Department Route Slip

TO:
MAIL STATION NUMBER 3100

DEPARTMENT Legislature

ATTENTION Rep. Susan Sullivan

☐ Approval	☐ Note & Return
☐ Signature	☐ Initial & Return
☐ Comment	☐ Return As Requested
☐ Contact Me	☐ Return For Approval
☐ Prepare Reply	☐ Necessary Action
☐ For Your File	☒ Your Information

Remarks:

FROM:
MAIL STATION NUMBER 0500

DEPARTMENT Commerce

BY B Marlow DATE 4-18

02-002 (REV.10/73)

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. HB 128

Title: Requiring coverage for newly born children.

Requested by: Jim Fennel Date:

Return Date Requested: ASAP

Agency: Commerce Program: Insurance

II. FISCAL DETAIL

Budget Request Unit(s) Affected:

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

No administrative cost to the Department of Commerce

IV. ATTACHMENTS

V. DATE: April 18, 1975 PREPARED BY: Lois C. Cook

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

ENGSTROM AND EVANS

ATTORNEYS AT LAW

ALLAN A. ENGSTROM
GORDON E. EVANS

202 NATIONAL BANK OF ALASKA BUILDING TELEPHONE (907) 586-1445

JUNEAU, ALASKA 99801

February 19, 1975

Ms. Susan Moss
Health Education & Social Services
Pouch V
Juneau, Alaska 99811

Re: House Bill 128

Dear Ms. Moss:

In our recent telephone conversation, you indicated that the House Health, Education and Social Services Committee was interested in the approximate cost impact of House Bill 128, as it relates to coverage for new-born infants.

Although it is difficult to be precise, Blue Cross Washington Alaska, Inc., which already provides such coverage in all of its policies, estimates the effect on premium to be approximately one per cent. This is based on a competitive benefit level, in using birth as an effective date as opposed to starting coverage at age 30 days.

Let me try to be more precise by means of an example:

1. Assume that coverage A covers children at birth and coverage B covers children after 30 days.

2. Assume that all other aspects of coverage A and coverage B are identical with respect to benefits.

3. If the monthly family rate for coverage B was $60.00, then the family rate for coverage A would be approximately 1% higher, or $60.60.

Please let me know if you have any other questions.

Very truly yours,

ALLAN A. ENGSTROM
Legislative Counsel for
Blue Cross Washington Alaska, Inc.

AAE:rhm

STATE
of ALASKA

MEMORANDUM

TO: Frederick McGinnis
Commissioner

THRU: Donald K. Freedman, M.D., M.P.H.
Director, Division of Public Health

DATE : September 27, 1974

FROM: David A. Spence, M.D., Chief
Section of Family Health

SUBJECT: Proposed legislation for the 1975 Legislature.

In the last legislative session, Senate Bill 359 was introduced on February 11, 1974, by Senator Lowell Thomas. This Bill would have required that newly-born children be included in group health and disability insurance. This Bill was tied to insurance for alcoholism and was still in committee at the close of the legislative session.

The need for this legislation is greater this year because advances in neonatal care, while preserving intellect and life itself for the premature, are more expensive. We request that this Bill be submitted in essentially the same form again in this next legislative session. Your submission of this legislation will indicate its importance to the legislators and the public as well.

DAS/lb

cc: Dr. Carolyn Brown, Legislative Committee, ASMA

ALASKA CHAPTER
American Academy of Pediatrics

CHAIRMAN
J. KENNETH FLESHMAN, M.D.
BOX 7741
ANCHORAGE, ALASKA ~~99504~~ 99510

January 17, 1974

The Honorable Helen Beirne
Alaska State House of Representatives
Juneau, Alaska 99801

Dear Dr. Beirne:

The Alaska Chapter of the American Academy of Pediatrics is very concerned about the frequent lack of health insurance coverage for newborn infants. Very exciting new advances in the care of prematures or ill newborns has resulted in a significant decrease in deaths and serious life long disability in these infants. This care obviously is very expensive.

Probably the majority of families in Alaska carry health insurance but many are not aware that this policy will not cover a newborn infant. This, we feel, is grossly unfair to these infants and can be financially crippling to their families (often young couples with marginal incomes).

The attached resume prepared at Providence hospital demonstrates that many of the significant insurance carriers in Alaska do not cover newborns except after a 14 day exclusary period. We particularly call your attention to the groups such as laborers, carpenters, and teamsters where the insurance is probably an employment benefit and the average employee would assume that their family is protected.

The Academy of Pediatrics has been active nationally in bringing this to the attention of legislators. In Alaska we are asking that you consider regulations that would require all health insurance policies to cover newborn infants without exclusion. Enclosed is a model law, drafted by Mr. Caroll Calloway, Assistant General Counsel for the Health Insurance Association of America. Similar legislation has been passed by 7 states and is being considered by 26 others.

I have discussed this problem with the Insurance Commissioner in Alaska, Mr. O'Shea, and he is well informed about the problem and would be prepared to testify if called.

We are aware that similar legislation relating to mental health problems is being considered. We feel our concerns about coverage for newborns should be addressed as a separate issue but will leave this to your judgment.

We can supply further information if necessary for any testimony in this matter.

Thank you for your consideration.

Sincerely yours,

J. Kenneth Fleshman, M.D.
Chairman, Alaska Chapter
American Academy of Pediatrics

Richard Peterson, M.D.
Alternate Chairman

Attachments: 2

HEALTH INSURANCE ASSOCIATION OF AMERICA
CHICAGO • NEW YORK • WASHINGTON
LESLIE P. HEMRY, *President*

RESEARCH, STATISTICS, AND CONTROL DEPARTMENT
David Robbins, *Vice President and Controller*

New York Office
750 Third Avenue
New York, New York 10017

October 8, 1974

Mr. Vincent B. Jasso
Deputy Superintendent
State of New Mexico
Department of Insurance
Sante Fe, New Mexico 87501

Dear Mr. Jasso:

As I wrote you last week, we are in the process of developing estimated costs for the benefit provisions contained in the proposed New Mexico newborn infant coverage legislation. This data should be finalized in another few weeks.

In the interim, we learned from Mr. Young of the American Life Insurance Association that your Insurance Study Committee is scheduled to meet on October 10 and that you would be interested in the receipt of some preliminary results of our investigations. Our preliminary review of this matter indicates the following:

1. For those major medical contracts which now cover children from birth for sickness or injury and exclude only the first 7 days of hospital room and board charges while covering all other types of eligible expenses from birth, we estimate the additional cost of covering the first 7 days of nursery charges for sick infants to be about $.80 yearly per employee for group coverage and about $1.20 for individual coverage.

2. For a policy which provides no coverage at all for the first 14 days, we estimate the additional cost of the required coverage as approximately $3.20 yearly per employee for group coverage and $4.80 for individual coverage.

3. The exclusion of illegitimate children would make relatively little difference on the foregoing cost estimates.

Sincerely,

David Robbins

David Robbins
Vice President and Controller

DR:pw

cc: Mr. Franklin H. Young - ALIA
Mr. Caroll Callaway

Newborn bill

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PROBLEM:

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PROPOSAL:

The legislative committee of the Alaska State Medical Association and the Alaska Chapter of the American Academy of Pediatrics recommend that health care coverage for newborn infants be included in all health insurance policies written in Alaska.

STATE
of ALASKA

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Commissioner

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cc: Dr. Carolyn Brown, Legislative Committee, ASMA

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Please let me know if you have any other questions.

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Legislative Counsel for
Blue Cross Washington Alaska, Inc.

AAE:rhm

These different coverage options reflect efforts to reduce claim costs and premiums. Basically, an insurance company will sell whatever coverage a policyholder is willing to pay for but there is a trend toward making coverage from birth--full the standard benefit. Of course, "full" coverage does not necessarily mean 100% coverage since there may be deductibles, co-insurance and policy limits.

Following are some examples of NBSCN bills incurred at Providence over the past six months which reflect the variations in insurance benefits and coverage:

Days Hospitalized	Amount	Insurance	Amt. Pd. by Ins.
32	$5,470.30	Teamsters	--0--
19	3,926.65	Teamsters	--0--
88	19,130.95	Champus	$19,130.95
7	1,171.75	Blue Cross	937.40
10	1,563.63	Medicaid	1,563.63
2	166.00	Aetna thru Fed. Gov't.	22.50
4	644.00	Equitable thru Standard Oil	644.00
3	318.25	Fireman's Fund (Liability)	318.25
4	1,100.00	Champus	1,100.00
17	1,790.25	Equitable thru N. C.	1,708.00
46	8,934.90	Medicaid	8,934.00
15	2,859.10	Aetna	2,680.53
3	245.13	Medicaid	245.13
3	255.50	Medicaid	255.50
23	3,072.25	Teamsters	Written off to Charity
22	2,187.88	Aetna thru Fed. Gov't	1,750.30
2	195.75	Medicaid	192.75
55	10,527.00	Champus	10,447.00
3	531.25	Sears	425.00
11	2,478.50	A. N. S.	2,478.00
5	440.00	Medicaid	440.00
2	204.75	B. C. thru Cordova Hosp.	123.80
20	5,492.50	B. C. thru State	4,747.68
17	2,900.00	Westcoast Life thru Reeve Aleutian	--0--
1	39.50	B. C. thru Providence	39.50
4	700.75	Double coverage:	
		Teamsters	--0--
		Hotel & Restaurant	--0--
12	2,604.25	B. C. of Louisiana	1,292.75
23	4,137.05	Blue Cross	3,931.30
6	1,113.50	B. C. thru State	850.40
4	657.75	Medicaid	657.75
TOTAL	$84,859.09		$64,896.12

Difference to be paid by patient or absorbed by hospital: $19,962.97

Neonate Insurance Inclusion Now Required in 21 States

World Medical Reports

VANSTON, Ill. — Legislation requiring all health insurance policies to include overage for neonates from the moment of irth is now on the books in 21 states—14 ore than at the beginning of the year and the advocates of such legislation xpect favorable action in a dozen other tates in the next 12 months.

Leading the campaign to eliminate the xclusion of coverage for newborns are he American Academy of Pediatrics, its ommittee on Third Party Payment lans, and the AAP's state chapters.

Coverage of newborns from the time of irth is now required in the insurance laws f Arizona, California, Connecticut, lorida, Georgia, Hawaii, Idaho, Iowa, ansas, Louisiana, Maryland, Minesota, Mississippi, Missouri, Montana, orth Carolina, South Carolina, South akota, Tennessee, Texas, and Washingon.

In the states where exclusion of newborns from insurance coverage has not een prohibited, instances have been reorded by state chapters of the American cademy of Pediatrics in which parents ave found themselves confronted with ospital bills of $12,000, $27,000 and even rger amounts. In Akron, Ohio, a $50,000 ospital bill for a newborn's intensive care as reported.

14 Day Exclusions

Dr. Donald W. Schiff, of Littleton, olo., chairman of the AAP's Committee n Third Party Payment Plans, told this ewspaper that the period of exclusion in any insurance policies was the first 14 ys of life.

A common practice of health insurance ompanies is to "extend the exclusion of he newborn until the child is discharged om the hospital" if the child needs bove-average care during its first 14 ys, said Dr. Schiff, of the University of olorado Medical School and senior ediatrician at the Littleton Clinic, Denver.

"As an example, a newborn with difficulty on its first day who must be kept in tensive care for 30 days may be under he exclusion from coverage for the entire 0-day period," said Dr. Schiff, who is lso the chairman of the Colorado chapter f the American Academy of Pediatrics.

The Committee on Third Party Payent Plans has drafted a model bill and

The model bill is used by AAP members in the various states in their efforts to obtain remedial legislation.

The committee, in a letter sent to the state chapters, scored "the continued existence of exclusionary periods of coverage for newborn infants in a large number of health insurance plans."

"Failure of these plans to provide coverage for infants from the moment of birth is a valueless, discriminatory practice that results in the risk of needless potentially large financial burdens being placed on young parents," the letter said.

The model bill or state insurance legislation amended to conform with the model bill "is the way young couples can be helped in meeting this expensive situation through their health insurance," Dr. Schiff said.

Dr. Schiff

"We think young parents should not be

(Continued on page 72)

	Citation	Effective Date	Comments
Alabama			
Alaska			
Arizona	H. 2185	1974	Substantially the model bill
Arkansas			
California		1973	
Colorado			
Connecticut	H. 5040	1974	Model bill in substance
Delaware			
Florida	S. 76	1974	Model without notice paragraph
Georgia	H. 995	11-1-74	Model w/ well baby excluded.
Hawaii	H. 2915	6-12-74	Model bill
Idaho	S. 1316	7-1-74	Interpreted as the model bill
Illinois			
Indiana			
Iowa	S. 1290	1974	Model bill
Kansas	H. 1795	1974	Model bill
Kentucky			
Louisiana		7-2-73	
Maine			
Maryland	H. 498	1974	Model bill
Massachusetts			
Michigan			
Minnesota		1973	
Mississippi	S. 1829	1974	Deviates from model bill
Missouri	H. 1487	1974	Model bill
Montana		1973	
Nebraska			
Nevada			
New Hampshire			
New Jersey			
New Mexico			
New York			
North Carolina		1973	
North Dakota			
Ohio	S. 330	1-1-75	Substantially model bill
Oklahoma			
Oregon			
Pennsylvania			
Rhode Island			
South Carolina			
South Dakota	H. 1818	7-1-74	Model bill
Tennessee	H. 1386	7-1-74	Substantially model bill
Texas		1973	
Utah			
Vermont			
Virginia			
Washington	H. 1144	2-16-74	Model bill.
West Virginia			
Wisconsin			
Wyoming			

STATE
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RESEARCH, STATISTICS, AND CONTROL DEPARTMENT

David Robbins, *Vice President and Controller*

New York Office
750 Third Avenue
New York, New York 10017

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State of New Mexico
Department of Insurance
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Sincerely,

David Robbins

David Robbins
Vice President and Controller

DR:pw

cc: Mr. Franklin H. Young - ALIA
Mr. Caroll Callaway

COMMITTEE ON THIRD PARTY PAYMENT PLANS

COUNCIL ON PEDIATRIC PRACTICE

AMERICAN ACADEMY OF PEDIATRICS P.O. BOX 1034 EVANSTON, ILLINOIS 60204

DONALD W. SCHIFF, M.D.
CHAIRMAN
1950 W. LITTLETON BLVD.
LITTLETON, COLORADO 80120

RESIDENTS:
GUY C. CUNNINGHAM, M.D.
RICHARD G. [illegible], M.D.
GORDON FEINGOLD, M.D.
[illegible] ROSEN, M.D.
[illegible] H. SAPIN, M.D.

CONSULTANTS:
GLENN AUSTIN, M.D.
R. JAMES MCKAY, JR., M.D.

STAFF:
ALBERT C. STOLPER

January 29, 1974

TO: District Chairmen
Chapter Chairmen
Chapter Contact Persons for Third Party Payment Plans

FROM: Donald W. Schiff, M. D., Chairman, Committee on Third Party Payment Plans

SUBJECT: Background Information for the "Model Newborn Children Bill"

On November 30, 1973 the Committee on Third Party Payment Plans (COTPPP) distributed to all chapter chairmen a document entitled "Model Newborn Children Bill" which would require coverage of the "sick" newborn from moment of birth in all health insurance policies and service contracts that have dependent coverage. Many of you are hard at work in your own state attempting to pass this legislation. COTPPP feels that it would be helpful to briefly review some of the factors which determined the final form of the model bill and the background for the attached "Statement of Principles" which was agreed upon by the AAP and the Health Insurance Association of America (HIAA).

We agreed that our first priority was to close the insurance gap for the ill or congenitally malformed newborn who required very expensive care. We recognized that it was desirable to have "well" newborns covered also, but that this group should be given a second place priority in the negotiating process, since the potential financial burden on a family for the health care expenses of their "ill" newborn is so overwhelmingly greater than their health care expenses would be if their newborn was "well." We supported the concept that each chapter would approach its own legislature individually and that variations in the newborn insurance bill would occur. This approach is in no way compromised by our agreement; however, our model bill does not cover routine "well" newborn care (health supervision). We do believe that to legislate coverage of child health supervision (newborn through adolescence) in all health insurance policies and health service contracts requires state or Federal subsidization. Our position does not diminish the importance of child health supervision nor negate the desirability of covering this care in as many insurance plans as possible through voluntary, cooperative efforts between the public, physicians and the insurance industry.

(over)

The "Statement of Principles" agreed upon by the AAP and the HIAA was a result of the negotiating process to create the "Model Newborn Children Bill." The AAP interprets these principles to be consistent with previous AAP policy statements on health insurance for children. Agreement on these principles facilitated HIAA approval of the model bill which will ease its passage in every state.

If you have any further questions regarding the model newborn bill, our agreement with the HIAA or any other aspect of our committee's work, please write me at -

1950 West Littleton Blvd.
Denver, Colorado 80120, or

Al Stolper
Administrative Assistant to the Executive Director
American Academy of Pediatrics
1801 Hinman Ave., P. O. Box 1034
Evanston, Illinois 60204

DWS:k

Encl.

ORIGINAL DRAFT OF POSITION ...

WASHINGTON STATE CHAPTER ON NEWBORN INS.

American Academy of Pediatrics

2/3/74

POSITION STATEMENT ON NEWBORN INFANT MEDICAL INSURANCE
WASHINGTON STATE CHAPTER, AMERICAN ACADEMY OF PEDIATRICS (AAP)
(WASHINGTON STATE SOCIETY OF PEDIATRICS).

Consensus Summary developed by:

Washington State Chapter, AAP, Fetus and Newborn Committee:

Donald Sutherland M.D., Bellevue, Chairman
William A. Hodson, M.D., Director Newborn Service, University of Washington
Errol Alden, M.D., Director Newborn Service, Madigan General Hospital, Tacoma
David E. Woodrum, M.D., Dir. Newborn Service, Children's Orthopedic Hospital, Seattle.
Robert Polley, M.D., Seattle.

David Sparling, M.D., Tacoma; State Chapter Chairman, 1974.

Michael Donlan, M.D., Spokane; State Chapter Alternate Chairman, 1974

Robert A. Tidwell, M.D., Seattle, Chairman Legislative Committee.

Robert Polley, M.D.; Seattle, Chairman 3rd Party (Medical Insurance) Committee.

Blackburn Joslin, M.D., Mercer Island, Past State Chairman.

Abraham Bergman, M.D., Director Outpatient Clinic, Children's Orthopedic Hospital, Seattle; President, National Foundation for Sudden Infant Death.

THOMAS C. COCK CHMN. DISTRICT VIII AAP.

Topics:

a. "Neonates" (newborn infants) do not become candidates for routine or well newborn infant care until age 48 hours at the earliest.

b. Information:

(1) Disappearance of lung fluid and lung aeration (expansion), approximately 48 hours.

(2) Establish normal heart function with disappearance of murmurs and reverse blood flow through foramen ovale and ductus - 24 to 48 hours.

(3) Temperature (thermal) instability; inability to maintain adequate body temperature without external added heat source - 24 to 48 hours.

(4) Fluid balance, acid base balance, kidney function, urine production, etc., unstable until age 24-48 hours.

(5) Intestinal tract - no "routine" feedings until patency and mobility of intestinal tract demonstrated (meconeum ileus intestinal obstruction) - no"routine"feedings until age 48 hours.

(6) Blood oxygen level and oxygen supply to organs subnormal until 24-48 hours.

(7) Infection: Special care to prevent "colonization" until age 48 hours.

(8) Lungs: Abnormal per x-ray until average age of 12 hours.

(9) General physiology (homeostasis) - instability of interacting body organs, fluids and functions, until age 48 hours.

(10) Seizures - due to low blood sugar, hypothermia, brain hemorrhage, etc., first signs or onset up to age 48 hours.

(11) Jaundice - (high blood bilirubin) due to Rh factor, other blood group incompatibility, liver malfunction, infection, etc., first signs or onset up to age 48 hours.

(12) Meningitis, blood stream sepsis, etc., first signs or onset up to age 48 hours.

Further information regarding special (non-well) infant care necessity for minimum of 48 hours:

a. Newborn infants not released from quality newborn nurseries (i.e., U. of W.) until after age 48 hours without parents signing an A.M.A. (Against Medical Advice) statement.

b. This year, Washington State Chapter, AAP, obtained $25-50,000 March of Dimes grant for statewide "Infant Care Program," Janet Murphy, M.D., director, to conduct appraisal and consultation service for care of newborn infants in the 97 hospitals in Washington State with newborn infant nurseries.

c. University of Washington Medical School and School of Nursing students are taught the 48 hour minimum special infant care policy.

Conclusion: The non-well newborn infant or special newborn infant treatment + care situation prevails for a minimum of 48 hours.

Summary prepared by:

Robert Polley

Robert Polley, M.D.

2/3/74

FINAL DRAFT - 3/4/74

POSITION STATEMENT ON NEWBORN INFANT MEDICAL INSURANCE
WASHINGTON STATE CHAPTER, AMERICAN ACADEMY OF PEDIATRICS (AAP)
(WASHINGTON STATE SOCIETY OF PEDIATRICS).

Consensus Summary Developed By:

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Robert A. Tidwell, M.D., Seattle, Chairman, Legislative Committee.

Robert Polley, M.D., Seattle; Chairman, 3rd Party (Medical Insurance) Committee.

Blackburn Joslin, M.D., Bellevue; Past State Chairman.

Al Skinner, M.D., Mercer Island; Past State Chairman.

Abraham Bergman, M.D., Director Outpatient Clinic, Children's Orthopedic Hospital, Seattle; President, National Foundation for Sudden Infant Death.

Thomas C. Cock, M.D., Chairman, District VIII, AAP.

During the first nine months of life the human dwells in a warm aquatic environment. He receives his total nutritional support from his mother and, with a few exceptions, his bodily functions (e.g. gas exchange, endocrinologic, excretory) are accomplished by the placenta. With birth, the above situation is drastically altered in a very short period of time. There is, in fact, no age during life when so many major adaptations necessary for intact survival occur in such a short time span.

Immediate survival is accomplished by clearance of lung fluid, its replacement with air, and activation of surface active material lining the gas exchange surface of the lung. The result of these processes is an elevation of the oxygen tension in the arterial blood, an increase in pulmonary blood flow, and gradual closure of the fetal shunts (Foramen, Ovale and Ductus Arteriosus).

Adaptive processes of a more gradual but equally important nature involve the gastrointestinal tract - which for the first time must manifest patency from the mouth to the anus; the renal and genitourinary tract - must assume control of fluid and electrolyte balance, and solute excretion; metabolic and endocrine activities vital to nutritional homeostasis, growth and modifications of drugs or bodily breakdown products (e.g. bilirubin) necessary to facilitate excretion.

The newborn is at a further disadvantage in terms of his or her ability to adjust to a new environment. Heat losses may be extensive due to the inordinately high body surface to weight ratio that the small infant manifests, hence the ability to withstand environmental cold stress is severely compromised. Furthermore, inadequate or immature immunologic defense mechanisms impair the ability to ward off certain types of infection.

All of these transitions and/or adjustments occur or have as their major time of impact during the first 48 to 72 hours of life, and the vast majority of potentially anatomic, physiolgoic or biochemical deviations from normal may be recognized during this time period. With this in mind, it is the policy of this Committee as well as the recommendations of the Department of Pediatrics, Division of Neonatal Biology, University of Washington School of Medicine that optimum care for all newborn infants include a comprehensive physical examination, competent physician and nurse medical care and hospitalization during the first 48 hours of postnatal life.

R. Bailey
4/4/74.

MEMORANDUM December 5, 1973

TO: GARY WANGSMO, Controller

FROM: Bob Harvey, Business Office Manager

SUBJECT: Coverage for infants

Insurance companies generally offer an employer several ways of providing coverage for newborn babies under group health insurance plans. They are:

1) Coverage from birth, limited: In this case, the infant is covered from birth but only for treatment of a disease, injury, congenital deformity or hereditary complications. Prematurity, per se, is not covered.

2) Coverage from birth, full: The infant is covered from birth including the cost of nursery, normal baby care, and special care for prematurity.

3) Coverage after a certain number of days--commonly 14 days: The infant is covered only after the first 8 or 14 days of life. This is further restricted, in some plans, to require that the infant be not only a certain number of days old but also free of confinement (not hospitalized) before the coverage will take effect.

The following is a partial list of companies and the coverage their plans provide for newborns:

AAA Auto Club of Washington	Birth full
Anchorage Cold Storage	Birth full
Anchorage Daily Times	Birth full
Alaska State Employees	Birth full
Alaska Bar Association	Birth full
Alaska Lumber and Pulp	Birth full

COMMITTEE ON THIRD PARTY PAYMENT PLANS

COUNCIL ON PEDIATRIC PRACTICE

AMERICAN ACADEMY OF PEDIATRICS P.O. BOX 1034 EVANSTON, ILLINOIS 60204

DONALD W. SCHIFF, M.D.
CHAIRMAN
1950 W. LITTLETON BLVD.
LITTLETON, COLORADO 80120

CONSULTANTS:
GLENN AUSTIN, M.D.
R. JAMES MCKAY, JR., M.D.

STAFF:
ALBERT C. STOLPER

January 29, 1974

TO: District Chairmen
Chapter Chairmen
Chapter Contact Persons for Third Party Payment Plans

FROM: Donald W. Schiff, M. D., Chairman, Committee on Third Party Payment Plans

SUBJECT: Background Information for the "Model Newborn Children Bill"

On November 30, 1973 the Committee on Third Party Payment Plans (COTPPP) distributed to all chapter chairmen a document entitled "Model Newborn Children Bill" which would require coverage of the "sick" newborn from moment of birth in all health insurance policies and service contracts that have dependent coverage. Many of you are hard at work in your own state attempting to pass this legislation. COTPPP feels that it would be helpful to briefly review some of the factors which determined the final form of the model bill and the background for the attached "Statement of Principles" which was agreed upon by the AAP and the Health Insurance Association of America (HIAA).

We agreed that our first priority was to close the insurance gap for the ill or congenitally malformed newborn who required very expensive care. We recognized that it was desirable to have "well" newborns covered also, but that this group should be given a second place priority in the negotiating process, since the potential financial burden on a family for the health care expenses of their "ill" newborn is so overwhelmingly greater than their health care expenses would be if their newborn was "well." We supported the concept that each chapter would approach its own legislature individually and that variations in the newborn insurance bill would occur. This approach is in no way compromised by our agreement; however, our model bill does not cover routine "well" newborn care (health supervision). We do believe that to legislate coverage of child health supervision (newborn through adolescence) in all health insurance policies and health service contracts requires state or Federal subsidization. Our position does not diminish the importance of child health supervision nor negate the desirability of covering this care in as many insurance plans as possible through voluntary, cooperative efforts between the public, physicians and the insurance industry.

(over)

HEALTH INSURANCE ASSOCIATION OF AMERICA
CHICAGO • NEW YORK • WASHINGTON
LESLIE P. HEMRY, *President*

RESEARCH, STATISTICS, AND CONTROL DEPARTMENT
David Robbins, *Vice President and Controller*

New York Office
750 Third Avenue
New York, New York 10017

October 8, 1974

Mr. Vincent B. Jasso
Deputy Superintendent
State of New Mexico
Department of Insurance
Sante Fe, New Mexico 87501

Dear Mr. Jasso:

As I wrote you last week, we are in the process of developing estimated costs for the benefit provisions contained in the proposed New Mexico newborn infant coverage legislation. This data should be finalized in another few weeks.

In the interim, we learned from Mr. Young of the American Life Insurance Association that your Insurance Study Committee is scheduled to meet on October 10 and that you would be interested in the receipt of some preliminary results of our investigations. Our preliminary review of this matter indicates the following:

1. For those major medical contracts which now cover children from birth for sickness or injury and exclude only the first 7 days of hospital room and board charges while covering all other types of eligible expenses from birth, we estimate the additional cost of covering the first 7 days of nursery charges for sick infants to be about $.80 yearly per employee for group coverage and about $1.20 for individual coverage.

2. For a policy which provides no coverage at all for the first 14 days, we estimate the additional cost of the required coverage as approximately $3.20 yearly per employee for group coverage and $4.80 for individual coverage.

3. The exclusion of illegitimate children would make relatively little difference on the foregoing cost estimates.

Sincerely,

David Robbins

David Robbins
Vice President and Controller

DR:pw

cc: Mr. Franklin H. Young - ALIA
Mr. Caroll Callaway

Newborn bill

HB 128

PROBLEM:

Health insurance coverage in Alaska frequently does not provide for health care for newborn infnats. Such insurance policies written in Alaska presently specifically exclude coverage for infants in the first thirty, sixty, or ninety days of life.

The newborn infant is vulnerable to many health problems. Prematurity and congenital defects often require medical care of an urgent and sophisticated nature.

The cost of this care is presently borne by a combination of families, health care providers (such as physicians and hospitals), governmental agencies (federal, state, and local), and insurance carriers.

By exclusion of newborn health care from their coverage, some insurance carriers are excluding this vulnerable newborn population from their coverage.

PROPOSAL:

The legislative committee of the Alaska State Medical Association and the Alaska Chapter of the American Academy of Pediatrics recommend that health care coverage for newborn infants be included in all health insurance policies written in Alaska.

STATE
of ALASKA

MEMORANDUM

TO: Frederick McGinnis
Commissioner

THRU: Donald K. Freedman, M.D., M.P.H.
Director, Division of Public Health

DATE : September 27, 1974

FROM: David A. Spence, M.D., Chief
Section of Family Health

SUBJECT: Proposed legislation for the 1975 Legislature.

In the last legislative session, Senate Bill 359 was introduced on February 11, 1974, by Senator Lowell Thomas. This Bill would have required that newly-born children be included in group health and disability insurance. This Bill was tied to insurance for alcoholism and was still in committee at the close of the legislative session.

The need for this legislation is greater this year because advances in neonatal care, while preserving intellect and life itself for the premature, are more expensive. We request that this Bill be submitted in essentially the same form again in this next legislative session. Your submission of this legislation will indicate its importance to the legislators and the public as well.

DAS/lb

cc: Dr. Carolyn Brown, Legislative Committee, ASMA

ENGSTROM AND EVANS

ATTORNEYS AT LAW

ALLAN A. ENGSTROM
GORDON E. EVANS

202 NATIONAL BANK OF ALASKA BUILDING TELEPHONE (907) 586-1445

JUNEAU, ALASKA 99801

February 19, 1975

Ms. Susan Moss
Health Education & Social Services
Pouch V
Juneau, Alaska 99811

Re: House Bill 128

Dear Ms. Moss:

In our recent telephone conversation, you indicated that the House Health, Education and Social Services Committee was interested in the approximate cost impact of House Bill 128, as it relates to coverage for new-born infants.

Although it is difficult to be precise, Blue Cross Washington Alaska, Inc., which already provides such coverage in all of its policies, estimates the effect on premium to be approximately one per cent. This is based on a competitive benefit level, in using birth as an effective date as opposed to starting coverage at age 30 days.

Let me try to be more precise by means of an example:

1. Assume that coverage A covers children at birth and coverage B covers children after 30 days.

2. Assume that all other aspects of coverage A and coverage B are identical with respect to benefits.

3. If the monthly family rate for coverage B was $60.00, then the family rate for coverage A would be approximately 1% higher, or $60.60.

Please let me know if you have any other questions.

Very truly yours,

ALLAN A. ENGSTROM
Legislative Counsel for
Blue Cross Washington Alaska, Inc.

AAE:rhm

These different coverage options reflect efforts to reduce claim costs and premiums. Basically, an insurance company will sell whatever coverage a policyholder is willing to pay for but there is a trend toward making coverage from birth--full the standard benefit. Of course, "full" coverage does not necessarily mean 100% coverage since there may be deductibles, co-insurance and policy limits.

Following are some examples of NBSCN bills incurred at Providence over the past six months which reflect the variations in insurance benefits and coverage:

Days Hospitalized	Amount	Insurance	Amt. Pd. by Ins.
32	$5,470.30	Teamsters	--0--
19	3,926.65	Teamsters	--0--
88	19,130.95	Champus	$19,130.95
7	1,171.75	Blue Cross	937.40
10	1,563.63	Medicaid	1,563.63
2	166.00	Aetna thru Fed. Gov't.	22.50
4	644.00	Equitable thru Standard Oil	644.00
3	318.25	Fireman's Fund (Liability)	318.25
4	1,100.00	Champus	1,100.00
17	1,790.25	Equitable thru N. C.	1,708.00
46	8,934.90	Medicaid	8,934.00
15	2,859.10	Aetna	2,680.53
3	245.13	Medicaid	245.13
3	255.50	Medicaid	255.50
23	3,072.25	Teamsters	Written off to Charity
22	2,187.88	Aetna thru Fed. Gov't	1,750.30
2	195.75	Medicaid	192.75
55	10,527.00	Champus	10,447.00
3	531.25	Sears	425.00
11	2,478.50	A. N. S.	2,478.00
5	440.00	Medicaid	440.00
2	204.75	B. C. thru Cordova Hosp.	123.80
20	5,492.50	B. C. thru State	4,747.68
17	2,900.00	Westcoast Life thru Reeve Aleutian	--0--
1	39.50	B. C. thru Providence	39.50
4	700.75	Double coverage:	
		Teamsters	--0--
		Hotel & Restaurant	--0--
12	2,604.25	B. C. of Louisiana	1,292.75
23	4,137.05	Blue Cross	3,911.30
6	1,113.50	B. C. thru State	850.40
4	657.75	Medicaid	657.75
TOTAL	$84,859.09		$64,896.12

Difference to be paid by patient or absorbed by hospital:
$19,962.97

STATE
of ALASKA

MEMORANDUM

TO: Frederick McGinnis
Commissioner

THRU: Donald K. Freedman, M.D., M.P.H.
Director, Division of Public Health

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DAS/lb

cc: Dr. Carolyn Brown, Legislative Committee, ASNA

HB-129

"An Act limiting tobacco smoking in public places, vehicles or other passenger-carrying common carriers."

2/7/75 COMMITTEE REPORT JUDICIARY

HOUSE

Mr. Speaker: Date Feb 10, 1975

The Committee on HESS has had HB 129 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

HESS Meeting
ASMA - Carolyn Brown
3-17-75

Dr. Jim Pederson worked up most of the information on tobacco and health and was not able to be here today however I am prepared to represent his feelings about this.

We are aware that HB 129 and CSSB 148 have been introduced and have received some very positive action in the Senate with respect to smoking. Those of us who take care of people and deal with their pneumonia, bronchitis or parsanomous of the lungs certainly are aware of the effect of smoking on health across the country, particularily in Alaska. A study was done a numberof years ago by the Anchorage Council on Smoking and Health which indicated that our percentages of persons who smoke is considerably higher for women in Alaska than women outside of Alaska. The men were only a percent or so above those men who smoke outside of the country. So we have equally as bad a problem in Alaska as the lower 48 states and possibly a little bit more. I think also, those of us who work in statistics as well as medical care are aware that it is very clear to us now that children who are exposed to smoke in homes, restaraunts, schools and wherever they are have seen a significant increase in otitis media and ear infections, respiratory infections, pneumonia, days out of school at home, problems caused not from the kid smoking but from breathing the smoke that somebody else is smoking. So we feel there are a significance public health and medical impact compelling a state interest as it were to protect the health of children and of other persons who must be exposed to smoke. Therefore we are very strongly in favor of legislation like that and like that which we hope you will take positive action on in the House and we feel that this is a real step in the right direction. This is not to preclude the chance of people who want to smoke and pending that opportunity, it is only to help those of us who want to have clean lungs and keep them that way. And we feel that the bills that have been introduced are excellent bills for support.

S. Sullivan

HB 129

THIS PETITION IS ASKING ALL PEOPLE IN FAVOR OF THE HOUSE BILL 129, TO SIGN IT. HOUSE BILL 129 IS IN FAVOR OF BANNING ALL SMOKING IN PUBLIC AREAS WITH ACCEPTIONS TO SPECIAL PLACES DESIGNATED FOR SMOKERS.

Allan T. Jones

Mrs. Frank Herrell

Deane S. Beckford

Mrs. Jack Griffin

Mrs. J. Snyder

Mrs. John C Flanigan

Pamela Page

Dan Rhodes

Cynthia Wentworth

Paul Collard

Barbara Dorsey

Willie Edwards

M. L. Brunt

Carol Brunt

[illegible]

Ferrell Blevins

Carol Goldberg [illegible]

Randy Dorman

Harold Wagner

Edith Wagner

Ester Lounsbury Nugent

William J Nugent

Barbara Hodges

Wyddell Sr.

Lorna Harrison

Billy Mac Carver

Barbara Carver

Jerry Pruitt

CC Shullaw

William Jenkins

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Susan Sullivan

John Hepburn
Sandra R. Hepburn
Betty Anderson
David Solberg
Tom Solberg
Judy Solberg
Mary Lowe
John Wilson
Leslie Hepburn
Eric Solberg

S. Sullivan - Hess

THIS PETITION IS ASKING ALL PEOPLE IN [illegible] OF [illegible] HOUSE BILL 129, TO SIGN IT. HOUSE BILL 129 IS IN FAVOR OF BANNING ALL SMOKING IN PUBLIC AREAS WITH ACCEPTIONS TO SPECIAL PLACES DESIGNATED FOR SMOKERS.

Marjorie a. Mock
Dennis C. Nunn
Hazel James
Mrs Jacqueline Mitchell
James Berry
Freeland Kerns
Susan Miller
Daphne M. Stegman
Jean Wax
Deanne Dietrich
John T. Wise

Rep Sullivan

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Timothy J Lampsell	1032 W 11th
Mrs Donald L Webb	1213 "H" St.
George B Jenks	1134 'H' St
Fr. Dazin	1132 H Street
John Maher	930 [illegible] Franklin Ave
Emi Chance	1101 "H" ST.
La Verne C. Hill	1237 "H" St.
Jeanette Diamond	1245 G St
Elaine Hammes	1229 G St.
Janice Wood	1047 E st
Sally Beirne	936 W 10th Ave
[redacted]	[redacted]
Jean Kawakami	1222 W. 10th Ave

Susan Sullivan

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Corinne A. Beirne 2-21-75	ANCHORAGE - 936 W 12
Michael J. Beirne M.D.	936 West 10th Ave
William J. Davis	1010 W 10 ave
Virginia Beirne	1020 W 10th
William J. Timmins	1025 W. 11th AVE.
Mabel Spencer	961 W. 11th Ave
Gretchen Reeve	945 W. 11th ave
Linda Hornberger	3501 E. 92nd APT. 306
Julie Ann Shaw	830 W 12th, Anch
Joan L. Pentegion	816 W. 10th Apt.
Don Tuthi	1124 H street
Kathy Reekie	1116 H St
Robert Reekie	1116 H St.
Steve McKinnon	1205 H St.
Sue Lunford	745 W. 13th
Don Luthy	1359 C St
Catherine M. Heimes	1207 G St
Wayne D Reeves	1135 G St.

HB 129

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

May 23, 1975

A. Von Hippel, M.D.
3300 Providence Avenue
Anchorage, Alaska 99501

Dear Dr. Von Hippel:

Thank you for your telegram concerning House Bill 129 to limit smoking in public places.

Our committee showed strong support for this bill, passing it out with a "do pass" recommendation in recognition of the hazards of smoke to non-smokers. A special conference committee is presently working to adapt a form of this bill that would be acceptable to both houses.

Thanks again for your telegram as the opinion of professionals dealing with health care are of particular interest in these matters.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

HB 129

TELEGRAM

BCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

1975 MAR 19 AM 1 38

02162 POM ANCHORAGE ALASKA 15 03-18 1045P ADT

PMS REP SUSAN SULLIVAN

JUN 1743

HB129 IS GOOD. PREVENTATIVE MEDICINES WILL HELP REDUCE

HEALTH CARE COSTS IN ALASKA

A VON HIPPEL MD 3300 PROVIDENCE DRIVE ANCHOR

HB-150

STATE OF ALASKA

Inter-Department Route Slip

TO:
MAIL STATION NUMBER 3100

DEPARTMENT Legislature

ATTENTION HOUSE HESS Comm

☐ Approval	☐ Note & Return
☐ Signature	☐ Initial & Return
☐ Comment	☐ Return As Requested
☐ Contact Me	☐ Return For Approval
☐ Prepare Reply	☐ Necessary Action
☐ For Your File	☐ Your Information

Remarks:

H.B. #150

FROM:
MAIL STATION NUMBER 0500

DEPARTMENT Educ.

BY wdt DATE 3-10-75

02-002 (REV.10/73)

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. H. B. #150

Title: Relating to required curriculum in the public schools.

Requested by: House HESS Date: 3-5-75

Return Date Requested: ASAP

Agency: Education Program: Education Program Support

II. FISCAL DETAIL

Budget Request Unit(s) Affected:

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

	GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
	FEDERAL FUNDS						
	OTHER						

C. POSITIONS:

	PERMANENT/TEMPORARY	/	/	/	/	/	/
	MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

No fiscal impact.

See attached for DOE survey regarding teaching of Alaska History.

IV. ATTACHMENTS

V. DATE: 3/7/75 PREPARED BY: William A. Thomas

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

TABLE I
3/6/75

IS ALASKA HISTORY A REQUIRED COURSE IN THE CURRICULUM
Questionnaire Results

SCHOOLS	Required		Offered		Grades and/or Comments
	Dist.	Sch. Reg.	No	Yes	
DISTRICT					
Anchorage:					
Airport Heights	X				3
Chinook Elementary	X				3
Chugiak			X	X	- - -
Creekside Park	X				3
Gladys Wood		X			3 - some 1
Homestead		X			3
Muldoon	X				3 and 4
Ocean View	X	X			2
Rogers Park	X	X			3
Sand Lake	X				3
Scenic Park	X				3
Turnigan			X	X	- - -
North Star	X				3
O'Malley	X	X			3
Ptarmigan	X (?)				4, 5, 6
Willow Crest	X				3
Unidentified elementary		X			1-4
Unidentified elementary	X				1-3-4
Central Junior High		X			7
Ora Dee Clark	X	X			7
Romig	X				7
Wendler	X	X			7
Bartlett-Begich	x (7)				7 and as elective
Chugiak-Gruening				X	7 and senior high
Dimond-Hears	X				7 (10-12 are elective)

SCHOOLS	Required		Offered		Grades and/or Comments
	Dist.	Sch. Req.	No	Yes	
Anchorage (con'td)					
East Benson			X	X	10-12
Service-Hanshew	X (7)				7 and 10-12
West Anchorage			X	X	- - -
Bristol Bay BSD:					
Elementary			X	X	K-6 (unit basis)
High			X	X	9-12
Craig CSD	?	?		X	Required in basic - not in secondary.
Dillingham			X	X	7-12
Fairbanks BSD:					
Adler	X	X			3
Barnette	X				3 - some at all levels
Denali	X				3 and 5
Two Rivers	X				3 and 4
Main Junior High	X				7
Lathrop High			X	X	10-12
Galena CSD	X				10-12
Haines BSD:					
Elementary	X	X			4
High			X	X	9 thru 12
Hoonah CSD			X	X	9-12

SCHOOLS	Required		Offered		Grades and/or Comments
	Dist.	Sch. Req.	No	Yes	
Juneau BSD:					
Glacier Valley		X			4 and 5
An elementary school		X			4
An elementary school	X				3
An elementary school		X			3 and 4
Floyd Dryden Junior High		X (7)			7 - (9 is elective)
Marie Drake		X			8
Juneau-Douglas High			X	X	10, 11, 12
Kake CSD	X				7 and 8
Kenai BSD:					
East Homer	X (?)			X	Some at all levels -(required by the school)
English Bay		X			6-8
Susan B. English		X			elementary junior high
Kenai Elementary			X	X	5 and 6
Nikolaevsk			X	X	6-8
Ninilchik		X			7-8
North Kenai			X	X	4 and 5 (unit basis)
Sears Elementary		X			3 and 4
Seward		X			7
Soldotna Elementary			X	X	4
Soldotna Junior High	X	X			7 and 9
Homer Junior High		X			6 (required), 11 and 12
Kenai Junior High		X			7 (part of soc. studies pro.)
Kenai Central High			X	X	10-11-12 (U.S. history is req. & this counts as part of it)
Seward High			X	X	11 and 12

SCHOOLS	Required		Offered		Grades and/or Comments
	Dist.	Sch. Req.	No	Yes	
Ketchikan BSD:					
Houghtaling			X	X	
Valley Park			X	X	upper primary
White Cliff			X	X	k, 1, 2, 3, 5
Schoenbar Junior High			X	X	8
Ketchikan High			X	X	9-12 (humanities)
Revilla			X	X	9-12
Kodiak BSD:					
Port Lions			X	X	- - -
Kodiak Junior High			X	X	- - -
Kodiak Aleutian			X	X	9 and 10
Matanuska-Susitna BSD:					
Iditarod		X			4 and 5
Willow Elementary	X (?)				4 and 7
An unidentified			X	X	
Central Junior High			X	X	As part of soc. studies
Palmer High			X	X	9-12
Susitna Valley High			X	X	9-12
Nenana CSD:					
Elementary			X	X	- - -
High	X	X			secondary
Nome CSD:					
Elementary	X				3 (some geography of AK in 4)
High			X	X	9, 10, 11

SCHOOLS	Required		Offered		Grades and/or Comments
	Dist.	Sch. Req.	No	Yes	
North Slope BSD			X	X	- - -
Pelican CSD			X	X	open to all elem. grades
Petersburg CSD	X				8
Selawick	X				middle grades
Sitka BSD:					
Baranof	X			X	K-3
Blatchley Junior High	X				8
Sitka High			X	X	do teach Alaska government
Skagway CSD	X	X			11
Unalaska CSD	X	X			4,6,8 (required in high school only)
Valdez CSD			X	X	12
Wrangell CSD			X	X	10-12
STATE-OPERATED SCHOOLS					
On-Base:					
Adak On-Base					
Elementary			X	X	K-6
High			X	X	- - -

SCHOOLS	Required		Offered		Grades and/or Comments
	Dist.	Sch. Reg.	No	Yes	
On-Base (con'td)					
Eielson AFB					
Pennell			X	X	4,5,6
Taylor Junior High			X	X	7-8
Eielson High			X	X	9-12
Elmendorf AFB					
Orion Middle School			X	X	- - -
Aurora Elementary			X	X	K-4
Fort Richardson AFB					
Arcturus Middle			X	X	5-6
John F. Kennedy			X	X	K-4
Ursa Minor			X	X	1-4
Fort Wainwright AFB					
Aurora Elementary			X	X	- - -
Chena Elementary			X	X	4
Ft. Wainwright Jr-Hi			X	X	- - -
RURAL					
Allakaket			X	X	- - -
Anderson Village School			X	X	- - -
Aniak			X	X	High school
Annette Island		Local		X	4-6 (intermediate)

SCHOOLS	Required			Offered		Grades and/or Comments
	Dist.	Sch. Req.	No	No	Yes	
RURAL SCHOOLS (cont'd)						
Anvik			X	X		
Bethel Middle School		X			X	6
Bethel Regional High School			X		X	11-12
Cantwell			X	X		
Circle			X		X	1-8
Chalkyitsik			X		X	As the student becomes interested
Cold Bay		X			X	4-6
Cooper Landing			X	X		
Delta Junction			X		X	9-12
Elfin Cove			X		X	??
False Pass	X	X			X	4,5,6,7
Ft. Yukon	X				X	K-6
Gildersleeve			X	X		---
Glennallen			X		X	high school
Holy Cross		suggested			X	4-8
Kaltag			X	X		
Koliganek		X			X	4-8
Koyukuk			X	X		---
Kiana High School			X	X		---
Manokotak			X	X		---
McGrath			X		X	9-12
Metlakatla-Annette			X		X	9-10
Minto			X	X		---
Mt. Village		X			X	12
Newhalen (Iliamna)			X		X	1-8

SCHOOLS	Required		Offered		Grades and/or Comments
	Dist.	Sch. Req.	No	Yes	
RURAL SCHOOLS (cont'd)					
New Stuyahok		X		X	4,8,9
Noatak			X	X	6-8
Noorvik		X		X	8,10
Pedro Bay			X		---
Red Devil		X		X	4-8
Ruby			X	X	1-8 (integrated into elem. social studies)
Sand Point			X	X	high school
Stony River		X		X	1-8 (geography & history)
Talkeetna			X		---
Tatitlek		X		X	5,6,8
Thorne Bay			X		---
Tok		X		X	10
Togiak	X	X		X	5,6,8,9
Tri-Valley (Healy)			X	X	High school
Tuxekan			X		---
Whale Pass			X	X	1-8 (not specific subject)
White Mountain			X		---
B.I.A.					
Akiachak		X		X	4,5,6 required 7-8 elective
Emmonak			X	X	4 and 8 (units are scheduled the last quarter)

HB-161

"An Act relating to day care facilities; and providing for an effective date."

2/12/75

COMMITTEE REPORT

FINANCE

HOUSE

Mr. Speaker: Date 3-26

The Committee on HESS has had HB 161 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

(X) "and" recommends it BE REFERRED TO THE C.S.H. Committee COMMITTEE with individual recommendation

( ) reports it back WITHOUT RECOMMENDATION

(X) "other" ~~with individual recommendation~~

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends: TO REC

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

3-26-75

Members Present:

Davis	Parr
Hackney	Sullivan
Ose	Swanson
Osterback	
Ostrosky	

Chairman Sullivan called the meeting to order at 3:00pm. to take up DAY CARE bills.

Rick Davidge-Univ. of Alaska, Fairbanks
The need is great for child care on the Fairbanks Campus. (Handed out material) The problem once again is due largely to pipeline impact. There are presently six facilities in the Fairbanks area, 162 children is the total capacity and there is a waiting list that is endless. We have taken a survey and come up with 300 children who are related to the University, and if they were to be taken out of the community centers and put in U of A centers, this would allow for the low income families to take advantage of the present centers. Three things we are trying for are: 1) money, 2) authorization, 3) cooperation. In the area of money, operating costs, capital improvements, and revenues, which would be put back into the program. We primarily interested in 3 year olds and up.

Ose What will this cost per child per day?

Davidge$1 per hour per child per day. It is pretty much in line with the costs of the State Day Care Center operations now.

Ose Will this be for low income groups?

Davidge No, this will be for students, student families, and staff at the U of A.

Ose Have you looked into the possibilities for Federal support of this?

Davidge Our major problem is in the area of the facilities on or near the Campus to meet state requirements. (gave breakdown of financial aid,see attached) Childcare is not a new program to the University, We have requirements in childhood and early development and this would be extending our academic program that would also function as a campus service.

Hackney I am questioning the $29,000 yearly salary for the coordinator?

Sullivan I agree with you Mr. Hackney, that sounds too high.

Davidge $14,000 to $20,000 is presently being paid in the local Fairbanks area for this service. This person would also be a registered nurse.

Day Care

Sullivan Is there anyone who is going to introduce this Legislation for you?

Davidge Yes, the Fairbanks delegation of both houses will be putting together a bill after reviewing this material. Everything here has been developed by the students and this is the first time in 20 years this has happened. I think you have a very good point on the salary level for example and I'm sure changes will be made with the introduction of a bill.

Sullivan Thank you Mr. Davidge and we will continue discussion on this presentation when we have a bill to work with.

HB 161 162

We have had previous discussion on these bills. They should be going to CRA and I would like to get these two bills moving and on to that Committee. The basic thrust of -these bills is to make day care available on a sliding scale to people who prefer not to receive AFDC monies.

Swanson We should move these bills on to CRA, and I make a motion to that effect.

Without objection, So ordered.

HB 349 Ms. Sullivan gave Committee a few minutes to read over bill.

Hackney How big and How many? In section 'C', I wonder if we aren't setting up a privledged class?

Sullivan I see your point, what would you suggest?

Hackney Again your giving state employeed something the general public isn't getting. It would almost have to be a condition between wage and state employees. I would like to hear from the AG on this matter. SEC. G may be a conflict with competitive day care centers.

Senator Chance Other employees could start providing these services, it could be by Federal Regulations tax deductible to the business. I have been working with the Chamber of Commerce as to this idea.

Swanson I think what we are trying to do is to add space or construct new space in new buildings for these services. Maybe we could contract its operation out o run the actual day care centers. All we are doing here is to put the facility in the buildings. If we kept it on a business basis it would be alright.

Senator Chance Back in WWII this was common practice as men went to war, to attract women to come to work, facilities were placed in many businesses. When the war was over, day care was dropped in these businesses to get women back into homes and let the men have the jobs.

Sullivan I think this bill has significant payback possibilities.

Hackney I would like to get the AG's opinion.

Ann from LAA I don't think you are going to have any Constitutional problems here.

Day Care

Susan Clark The Federal people are providing day care, I can get the backup material on that for you.

Ose Who will make the Study?

Sullivan That's a good question and I wanted to bring this up for suggestions.

Hackney I al so think it would be important to define 'renovation' also a survey as to how many children will be involved per building.

Susan Clark I have just completed a survey in the Federal Building. Sent questionaires out and will make a report available to the Committee on my findings.

Sullivan This will also take the pressure off of local day care centers to let low income familie. have these services available.

Meeting was adjourned and work session was continued on the bill.

POSITION PAPER
ON
HOUSE BILL 161

An act relating to Day Care Facilities; and providing for an effective date.

This bill coupled with House Bill 162 proposes to provide funding for day care for approximately 1,100 children of low-income parents. The $1,600 to $2,000 per year it now costs for full time day care is clearly beyond the means of many working parents. Consequently, large numbers of children are currently receiving inadequate day care or no day care. This bill would provide funding for adequate care for those children. It would also allow low-income parents who have not previously been able to enter the labor market to do so or to enter training programs and see that their children are receiving adequate care.

We note this bill vests in the Department of Community and Regional Affairs the responsibility for the following:

The administration of day care assistance programs.
The establishment of an eligibility determination unit.
Contractual powers with day care facilities.
Establish eligibility standards.
Develop a sliding fee scale.
Establish a monitoring mechanism for periodic reviews for needs of families receiving day care.

These are duplicative functions that are currently carried on by the Department of Health and Social Services. The FY76 Budget level does not permit the Department to carry out the expanded function as proposed in this bill, because of limited funds and manpower.

With the licensing function for the proposed program expansion placed with the Department of Health and Social Services, the positions and the funding specified on the attached fiscal note will be required in order to carry out the licensing function of House Bill 161. The purpose of licensing is to assure children in care protection, supervision and the promotion of sound growth and development. Licensing is not administration, but an essential part of day care service.

Virtually all licensed day care slots in the state are currently being utilized. There are only a handful of unused slots for the approximately 1,100 children this bill would fund. The Department does not have sufficient staff to license the number of slots needed to serve children under this bill. Slots are

as follows:

51 Day Care Centers	1,600 licensed capacity slots
143 Family Day Care Homes	490 licensed capacity slots
29 Head Starts	600 slots
	2,690 capacity slots

Fewer than 500 of those slots can take children under age three. We estimate that nearly 550 children eligible under this bill will be under age three. This Department is currently using 550 of the licensed capacity slots for persons who are eligible for Aid to Families with Dependent Children (AFDC) day care. The general public is using the remainder of the slots. Parents of the 1100 children this bill would fund are not using these slightly higher priced slots, or there would be no need to fund them.

Without the development of additional licensed facilities, there are three potential major consequences. First, the vast majority of the funds under this bill will remain un-utilized. Low income parents will remain out of employment or training or, they will continue to be forced to place their children in inadequate facilities if they are working. Second, many working parents who are making marginal salaries but are above the income that would be allowable in this bill and who are currently using licensed care will be squeezed out of the licensed facilities, forcing them to either quit their jobs or training or to use inadequate day care. Third, parental choice in selecting day care facilities will be removed. Over 60% of parental choice is for family day care. This is especially true where infants and toddlers are in care.

The Department estimates a need for 13 licensing professionals and four clerical support staff to provide up to 3,000 licensed capacity slots, largely in Family Day Care Homes. The general public has as much right as state and federally funded children to use licensed slots. It has been the experience of the Division that there is high pressure on licensed facilities, particularly Day Care Homes, where family day care mothers receive up to three phone calls a day from mothers looking for child care for their children. In order to adequately provide slots for state/federally funded children licensed slots should exceed the number of funded children by 3 to 1. The 13 requested positions would provide this flexibility, would prevent children who are currently in licensed care from being displaced, and would provide additional safe facilities, good programming, and consumer protection for the general public.

Recommended By: Freda M. Borchick — 3/13/75

Freda M. Borchick
Acting Director

Date

Approved By: _____ 3/18/25
Francis S. L. Williamson
for Commissioner
Date

Comments by Governor's Office:

By: _____ _____
Date

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. House Bill 161

Title: An Act relating to day care facilities; and providing for an effe~~tive date~~

Requested by: _____ Date: 3/5/75

Return Date Requested: _____

Agency: Health & Social Services Program: Social Service Day CAre
Family & Children Services

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Social Services

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES		293.4	322.7	355.0	390.5	429.6
200	TRAVEL		7.4	8.1	8.9	9.8	10.8
300	CONTRACTUAL		28.2	31.0	34.1	37.5	41.3
400	COMMODITIES		3.4	3.7	4.1	4.5	5.0
500	EQUIPMENT		18.1	-0-	-0-	-0-	-0-
600	LAND & STRUCTURES		-0-	-0-	-0-	-0-	-0-
700	GRANTS, CLAIMS, ETC.		-0-	-0-	-0-	-0-	-0-
	TOTAL		350.5	365.5	402.1	442.3	486.7

B. FUNDING: (Thousands of dollars)

	GENERAL FUND		350.5	365.5	402.1	442.3	486.7
	FEDERAL FUNDS						
	OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	17 /	17 /	17/	17 /	17 /
MAN MONTHS (P./T.)	/	204 /	204/	204/	204 /	204 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

A. Assumptions - for the sake of simplicity a 10% overall inflation factor was assumed.

B. 13 Child Care Specialists and 4 Clerk-typist III's will be required. Forms 13 are attached showing details of cost. Locations were selected according to census data.

IV. ATTACHMENTS

V. DATE: 3/10/75 PREPARED BY: Ada Gleason

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

STATE OF ALASKA

JAY S. HAMMOND, Governor

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER / POUCH B—JUNEAU 99801

March 5, 1975

The Honorable Susan Sullivan
Chairperson, House Health
& Social Services Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Ms. Sullivan:

Re: HB 161 & 162 (Day Care)

The Department of Community and Regional Affairs, Division of State Economic Opportunity, has done extensive research on the Day Care bills now before the State Legislature. We have presented both written and verbal testimony to the appropriate Senate committees holding hearings on the bills.

It is our understanding that HB 161 and the accompanying appropriations bill, HB 162, are identical to bills introduced in the Senate as SB 120 and SB 121. SB 120 was replaced by CSSB 120 and amended by the Finance Committee before its adoption. This department wholeheartedly supports those amendments to wit:

1) The department may adopt regulations for the performance of its duties.

2) The department may contract with local agencies to perform its duties under the act.

3) The department may solicit recommendations from local governing bodies regarding local agencies which may provide the contractual services under this section.

4) A contribution of the parent or guardian shall be made directly to the day care facility.

5) That definition of "day care" should also include those homes licensed or recognized by the federal government for the care of children.

6) That the age be changed for the definition of "child" up to the mandatory school age.

7) Incorporated local governments cover under contract terms necessary administrative costs.

It is the department's philosophy that under this type of a bill we would be administering under a contractual arrangement a program similar to grants or special revenue sharing. It is our position that a program administered in this fashion could realize considerable savings to the state, as well as having the desirable effect of local control over the project.

Attached are supportive documents as submitted to the Senate Finance Committee outlining how the department would administer the program under the guidelines of the Senate adopted version of the bills.

If you have questions regarding these documents or if we could assist you by offering verbal testimony we are more than happy to accommodate you.

Sincerely,

Lee McAnerney

Lee McAnerney
Commissioner

LM:bf

Enclosures

cc: Eric Lee, Director
State Economic Opportunity

Lynn Wegener, Administrative Officer

Legislative Finance

Budget & Management
Dept. of Administration

FISCAL NOTF

First Session - Ninth Legislature

I. REQUEST
Bill No. CSSB 120 (as amended)
Title: Day Care Assistance
Requested by: Senate Finance Date: 2-20-75
Return Date Requested:
Agency: Dept. Comm. & Reg. Affairs Program: Social Service

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Div. State Economic Opportunity

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79
100 PERSONAL SERVICES		47.5			
200 TRAVEL		5.0			
300 CONTRACTUAL		10.4			
400 COMMODITIES		0.3			
500 EQUIPMENT		0.9			
600 LAND & STRUCTURES					
700 GRANTS, CLAIMS, ETC.					
TOTAL		64.1			

B. FUNDING: (Thousands of dollars)

GENERAL FUND		64.1			
FEDERAL FUNDS					
OTHER					

C. POSITIONS:

PERMANENT/TEMPORARY	/	2/0	/	/	/
MAN MONTHS (P./T.)	/	24/0	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

V. DATE: 2-25-75 PREPARED BY:
Eric Lee, Director
Div. State Economic Oppor.

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

PERSONAL SERVICES

Coordinator -- Range 21	$23,774.00
Field Representative -- Range 16	16,447.00
	40,221.00
	7,240.00
	$47,461.00

TRAVEL

Monitoring and counseling at each site @ $300 average per trip	$5,000.00
	$5,000.00

CONTRACTUAL

Phones	
Basic	600.00
Long Distance	3,400.00
Postage	400.00
Printing of Regulations	1,000.00
Advertising of Public Hearings	500.00
Office Rent	
350 sq. ft. @ $.45/sq. ft.	2,000.00
Xerox	500.00
Transportation of new employee personal effects	2,000.00
	$10,400.00

COMMODITIES

Office supplies and reference materials	$300.00

EQUIPMENT

2 Desks @ $270.00	$540.00
2 Chairs @ $95.00	190.00
2 Chair mats @ $30.00	60.00
2 Desk Lamps @ $45.00	90.00
	$880.00

TOTAL ADMINISTRATIVE EXPENSES	$64,041.00

III. Analysis

A. Assumptions

1. Dept. of Community & Regional Affairs staff would be housed in existing DCRA facilities in Juneau.

2. All case work would be contracted with a local agency.

3. Div. of State Economic Opportunity in DCRA would administer program.

4. First year would be in areas with operating licensed centers or homes.

5. Administration and associated costs would be contracted to local communities.

6. At the minimum, eligibility requirements will follow Title XX Social Services Act as amended.

7. SFOO will be funded for FY 76.

8. Assistance will be appropriated at 1.2 million dollars.

B. Program Summary

1. Two new positions would be required in the DSEO.

   a. Cordinator to set up the program, draft regulations and forms, negotiate for contractual services, conduct analysis and evaluation, and general supervision and administration of the program.

   b. Field Representative would be responsible for training of contracted personnel, on site program monitoring and technical assistance to contractor and other duties as assigned by the Director and Coordinator.

   c. The DSFO will provide accounting and clerical support with current staff.

2. Travel

   a. It will be necessary for the Coordinator and Field Representative to travel to the individual communities involved for the purpose of training personnel, contract administration, program monitoring and evaluation.

   b. Contractual -- All phases of the program directly related to contract with individual recipients, day-care centers or homes will be contracted to local agencies in those communities affected. Additional contractual costs are primarily for space and support of the new position.

3. Other Funding -- None.

CONSULTANTS

The following persons and agencies were consulted in preparation of this fiscal note:

Pat Monroe, Day Care Consultant, Dept. of H&SS

Ada Gleason, Day Care Licensing, Dept. of H&SS

Rosalie Walker, Early Childhood Specialist, Dept. of Ed.

Jennifer Peterson, Model Cities Administrator, City of Juneau

Mike Harper, Deputy Commissioner, Community & Regional Affairs

Reed Stoops, STAP, Div. of State Economic Opportunity, C&RA

Margaret Levitt, Research Analyst, DSEO, C&RA

Heather Flynn, Human Resources, League of Women Voters

Ann Gorsuch, " " " " " "

Elaine Huthengren, " " " " " "

Carol Johnson, Early Childhood Education, ASOSS

Sally Meade, Foster Parents Coordinator, Anch. Comm. College

Margaret Wolf, Child Care Consultant, G.A.A.B. Health Dept.

Betsey McGuire, Exec. Dir., Office of Child Advocacy

Roger Mooney, Head Start, RurAL CAP

Pete Luttermoser, Region X, Office of Child Development

Phil Smith, Executive Director, RurAL CAP

Lynn Wegener, Administrative Officer, C&RA

Mary McClinton, Rural Development Assistance, C&RA

DISTRIBUTION OF LICENSED HOMES, LICENSED DAY CARE CENTERS, AND HEAD START FACILITIES IN ALASKA

City of Anchorage:

27 centers with slots for 850 children (one is for part-time only)
97 licensed homes
3 Head Start locations which serve 100 children (approximately four hours per day)

City of Fairbanks:

8 centers with slots for 213 children
18 licensed homes
Head Start serves 80 children

City and Borough of Juneau:

5 centers with slots for 199 children (one is for summer only)
22 licensed homes

South Central Alaska:

Palmer: 2 centers with slots for 75 children
3 licensed homes

Chugiak: 1 center with slots for 30 children

Seward: 1 center with slots for 20 children
2 homes

Eagle River: 2 homes

Kenai: 1 home

Valdez: 1 center with slots for 24 children

Southeast Alaska:

Hoonah: 1 center with slots for 30 children

Ketchikan: 2 centers with slots for 42 children
2 homes

Sitka: 1 center with slots for 37 children
2 homes

Petersburg: 1 center with slots for 28 children

Southwest Alaska:

Kodiak: 1 center with slots for 49 children
3 homes

Dillingham: 1 home

Western Alaska:

Bethel: 1 center with slots for 30 children

Kotzebue: 1 center with slots for 50 children

Northern Alaska:

Barrow: School district operated program for 50 children

Rural Alaska:

30 villages have Head Start programs (which are <u>not</u> day care); each serves from 15 to 30 children 3-1/2 to 5 hours per day.

HEAD START VILLAGES

Alakanuk	31 children	Nondalton	16 children
Chevak	21 children	Noatak	17 children
Emmonak	21 children	Noorvik	29 children
Fort Yukon	16 children	Nunapitchuk	21 children
Gambell	14 children	Nulato	20 children
Fortuna Ledge	18 children	Old Harbor	16 children
Hooper Bay	32 children	Point Hope	16 children
Kake	23 children	Saint Paul	21 children
Kaltag	13 children	Savoonga	20 children
Kiana	19 children	Selawik	15 children
Kodiak	20 children	Stebbins	30 children
Kwethluk	22 children	Togiak	26 children
Manokotak	21 children	Wainwright	21 children
Mekoryuk	15 children	Yakutat (operated by school district)	20 children
Mountain Village	26 children		

3/13 - Day Care

NAME	REPRESENTING	TESTIFYING
Margaret Wolfe	~~State Govt~~ State Govt	
Jen Peterson, Model Cities	City Borough of Juneau	Yes ✓
Jackie Camor		
Margaret Bozeman - Chairman	Fairbanks, Alaska	
Phil Smith	Rural Community Action Program	&
Margaret Leith	Dep. of CYRA	- NO -
Charles L. Parr	Regional Advisory Bd. FBX	NO
Rosalee T. Walker	Juneau 4C's Agency	Yes ✓
Elaine Hultengren	Governors Advisory Board	
Eric Lee	Director, Div of State Economic Opportunity (CSEA)	IF REQUESTED
Mary Afcan	~~Head Start Grant~~ day care worker, Fairbanks	yes ✓
Margaret Wolfe - DFCS Advisory Bd		yes ✓
Karen Williams	DFCS Adv Board	no
Pat Denny - DFCS Adv Board		no
Mary Ewhaden	DFCS Adv Board	no
Carl John	DFCS Advisory Bd Anchorage	no
Velma Hanna	DFCS Adv Board	no
Gloria Houston Way	DFCS Advisory Board, Juneau	no
Susan Connally	DFCS Adv Board, Anchorage	no

HB-168

Alaska State Legislature

House

JUNEAU ALASKA

HB 168

HESS COMMITTEE MEETING

April 21, 1975

Members Present:

Chairman Sullivan called the meeting to order at 3:00 pm.

HB 433

Dr. Scholz, Sheldon Jackson College
Spoke in favor of the bill.

Beirne I move and ask unanamous concent that we pass this bill out of committee with a 'do pass' recommendation.

Ostrosky SEconded

Chairman Hearing no objection, so ordered.

HB 404
REpresentative Urion gave briefing of the bill.

Swanson Move for the adoption of an amendment, 'Delete Sec. 1'
Ostrosky Second the motion

Chairman Hearing no objection, motion carries.
Swanson Move and ask unanamous concent to move HB 404 out of Committee as amended.
Ostrosky Second

Chairman Hearing no objection, so ordered.
(a Committee Substitute was drawn up with the approved amendment)

HB 168 Urion spoke in favor of the bill as opposed to HB 272.

Cosgrove Office of the Aging
Spoke in favor of the concept.

Dozier Dept. of C&RA
Spoke to the difference of the two bills.

The Bill was held over until a later date.

The Legislature of the State of Alaska

FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. HB 168 SB 218

Title: ...Property tax reimbursement payments to a Senior Citizen who rents

Requested by: House HESS/Senate C&RA Date: February 12, 1975

Return Date Requested:

Agency: Community & Regional Affairs Program: Social Services

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Senior Citizens Property Tax Exemptions

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES		37.7	39.6			
200	TRAVEL		6.0	6.3			
300	CONTRACTUAL		5.0	4.8			
400	COMMODITIES		.3	.3			
500	EQUIPMENT		2.1				
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.			620.4			
	TOTAL		51.1	671.4			

B. FUNDING: (Thousands of dollars)

GENERAL FUND		51.1	671.4			
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	2 /	2 /	/	/	/
MAN MONTHS (P./T.)	/	24 /	24 /	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

ASSUMPTIONS

1.) Statewide population in 1976 will approximate 365,000.
2.) The increase in property values or average tax per application of 11% will continue for the next few years.
3.) Residential property owned by the Senior Citizen is generally of a higher quality than can be afforded by a tenant. To reflect this difference, a 25% discount in average tax per application is used for tenant occupied housing.

IV. ATTACHMENTS

ANALYSIS

V. DATE: February 19, 1975 PREPARED BY: Robert Dozier

Robert Dozier, State Assessor
Local Government Assistance Division

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

The 1970 census indicated that 1.3% of the State population are Senior Citizen "Heads of Households". By deducting the projected number of Senior Citizen property owner in 1976, leaves a balance of 1,995 Senior Citizens to whom the benefits of this program would be extended under this bill. The projected average reimbursement per participant in 1976, discounted by 25% (assumption #3) equals $311.

1,995 x $311 = $620,445

The bill places the responsibility for administering this portion of the Tax Exemption program on the Department which includes verifying applications and determining the tax attributable to exemption for a Senior Citizen living in a multi-purpose building, condominium, duplex or apartment. This will require the services of an appraiser who will also develop regulations, prepare the necessary application forms, and instruction manual. The incumbent will travel to municipalities where Senior Citizens apply for rental exemption for the purposes of examining the tax roles and actual field appraisals. An existing research assistant position would be up-graded to a research analyst to take on the additional responsibilities of the initial screening process of applications, review of rental receipts upon submission and program follow-up through correspondence with landlords and tenant Senior Citizens. A Clerk Typist II position would provide clerical support.

The administrative costs are estimated at $51,106 and are detailed as follows:

Personal Services		
Appraiser III (Range 19)	$20,136	
Clerk Typist II (Range 7)	9,192	
Up-grade Research Assistant to Research Analyst (Range 10 to 13)	2,652	
Benefits @ 18%	5,756	
		$37,736
Travel		
Review of assessment roles and field inspection of multi-purpose and multi-resident buildings		$ 6,000
Contractual		
Telephone and long distance	$ 1,600	
Postage	500	
Printing and advertising - hearing notices, application forms and manual	1,500	
Office Rent - 150 sq.ft. @ .50/sq./ft.	900	
Machine Rental and Xerox	500	
		$ 5,000
Commodities		
Reference materials and office supplies		$ 300

Equipment

Executive desk	$ 270	
Secretarial desk	300	
Two chairs	190	
Typewriter	570	
Calculator	600	
Filing Cabinet	140	
		$ 2,070
Total Administrative		$51,106

The State Assessor is available to provide any additional information or discuss alternative proposals.

First Session - Ninth Legislature

I. REQUEST

Bill No. CS Sponsor Substitute for HB No. 272

Title: Tenant Senior Citizen Reimbursement Payment Program.

Requested by: House Finance Date: April 15, 1975

Return Date Requested:

Agency: C & RA Program: Social Services

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Senior Citizen

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES		45.5				
200	TRAVEL		6.0				
300	CONTRACTUAL		9.8				
400	COMMODITIES		.6				
500	EQUIPMENT		2.4				
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.		620.4				
	TOTAL		684.8				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		684.8				
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	2 / 1	/	/	/	/
MAN MONTHS (P./T.)	/	24 / 6	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumptions

1.) Statewide population in 1976 will approximate 365,000.
2.) The increase in property values or average tax per application of 11 will continue for the next few years.
3.) Residential property owned by the Senior Citizen is generally of a higher quality than can be afforded by a tenant. To reflect this difference, a 25% discount in average tax per application is used for tenant occupied housing.
4.) Section 1 (c) means payments would be made for this period Jan. 1--Dec. 31, 1975.

IV. ATTACHMENTS

V. DATE: April 15, 1975 PREPARED BY: S. Robert Dozier

S. Robert Dozier, State Assessor
Local Government Assistance Div.

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

The 1970 census indicated that 1.3% of the State population are Senior Citizen "Heads of Households". By deducting the projected number of Senior Citizen property owners in 1976, leaves a balance of 1,995 S enior Citizens to whom the benefits of this program would be extended under this bill. The projected average reimbursement per participant in 1976, discounted by 25% (assumption #3) equals $311.

1,995 x $311 = $620,445

The bill places the responsibility for administering this portion of the Tax Exemption program on the Department which includes verifying applications and determining the tax attributable to exemption for a Senior Citizen living in a multipurpose building, condominium, duplex or apartment. This will require the services of an Assistant State Assessor who will also develop regulations, prepare the necessary application forms, instruction manual and will conduct on-site surveys of residential property within the 72 differential tax code areas to establish tax equivalent percentage ratios. These ratios will be applied to actual rent receipts. An existing research assistant position would be up-graded to a research analyst to take on the additional responsibilities of the initial screening process of applications, review of rental receipts upon submission, analysis, tabulation, and audit of claims and program follow-up through correspondence with landlords and tenant Senior Citizens. Under direction of the Research Analyst, a Clerk Typist III position and one-half Clerk Typist II position will assume the clerical backup for providing general information about the program and answering individual questions. They will also handle the multitudinous follow-up detail for ambiguous and incomplete information supplied on application forms. These positions will also provide clerical support for the Assistant State Assessor.

The administrative costs are estimated as follows:

100 Personal Services

Assistant State Assessor Range 19	$21,960	
Clerk Typist II Range 7 (Part time)	5,040	
Clerk Typist III Range 8	10,332	
Upgrade Research Assistant to Range 13	1,296	
Total Salary	38,623	
Fringe Benefits 18%	6,953	
Total Personal Services		$45,581

Travel & Per Diem

Assistant State Assessor on-site survey of residential property	$6,000

Contractual Services

Telephone and long distance	2,900	
Postage	1,600	
Printing and advertising - hearing notices, application forms and manual	4,000	
Office Rent - 150 sq. ft. @ .50/sq. ft.	900	
Machine Rental and Xerox	400	
		$ 9,800

Commodities

Reference Materials	300	
Office Supplies	300	
		$ 600

Equipment

Executive Desk @ 270	270	
Secretarial Desk @ 300	300	
2 Typewriters @ 570	1,140	
1 Calculator @ 600	600	
1 Filing Cabinet @ 125	125	
		$2,435

Total FY 76 Budget Request for Operation of SS HB No. 272 $64,416

HB-180

Alaska State Legislature

House

JUNEAU ALASKA

HB 180

HESS COMMITTEE MEETING

April 30, 1975

Members Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Swanson
Osterback	

Vice Chairman Parr called the meeting to order. The first order of business was HB 180.

Bob Gates Dir. Div. of Retirement
This bill would provide changes in the present system. It would allow on an optional basis for the employee to make required employee contributions. The optional portion would be somewhat limited in time. Period of 3 years to collect supply of contributions. I am wondering if this also applies to supplemental contributions? It is unclear in this language.

Osterback Sounds confusing, I think the teachers already get a large enough salary. If the teachers are going;to get this then so should everyone else.

Parr The intent here is that a school board might allow for employee contributions. Am wondering about income taxation here?

Gates If the intent says that no longer the employee contributions are collected if the school board pays it then it would be subject to taxation upon reciept by the member. If you have it optional you still have it to mean teachers mandatory and the teacher would report it as income and pay taxes on it. Have one or the other, this would solve the problems with this bill.

Hackney Questioned return of employer contributions.

Gates This would be reported as taxable earnings in the year they were made. Doesn't change things in the standpoint of funding, our concern would be accountability,if districts handled this seperately they would all be handled differently and this would be confusing.

Parr Perhaps the Legislation needs to be redrafted but why would it cause you any more work?

Gates Rep. Parr is assuming that the contributions are fully repaid. It is possible that we would have to create two seperate processes for each teacher.

Parr The intent of this legislation is that it would be a negotiable item.

Osterback I read the bill that it would cut out something else in the monies to allow. for this extra process.

Swanson In agreement with Osterback. Wouldn't it be simplier to say that the State pay for all employee retirement. Could we amend this bill to say 'all state employees'?

Gates No, that is not possible in that particular bill.

Van Houte Position is that if the employer "the payments not be refundable if the teacher resigns". this is an option availbe to him.

Commissioner Lind This would open up another area for negociations, and I see this as a potential problem area. We would not want to see this paid entirely by the state and the employer.

Overstreet In agreement with Lind, Board members are not in favor of this bill.

Hackney Move bill be tabled
Swanson Seconded

Chairman Parr What is the vote?
Yea 3 Nay 2
Motion carries, bill is tabled.

SB 24
Schrader Div. of Mental Health
HB 311 is almost identical, minor change, it defines more specific concept of 9010 Funding for designated poverty areas. Very important Legislation and essential for the operation and development for mental health programs for the State.

Hackney What was the fiscal note for FY76?

Schrader $590,000, $350,000 of that for new funding in the Governors budget. the remainder is to fund programs in Ketchikan and Kodiak.

Ostrosky INquired as to difference of the two bills.

Schrader Barrow, Kotz, Bethel, Tok, Galena, Glenallen, Dillingham, Cold Bay are all poverty areas, the total fiscal impact is not very great here.

Philip Guy Spoke in favor of the bill and offered some amendments which were decided to be unnecessary as the bill covered all these areas already.

Schrader he actual census of the area would not be relevant in one sense. This language is the standard approach to establish a poverty area.

Parr Reservations with the bill. I don't want this to be a loophole to fund any more alcoholism. Too much money is already being spent on alcoholism.

Sen. Chance As far as funding, this will be designated for MH funding.

Swanson Move bill out with individual recommendation
Osterback Seconded

Chairman Hearing no objection, so ordered.

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

3-29-75

Members Present:

Beirne	Ostrosky
Davis	Sullivan
Hackney	Swanson
Ose	
Osterback	

Chairman Sullivan called the meeting to order at 2:00pm. Before that the Committee met at the Hilton and was treated to Lunch by Bob Van Houte, NEA.

HB 56

Ose Gave briefing of bill and stated that it just puts principals in their own class and not stating them as administration in the status.

Overstreet Would like to see the word 'reasonable' deleted from line 21.

Hackney Is there a particular reason for that word?

Ose I don't recall any.

Beirne Reasonable could mean that there was a question. I think principals think they are kind of no mans land- they want to have a place in the law and want to have some decision in policy making. How could we reword this statement and still allow principals to be brought in?

Overstreet Reasonable people still do argue over what is reasonable.

Swanson I feel we might be opening ourselves up for a law suit.

Hackney I move we strike 'reasonable' from this bill and accept it as a Committee substitute.

Beirne I object

Sullivan I'll take that as an ammendment to the ammendment, motion fails. I s there a motion to strike 'reasonable'? (hand count- passes).

Beirne I move and ask unanamous concent that the bill be passed out of committee.

No objection, so ordered.

HB 149 Rep Beirne gave briefing of bill. Teacher retiring before 1951 has different retirement system. The fiscal not shows small fiscal impact. Average age of teacher is 70

Van Houte From Retirement of office we are talking about 40 people.

Hackney What is the fiscal impact?

Beirne 96,300 for 1976.

Hackney I move that we pass this out with a 'do pass' recommendation.

Beirne I second the motion.

Chairman Hearing no objection, so ordered.

HB 167

Chairman Sullivan explained the bill. Bill protects the certified substitute teacher.

Ose I won't go along with this because you are putting certified and non certified teachers on the same level.

Beirne This bill would give the principal the choice to pick the best qualified person for the job whether certified or not.

Ose What does is amount of pay per day?

Sullivan Imagine it varies. What is the typical pay in Anchorage?

Hackney It comes out to about $48 a day.

Van Houte We support this bill for all the reasons stated, to protect certified teachers.

Hackney It seems to me that the intent of this bill is putting a floor salary and not giving the district necessarily the money to do it and certification or non certification is the problem.

Chairman What we want to avoid is the hiring of the certified over the hiring of more qualified people. Is there a motion? Is there a motion to put in 'certification'

The motion was made and seconded by Davis. All in favor of an amendment to include 'certified' raise your hands. (no hands) Chairman called a recess.

Chairman called for a hand vote on the amendment Yea 2 Nay 4

Hackney I move we table this bill.
Ose Second
Chairman All in favor, unanamous concent to table the bill.

HB 180

Chairman Sullivan briefed the bill. Basic reason for this bill is to give individual teachers special recognition by letting school districts pay part of retirement.

Swanson The fiscal implication that I have found per this bill would be 8 million dollars.

Chairman My fiscal note says .00. That is if a school district wants to pay this money they have to find it.

Van Houte The current law states that they may not pay employees contributions and this law allows them if they want to.

Chairman asked Bill Overstreet if he would like to comment on bill.

Overstreet Yes, this is a bill that we really would prefer you didn't pass because it just leaves very many areas open for problems. It doesn't say we have to do anything but very problematic negotiations.

Chairman Could I have a motion on the bill?

Beirne I don't feel that we have enough information. Who might we call in to give us more? Can we call in arbitrators on this?

Ose I move we hold this bill over for more information.

Hackney Second. Nay 3 Yea 6

Bill was held over until a later date.

HB 224

Beirne gave briefing of the bill. It will take care of AMU when they transfer over to U of A.

Van Houte In favor of the bill.
Overstreet In favor of the bill.
Ose Spoke in favor of the bill.
Hackney Move we pass bill out with unanamous concent

Chairman Sullivan Without objection, so ordered.

HB 295

Beirne gave briefing of the bill. Same concept as 224 but relates to teacher working with handicapped children.

Parr As I understand it this bill only changes kindergarten to preschool.

Hackney I ask to move this bill out with unanamous concent.

So ordered, no objections.

HB 296

OVerstreet- This stand is not that of the school board's but my own feelings. There is no fiscal impact.

Parr Asked for unanamous concent to move bill out. No objection, so ordered.

Adjourned at 4:15

I. REQUEST

Bill No. HB 180

Title: An act relating to contributions to the Teachers' Retirement Fund

Requested by: Representative Leslie Swanson Date: 3/26/75

Return Date Requested: As soon as possible

Agency: Administration - Retirement Program: TRS

II. FISCAL DETAIL

Budget Request Unit(s) Affected: SOS, DOE, U OF A AND TRS Matching

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES	0.	14.4	15.3	16.2	17.2	18.2
200	TRAVEL	0	0	0	0	0	0
300	CONTRACTUAL	0	20.0	0	0	0	0
400	COMMODITIES	0	0	0	0	0	0
500	EQUIPMENT	0	0	0	0	0	0
600	LAND & STRUCTURES	0	0	0	0	0	0
700	GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
100	BENEFITS	0	2,687.	2,848.	3,019.	3,200.	3,392.
	TOTAL	0	2,721.4	2,863.3	3,035.2	3,217.2	3,410.2

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0	2,721.4	2,863.3	3,035.2	3,217.2	3,410.2
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0

C. POSITIONS:

PERMANENT/TEMPORARY	0 / 0	1 / 0	1 / 0	1 / 0	1 / 0	1 / 0
MAN MONTHS (P./T.)	0 / 0	12 / 0	12 / 0	12 / 0	12 / 0	12 / 0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

1. Assumed that all employers would elect to pay employees contributions or be forced to through collective bargaining because employees are currently paying contributions with after tax dollars.
2. Payroll is assumed to increase at 6% per annum.
3. The State-employer contribution rate would increase by 7%.
4. Employees would continue to pay the 1% supplemental contributions if elected as well as pay for "outside" and military service.

IV. ATTACHMENTS

Appendix I, II, and III

V. DATE: April 8, 1975 PREPARED BY: Robert S. Gates

Robert S. Gates, Director
Division of Retirement & Benefits

Original - Legislative Fiscal

APPENDIX I -- HOUSE BILL 180

TRS ---

1. Estimated FY 76 Payroll (total) = $106,797,000.
2. Increase in Employer Contribution Rate = 7%

Breakdown of Payroll and Costs

Employer	Payroll		Rate	Cost to State
State-Operated Schools	18,425,980	x	7%	$1,289,818
University of Alaska	18,156,740	x	7%	$1,270,971
Department of Education	1,809,420	x	7%	$ 126,659
Total Cost to State of Alaska				$2,687,448*

Distribution of Appropriation for TRS

1. State-Operated Schools - - - - $1,289,818 to Their Budget
2. University of Alaska- - - - - -$1,270,971 to Their Budget
3. Department of Education- - - - $ 126,659 to Their Budget

* Does not include cost to local school districts which would be $4,788,349 for Fiscal Year 1976.

APPENDIX II -- House Bill 180

The following administrative funds would be required to implement the provisions of House Bill 180:

1. Personal Services - one permanent position - Accountant I (range 12).

Annual Salary -	$12,192
plus 18% benefits	2,195
	$14,387

2. Modification to data processing system to maintain two separate accounts for each member = $20,000

APPENDIX III -- House Bill 180

Estimated cost for selected employers for FY 76 if House Bill 180 is passed.

	Estimated FY 76 Payroll	Cost of Paying Employee Contributions @ 7%
Anchorage Borough School District	$31,479,148.45	$2,203,000
Fairbanks North Star Borough	$ 8,841,199.90	$ 618,000
Juneau Borough School District	$ 3,663,405.83	$ 256,000
Nenana School District	$ 303,222.64	$ 21,200
Matanuska-Susitna	$ 3,508,938.79	$ 245,000
Sitka	$ 1,909,402.31	$ 133,000

TELEGRAM

ACA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

02082 NL ANCHORAGE ALASKA 50 04-21 457P ADT 1975 APR 21 PM 10 06

PMS DOUG SCHOENBERG STAFF ASSISTANT HESS COMMITTEE

POUCH V 2135

JUN"

RELUCTANT TO SUPPORT LEGISLATION THAT CHANGES FUNDING
OF TEACHER RETIREMENT UNTIL COMPLETE FISCAL STUDY IS
MADE

JOE D MONTGOMERY ANCHORAGE BOROUGH SCHOOL SDISTRICT

PROPOSED LEGISLATION AS RECOMMENDED BY THE STEERING COMMITTEE
FOR
CONSIDERATION AND ACTION BY THE JOINT NRTA-AARP STATE
LEGISLATIVE COMMITTEE

1. Enact legislation that will provide an annual escalation of retirement benefits to all retired teachers and other retired public employees who have qualified for Alaska retirement. Such increased benefits shall be determined annually and shall be equal to the cost of living increase as established by the U. S. Department of Labor. Funds for the support of this act shall come from the General Fund of the State of Alaska. Such benefits shall be paid to all retirees irrespective of their residence.

2. The State Committee endorses no-fault automobile insurance and urges the Legislature to enact that type of legislation during the 1975 legislative session. This legislative act should prohibit cancellation or nonrenewal of such insurance solely because of age.

3. There shall be a subcommittee of the Interim Legislative Committee composed of members from the House and the Senate of the Alaska State Legislature to examine and promote legislative issues affecting the elderly are viewed in a comprehensive context.

4. We urge the State Legislature to enact and enforce statutes prohibiting age discrimination in employment and mandatory retirement because of age.

5. Legislation to provide for middle income housing similar to that provided for those individuals eligible for low income housing. This legislation to provide for those 60 years of age or older. Carried.

6. We urge that the Legislature devote a fair proportion of general and special revenue sharing funds to meet the needs of the elderly. Carried.

7. We urge that the State enact a trade practices act to protect consumers and that will prohibit credit discrimination based on age and sex. Carried.

8. We urge the State Legislature to require prescription price posting in all pharmacies and to permit prescription price advertising in order to encourage price control.

9. We urge the legislature to provide the same tax credit for the aged rentor as it now does to the home owner.

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-8412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-8159

HOUSE OF REPRESENTATIVES

April 9, 1975

Mr. Joe Montgomery
Anchorage Borough School Districts
4600 DeBarr Rd.
Anchorage, Alaska 99504

Dear Mr. Montgomery:

The House Health, Education and Social Services Committee will shortly be holding hearings on HB 180, an act relating to contributions to the teacher's retirement fund.

We would very much like to hear both your position and that of the School Board on this issue.

Thank you for your immediate response.

Sincerely,

Doug Shoenberg, Staff Assistant
HESS Committee
Pouch V
Juneau, Alaska 99801

DS/lm

HB-181

"An Act creating the Health and Social Services Advisory Board."

2/19/75

COMMITTEE REPORT

FINANCE

HOUSE

Mr. Speaker: Date May 2, 1975

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HB 181 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan Do Pass

Members NOT concurring in the Majority report:

_____ recommends: DO NOT PASS

_____ recommends: Do not pass

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

May 2, 1975

Members Present:

Beirne	Swanson
Hackney	Sullivan
Osterback	
Ostrosky	

Chairman called the meeting to order at 3:15pm. The first order of business was SB 140.

SB 140

Susan Gordan - Alaska Youth Advocates
The intent of this legislation is to put the Federal requirement into the Alaska Statutes. Congress passed the Act in 1974. Money will be coming through the State Planning Agency. It is required that each State Commission on Administration of Justice have two juvenile specialists on the Commission. All juvenile monies will come through this Act from now on. This important in terms of grant money for the entire state.

Swanson What type of grants are these, matching?

Gordan No, 90% Federal, we have to match 10% cash funds, 100% Federal money in that sense.

Swanson Move and ask unanamous concent to move bill out of Committee.

Osterback Seconded

Chairman Hearing no objection, so ordered.

CSHB 181 Work shop type discussion on the bill, no witnesses were present at this time.

Ostrosky Move out with individual recommendation.
Beirne Seconded
Chairman Hearing no objection, so ordered.

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 11, 1975

Members Present:

Beirne	Parr
Hackney	Sullivan
Ose	Swanson
Osterback	Davis

Chairman Sullivan called the meeting to order at 3:00. The first order of business was HB 181.

HB 181= Margaret Wolf, Advisory Board Chairman
Spoke of the history of the H&SS Advisory Board. Spoke in opposition to all encompassing. Would like to see this as the Div. of Family and Children Services Advisory Board. Would like to also suggest a Committee Substitute be drawn up. HB 553 (1974) projected expenses based on current costs, less than $15,000. The Board exists now but is having trouble being funded by the Dept. because of no mandating legislation.

Swanson What will be the cost?

Wolf $15,000.

Beirne It is my experience that the Board has been very helpful in Anchorage.

Hackney What kind of problems are brought to the Board's public hearings?

Wolfe In favor of HB 553 (1974 Legislation)

C. Kleinkauf National Assoc. of Social Workers. The Governor's Welfare Advisory Board will become H&SS, Div. of Family & Children Services Board with the enactment of this bill. The Board provides invaluable service such an advisory Board used to be mandatory in order to get federal funds, now it is voluntary but valuable so it should be retained.

Commissioner Williamson Spoke in favor of continuing the existence of the Board with state legislation mandating such board. Expressed that he was seeing HB 553(1974) for the first time and would prepare a position paper on the matter.

Beirne Motion to adopt HB 553(1974) as CSHB 181 (1975).
Osterback Second the motion.

Chairman Sullivan asked if there was any objection, none being heard, CS for HB181 was accepted by the Committee.

SCR 16

See page two

SCR 16 Senator Chance gave briefing of the bill. Emergency medical facilities are necessary in bringing attention to the need for special training to deal with rape victims.

Hackney Motion to move bill out with 'do pass'
Ostrosky SEcond

Chairman Sullivan, hearing no objection, announced bill out of committee with unanamous concent.

SCR 18 Senator Chance gave briefing of the bill. No aggressive self defense techniques can be taught that aren't applicable to aggressive action.

Ose Motion to move bill out with unanamous 'do pass'
Hackney Second

Hearing no Objection, SCR 18 passes the Committee.

Adjourned.

POSITION PAPER
ON
HOUSE BILL NO. 553

"An act creating the Health and Social Services, Division of Family and Children Services, Advisory Board."

It appears that House Bill No. 553 would provide for the continuing legal existence of the Division of Family and Children Services Advisory Board which is currently mandated under Federal Regulations which expire on October 1, 1975. The only changes from the present operation of the Board appear in Sec. 47.45.040 related to duties. House Bill 553 would require the Board to respond to the Legislature as well as to the Administration. We recommend removing responsibility to report to the Legislature in order to avoid difficulties concerning the separation of powers of the two branches of State government. Sec. 47.45.040 (a) (3) would require the Board to advise upon the "coordination of programs of each division of the department with each other and with other service agencies." This mandate would take the Board clearly beyond the boundaries of the Division of Family and Children Services and even outside of the Department of Health and Social Services.

The Composition of the Board proposed in House Bill No. 553 is identical to the composition required by existing Federal regulations. The Disclosure Law has resulted in a few resignations from the current Board, but the impact of the Disclosure Law does not appear to be extensive.

A fiscal note is attached which shows that the Division has already budgeted for the Advisory Board in the FY 76 Social Services BRU. The budget was prepared before Congress changed the Social Security Act, replacing the current federal regulations effective October 1, 1975.

The Department recommends the following changes:

Page 2, Sec. 47.45.040 (a) - delete the word "legislature".

Page 2, Sec. 47.45.040 (a) (3) - delete.

Page 2, Sec. 47.45.040 (b) - delete the word "legislature".

The Department supports the House Bill 553 with the changes recommended above, providing that the Governor's budget is not exceeded.

Recommended By: _____ _____
Freda M. Borchick — DATE
Acting Director

Approved By: Francis S.L. Williamson — 4/16/75
Francis S.L. Williamson — DATE
Commissioner

I. SCHEDULE OF ESTIMATED PER DIEM & TRAVEL

Regional Meetings

Six members each Region not travelling x$50/day x 2 days x 4 meetings x 3 regions=

$7,200

Three members each Region travelling x $50/day x 4 days x 4 meetings x 3 regions=

$7,200

Three members each Region x $90 average roundtrip fare x 4 meetings x 3 regions=

$3,240

Sub-Total for Regional Meetings $17,640

Statewide Meetings

Two members not travelling x $50/day x 3 day x 3 meetings=

$ 900

Ten members travelling x $50/day x 5 days x 3 meetings=

$7,500

Two members x $90 average roundtrip fare x 3 meetings=

$ 540

Eight members x $180 average roundtrip fare x 3 meetings=

$4,320

Sub-Total for Statewide Meetings $13,260

TOTAL OF DIV. OF FAMILY AND CHILDREN SERVICE ADVISORY BOARD $30,900

2. Schedule of FY 76 budget request for the Division of Family and Children Services Advisory Board.

Under present operations the Division of Family and Children Services Advisory Board holds three to four statewide meetings per year with 3 or 4 members from each Regional committee attending. The meetings are generally scheduled for 2 to 3 days. At the Regional level all committee members live within commuting distance of the Regional offices. The frequency and duration of Regional meetings vary, but they are usually held in the evenings or lunch hours. Committee members are not currently paid per diem for attending Regional meetings. If the Advisory Board which House Bill 553 proposes to establish were to continue the above practices the estimated cost of the Board would be reduced as follows:

Total Estimated Cost (Sch. 1) =	$30,900
Less costs of Regional Meetings (Sch. 1)	(17,640)
Less Partial Costs of Statewide Meetings (Sch. 1)	(1,140)
Total Estimated cost under present operations	$12,120

FY 76 budgeted (per diem at $35/day)

Transportation:	(a)	Meeting in Fairbanks		
		3 people from Anchorage	R/T	285
		3 people from Juneau	R/T	540
	(b)	Meeting in Anchorage		
		3 people from Fairbanks	R/T	285
		3 people from Juneau	R/T	345
	(c)	Meeting in Juneau		
		3 people from Fairbanks	R/T	540
		3 people from Anchorage	R/T	345
		Total Transportation		2,340

Per Diem:

3 meetings x 9 people x 2 days per diem	1,890
3 meetings x 6 people x 4 days per diem	2,520
4 local meetings x 9 people x 1 day per diem x 4 regions.	3,780
Total Per Diem	8,190

FY 76 Total = $10,530

The Legislature of the [illegible]

FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. House Bill 553

Title: Health & Social Services, Div. of Family & Children Services

Requested by: Advisory Board, Date:

Return Date Requested:

Agency: H&SS, DF&CS Program: Social Services

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Social Services

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL	9.5	30.9	34.0	37.4	41.1	45.2
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL	9.5	30.9	34.0	37.4	41.1	45.2

B. FUNDING: (Thousands of dollars)

GENERAL FUND	2.1	23.5	26.6	30.0	33.7	37.8
FEDERAL FUNDS	7.4	7.4	7.4	7.4	7.4	7.4
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	0 /	0 /	0/	0/	0 /	0 /
MAN MONTHS (P./T.)	0 /	0 /	0/	0/	0 /	0 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

HB 553 requires at least three statewide meetings per year and four Regional meetings per year. It is assumed that 1/3 of the membership of each Regional Committee will be from outlying areas. Further, it is assumed that Regional meetings will be two days each with two days of travel for out-of-town members. and statewide meetings will be three days each with two days of travel, for each member. Federal financial participation is at the ceiling.

IV. ATTACHMENTS

1. Attached schedule showing estimated per diem and travel.

2. Attached schedule of FY 76 budget request for the Div. of Family & Children Services Advisory Board.

V. DATE: 4.15-75 PREPARED BY: [illegible]

Ada Gleason
Assist. Program Admin. (SS)

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

GOVERNOR'S ADVISORY COMMITTEE TO THE
DIVISION OF FAMILY & CHILDREN SERVICES

P. O. Box 1572
Anchorage, AK 99510
March 5, 1975

Dear Regional Chairperson:

My apologies for the delay on these minutes. The secretary was prompt, however, I did not get them reviewed for distribution.

My schedule will not allow me to join you for the first morning of the Juneau meeting. I will be on the 9:30 a.m. plane on March 12 and will come immediately to the meeting location on arrival. The vice chairperson, Mary Afcan, will be responsible for opening the meeting, and in her absence the secretary, Susan Clark.

I take this opportunity to remind everyone that in order for expenses of the trip to be paid, you must participate in the meeting. Representatives for Fairbanks and Anchorage should be the Regional Chairperson, the Statewide Executive Committee member, and the chairperson for the day care subcommittee regionally. If these positions are all different individuals, then one additional person may be chosen to make the panel of four from each location. We hope the Juneau group will be able to attend in entirety, and others from Anchorage and Fairbanks are invited to find other resources to pay their way to attend if possible.

See you March 12.

Sincerely,

Margaret Wolfe

Margaret Wolfe, Chairperson
Statewide Executive Committee

MW/eap
Attachment

Information Copy
with minutes

GOVERNOR'S ADVISORY COMMITTEE TO THE
DIVISION OF FAMILY & CHILDREN SERVICES
STATEWIDE MEETING

DECEMBER 4, 5, & 6, 1974

PLACE: Neighborhood Center, 325 E. [illegible] Ave., Anchorage, Alaska

Present - Morning session December 4, 1974:

MEMBERS

Margaret Wolfe, Chairman, Anchorage
Carolyn John, Anchorage
Susan Clark, Juneau
Karen Williams, Alternate, Anchorage
Elaine Hultengren, Anchorage
Lee Stringer, Juneau
Jackie Schoppert, Anchorage
LeRoy Coleman, Fairbanks
Bernice Allridge, Fairbanks
Vince Vitale, Anchorage

GUESTS

Eileen Marshall, DFCS, Anchorage
William Mailer, DFCS, Juneau CO
Sue Peterson, Anchorage

The meeting was not called to order until Fairbanks members arrived to make a quorum of two present from each Region. General discussion was held until their arrival.

Margaret Wolfe asked Mr. Mailer about clerical support for the Regional Committees. Mr. Mailer answered that it had been agreed the Division would supply clerical support. Margaret stated it had been her understanding in regards to the last Statewide meeting in Fairbanks that the clerk had had to transcribe the minutes on her own time. Mr. Mailer stated that if it did require overtime, the Division would be responsible for paying that.

Margaret Wolfe asked that the record reflect that the Advisory Committee in SCRO has had excellent clerical support and that Mrs. Marshall has been most cooperative.

Mr. Mailer announced that Stan Harris and Rod Betit would arrive for the afternoon session.

Outreach material for potential and current recipients was discussed. Getting knowledge of programs available out to people and quantity in offices was of concern. Several brochures and pamphlets are available but the local office does not have them. Carrie John stated Ann Lipson had drafted a brochure outlining social problems people may have that the office can talk to them about but she would like to see more of an explanation of the services, such as "a homemaker is someone who can come into your home, etc."

Margaret Wolfe asked Mr. Mailer about the structure in Central Office, where his position fit in. Mr. Mailer stated it had not changed--Mr. Harris is the Director of the entire Division and under that are two separate units, eligibility determination, which includes assistance payments and food stamp program of which Ray Pagenkopf is Program Administrator, and Social Services of which Mr. Mailer is Program Administrator.

With the arrival of Bernice Allridge and LeRoy Coleman from Fairbanks, Margaret Wolfe called the meeting to order at 9:45 a.m.

AGENDA

Section VII on Child Care Standards will be changed to Wednesday afternoon session. Budget will be moved to Thursday morning session with legislation.

WIN:

Mr. Mailer stated the entire status of the WIN Program is very much in question. The State has queried Region X but have had no response as to possibility or alternatives the State may have. One would be to ask for an exemption for Alaska from the WIN Program. Idaho had asked for this and was told by Region X they could not do it. One provision of the law is that each person who applies for AFDC has to be registered in the WIN Program. There is also a penalty for not doing this which can go up to 15% of total Federal funds going into the Division. There is no way the Division can absorb $4 to $5 million. About 50% of WIN positions Statewide are vacant because of lack of funding. Most Federal allocations are based on population and average income. Unfortunately, Alaska has a small population and high average income per wage earner (about $12,000). Mr. Mailer stated at this time they really do not have an answer on WIN. Since the new Governor has most likely not yet been made aware of various program problems, each Regional Committee and the Statewide Committee will write Governor Hammond about the WIN Program funding cuts asking him to explore the situation with Commissioner McGinnis.

Lee Stringer expressed concern that if the State does sue that the State also be responsible to take the financial burden rather than the client. Bill Mailer said this was one of the alternatives. They would have to ask for a supplement. Mr. Stringer stated that most law suits take considerable time and if this is a vital program, one the State is very much interested in, the State should come up with the money and try to collect from the Federal Government. Margaret Wolfe stated this was something the Committee should ask Mr. Harris in discussion of the budget.

Bernice Allridge stated the WIN Program is really strong in Fairbanks, is a very good program and young mothers are very interested and participating.

Margaret Wolfe also stressed the need for community people to educate their legislators (several of them new) before they head for Juneau. It would be helpful for them to know such things as what WIN means and what the impact will be if funds are diminished.

Mr. Mailer stated that WIN operates by a cooperative agreement with Employment Security. Labor was cut but not as seriously. He stated they possibly would be able to pay for day care under the day care budget but would then be working with a ceiling under Title IVA money.

Mr. Mailer was asked to elaborate on the Title IVA funding. He stated prior to September of 1972, the purchase of service was pretty open-ended type of Federal matching. The Division had contracts of around $21 million. Congress then said they would appropriate $2.5 billion for services. Alaska could not receive more than $3.991 million. Out of that, they have the homemaker program, day care, alcoholism program, social service staff, Alcantra, service in Pioneer Homes, etc., and that money does not go very far. They have had to administratively reduce to a funding level the amounts of monies they can claim for Federal matching.

The State legislature had appropriated $472,000 for homemaker services but the Division had to reduce that to $240,000 because they did not have the Federal monies. It was legislative intent to give the program the $472,000 but the Federal money is not there. Day care is the same. The legislature thought the entire amount was matchable. This came out of Free Conference Committee. The Division told them they couldn't use it, but they gave it all to them. The remainder of the money which was not matchable went back into the State general fund.

Bernice Allridge stated that the priorities in Fairbanks are day care and housing, skyrocketing rents. Elaine Hultengren said the housing situation in Anchorage is getting like Fairbanks. Carrie John stated she was working on this with other groups and will keep the Committees

informed. Margaret Wolfe suggested Regional Committees might begin to identify what this means to recipients with low income, document material and give to State legislators.

In relation to funding, Mr. Mailer stated the State had several laws which are not funded, such as day care licensing. Lee Stringer felt that if they cannot fund and enforce a law, they should repeal it.

Bernice Allridge said she knew of a person in Fairbanks who cares for 12 children. She has a business license but does not want a day care license or anything to do with welfare. Margaret Wolfe stated it was a matter of having staff to enforce it. By law, they should be licensed. Mr. Mailer added that last year they had requested positions for this but they were not funded.

Bernice Allridge stated there were also a lot of cases of child abuse in Fairbanks but not staff to follow up.

Mr. Mailer stated in funding and allocations, they do have alternatives for additional monies. They can cut homemaker services, and fund day care, cut day care and fund homemaker, or cut staff to fund homemaker or day care.

Mrs. Marshall stated Anchorage has two positions at WIN presently not filled. They were also to get one social worker and one clerk for pipeline impact but these are also vacant. Mr. Mailer said he thought there were nine positions Statewide vacant.

STATUS OF COMMITTEE:

Continuing with State Legislation. At the Fairbanks meeting, the Anchorage Regional Committee had been directed to review the bill proposed in the last legislature session to establish the committee and to make suggestions and changes if necessary. Margaret Wolfe stated they had reviewed this and submitted a letter to her as Statewide Chairman that they endorse it with one major change--that the Board should meet at least three times a year rather than two times as required by the law.

Elaine Hultengren asked what the provisions in the bill were for funding. Margaret Wolfe read two sections, one stating th t members are not entitled to salaries but to per diem, travel and other expenses such as babysitting. The other section states the DPCS director shall provide Board with technical and other assistance including secretarial services to carry on performance.

Elaine Hultengren asked if there was a provision dealing with public hearings and if the Committee was required to hold them. Margaret Wolfe said no, that would be the Board's decision as to how they want to operate. That should be discussed in budget with Mr. Harris.

Susan Clark stated the bill did not spell out that babysitting is only for members who are recipients, and it was the general feeling of the Committee that it should be for all members, regardless of whether recipient or not.

Question was raised on requiring a certain number of meetings for Regional Committees. Margaret Wolfe stated that was in the by-laws. She stated the Anchorage Committee meets twice a month . Margaret Wolfe suggested Board members go back and review the by-laws, make recommendations and revisions, send to Anchorage and they will get them out to everyone. One of these items can be number of meetings in Regions.

As Individual Members. Margaret Wolfe stated that the Committee serves at the pleasure of the Governor. With a new Governor, it does not mean the Committees disband but request the Governor's wishes about resignations. As chairman of the State Board, Margaret has sent such a letter to Governor Hammond. She stated she has called Joan Ray in the Governor's

Office in Anchorage and she will join the Committee later in the meeting. Margaret indicated to Mr. Ray the Committee would honor requests for resignations.

Conflict of Interest. Margaret Wolfe stated the law was passed that all commissioners, commissions, etc., are to submit financial reports on conflict of interest. Question had been raised about advisory committees. Margaret read the newspaper article relating to this and asked Bill Mailer to investigate and give the Committee some guidance on this matter. Margaret Wolfe stated she did not feel board members would have to submit a financial statement and would go under that assumption unless directed otherwise by the Department.

WORKLOAD STANDARDS:

Margaret Wolfe stated that last year the Committee had made a strong recommendation that workload standards be established and budgets be developed around these standards.

Mr. Mailer said in their budget document for 1974-75 the Division went to the time study reports that workers do one month out of every quarter for statistics. He stated he did not know of any state that has been able to come up with "what is a workload standard." At one time it was stated by the Federal people there should be no more than 50 cases per worker. That was not possible. Mrs. Marshall said there was also the question of "what is a case." Some cases take time and are very active, others are seldom active.

Mr. Mailer stated a social service reporting system is being set up in Juneau by a temporary employee and Lee Hendrickson (Systems Analyst). Information would have to come from social workers in filling out forms. Carrie John said she felt if the workers know it was going to improve their situation, they would be happy to fill the form out.

Margaret Wolfe said she thought what the Committee had in mind was to implement a system where a case is assessed and a determination made. She agreed it was difficult to do, but not impossible. She felt the Division had taken the initial steps, it takes so long to do a study, etc. The next step is to move to identification of how many studies have to be done and worked with, how many OAA, etc. With that, identify the gaps and use that in budget requests and staff assignments.

Elaine Hultengren added she could see the need also for developing standards which can be used on both sides of the system, social services and eligibility.

Meeting recessed at 11:30 a.m. for lunch.

Margaret Wolfe reconvened the meeting at 1:30 p.m. Additional members and guests in attendance during the afternoon session were:

Mr. William Campbell, Deputy Regional Commissioner, HEW-SRS, Region X
Carolyn Tuovinen, Child Care Specialist, DFCS, Anchorage SCRO
Susan Harper, Family Day Care Coordinator, DFCS, Anchorage SCRO
Margaret Bozeman, Member, Fairbanks
Pat Denny, Member, Juneau
Kay Smith, Regional Social Services Manager, DFCS, Juneau SERO
Stan Harris, Director, DFCS, Juneau CO
Fred Smith, Regional Assistance Payments Manager, DFCS, Anchorage SCRO
Rod Betit, Food Stamp Program Manager, DFCS, Juneau CO

CHILD CARE:

Status of Day Care Regulations. Susan Harper stated the State standards are in the process of being revised. She believed they were waiting for the final printout on the Federal Monitoring Guide, which are due any time. Possibly in March there will be hearings on the

revised State day care regulations. They will try to incorporate the Monitoring Guide into the State regulations in order to monitor by one set of regulations. Questions was raised as to what the Monitoring Guide is. Carolyn Tuovinen explained there are Federal regulations to be enforced for child care centers. In order to facilitate monitoring these, they have developed a Monitoring Guide so that whoever is doing the monitoring will have a simple document with which to monitor. Susan Harper said these will be just an expansion of what is presently in effect. Carolyn Tuovinen added that the present State day care regulations are dated 1961.

Vince Vitale asked who drafted the regulations. Susan Harper answered they were drafted by the Department in coordination with the Attorney General's Office, and other offices such as fire, building, etc.

Bernice Allridge asked if the pay rate had been changed recently. Carolyn Tuovinen said it varied from Region to Region. She stated in Southcentral Region for day care centers, they recently made a change where the State pays a full rate for siblings rather than the reduced rate the public is charged.

Susan Harper stated that for State children, the rate should cover the expenses of a hot lunch and morning and afternoon snacks.

Margaret Wolfe stated that two things that will be a prime problem with the new regs are staff ratios and space ratios. She asked Susan and Carolyn to discuss this. Susan stated for family day care it would remain the same, 1 adult to 5 children or 1 adult to 6 children depending on the age range of the children. Carolyn said in relation to centers she did not know if she could respond. They have been concerned about staff ratios--what is a healthy staff ratio for the children and yet one centers can operate with.

Margaret Wolfe asked if the new regs would have provisions for infant care in center. Carolyn replied they would.

Susan Clark stated a concern of family day care mothers now is they are restricted by the number of their own children who are in school except for a couple hours during the day. She asked if this was in the regulations. Susan Harper said she did not think it was. She stated a lot of the Anchorage day care mothers would take drop-ins during the day to fill the slots vacated by their children in school. They usually charge more for drop-ins. This has not been a problem expressed in Anchorage. Carolyn Tuovinen added that the number limit was for any one time.

Bernice Allridge stated there is such a big concern about this and it seemed there could be some leeway given by the Regional Director. Some day care families' children are old enough to take care of the children themselves. Susan Harper said they realize this. In SCRO if the day care mother has a couple of older children, 11 or 12 years, who are really responsible and the overall day care situation is good, she would license for more than allowable, maybe license for 7 rather than 6. There is some flexibility, but they do evaluate on an individual basis. A possible suggestion would be to make the upper limit 12 years rather than 14 years. Susan said this could be discussed at the worker's regional meeting to be held next week.

Susan Clark asked if a woman had 6 children in school, could she have other children to fill those slots while they are in school. Susan Harper answered that they could. Susan Clark said that the people in Juneau are not under that assumption. Mrs. Marshall said the home studies are reviewed in SCRO and are then sent to Juneau CO where they are reviewed and signed by the Commissioner. Susan Harper stated they do make exceptions.

Vince Vitale asked if an AFDC mother was doing day care, would this be counted as income? Susan Harper answered yes, it was counted as earned income. Day care for eligibility

purposes is treated as if the person is self-employed. They need verification of expenses and also need a business license. The records they keep for IRS would suffice for deduction verification for AFDC eligibility. The problem is persuading mothers to keep these records.

Elaine Hultengren asked if there was anything in the regulations dealing with providing training or incentive to day care centers and staff. Carolyn Tuovinen stated she thought it was in the regulations and in a way it is in their policy. They intend to try in every way they can to do training but are limited by staff.

Elaine Hultengren stated she understood that DFCS pays centers for ADC children 85¢/hour per child on actual attendance basis only. Bill Mailer explained the difficulty in going before the legislature and justifying large sums of money the State has paid for day care where there was no child in the center. Carrie John said they were talking about a child being out sick one day. Elaine added that the public pays a monthly rate regardless of times the child is out. Mr. Mailer said if the State raises its rates, the public would not be too pleased. Elaine Hultengren stated she did not think an exception should be made for the State from the public. Susan Clark asked if they couldn't put a limit on how many absences, such as a few days a month--if only absent 1 or 2 days, have it billed at the monthly rate. Mr. Mailer stated this was not in the policy now--they would have some difficulty with it.

Carrie John stated if centers were losing money on ADC children as she has heard, now that more people are employed and not using AFDC, non-AFDC people will be bumping ADC people for day care. This means AFDC mothers will be quitting their jobs, etc.

Carolyn Tuovinen stated she was for paying as much as they could within limits in order to help the centers provide quality care; however, she added she has copies of rates of several centers and many, if a child is absent one day, give the parent credit for that day. This is for the private consumer, thus they do not always pay for the days the child is absent. She cited an example of one center which was saying they were losing on State children. When they took their monthly rate and divided it by the hour, compared it to the State rate, the State was paying a great deal more.

Susan Harper stated that in day care homes the State has raised the rate from 60¢ to 70¢ an hour with no lesser rate for siblings. State rates to day care centers also are full hourly rate per child. Carolyn Tuovinen stated another problem centers are dealing with is minimum wages and finding good child care workers who will stay at the low salaries.

Bernice Allridge stated the day care homes in Fairbanks get $1 an hour for watching children. They do not want to be licensed. Those who can do day care do not want only 6 children, and get paid only 85¢ per hour.

Vince Vitale asked if private homes had to be licensed if they do not take welfare children. Susan Harper answered yes, that is the law.

Vince Vitale asked what money amount would be involved yearly were the State to raise rate to $1 per hour. Mr. Mailer stated they had about 4,000 hours per day of day care the State pays for AFDC. This was figured out as an increase in the $100,000 per year range.

Stan Harris, Kay Smith and Pat Denny arrived at 2:30 p.m.

Lee Stringer asked what the difference in percentage was of licensed and unlicensed day care. The estimate in Anchorage is about 90% unlicensed--there are about 1200 licensed slots and about 12,000-14,000 children under the age of 10.

Lee Stringer questioned the quality of care children are receiving--with 90% unlicensed how

can they train. Bernice Alstrom stated they were not getting competent care in Fairbanks. She felt the State could and should use para-professionals to step in and see these people. She stated Mrs. Johnson, Child Care Specialist in Nome, was so under-staffed she could not go around and see them.

Carrie John stated maybe the Division has a responsibility but the parents also have the responsibility for finding if a home is licensed, etc. Lee Stringer stated that the State has a law that parents and babysitters are breaking--the children are the victims. Carrie John added that parents are also the victims when they are not encouraged to find this out for their children. Elaine Poltengren stated it appears that staff can barely do licensing let alone monitoring.

Military Day Care. Margaret Wolfe stated that there are a number of military bases that have day care facilities. In the past, it has been thought that those centers are not subject to State licensing. Margaret said she had spoken with Senator Stevens and it was his opinion that military centers are to be licensed by the State. She felt this information needed to officially be conveyed to the State and they need to see about licensing the day care facilities on military bases. Margaret suggested that the Fairbanks Regional Committee get acquainted with the Wainwright Center to see what is happening there. It is expected that the State will immediately proceed about their responsibility of licensing the military day care facilities.

Susan Harper asked about day care homes on base. This is included in the intent above.

Group Home Regulations. Mr. Mailer stated the regulations have gone to the Attorney General Office. He will check on the status of these.

Day Care. Susan Clark stated she felt it was not the parents who took their children to unlicensed homes who were breaking the law, but the day care mother who is breaking the law. The pressure has to be put on the provider. She asked about the in-house study, the issue analysis. When will this be available to legislators and will it be available to the public. Mr. Mailer said the issue analysis was completed and has gone to the Commissioner's Office and to Budget & Management. Mr. Harris stated that after the Governor's budget is presented it would be a releasable item.

Susan Clark said they were trying to compare issue analysis on day care to other states. She asked Mr. Campbell if there was some way they could find out how Juneau, for example, compares with others in the Region. Mr. Campbell stated that any information they have on the other three states (Oregon, Washington and Idaho) in Region X they would be glad to share.

STATUS OF BOARD

Pat Denny stated because several members of the Juneau Committee were new, she had met with Kay Smith, Mr. Harris and Commissioner McGinnis. The only documents they had were the by-laws and it was thought at one time there had been a document prepared as to rules and responsibilities. Mr. Harris said he thought these were established in the by-laws plus maybe the minutes of the first couple meetings in Juneau. Margaret Bozeman stated in Fairbanks they only had the by-laws.

Margaret Wolfe stated she had these papers somewhere in her Board material. The Regional Committees had been set up to represent each Region. There were several problems in bringing people into meetings from smaller communities so this has rarely occurred. The Anchorage Committee meets twice monthly and have occasionally met with the District Representatives from other districts in the Region.

Carrie John suggested in the area of outreach that a stuffer could be prepared to be included in mail-outs, checks to recipients, day care and foster care payments, etc., saying

we are here, we want to hear from you and you can call or write at a certain time.

Margaret Bozeman said they had tried this on the satellite radio station, giving names and addresses of board members. There was not one letter received.

Carrie John asked if there would be a problem mailing these with the checks. Mr. Harris answered there shouldn't be a problem but this couldn't be done every month. Carrie John will draft a notice to be presented to the Committee.

Elaine Hultengren asked Mr. Campbell if he was aware of what other advisory committees in other regions were doing to get the word out.

Mr. Campbell stated he thought the idea of sending out the notices to recipients was a very good one and he would like to share that with other states. He could not perceive that they were doing much more than what this committee is doing. He stated from what he had observed this afternoon, that he thought the committee was playing a very good role and have a very good handle on what they are supposed to be doing.

Fred Smith and Rod Betit arrived at 3:30 p.m.

Mr. Campbell read from the Federal Code of Regulations, Title 45, Chapter II, Section 220.4, regarding advisory committees. This section is attached, as Attachment #1.

Mr. Campbell suggested a manual might be developed for members to reflect role and delineate procedures to follow in that role. He asked the reason for State legislation when this was required by Federal Register. The answer was that the regulations were changing and this was not included, so the State legislation came up.

Mr. Campbell said these regulations were proposed but had been postponed until 1/1/75 due to many letter writers. These did not require this committee but were only proposed and did not pass; they were nullified by Congress. Title 20 is now proposed regulations and leadership in D.C. feels confident these will pass, but Mr. Campbell stated he could not say what impact it would have on the present regs. Margaret Wolfe said this was the reason they need a law to make the committee mandatory.

In relation to Fairbanks' needs in day care, Margaret Wolfe stated that the League of Women Voters had made day care their priority. APEA (Alaska Public Employees' Association) is looking at the possibility of making day care one of union benefits. She suggested contacts with these groups could be made. NASW may also be helpful in getting started with public hearings and they could try getting an active Welfare Rights Organization. Carrie John also suggested they get together with NASW and League members and plan a tea with legislators before they go to Juneau. In Anchorage this group is taking legislaters on a tour of day care centers. Legislators are the ones who will allow the Division to do something about day care.

BUDGET OF BOARD:

Bill Hailer stated the Board's budget for next year will be basically the same with increases to reflect transportation and per diem increases.

Margaret Wolfe stated the budget reflects three people traveling from two regions three times a year to the host region but should be four people traveling from two regions three times a year.

Mr. Harris stated the increase would be about 10-15%. One problem is in staff support. Three-day meetings and a public hearing is a great deal of clerical support. Mr. Harris stated he had said that this support could be given if reasonable or the Board could pay for extra. Margaret Wolfe said they needed a definition of reasonable. The Board anticipates three meetings a year and a public hearing at each meeting.

Mrs. Marshall stated that Elaine Pigott was doing the minutes for this three-day meeting and the hearing expenses are being coded to the advisory board funds.

Carrie John was concerned that the budget is for travel and per diem and a Kelly Girl was not travel or per diem. Also, postage is not in the budget. Elaine Hultengren stated the Board has several budget items--travel and per diem, expenses involved in clerical help, day care expenses for members who need it, administrative expenses such as postage and holding a hearing.

Mr. Harris stated that if they were given enough time, Central Office could mail out notices with the regular checks. Carrie John said she would also like to see notices to out to all private and public service agencies. She asked Mr. Campbell what other advisory committees did in regards to such expenses. Mr. Campbell said he thought they relied on the State agency and work with them in planning for their expenditures and needs.

Margaret Wolfe stated these things could be put into the policy for each Region to use when they are hosting a meeting. Elaine Hultengren said before the Committee meets in Juneau, the issue of expenditures needs to be clarified.

Carrie John moved that the Board establish a subcommittee, possibly within the Juneau Committee, to work on a procedural manual for the Board. Mr. Harris stated he felt the rough draft should start in Anchorage because they have the history. Pat Denny proposed the motion be amended to reflect this. The vote was unanimous in favor of the motion as amended. Margaret Wolfe will draw up the rough draft.

The motion was made and seconded to adjourn the meeting for the day. There were no objections. Meeting adjourned at 4:20 p.m.

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Present - Morning Session December 5, 1974:

MEMBERS

Margaret Wolfe, Chairman, Anchorage
Margaret Bozeman, Fairbanks
Bernice Alstrom, Fairbanks
LeRoy Coleman, Fairbanks
Susan Clark, Juneau
Pat Denny, Juneau
Carolyn John, Anchorage
Elaine Hultengren, Anchorage
Gene Reynolds, Anchorage
Jackie Schoppert, Anchorage
Lee Stringer, Juneau
Karen Williams, Alternate, Anchorage

GUESTS & STAFF

Stan Harris, DFCS, Juneau
Bill Hailer, DFCS, Juneau
Rod Petit, DFCS, Juneau
Kay Smith, DFCS, Juneau
Eileen Marshall, DFCS, Anchorage
Frank Dalley, DFCS, Fairbanks
Fred Smith, DFCS, Anchorage
Jim Landis, Dept. of Community & Regional Affairs, Anchorage
Commissioner Frederick McGinnis, Dept. of Health & Social Services, Juneau

Margaret Wolfe called the meeting to order, introducing Mr. Jim Landis to those present.

LEGISLATION - SOCIAL SERVICES:

Mr. Jim Landis from the Department of Community & Regional Affairs distributed material on Human Resources Development Act and The Human Services Act of Minnesota. He stated there was a move across the country in changing the way they are administering their programs. HEW has done studies, looking at how programs are administered in different areas. At present it is very inefficient. States have also been looking at their programs and ways to most efficiently administer them. Mr. Landis stated that Regional and Community Affairs

has completed a study which will be out in a couple of weeks, looking at service delivery in the State of Alaska.

Mr. Landis stated the Nixon Administration had proposed the Allied Services Act--it has not passed yet but portions may be passed this year. This requires that programs start being administered together and requires a Statewide plan for human resources development. They require regional planning. Other states have been proposing different ways to take care of the problem. Oregon has taken Health & Social Services programs and put them in a Human Resources Agency. Other states have taken Health & Social Services programs and manpower programs, all dealing with human needs, and put them in one agency. Minnesota has put programs together at regional and local level--the opposite approach. Develops Human Services Board and all programs are branched out from that. Money is allocated from the Board and all programs are branched out from that. Money is allocated from the Board at local level and policy making is done at local level. The Community Services bill dealing with this concept had been proposed by Genie Chance previously.

This concept would establish an agency in which a person can get all needs met rather than the present informal referral system in which no one place meets a person's entire need and recipients do get lost among the referrals. Funding would be done very gradually and would not cost the State much in the changeover. Money is already going out to the programs at the present time. Mr. Landis stated he needs to know how this concept affects the Committee and asked for the Committee's input.

Mr. Landis explained that the setting up of a board would be done as a pilot demonstration with no more than two boards participating.

Carrie John expressed concern about the quality of specific programs. Mr. Landis stated they have tried to put in the act certain minimum standards that have to be met before it can be done. The board would submit a plan to the State for review of planning, priorities and citizen input.

Fred Smith stated there would have to be some State regulatory system so that standards are uniform and meet Federal regulations. He asked how other Federal programs such as Social Security Administration and BIA would tie in. Mr. Landis stated they could contract to the Division to provide those services. The trend is to move from categorical grants to lump-sum grants to the State. Fred stated he was speaking specifically to the eligibility requirements. Mr. Landis stated this could be fit in under this act where eligibility determinations for cash grant programs are being done under Federal regulations. Health & Social Services should not be turned over to local government but to local human development boards.

Gene Reynolds said he could see this becoming an arm of the Borough. Mr. Landis stated this would not be part of local government but a separate division of human resources programs. Money can only be put into those programs.

Margaret Wolfe stated she felt that the standards need to be built into the act for quality.

Mr. Landis said the purpose is to put responsibility on local level where Washington, D.C., isn't telling communities what they can do. If a certain board is not doing an effective job, it can be dissolved and another established.

LeRoy Coleman stated he wished to go on record as against the concept.

Mr. Landis stated that the cost of changeover to Minnesota was $150,000. The board would submit their budget and the State would provide the funding. Another advantage is the boards can contract to other agencies. They have more options of getting money, write for grants, etc.

The Chairman asked Mr. Landis to return to the meeting the next morning to answer questions on his presentation, giving members more opportunity for reviewing the material.

Commissioner McGinnis arrived at 10:15 a.m.

Regarding the matter of conflict of interest, Commissioner McGinnis stated that the proposed regulations by Boucher would have exempted advisory boards. It is not clear whether these will be promulgated or changed. Comments are being requested by Directors and the Committee made recommendations to Mr. Harris to be included in his on the conflict of interest reporting.

BUDGET:

Mr. Harris stated that in general it is a maintenance budget this year. Included is cost of living increases, salary increases, these normal types of increases and some new positions. For the first time, this year the Division can show their needs in the budget. He stated that as of yesterday morning there was a bit of hope for the WIN money through CETA funds.

Commissioner McGinnis said there has been a great amount of discussion on CETA and WIN programs. The Department is continuing to express concerns to legislators. The Commissioner read to the Committee a letter prepared for the Governor's signature to Senators Gravel and Stevens. The letter information will be put into a position paper from the Department which the Committee can have. The concerns have already been mentioned to Governor Hammond, Doug Baily and Mr. Palmer. The Appropriations Committee of the U.S. Senate is the legislative committee that cut the funds.

Mr. Harris presented the Division's budget requests for positions in the 10 BRU's in the Division. (Presentation attached as Attachment #2.)

Carolyn Tuovinen asked to read a letter to the Committee from her and Susan Harper. The letter stated that: The State is obligated to license day care and currently the State is out of compliance with the law. There are hundreds of unlicensed day care programs--both homes and centers--in Anchorage area alone and many of these are caring for an excessive number of children. If anything should happen to a single one of these children, the State would certainly have a moral and possibly a legal responsibility and the State has not fulfilled its legal obligations for the protection of children. Manpower is needed to license, enforce existing laws and provide assistance and training to child care providers. Priority must be given to preventive quality child care so badly needed by the children and families of Alaska. Carolyn Tuovinen added that center day care licensing is also a need.

Commissioner McGinnis stated he thought it might be somewhat unfair to say the State is out of compliance with the law. If someone knows of a day care center operating without a license, reported it and the State failed to enforce that, it would be different.

Margaret Wolfe stated that in Anchorage they have hundreds of unlicensed family day care facilities operating in violation of the law. They have one person, Susan Harper, working on licensing those homes--it is a physical impossibility that Susan, with the best of intentions in the world, can keep on top of the day care problems in Anchorage.

Commissioner McGinnis asked if it was the State breaking the law or the operator breaking the law. He asked if there have been reported to the Dept. of Health & Social Services specific instances of individuals breaking the law. Mrs. Marshall said there were. The Commissioner asked what was done. Margaret Wolfe stated that Susan Harper, who receives the referrals, strives valiantly to make the investigations.

Commissioner McGinnis stated that Susan Harper should send these in and they should be

turned over to the Attorney General for prosecution.

Susan Clark stated that about 80% of the homes are in violation. In Anchorage, 10,000 kids are being cared for without licensing.

Margaret Wolfe stated that the Juneau Regional Committee has requested that a full day be devoted to day care at the Juneau meeting in March. Margaret suggested that the Committee request that the Commissioner and day care people of the Department, Stan Harris, and Bill Mailer, get together and be prepared for this session and explore in depth at that time these problems. The Committee can then be prepared to bring instances of violation they can report to the Department at that time.

Bill Mailer stated he thought it should be brought up now so they are aware of it--not wait until March.

Carrie John said she had reported one person taking care of 11 children in a two-bedroom apartment. The person has since moved and is still doing the same thing.

Commissioner McGinnis asked how many instances Central Office knows of alleged violations of these. Bill Mailer answered that they know of quite a few--they are referred back to the district office to follow-up and inform these people of the law and offer help in obtaining a license. In many cases, the offer gets turned down but the Division has not felt they could enforce it. Staff is constantly looking for day care homes--there is an extreme shortage of them. Day care positions to help with this have been requested for the past four years but were not funded.

Fred Smith stated this also has to be included in eligibility--when eligibility is computed, day care is included as a deduction. Fred said he had written a policy recently that deductions for day care will only be given for day care in licensed facilities. This is for AFDC clients, but they cannot do it for food stamps. Another problem is in referring people for fraud--the Attorney General sent Fred a ruling recently that he will not accept any more from him until they are ready to go to the grand jury. That ruling has been forwarded to Roger Lange in Juneau. Fred stated the district attorney in Anchorage he has been working with has been most cooperative but has 2,009 cases backlogged for the entire State.

Carrie John moved that the Committee request the Division to do some public information on the need for licensing. Margaret Wolfe asked that Carrie put this into a resolution from the Committee to be entertained on Friday.

Lee Stringer expressed concern that he could see workers bending the rules in order to get people to accept a license.

Commissioner McGinnis stated he felt that these situations should not just be talked about but put into the form of formal complaints. He felt also that there could be more publicity on the requirement for licensing, educating providers and parents.

Bernice Allridge stated concern was not enough workers. Aides could be used.

Mr. Harris stated he agreed with the Commissioner that the law maybe needs to be looked at. If the Division has to license every home, they presently do not have the staff to do this.

SSI:

Margaret Wolfe asked about the State administering SSI due to the Alaska Longevity Bonus, etc., has this changed now to where it might be more advantageous for the Federal Government to administer that? Mr. Harris answered that he thought they could look at that, but other states have wished they had started with the state administering.

FOOD STAMP PROGRAM:

Carrie John stated that in small villages such as Wrangell, the process of getting food stamps, the first month is very discouraging. It is taking 45 days to get food stamps because they fill out the applications, send to Petersburg, eligibility is determined, Petersburg sends AIP's, clients sign and send back to Petersburg, and that office mails them the food stamps. Many times by the time the food stamps are received, they are no longer valid and cannot be used. Carrie asked if there was any possibility of contracting with the Post Office in Wrangell.

Rod Betit stated the Division is now in negotiation now for continuing with the Post Office. The Post Office does not want the responsibility having liability for the coupons--they want the State responsible for loss or theft. Rod stated they have also been working with Food & Nutrition Service about the time an AIP is valid for. The State would like to make it valid during month of issue and the month following. He stated he was sure the Post Office would be willing to take on the selling of food stamps in Wrangell, but problem is the funding of

Elaine Rultengren asked if there was any money budgeted under eligibility determination or staff development to provide some training for fee agents.

Rod Betit stated that from what he had heard from their staff development person in eligibility determination, there are no funds for the Division to expend on these. The situation has been worked on and they are presently developing a much better manual for them on AFDC and food stamps. When an eligibility worker goes to a village, he is supposed to be spending some time with the fee agents. This is all they can offer at the present time. Fred Smith stated another problem was recruiting fee agents.

The Committee recessed at 11:30 a.m. for lunch and will reconvene at the Loussac Library before the public hearing at 1:30 p.m.

The Committee did not reconvene at 1:30 as planned, but proceeded with the public hearing.

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Present - Morning session December 6, 1974:

MEMBERS
Margaret Wolfe, Chairman, Anchorage
Elaine Rultengren, Anchorage
Pat Denny, Juneau
Bernice Allridge, Fairbanks
Margaret Bozeman, Fairbanks
LeRoy Coleman, Fairbanks
Jackie Schoppert, Anchorage
Carrie John, Anchorage
Susan Clark, Juneau
Lee Stringer, Juneau
Karen Williams, Alternate, Anchorage

GUESTS & STAFF
Jim Landis, Dept. of Regional & Community Affairs
Eileen Marshall, DFCS, Anchorage SCRO
Kay Smith, DFCS, Juneau

Margaret Wolfe called the meeting to order at 9:25 a.m.

Mr. Landis had been asked to return regarding discussion on Human Resources Development Act and participation by Committee members in a legislative briefing session at Willow December 13-15. Mr. Landis stated the Governor and most legislators will be there. Transportation will be provided by Mr. Landis' office. Members to attend: Susan Clark, Bernice Allridge, Jackie Schoppert and Carrie John or Elaine Rultengren. One more each from Fairbanks and Juneau will be designated later to attend. The meeting will begin on Friday

evening and work sessions will start on Saturday.

Regarding the Human Resources Development Act presented by Mr. Landis, Margaret Wolfe suggested that a section be added to the Act for requirement to meet State standards for performance and accreditation.

A concern expressed was the conglomeration of services affecting losing of some programs which have been beneficial. One of the good things would be the curbing of "losing people between the cracks" with numerous referrals.

Mr. Landis stated that one of the problems with the present system is they are so far away from the people they are serving--they are serving their own regulations, not people.

Margaret Wolfe questioned the Committee as to whether they wished to take action on this act at this time or to take it back for review, discussion with others and propose action on regional level to be submitted. Mr. Landis stated they were not at the point for this to be rejected or endorsed--he had come with a concept for the Committee's suggestions and input. Each Regional Committee will take this information back to review, discuss with their resource people in communities and send comments back to Mr. Landis and/or Margaret Wolfe. Any Statewide Committee action can be taken at the Juneau meeting.

Pat Denny asked Mr. Landis to contact the Juneau Committee for a meeting on the subject on one of his trips to Juneau.

Susan Clark asked if this act would help alleviate the problems between eligibility and services such as in Anchorage. Mr. Landis stated that is the main purpose--to coordinate programs. They would all be administered by one agency.

Margaret Wolfe stated that public hearings in Fairbanks and Juneau would give input at other local levels--different problems. She asked for three copies of the study done by Community & Regional Affairs for the Regional Committees. Mr. Landis said he would send these copies.

FAIRBANKS MINUTES:

The Committee reviewed the minutes from their last meeting held in Fairbanks.

Susan Clark stated the Committee was to send informational material on the Advisory Committee to the Citizen Participation Committee members. She had sent this list to Susan Connolly.

Any change in hours of State offices, extending hours and shorter work week, has to go through the State Union--Alaska Public Employees' Association.

After general discussion of the minutes, Susan Clark moved they be accepted. The motion was seconded and there were no objections. Copies of the Fairbanks resolutions are attached to these minutes as Attachment #3.

RESOLUTIONS & DISCUSSION:

Proposed by Susan Clark--see Attachment #4. Regarding State tax break for working parents to be allowed deduction for day care. Motion was made and seconded for purpose of discussion to support the resolution. Lee Stringer moved that the resolution be amended to include the wording "licensed day care." Carrie John seconded the motion. Elaine Hultenoren felt the licensing requirement would be an incentive and education to people that providers should be licensed. Pat Denny was concerned that this would cause consideration in the legislature to be on licensing rather than the tax deduction. The motion to insert licensed child care is

the resolution was called. Motion carried. Motion to support the resolution also carried.

Pat Denny stated she would like to request a day care subcommittee to explore the other end of the day care situation--one reason given for not wanting a license is the liability for reporting for taxes. Margaret Wolfe stated there is provision in the present system for expenses for doing business to be deducted--problem is that some providers are not sophisticated enough to keep or want to keep the type of books required for this. Carrie John suggested the possibility of perhaps having tax clinics for day care homes for explaining bookkeeping systems. It was Pat Denny felt this idea would also be helpful in getting day care mothers together. This will be held for discussion in Juneau. Susan Clark added she would also like to see [illegible] tax breaks to be sent out if this becomes law.

Elaine Hultengren moved that the Committee look into the matter of tax information and related issues. Motion was seconded and there were no objections.

Elaine Hultengren moved that the Board support the reintroduction of legislation that would speak to AFDC for unemployed fathers and support the concept. Bernice Allridge seconded the motion. Pat Denny stated that Mr. Harris had mentioned something about increased GR to accomplish the same thing as the unemployed fathers grant. Carrie John expressed concern if it is going to cost BIA money and if the GR program might cost less money. Elaine Hultengren withdrew her motion and Bernice Allridge accepted withdrawal.

Elaine Hultengren moved that the Advisory Committee should support the concept of the State providing financial help to families that are together where the husband is out of work and that current legislation should be explored and alternatives that would best meet this need. Carrie John seconded the motion and vote was unanimous.

Susan Clark suggested that members take this back to local committees to discuss. Elaine Hultengren stated that most of the physical work was done in Juneau and can be obtained then.

Margaret Wolfe also suggested that since some members will be involved with the legislative briefing at Willow next weekend, this could be brought to their attention. Susan Clark moved that the Committee direct their six delegates to meet in Willow on Friday after arrival to pool information and develop strategy for procedure during the weekend. Pat Denny seconded. The vote was unanimous.

Carrie John moved that the Committee make the following resolution: Whereas the Division of Family & Children Services Advisory Committee, having a Statewide responsibility to advise the Governor and the Division of Family & Children Services of Statewide concerns, and whereas neither the Statewide Board nor the Regional Committees of the Board have in the past had an organized mechanism for input from communities other than Juneau, Fairbanks and Anchorage, and whereas the Board at its meeting held in Anchorage on December 4, 5 and 6, 1974, acknowledge both its responsibility and desire for greater participation in its activities by the communities, be it resolved that 1) the Statewide Board designates one representative from each Region to serve as the Board's outreach committee; 2) the responsibilities of this committee shall be (a) the bi-monthly issuance of a briefing sheet on the advisory committee to be mailed by the Division of Family & Children Services to clients receiving categorical assistance, GR assistance, food stamps and Medicaid as well as to the providers of day care, foster home care and group family day care and staff of DFCS; (b) the issuance of public service announcements concerning (i) the existence of the Board, (ii) the desire of the Board for community input, (iii) the address and/or phone number of the Regional Committee chairperson. These steps shall be instituted with the cooperation of Central Office in the duplication and distribution of the same. Elaine Hultengren seconded for purpose of discussion. Elaine questioned whether this should be from the Statewide Committee or should be mandated to the Regional Committees. Carrie explained that this was done for purposes of consistency, to come out with one flyer with each location's contact person listed. These would be included in checks. Also a possibility would be to

have a State person on this subcommittee. Vote was unanimous.

Margaret Wolfe stated they had asked for a person from each Region. Susan Clark suggested going back to the Regional Committees and appointing someone. Margaret Wolfe requested that the Committee be established by January 15, 1979 so names will need to be sent to Margaret as soon as possible.

Margaret Wolfe asked the Committee to explore with the Department as to who they would like to put on the committee from their areas.

Margaret Wolfe introduced [illegible] the Anchorage Governor's Office to the Committee.

Carrie John moved in relation to public information about day care that a committee be established to talk with and encourage the Division to prepare immediately a public information campaign to encourage people providing child care to become licensed and which would encourage the general public as well as recipients to seek and encourage licensed day care for their children. Elaine Hultengren seconded the motion. Carrie John stated that with more people requesting licensing, the more staff they will need. Margaret Wolfe stated the should take into consideration the fact of the day care meeting in Juneau--should this be prior to that or day care session in Juneau for the opportunity to approve the materials fo a public information campaign. Carrie John felt it shouldn't wait; if the Committee direct the Division to have this [illegible] that would be three months. Motion was amended to read that a public information [illegible] be prepared for presentation to the Board at their Junea meeting. Margaret Wolfe stated that in preparing for the meeting in Juneau, the people on the day care subcommittee in Juneau would be working with day care staff in Juneau. At the point, ask for public information material. Elaine Hultengren called for the question. Vote was unanimous.

Carrie John moved that the Committee encourage the Division to have foster payments for December early enough for Christmas. Kay Smith stated that this delay has been going on fo months and is ridiculous. During the last few months, direction went out for bills to go special delivery to Juneau, [illegible] then hand-carried to Fiscal, and get out of there without any problem. They always say the computer has broken down but it never breaks down for pay checks. Margaret Wolfe [illegible] the intent of the motion was to get foster care payments for Christmas or express dissatisfaction for foster care payment procedures. Elaine Hultengren stated that the person at the hearing was saying that this doesn't just happen once in a while but every month. Carrie John stated that all of the foster care person's remarks had been expressed at a hearing on foster care four years ago and not a thing has been done. The foster parents should be getting the checks by the 10th of the month but it keeps running later and later each month. They should receive November payment the 29th or 30th of December.

The motion was amended to read that the Governor's Welfare Advisory Board is very dissatisfied with the apparent inability of the Department to meet its obligation to get payments to foster care and day care providers on time and direct attention to solving this issue and the Committee requests that the resolution of the issue be brought to them at their March meeting. Question was called. Vote was unanimous in favor of the motion.

Lee Stringer stated he would like to introduce the resoltuion of asking the Division of Family & Children Services to make a feasibility study to find out what could be done in order to get licensing towards the area of 100%. Margaret Wolfe stated that the Department has done an issue analysis study and copies have been promised the Committee. She asked th Committee to hold resolutions until the study and review for meeting in Juneau.

Elaine Hultenaren moved the Board support raise in standard of need level for APA programs include OAA, AB and AB. Carrie John seconded. Carrie asked the motion be amended not to just speak to standard of need but also maximum payments. The Chair required the issues be

separated. Vote was unanimous--motion passed.

Carrie John moved that the Committee support that the maximum grant levels equate with standards of need for AFA. [illegible] vote was seconded and motion carried.

Pat Denny proposed a motion that the foster home rate for special children be raised to reflect the increased cost of caring for children with physical and mental disabilities. The motion was seconded and vote was unanimous.

Pat Denny moved that DFCS strongly encourage the use of volunteers in their offices for helping with forms, babysitting, driving clients to appointments, etc. Carrie John seconded the motion. Motion carried.

Agenda items for the meeting in March should be sent to Margaret Wolfe.

Carrie John stated that when a public hearing is held, the regional committee holding the hearing will be responsible for a report on the hearing at the next Board meeting.

Juneau Committee members will set the date as soon as possible for the meeting in March in Juneau and advise other regions.

Joan Ray stated that she brought greeting from Governor Hammond. She stated that they certainly are not looking for [illegible] resignations of the Board and hope they will continue on.

Pat Denny introduced a letter from the Ketchikan Community Council to Kay Smith. Copy attached as Attachment #5. Margaret Wolfe suggested that the Regional Committee could take action on this letter at the local level.

Susan Clark presented a section of DCCD Reports issue of November 25, 1974, (see Attachment #6.) regarding revoking the rule against work relief programs for welfare mothers. She asked that each Regional Committee respond.

The meeting adjourned at [illegible] p.m.

Submitted by:

Elaine Pigott
Clerk Steno III
Anchorage SCRO

ep
3/5/75

OFFICE OF THE COMMISSIONER

POSITION PAPER
On
HOUSE BILL 181

An Act creating the Health and Social Services Advisory Board.

This bill would establish an eleven member advisory board, appointed by and serving at the pleasure of the Governor, to act in an advisory capacity to the Commissioner of Health and Social Services on the following matters:

1. effectiveness of delivery systems;

2. consumer needs not being met:

3. coordination of programs with each other and with other agencies.

In addition, the board would do a continuing study of program operations and submit annually, it's recommendations for improvement to the Commissioner, Governor, and Legislature.

The Department of Health and Social Services already is advised by 150 individuals sitting on 12 separate boards and official committees - not to mention the hundreds of others who sit on unofficial ad hoc and special interest groups throughout the State. (See Attachment) If the intent of the bill is to replace the aforementioned groups or to isolate the Commissioner from them by creating a "buffer" board, the proposal is not feasible here in Alaska where citizens not only expect ready access to the Commissioner but directly with the Governor as well. Therefore, we can only conclude that this board would just add another layer of bureaucracy to state government.

Specifics of the bill also present problems. The provisions on composition of the board do not provide for compliance with the Civil Rights Act and it would be difficult to comply in that five of the eleven members must be selected from names provided by outside organizations. The financial disclosure act may stymie the board's operation as it has other boards in the State. If the board is to be a sounding board for complaints by consumers, controversy may develop with the newly created Ombudsman. The scope of duties specified in that bill appear to conflict with the advisory concept in that reports may by-pass the Commissioner to the Governor and the Legislature.

Finally, boards constituted as advisory tend to over simplify decision making in the eyes of the public as they cannot be held accountable for results. The public only votes for elected officials and should expect them to be responsible for their actions rather than have them clouded by so-called "citizen advisory boards."

In conclusion, the Department opposes the passage of HB 181.

Approved by: Francis S.L. Williamson — 4/11/75

Francis S.L. Williamson, Commissioner
Department of Health & Social Services

Date

OFFICIAL ADVISORY COUNCILS, BOARDS AND COMMISSIONS
Department of Health and Social Services

1.	Advisory Board on Alcoholism	7
2.	Advisory Committee on Aging	14
3.	Alaska Pioneers' Homes Advisory Board	7
4.	Comprehensive Health Advisory Council (State Health Coordinating Council)	26
5.	Developmental Disabilities Planning and Advisory Council	15
6.	Drug Abuse Advisory Board	11
7.	Emergency Medical Services Advisory Committee	7
8.	Family and Children Services Advisory Committee	
	8a. Southeastern Committee	17
	8b. Southcentral Committee	13
	8c. Northern Committee	11
9.	Medical Care Advisory Committee	15
10.	State Board of Parole	5
11.	Violent Crimes Compensation Board	3
12.	Office of Child Advocacy	2
	Total	150 members

Legislative Committees

House HESS Committee
Senate HESS Committee

"Ad hoc" (Influential Advisory Groups)

Alaska State Hospital Association
Alaska State Medical Association
Alaska State Nursing Association
National Association of Social Workers, Alaska Chapter
Alaska Mental Health Association
Alaska Public Health Association
Alaska Federation of Natives (Alaska Native Health Board) Health Affairs
Alaska Native Health Corporations
Alaska Association of Alcoholism Professionals
Greater Anchorage Area Borough Health Department
Mayors' Commission on Drug Abuse (Fairbanks)
Older Persons Action Group

The Legislature of the State of Alaska
FISCAL NOTE
First Session - Ninth Legislature

HB 553
(CSHB 181)

I. REQUEST
Bill No. House Bill 553 (CSHB 181)
Title: Health & Social Services, Div. of Family & Children Services
Requested by: Advisory Board, Date:
Return Date Requested:
Agency: H&SS, DF&CS Program: Social Services

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Social Services
A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL	9.5	30.9	34.0	37.4	41.1	45.2
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL	9.5	30.9	34.0	37.4	41.1	45.2

B. FUNDING: (Thousands of dollars)

GENERAL FUND	2.1	23.5	26.6	30.0	33.7	37.8
FEDERAL FUNDS	7.4	7.4	7.4	7.4	7.4	7.4
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	0 /	0 /	0/	0/	0 /	0 /
MAN MONTHS (P./T.)	0 /	0 /	0/	0/	0 /	0 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

HB 553 requires at least three statewide meetings per year and four Regional meetings per year. It is assumed that 1/3 of the membership of each Regional Committee will be from outlying areas. Further, it is assumed that Regional meetings will be two days each with two days of travel for out-of-town members, and statewide meetings will be three days each with two days of travel, for each member. Federal financial participation is at the ceiling.

IV. ATTACHMENTS

1. Attached schedule showing estimated per diem and travel.

2. Attached schedule of FY 76 budget request for the Div. of Family & Children Services Advisory Board.

V. DATE: 4.15-75 PREPARED BY: Ada Gleason

Ada Gleason
Assist. Program Admin. (SS)

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

HB-182

HB 182
179

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

3-20-75

Members All Present:

Chairman Sullivan called the meeting to order at 2:30 pm. to take up first HB 251.

Mr. Muller, Program Services
Our request is for $21,800, component is for instructional care for children.

Hackney Were these all additional funds to private child care facilities and are there listings as to the breakdown of each?

Muller Yes, schedule is available and we will submit them to you.

Medicade Program - The Division is asking for $3,028,000. The projections were made by the consultant for the legislature last year and his figures were way off. We are presently facing a 3.6% deficit. There is also the increase of 35% of costs in the medical care in the State.

Ose If I remember correctly, you folks agreed at the time to the projected figures!

Mr. Sullivan No. We did not see these figures before or after they came out of Free Conference Committee.

Hackney You are getting 1,008,000 from Federal Program Receipts?

Sullivan ONce we sign the contract for medi cade with the Federal people, we must issue services to all eligible recipients. This is 100% a state authorization for 1974. - As of this date we are down to $50,000 in the account. Costs have gone up in this program and we need at least $26,600 to meet the requirements of the program.

Hackney What places would be closed down if the funds weren't available?

Sullivan We would have to close people off from the GR Medical Program, not necessarily close down the place. You people have complete authority for the GR Medical Program. We would have to reduce services immediately.

Parr I have limitations on how long people can wait before remitting a bill?

Sullivan 6 months from the date of the services rendered, this is now the law on the books.

Milo Fritz One point, many times doctors don't get their bills for medications from 60 to 90 days under the GR Medical Program.

Mental Health - Dr. Schrader
This division is requesting $113,200 for additional funds to pay for services in care of BRU. One problem is that we were budgeted for a five patient facility, presently we have 12, which is a large increase in the number of patients. We had to raise the rates. In the process of this transfer, many expenses were incurred. There is a $39,300 deficit in this area presently.

Sullivan What is the sudden rise in people who need to be sent outside?

Schrader This was not unexpected, there has been more consideration of mental health in the Judicial process. There has been a change in the way cases are being handled.

Violent Crimes _ Mr. Benson
We are in need of $75,000 to cover pending fiscal 74 planes, also to cover the planes in 75. Five completed Board planes would mean an expense of $37,000. we now have $2,880 for this work. In the 75 planes we have 38 with 30 completed in file. We concurred that this would be an additional cost of $101,000. There are also 24 incomplete applications. $50,000 appropriation for 75 is totally inadequate.

Corrections-Mr. Adams
$791,800 is our request. Adult confinement costs are $176,000, which covers food fuel etc. All of these expenses have been rising by inflation. We are running an additional 45 offenders over case load. In the Juvenile confinement we need 19 beds to provide care. Adult Rehabilitation, the same 45 beds and mental and dental expenditures. Costs have gone up in medical care. The state building we are using in, for example, Ketchikan and Nome have increased rent. The increases in these buildings are $25,000 alone.

Hackney Do you feel that some of this is a reflect of pipeline impact and did the Division go before the Budget & Audit Committee?

Adams We could not apply for enough additional monies. The impact funding permitted us to take on the assignment. The main problem is the increase of food costs and in the numbers of offenders. Foods are a very important part of this.

Parr The inflaction has been numbered, what inflation factor did you put in for this year?

Swanson 34% assistance costs. The rest of the Budget we used the figures from the Budget and Audit Committee.

Chairman Sullivan asked the pleasure of the Committee on HB 251.

Parr Would like to see some of this backup data on the 7 Million dollars.

Swanson I would also like to know under what authority do we have to expend monies without authority from the Finance Committee. Unless there has been authorization from last year.

HB 251 was held over until another day when there could be more testimony to the bill.

Continutation of Meeting at 3:00pm. Concerning package of Education Bills.

HB 229 HB 182
HB 131 HB 179

HB 229

Dr. Coons -Public School Foundation Program
The major recommendation which was done for the HESS Committee in 1974 was to coordinate the State. The ultimate recipient will be these groups: Study and Costs:
1) Quality Cost & Financing - involving citizens and educators and a basic look of education for children in Alaska. What they want to be done in Alaska as far as education.
a) Basic study itself - examine costs of all areas.
b) Involvement of agencies Committies, NEA, AFN, Alaska Schools Board Assoc. etc.
c) Involvement of citizens in rural areas.
2) General Study Areas $143,000, we would need this amount for a 19 month professional help and 13 months fo clerical help.

Sullivan Would you recommend a substitute phrase in this bill as an amendment?

Coons Yes, this could be replaced by using the title of our study here.

Hackney What happens if this is not funded? Will the sky fall?

Coons It hasn't fallen yet.

OVerstreet This bill is very critical. The major problem is the understanding of the real needs of communities. The largest school districts in the state receive the lesser amount of money and spend the lesser amount per student from State aid. Because of pipeline impact this will change. Someone needs to look at all these factors. So There are so many areas now where there is a real question about the equity. We should take the objective look that will help us distribute the money which leads to serious inequities.

Swanson Don't feel that we have to go outside for anymore experts. We should use what we have through the Dept of Education. I am not in favor of hiring anymore outside experts.

Ostrosky It seems to me that this has been looked at before and has already been explored thoroughly in the last few years.

Coons This would continue this. C&RA is relying on the conference in Wasilla. We would utilize those,and a summary of all these services and studies haven't been put together into one summarized unit.

Beirne I think its going to cost $200,000. This bill is for $100,000 and we should let this go out with this notation. I don't think this budget would bring in many people in from outside. Shouldn't overlook the agencies that are available specifically for this financial matter.

Hackney How many people would be involved in traveling?

Coons These figures are all available and I can certainly get them for you at a later date.

Hackney For $24,000 where would you propose to go?

Coons There would be a regular staff and and affiliated staff. We will also provide these information figures for you.

HB 182 - BY Gov
HB 179 - By Beirne

Beirne Gave briefing of bill. This bill has a three year history. The concept has been accepted in both Houses. HB 179 is very similar to last years bill.

Mr. Piola These bills should be included. Concerning HB 182, the intent of the legislation is the same as HB 179, however it is written in the Governor's language. Sec. 36 040 - See changes on attached bill.
I believ the amount of this grant is miserly but our State financial position being what it is this will be sufficient. On the national level the program is 6 to 8% above the present service.

Hackney Does the State Board of Educ. assume the responsibility of this program?

Commissioner Lind
The intent of the Committee Council is to bring the policies together within the State. It was felt that reading effort also applies to community schools. The Board cona't deal specifically with community schools approach.

At this point the bills were held over until such time as more information could be produced for the Committee. By request of the members.

02-001B

STATE
of ALASKA

MEMORANDUM

Susan Sullivan, Chairman
House H&SS Committee

DATE : March 21, 1975

FROM: Ed Mitchell
Administrative Officer
Division of Corrections

SUBJECT: Correction and clarification of testimony on HB251 before H&SS Committee on 3/20/75

During the meeting you asked what percentage the Division of Corrections supplemental request of 791.8 was of the total Division appropriation for FY75.

My erroneous reply was 4%, when in fact the request represents 6.6% of our total FY75 appropriation.

As further clarification, our request is 18.4% of our non-personal services appropriation for FY75. That relationship gives a better indication of the influence of increased workload and inflation on food, fuel, medical, and "full cost of care" categories of our budget.

Please convey this information to the Committee.

EM:dl

cc: Charles G. Adams

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. H. B. #182
Title: Relating to Community Schools
Requested by: House HESS Committee Date: 2-28-75
Return Date Requested: ASAP
Agency: Education Program: Pre-Elem.-Secondary

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Educational Program Support

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76 *	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES			28.6	30.9	33.4	36.1
200	TRAVEL		9.9	29.9	32.3	34.9	37.7
300	CONTRACTUAL		15.0	16.2	17.5	18.9	20.4
400	COMMODITIES		3.0	5.4	5.8	6.2	6.8
500	EQUIPMENT		1.5	1.5	1.5	1.5	1.5
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.		28.0	75.0	125.0	165.0	165.0
	TOTAL	-0-	*57.4	156.6	213.0	259.9	267.5

B. FUNDING: (Thousands of dollars)

GENERAL FUND		*57.4	156.6	213.0	259.9	267.5
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	1 /	1 /	1 /	1 /	1 /
MAN MONTHS (P./T.)	/	12 /	12 /	12 /	12 /	12 /

* Reduced by Governor's Allowance, DOE FY 76 Request: 56.8

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

See attachment.

V. DATE: 3/7/75 PREPARED BY: William M. Thomas

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Sec. 14.36.040

100 Personal Services

Coordinator -- Range 21A		
Salary	$22,428	
Benefits	4,037	
Sub-total	$26,465	
Grand Total Personal Services		$26,500

200 Travel

for Coordinator		
25 trips @ $170 per trip	= $4,250	
Per Diem @ $42.00/day		
x 75 days	= 3,150	
Sub-total	$7,400	

Sec. 14.36.020

for Community Education Advisory Council Members		
9 members x 6 trips x $250 per trip	= $13,500	
Per Diem		
6 trips x 3 days ea. @ $42.00/ day	= 6,804	
Sub-total	$20,304	
Grand Total Travel		$27,700

300 Contractual Services

Coordinator Telephone	= $1,000	
Postage	= 1,000	
Sub-total	$2,000	

Sec. 14.36.030(4)

Talent Bank Services	= $15,000	
Sub-total	$15,000	
Grand Total Contractual Services		$17,000

400 Commodities

Coordinator Office Supplies	= $1,500	
Sub-total	$1,500	

Sec. 14.36.030(3)

Clearing house - State Library		
Printed materials	= $2,000	
Audio-Visual materials	= 3,000	
Sub-total	$5,000	
Grand Total Commodities		$6,500

500 Equipment

Coordinator - office	=	$1,500
Sub-total		$1,500

Grand Total Equipment $1,500

700 Grants

Assume:

FY 76 A planning year (Sec.14.36.060)

Grants
$1,000/district x
33 districts = $33,000

FY 77 - 80 Operational years (Sec.14.36.050)

Grants
$5,000/district
50% of districts in FY 77: 15 x $5,000 = $ 75,000
75% of districts in FY 78: 25 x $5,000 = $125,000
100% of districts in FY 79: 33 x $5,000 = $165,000

Grand Total Grants -- FY 76 only $33,000

GRAND TOTAL $112,200

Less DOE's Governor's FY 76 request
Fiscal Impact FY 76 -56,800

$ 55,400

JAY S. HAMMOND
GOVERNOR

HB 182

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 19, 1975

The Honorable Mike Bradner
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. Speaker:

Pursuant to the Uniform Rules of the Legislature, I am transmitting a bill to provide for a program of community school grants and technical assistance to local school districts involved in community school programs.

It is the intent of this legislation to endorse the community school concept, to establish the role of the State to assist the development of community education programs, and to provide for an advisory council and a professional staff member in the Department of Education to address the community education needs in Alaska.

The bill establishes an Alaska Community Education Advisory Council to encourage and guide the development of community education programs in local communities across the state. The council will be responsible for advising the Commissioner of Education on communiy education matters and will review and make recommendations to the Commissioner on grant applications. The coordinator of community education established within the Department of Education will serve as official liaison between the council and the Commissioner as well as direct the program development and coordination on a statewide basis.

The grant fund is to offer mini-grants to local districts to supplement the efforts of the council and coordinator in assisting the local communities to initiate community school programs. It is intended that local communities will assume responsibility for their community school programs as they move into full operation.

The community school has been widely accepted throughout the state and encouraged by professional and lay organizations. Few can deny the value of expanding the use of existing school facilities beyond the normal school day.

I urge you to adopt this method of assisting communities in the effort to make more efficient use of school facilities and to provide expanded educational and recreational services to all persons in the community.

Sincerely,

Jay S. Hammond
Governor

STATE OF ALASKA

Inter-Department Route Slip HB 182

TO:
MAIL STATION NUMBER 3100

DEPARTMENT House - HESS Comm.

ATTENTION Sullivan

☐ Approval	☐ Note & Return
☐ Signature	☐ Initial & Return
☐ Comment	☐ Return As Requested
☐ Contact Me	☐ Return For Approval
☐ Prepare Reply	☐ Necessary Action
☐ For Your File	☐ Your Information

Remarks:

Amended
H.B. 182

FROM:
MAIL STATION NUMBER 0500

DEPARTMENT Educ.

BY walt DATE 3-18-75

02-002 (REV.10/73)

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

AMENDED

I. REQUEST

Bill No. H. B. #182
Title: Relating to Community Schools
Requested by: House HESS Committee Date: 3-17-75
Return Date Requested: ASAP
Agency: Education Program: Pre-Elem.-Secondary

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Educational Program Support

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76*	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES			28.6	30.9	33.4	36.1
200	TRAVEL		9.9	29.9	32.3	34.9	37.7
300	CONTRACTUAL		15.0	16.2	17.5	18.9	20.4
400	COMMODITIES		3.0	5.4	5.8	6.2	6.8
500	EQUIPMENT		1.5	1.5	1.5	1.5	1.5
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.		28.0	75.0	90.0	5.0	-0-
	TOTAL	-0-	* 57.4	156.6	178.0	99.9	102.5

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-0-	* 57.4	156.6	178.0	99.9	102.5
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	1 /	1 /	1 /	1 /	1 /
MAN MONTHS (P./T.)	/	12 /	12 /	12 /	12 /	12 /

* Reduced by Governor's Allowance, DOE FY 76 Request: 56.8

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Grants section amended. See Attachment.

Assumption: Operational grants for districts one time only.

IV. ATTACHMENTS

V. DATE: March 17 PREPARED BY: [signature]

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Sec. 14.36.040

100 Personal Services

Coordinator -- Range 21A		
Salary	$22,428	
Benefits	4,037	
Sub-total	$26,465	
Grand Total Personal Services		$26,500

200 Travel

for Coordinator		
25 trips @ $170 per trip	= $4,250	
Per Diem @ $42.00/day x 75 days	= 3,150	
Sub-total	$7,400	

Sec. 14.36.020

for Community Education Advisory Council Members 9 members x 6 trips x $250 per trip	= $13,500	
Per Diem 6 trips x 3 days ea. @ $42.00/ day	= 6,804	
Sub-total	$20,304	
Grand Total Travel		$27,700

300 Contractual Services

Coordinator Telephone	= $1,000	
Postage	= 1,000	
Sub-total	$2,000	

Sec. 14.36.030(4)

Talent Bank Services	= $15,000	
Sub-total	$15,000	
Grand Total Contractual Services		$17,000

400 Commodities

Coordinator Office Supplies	= $1,500	
Sub-total	$1,500	

Sec. 14.36.030(3)

Clearing house - State Library		
Printed materials	= $2,000	
Audio-Visual materials	= 3,000	
Sub-total	$5,000	
Grand Total Commodities		$6,500

500 Equipment

Coordinator - office	= $1,500	
Sub-total	$1,500	
Grand Total Equipment		$1,500

700 Grants

Assume:

FY 76 A planning year (Sec. 14.36.060)
Grants
$1,000/district x
33 districts = $33,000

FY 77 80 Operational years (Sec. 14.36.050)
Grants operational @ $5,000
50% of districts in FY 77: 15 x $5,000 = $75,000
50% of districts in FY 78: 18 x $5,000 = $90,000

Assume one district does not implement
until FY 79 = $ 5,000

Grand Total Grants -- FY 76 only	$33,000
GRAND TOTAL	$112,200
Less DOE's Governor's FY 76 request	
Fiscal Impact FY 76	-56,800
	$ 55,400

HB-190

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 17, 1976

Present: Ostrosky Hackney
Davis Sullivan Beirne

Testified: Dick Block, Div. of Ins.
Bob Cole, Dept. H&SS
Ben Iverson, Dept. H&SS
Ken Ryals, Dept. H&SS

HB 190 Treatment of Alcoholism and Drug - Duncan, etc.

Dick Block, would provide a benefit that can be predicted whether or not it will be needed which may be uneconomical to insurance company's. The div. of insurance view is that it would be O.K. if mandated that it provided an option.

Bob Cole, Office of Alcoholism, supports bill, possibly with revision suggested by div. of insurance.

Committee response, decided not to do anything on this bill yet.

HB 793 - Annual advisory board meetings, public comment Dept. H&SS - Ostrosky

Ben Iverson, dept. encourages public input, but Ken Ryles doesn't feel that this is a practical method of community input.

No action by committee right now

HB 865 - Appropriation to Hope Cottage - HESS

Bob Gregovitch feels there is an extreme shortage of long term care of this type in Ak. Dept. is doing a study right now of the needs and wants to wait till thats done before they do anything like this., recomends not passing.

Ray Burt - Hope Cottage, feels that this bill would be beneficial for purposes of renovation, HC has been successful in the passed, also feels the Chugiak area would benefit from this

Committee discussion,

Hackney - recomends Amendment, (See Attached)

Vote on amendment, do pass
Vote on bill, do pass

POSITION PAPER

ON

HOUSE BILL #190

"An Act relating to treatment of alcoholism and drug addiction under group health and disability insurance plans".

This bill would broaden coverage available to persons experiencing problems with alcohol and drugs, as well as making way for third party payments through insurance costs to people receiving care in "licensed hospital or other licensed treatment facility".

In anticipation of the federal trend toward encouraging receipt of third party payments, the State Office of Drug Abuse has been developing standards for certification of personnel and programs as well as a licensing procedure.

Fiscal implications; less state general fund monies should be needed each year for drug and alcohol treatment once a committment is made to license and accredit drug and alcohol treatment programs statewide.

Funds might then be freed to develop sound prevention programs, which should reduce the need for treatment and rehabilitation programs.

The long term benefits to the state would be improved care to clients, and eventually less general funds required. Training funds will be needed to raise personnel standards and level of functioning where needed. Training should be aimed at acquisition of skills rather than of hours of schooling.

The Department supports passage of this Bill.

Recommended by: Mary Beth Hilburn w/ cr Date: March 3, 1975
(Mary Beth Hilburn, Coordinator)

Approved by: Francis E. Williamson Date: March 18, 1975
(Commissioner F. Williamson)

Comments by Governor's Office:

By: _____ Date: _____

Save for HB 2 file

FEDERAL ALCOHOLISM FUNDING IN ALASKA PLACED IN PERSPECTIVE

There has recently been published in both official documents and the media a wide range of figures purporting to show the amount of federal funds being spent in the State on the fight against Alaska's Number 1 Public Health Problem...Alcoholism.

Those quoting these figures have frequently mixed "apples and peaches" in that they have confused fiscal years with calendar years, one-, two-, and three-year grant periods, etc., presenting a total which most people assume to be that spent during one calendar year.

The most recent of these was in the "Alcoholism Report", a respected bi-weekly national newsletter on alcoholism, published in Washington, D.C. The report published a total of $6,688,811 in "grants active as of September, 1975." This data was based upon information furnished by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) and was factual insofar as it went. The average reader would almost naturally assume that the "grants active" were for this year.

NCA-AR Public Information Department was able to obtain, through courtesy of the Grants Management Division of NIAAA, a computer read-out of these grants for Alaska and has prepared the following chart (see reverse side) which spans three calendar years. A quick glance at this graph will show that the selection of September 1975 was a most unfortunate time period since at least 17 "grants active" were due to expire within one or two months and at least three had only begun operation a month or so prior to this date.

NOTE: 1) The grants shown on this chart total a little over $4,000,000 spread over almost three full years. The additional $2,000,000 would be in formula grants and other specific-purpose grants to the State and other miscellaneous agencies.

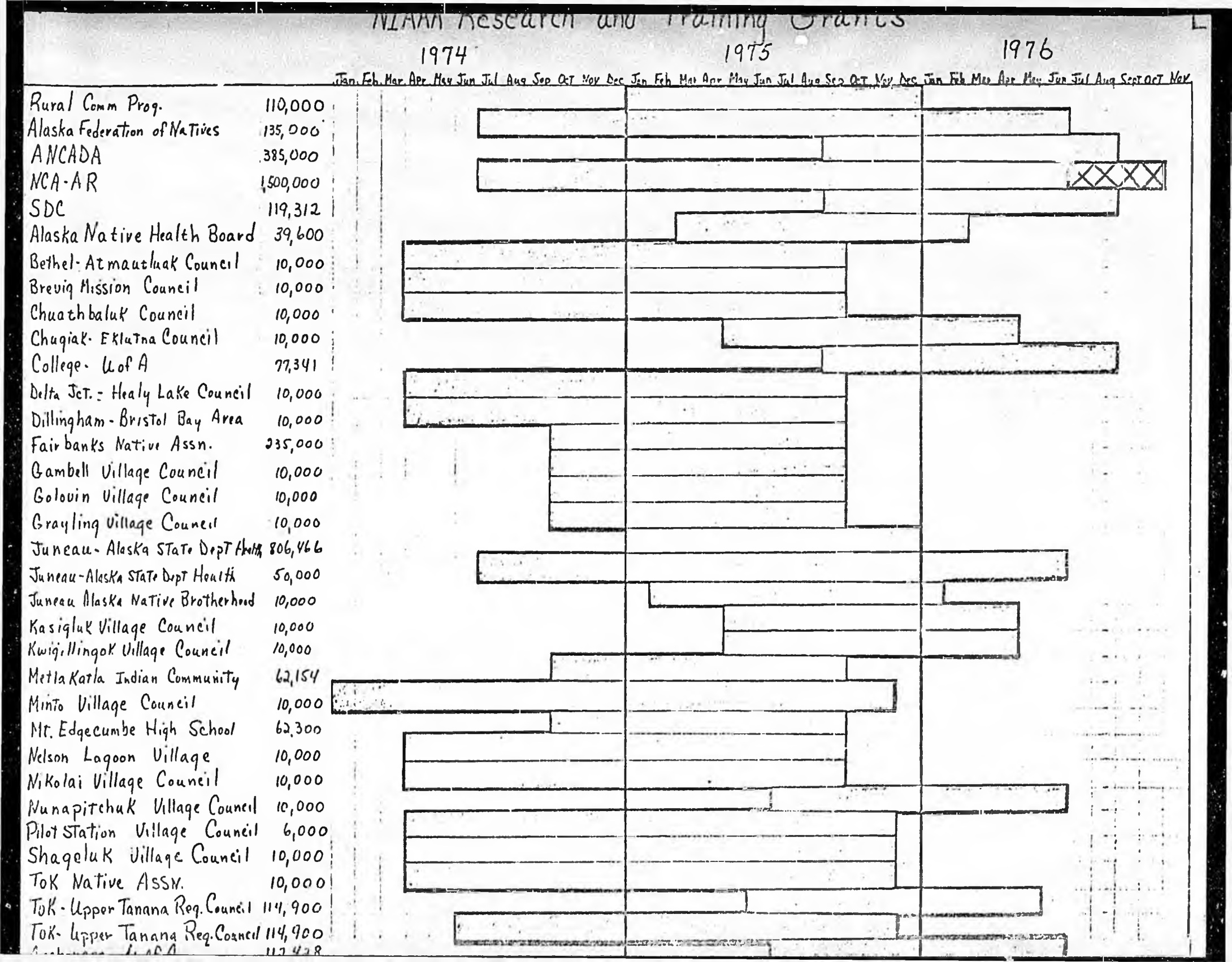
2) The fourth grant listed, "NCA-AR $1,500, 000" is for development of the Alaska Public Education Project multi-media educational campaign; $450,000 of which is disbursed to the Alaska Native Commission on Alcoholsim and Drug Abuse (ANCADA), which is a "partner" in this project.

3) To assure production of quality materials, a time extension has been approved for the Alaska Public Education Project, through October 31, 1976 (no additional funds are involved).

Any legislator wishing further information or clarification to assist you in your work, please feel free to call upon NCA-AR and we will try to obtain the desired material for you.

2/19/76

NIAAA Research and Training Grants



HB-206

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

3-28-75

Members Present:

Beirne	Sullivan
Davis	Swanson
Hackney	
Ose	
Ostrosky	

Chairman Sullivan called the meeting to order at 3:00.

HB 202, HB 206

Rep. Naughton gave briefing of the bills. They deal with the Board of Regents and the term of office. General these two bills are the same, one being introduced by Rep. Gardiner. Reasoning behind the bill is to provide a wider district of representation on the Board. The U of A is experienc ing a serge of interest in growth throughout the State. This is to insure that because of this growth, two more members will be added.

Hackney What would be the rational behind holding a Regent to two terms?

Naughton There is such keen interest throughout the geographical sections and within these segments throughout the State.

Ostrosky I see this as a healthy change of turnover on the Board.

Naughton The present term is 8 years and then may be reappointed.

Ose How many do we have now?

Naughton We have 8 eight year term members and 1 2 year student member.

Charles Ferguson - U of A Regional
Ose I am concerned with the large representation being from Fairbanks, Anchorage and Juneau, no other geographical areas are represented.

Hackney What is the longest time that anyone has spent on the Board?

Ferguson Region Oneill was on 20 some years, I really couldn't give you that exact answer, I am not sure. We feel that it takes by the end of a four year term to know enough about the University. Under this bill a regent would just be getting familiar with all the problems and his term would be up.

Ferguson From our standpoint this is an extremely complex statewide institution.

Nels Anderson Read a letter he sent to Governor Hammond per Board of Regents. Asked Governor to reconsider the list of appointments and include more geographical areas. I think we should get new blood into the system. And one question is what do we do when a Regent has a poor attendance record? This board should be made up of members throughout the state and should reflect the composition of the entire state, ratial lines and geographical lines.

Ferguson I agree with you Mr. Anderson. My point was that it takes whoeveris appointed several years to understand the process and workings of the U of A. Would like to remind you that it is a single statewide system. Should be representing the U of A without political undertones. If we have added a student to the Board, then why not add a facilty member also? This provides all kinds of problems.

Gardiner I disagree with the 8 year term because of the complexity of the U of A system. I don't see how this could possibly be any more comples than the Finance Committee of the Legislature and there is no 8 year term here. They are simply for two years.

Regent Abel I would ask that you bring this bill up again at a later date in order to give other Regents a chance to speak on this bill. I have only been on the Board a few months and am not yet qualified to speak for all.

Naughton I would like to see a four year term. This is the common practise in a number of other states. My bill asks for a five year term because I couldn't see them going for the four year term from the 8 year.

Beirne Things have changed so much in the last six years. I had the feeling then that this was a prestigeous job. Personally feel 8 years is too long. It should be a good hard working Board knowing what they're getting into etc. I believe a five year term is sufficient.

Ose Do they have any orientation to let you know what you'll be doing?

Regent Abel Not as such. I knew quite abit about it because I am a graduate of the U of A.

Ferguson There are four regular meetings a year with special meetings occuring throughout the year.

Beirne Asked Mr. Naughton if he would consider a 6 year term. He replied that he and Gardiner would have to agree to the 5 year term.

Ferguson I would like to ask that the Regents be brought down to testify to the Judici ary Committee.

Ostrosky I move HB 202 out of the Committee

Swanson I ask unanamous concent with a 'do pass' recommendation.

Chairman Sullivan Without objection, so ordered.

CSSB 59

Chairman Sullivan The major difference between this bill and HB 97 is that the Judge may decide to release the name.

Beirne This is very different than the last bill and makes it almost inocuous. Ose's bill made the releasing of names mandatory and this leaves the protection up to the discretion of the Judge.

Chairman Sullivan Do I have a motion on this bill?

Ostrosky I move we pass this bill out with individual recommendations.

Chairman Sullivan So ordered.

HB-225

An Act relating to the elimination of architectural barriers in public buildings and facilities for physically handicapped, aged or infirm persons; e.d."

REVISED

COMMITTEE REPORT

4/17/75

HOUSE

Mr. Speaker: Date _____

The Committee on HESS FINANCE has had SSHB 225 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION ind.

( ) "other"

Members signing the Majority report:

Susan Sullivan DeGroot

Members NOT concurring in the Majority report:

Mina Hackney recommends: NO REC

_____ recommends:

_____ recommends:

Linda Sweeney recommends: Do not Pass

Lawrence Dexter recommends: Do not Pass

Susan Sullivan Chairman

"An Act relating to the elimination of architectural barriers in public buildings and facilities for physically handicapped, aged or infirm persons; and providing for an effective date."

COMMITTEE REPORT

4/11/75 HOUSE FINANCE

Mr. Speaker: Date 4/14/75

The Committee on HESS has had SSHB 225 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan	Do Pass	
Helen Wineberg	Do Pass	
Robin Brecky	Do Pass	

Members NOT concurring in the Majority report:

Laurence Ray recommends: Do not Pass

[illegible] recommends: Do not pass

Tom Jackson recommends: NO REC

Al Williams recommends: DO NOT PASS

Chuck Hoban recommends: [illegible]

Susan Sullivan Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: HESS COMMITTEE

To: _____ HOUSE BILL No. _____

SENATE BILL No. _____

(1) PAGE: 1 LINE: 8

(2) PAGE : 1 LINE : 19

(3) PAGE : 1 LINE : 17

(4) PAGE : 2 LINE : 25 & 26

(1) DElete "infirm" and add "infirmed"

(2) Delete "infirm" and add "infirmed"

(3) After the word "federal," add "state or other public funds,"

(4) Delete sentence after "be" through "operation" on Line 25 and insert "initiated for planning, design, finance, and construction,"

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

3-27-75

Members Present:

Beirne	Ostrosky
Davis	Sullivan
Hackney	Swanson
Osterback	

HB 311

Chairman Sullivan called the meeting to order at 11:00am. HB 311 was brought up for the second time and Chairman asked if there was any objection to passing it out.

Swanson I object unless we move it out with individual recommendations.

Ostrosky I vote to move this bill out with individual recommendations.

Chairman How many do passes do we have, we have a majority to the bill will be passed out with a 'do pass'.

HB 221, HB 231

Rep. Ted Smith was sponsor of the bills and gave briefing of each. Will provide facilities for campgrounds usable by handicapped people. These bills appropriate general fund money and matching federal monies.

Hackney Can this be paid for with soft money?

Smith No, 50% matching funds. I might mention this money doesn't provide full facilities but things like wheel chairs to help handicapped people to manuver.

Chairman Are there any other questions, do we have a motion to move?

Beirne I would move and ask unanamous concent that we move these bills out with a 'do pass'.

Chairman Without hearing objection, so ordered.

HB 225

Beirne gave briefing of bill and brought up the fact that there was no fiscal note.

Hackney I am wondering what this bill will do to two story buildings. Since you can't have a ramp, does it force an elevator have to be put in?

Beirne No, it doesn't mandate putting an elevator in because there are many alternatives to this problem.

Chairman Any further discussion?

Hackney Sect. 4 Pg 2 - with this I couldn't vote for the bill, it means we would be renovating a boat in 10 years that we built now.

Beirne - It really doesn't involve much money, maybe only a matter of hand rails or wider doors.

Swanson What is the effective date on this bill?

Chairman It takes effect immediately. Is there a motion to the bill?

Beirne I would like to request that the Committee accept CSHB 225 in lieu of HB 225.

Hackney I'm not prepared to vote this out.

Davis I don't think I could pass it out either.

Beirne I have no objection to holding hearings on this bill.

Chairman Sullivan called a break in order to call Commissioner Harris and request someone to come over and testify on the bill. No one came after 45 minutes and the bill was held over and meeting was adjourned.

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 14, 1975

Members Present:

All members

Chairman Sullivan called the meeting to order at 3:00pm.

SB 261am
Senator Chance, Sponsor of the bill, gave briefing. Bill relates to the project of the year for the American Women's Club and is endorsed by American Bar Association.

Parr There is a house bill by Bradner on the same subject with more specifics.

Hackney I am in favor of the bill.
Ostrosky I Move and ask unanimous consent for a 'do pass' recommendation.
Parr Objection, I would ask for individual recommendations.
Ose Yes, I would vote no rec.

Chairman Sullivan counted the votes and the majority of the members voted do pass.

HB 12
Rep. Beirne gave briefing of the bill and recommended that since it doesn't pertain to this Committee any further, that the bill be passed out as 'no rec' and sent on to Finance where it can be studied in depth.

Hackney I would rather sit on it until next year than to pass it out, that is like saying the bill has our endorsement.

Parr I am in favor of the concept but if the figures on those pages submitted by the Dept. are correct, they are highly incorrect!

Swanson I am not in support of this bill either. I think we should move it out with individual recommendations.

Ostrosky If that is a motion Mr. Swanson, I will second it.

It was voted on that the bill be sent on to the Finance Committee with 'individual recommendations.'

HB 225 Beirne gave briefing of the bill. The sponsorship which includes the concept of HB 12 is to this bill. It is suggesting that all architectural barriers be eliminated over a 10 year period in all government buildings.

Bob DeGroot, Deputy Commissioner, Public Works
see page two

McGuire Spoke of the possibilities of the bill.

John Steinman - Chief Architect/Div. of Buildings.
Should clarify that some of our people have gone through these matters and placed priorities which is not what we're suppose to do and I wish to apologise for this. A question I would raise is whether or not this can be our perogative to make judgments on the barriers rather than making it mandatory?

Beirne I am wondering where you got the idea that a handicapped person is one in a wheelchair only?

McGuire This was over simplified abit.

Beirne This is already being mandated on a Federal level. I think you're addressing this in a very small scope. This information you have submitted to Rep. Sullivan is totally irresponsible. I can assure you that unless the State does this now, they will be subject to suits and higher costs to the State at a later date.

Swanson Have we ever been sued in your knowledge with something like this?
McGuire No, not to my knowledge.

Beirne In Anchorage it is a group of handicapped students suing the State. This is a State responsiblity that we put this into law. The Federal laws are based on the US Standards.

Steinman I don't think it is the intent here that is in question, it is the way in which we will have to carry it out.

Beirne I think the bill is very lenient.

Osterback We should start working in the rural areas first where, as you said, the majority of the handicapped people are.

Hackney How would HB 225 affect leased buildings?

McGuire I don't interpret that we would be changing the present buildings already in use. The Dept. of Admin. handles all leasing procedures. We've made requests and they're willing to do anything that we're willing to pay for. These costs to handl the handicapped are considerably higher than the average costs of construction. An expensive proposition!

Steinman In Sec. 4 I would like to suggest an amendment.
Page 2 Line 25 delete 'be planned, designed, financed, constructed, opened to public use, or otherwise placed in operation' and add after be "initiated in planning, design, finance, and construction" unless.

Osterback I Move for adoption of the proposed amendment.
Beirne Second
Chairman Without hearing objection, amendment passes.

Beirne Proposed amendments: Pg 1 Line 8, add "d" to infirm
Pg 1 Line 15, "
Pg 1 Line 17, after the word 'federal' add "state or other public funds,'

Swanson Move the adoption of Rep. Beirne's Amendments.
Beirne Second
Chairman Without hearing objection, amendments adopted.

Hackney Still not happy as to whether or not this applies to leased buildings.

Beirne Sec 4 Pg 2 Line 27 - I believe this covers Mr. Hackney's problem.

Ostrosky I move to pass this bill out of Committee with individual rec.
Beirne Seconded

Vote= Yea 3 Nay 5

see Committee Report enclosed.

HB 225

Alaska State Legislature

House

JUNEAU ALASKA

Pouch V
Juneau, Alaska 99801
May 28, 1975

Gerald D. Kainulainen
336 So. 175th Street
Sitka, Alaska 98188

Dear Mr. Kainulainen:

Thanks for your letter of May 1 in which you present so well the case against architectural barriers as addressed in House Bill 225.

A committee substitute for this bill has passed the House and is presently in the Senate State Affairs Committee. Hopefully, it will pass the Senate this session, but as the session is so near its close, the bill may be held over until next year. I strongly favor this bill, agreeing with you that greater consideration for our disabled population is called for in the construction of public buildings and facilities.

I am enclosing a copy of the substitute for the original bill which passed the House, CSSCHB 225, in case you have not already seen it.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

3361 So. 175th St.
Seattle, Wash. 98188
May 1, 1975

The Honorable Susan Sullivan
Chairman of the HESS Committee
State House of Representatives
State Capitol
Pouch V
Juneau, Alaska 99811

Dear Ms. Sullivan,

In reference to House Bill 225 pertaining to architectural barriers to the disabled and the difficulty this bill is having in committee is very disheartening to me.

It is too bad that all of us can not be as physically fit as I assume you are that are sitting in on this committee. The trouble is that few able-bodied persons recognize or appreciate the architectural problems encountered everyday by those who are physically handicapped. The disabled and elderly are often prevented from participating as contributing and productive members of our society due to these architectural barriers. Stastistically by 1985 it is predicted that the physically handicapped may total 40 million and this includes our returning soldiers. These stastistics come from the National Easter Seal Society for Crippled Children and Adults. Today even 1 in 10 persons has some disability preventing their use of the buildings and facilities that were designed for the physically fit.

I enjoyed my role as an able-bodied resident of Alaska too. I was a journeyman electrician, had my own appliance repair service and was a chief officer of a fire dept. Supposedly I was past the most dangerous part of fire fighting, that of actually entering the building with a fire hose and fighting the fire, however I became a T-4 paraplegic while conducting my duties outside the building.

My present condition is now as a college student and am being treated by a T-6 paraplegic physician who is also an Asst. Professor of Medicine practicing in a hospital which has overcome it's architectural barriers problems. There are other handicapped persons employed and serving as productive employees in this establishment.

I was born and raised in Alaska, it is my home and I can not compare it to any other state in the union in my estimation. The physician mentioned above and I believe you will find that most physically handicapped persons continue on to higher education to prepare themselves to be contributing and productive citizens of our society. Their largest obstacle is architectural barriers.

Our returning home plans had to be changed because even our newest Marine Highway System ferry the "Columbia" has architectural barriers preventing it's use by the wheelchair handicapped.

How can a group of people sit in judgement of disabled and infirmed persons and in clear conscience impede these persons mobility by negative legislation. We are all someday going to become old and possibly infirm but I hope sincerely none of you become physically handicapped and that the predicted stastistics will drop. At this time however there is only one thing to do. Improve the accessability to the disabled person by approving House Bill 225.

Who is it that knows when one of us is going to become disabled some day and could use the effect this bill can provide. I certainly never thought it could happen to me.

Sincerely,

Gerald D. Kainulainen

Gerald D. Kainulainen
Sitka, Alaska

GDK/gdk
cc: Ms. Helen D. Beirne
Senator Pete Meland
Representative Richard Eliason

225

2700 McRae Road
Spenard, Alaska
April 4, 1975

Rep. Susan Sullivan, Chairman
Pouch V
Juneau, Alaska 99811

Dear Rep. Sullivan:

Please give your support to House Bill 225 on Architectural Barriers, submitted by Helen Beirne. This is needed and definitley should have your interest.

I feel I know something about architectural barriers as I wear braces and have crutches. Your consideration will be appreciated. Thank you.

Sincerely,

Jean W. Mahoney

Jean W. Mahoney

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

May 9, 1975

Ms. Nancy A. Keith, R.P.T.
Elks P.T. for S.E. Alaska
Alaska State Elks Major
Projects Committee
P.O. Box 2417
Juneau, Alaska 99803

Dear Ms. Keith:

Thank you for your letter of April 26 pertaining to House Bill 225, relative to architectural barriers. I am aware of the problems of the aged and disabled in our State, and supported this bill with a "Do Pass" recommendation when we passed it out of our committee. It has since been passed out of the Finance Committee as a Committee Substitute, and is presently in the Rules Committee.

Yours truly,

Susan Sullivan, Chairman
House HESS Committee

SS:la

Alaska State Elks
Major Projects Committee

Box 2417
Juneau, Alaska 99803
26 April 1975

The Hon. Susan Sullivan
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Ms. Sullivan:

I have recently been informed that House Bill 225 relative to architectural barriers is experiencing difficulties in your committee and that some of you are of the opinion that this measure applies to too small a minority to warrant the necessary expenditures.

I am currently employed by the Alaska State Elks Association as the only itinerant Physical Therapist in Southeast Alaska. My services are extended to anyone in need of physical therapy, free of charge, in every community in Southeast. I am in a unique position wherein I see many of the persons in Southeast who are disabled. I might add that of my active patient list of over two hundred persons (and this does not come anywhere near tho the total number of disabled, or elderly in Southeast, let alone all of Alaska), the vast majority would benefit from passage of this bill.

Can we, as able bodied Alaskans, deny less able bodied Alaskan citizens the right to live in the country they love and choose to live in? And what's more, can we deny the experience of Alaska to disabled tourists? To do so is discrimination in its worst form--no minority is too small in this case!

In our time we will all become senior citizens and to some of us, disability may occur at an even earlier age. I ask you to literally or figuratively put yourself in a wheelchair or in heavy long-leg braces for a day or even an hour sometime... Could you get to work? Live in your present home? Go to the bathroom? Make a pay phone call? Go to the post office? Cross the street and get up on a curb? Open heavy swinging doors? Not to mention dine in your favorite restaurant? Go to the movies? Go to church? Take a trip on the ferry or get on a jet? We CANNOT exclude the disabled in our society, for to do that is to exclude OURSELVES!

I am asking you on behalf of all the senior citizens and especially all the disabled citizens of Alaska, both present and future, to think this matter over seriously, considering the quality of a human being's life and not the almighty buck (for in reality, if this isn't done now it's going to cost much more to do it later) and see that this bill is passed through your committee. I would be willing to come and talk to you and show you an excellent film on the subject if you would like when I am in Juneau. My Juneau phone number is 789-0390.

Yours very truly,

Nancy A Keith RPT
Elks PT for SE Alaska

STATE OF ALASKA

JAY S. HAMMOND, Governor

HB225

DEPARTMENT OF PUBLIC WORKS

OFFICE OF THE COMMISSIONER / POUCH Z — JUNEAU 99801

March 17, 1975

Honorable Susan Sullivan, Chairman
House Health Education & Social
Services Committee
Pouch V
Juneau, Alaska 99811

Dear Representative Sullivan:

We have received the requirements of AS 35.10.015 "Architectural Barrier Regulations" and respectfully request that in your deliberations that you consider the following:

1. AS 35.10.015 provides that the Department of Public Works is responsible for preparing and promulgating regulations..... to insure that the public buildings are accessible to and usable by the physically handicapped. The law also provides that the regulations shall conform to the publication entitled "American Standard Specifications for Making Buildings and Facilities Accessible to and Usable by the Physically Handicapped." (48 SLA 1972 effective May 13, 1972).

2. As required, the Department of Public Works adopted Section 010 of Chapter 15, Title 15, effective 30 days after May 22, 1973. A copy of this regulation is attached and applies to all buildings of the State and political subdivisions.

3. The question at this time is whether the regulations should apply to all buildings and particularly those schools and public buildings which are in the small or rural population centers.

4. The standard which was adopted defines the physically handicapped as those requiring wheel chairs (non-ambulatory) or totally blind or totally deaf.

5. Personal observations and interviews with a number of people who have traveled extensively in the rural areas indicates that the physically handicapped are nonexistent. The environment of these areas is not conducive to the existence of people who have major physical impairments.

6. The Department of Education provides special education for children with various impairments. As an example, the program includes 784 children in the military and 1,191 children in the rural elementary system. Of these children, the statistical information indicates the following:

	Military		Rural	
	Special Education (784)	Total Enrollment (5,845)	Special Education (1,191	Total Enrollment (5,728
Cripples	0.3%	0.04%	1.3%	0.27%
Visually handicapped	2.8%	0.38%	0.8%	0.16%
Deaf-Blind	0.0%	0.0 %	0.3%	0.06%
Deaf	0.0%	0.0 %	0.5%	0.10%
Hard of Hearing	2.2%	0.3 %	6.8%	1.41%

7. The Department of Education, Division of Special Education, further tried to refine the above information and while the program does include children with some degree of handicap, they were unable to specifically identify any children who were confined to wheel chairs, totally blind or totally deaf. The differences in the percentages between the military and rural schools is interesting to note since it is apparent that military personnel with partial impairments are apparently not assigned to Alaska.

8. The only child which could be located is one near Talkeetna who apparently has a frozen foot and was receiving correspondence study in lieu of attending school.

Based on the above, it is my recommendation that the regulations (Item 2) be revised to exclude public buildings and schools in rural areas. It is also suggested that the regulation be flexible so that only one school be required to be equipped for physically handicapped in the larger communities where more than one school exists. A certain amount of flexibility would also be desirable for public buildings in larger communities. As an example, the State Capital should have facilities for the physically handicapped while a record center or a similar facility would not require provisions for the physically handicapped.

Sincerely,

Donald Harris
Commissioner

cc: Senator Bill Ray

STATE OF ALASKA

DEPARTMENT OF EDUCATION

OFFICE OF VOCATIONAL REHABILITATION

JAY S. HAMMOND, Governor

HB 225

April 11, 1975

The Honorable Susan Sullivan, Chairman
HESS Committee
The House of Representatives
Alaska State Legislature

Dear Susan;

In discussions with some legislative staff members and Helen Beirne, it would seem that the House HESS Committee is experiencing some problems with House Bill 225 on Architectural Barriers. Apparently there are some members of the Committee that feel that because this bill addresses itself to only a small number of people, the necessary expenditures and state guidelines cannot be justified.

I would certainly agree that it is a more expensive proposition to construct a building having free access for handicapped individuals than one without such considerations. However, we have made a long standing committment over the last 55 years towards the less fortunate, disabled citizens in our country. I sincerely feel that we must be concerned about the total individual rather than just a part, and that the needs of the handicapped include any easement of mobility and access problems that are within our grasp to provide.

As an agency working in the field of rehabilitation, we would certainly support this bill and its concept. Since I was out of town at the time of your initial hearings on this bill, I am uncertain as to whether you received a copy of my prepared testimony. I am therefore enclosing a copy for your use. I have also attached a copy of the standards from the state of Washington, which have been promulgated as a result of their state statutes.

If I can be of any further assistance in this matter, please do not hesitate to call me at 465-2897.

Sincerely yours,

Mike

Michael C. Morgan
Director

MCM:sw

Enclosures: As stated

cc: Helen Beirne

April 16, 1975

The House Health, Education and Social Services Committee submits a revised committee report to SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 225 with the attached amendments:

Pg. 2 Line 25 delete sentence after "be" through "operation" on Line 26 and insert " initiated for planning, design, finance, and construction,"
Pg. 1 Line 8, delete "infirm" and add "infirmed"
Pg. 1 Line 19, delete "infirm" and add "infirmed"
Pg. 1 Line 17, after the word "federal" add ", state or other public funds,"

THE EASTER SEAL SOCIETY FOR ALASKA CRIPPLED CHILDREN AND ADULTS

EASTER SEAL INFORMATION AND REFERRAL SERVICE
P. O. BOX 2432
ANCHORAGE, ALASKA 99510
274-1641

STATE SOCIETY OFFICE
P. O. BOX 2432 99510
726 E STREET 99501
ANCHORAGE, ALASKA
277-1324

16 April 1975

Susan Sullivan, Chairman
House Health, Education and Social Services Committee,
Pouch V
Juneau, Alaska 99801

Dear Mrs. Sullivan:

The Easter Seal Society for Alaska Crippled Children and Adults, Inc. continues to be concerned with the elimination of architectural barriers in public buildings and facilities for use by all people, including the handicapped. We recognize the inherent right of all citizens to the full development of their potential, regardless of their physical disability through the free use of the man-made environment.

Enclosed are some materials on architectural barriers which we hope you will share with your committee members.

Hopefully, the committee will realize the importance of having a law which will eliminate the loopholes of non enforcement and the waiver clause of conforming "as far as feasible". In the long run House Bill #225 will save the state money as existing construction wouldn't have to be changed to comply at a later date.

Please support House Bill #225.

Yours very truly,

Mary Tomasiewicz

Mary Tomasiewicz, Coordinator
Information and Referral Service

cc: Rep. Helen Beirne
Mrs. E. Mackin, President ACCA

CS/HB 229

"An Act making a special appropriation to the Department of Education for a study of the public school foundation program and providing for an effective date."

COMMITTEE REPORT

2/27/75 HOUSE FINANCE

Mr. Speaker: Date April 24/75

The Committee on HESS has had CC HB 229 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan Do pass as am Minority Do Pass

Members NOT concurring in the Majority report:

_____ recommends: Do not pass

_____ recommends: DO NOT PASS UNLESS AMEND

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

CSHB 229

HESS COMMITTEE MEETING

April 24, 1975

Members Present:

All Present

Chairman Sullivan called the meeting to order at 3:00-. The first order of business was HB 435 by McKinnon.

HB 435 McKinnon gave briefing of the bill.
The actual fiscal note is $49,200, this will actually cost considerably less in consideration of the revenue for the State of Alaska.

Hackney I am not in favor of just sending this directly on to Finance Committee.

McKinnon Since HB 111 will most likely be held up in Finance Committee because of a inaccurate fiscal note, that is the purposed of this bill. $420,000 a year in Anchorage spent on animal control, this will be reduced in future years.

Hackney Still opposed to the concept, The State cant' afford this at the present time.

Ose Seems like it would be cheaper for the Anchorage Borough to carry this program on itself.

Ostrosky In support of the bill. In contact with the Anchorage Animal Shelter and it is true that the problem is getting out of hand.

Davis Motion to Table the bill.
Hackney Seconded
Motion failed 4 to 4.

Ostrosky Motion to move out with 'individual recommendation'.
Parr Seconded
Chairman Motion passes the Committee.

CSHB 229
Overstreet The present system is subject to inequitable funding. A careful study needs to be undertaken. Our primary thrust in the past three years has been exactly what this bill would take care of.

Swanson Who will be doing the hiring for this study, someone from the outside?

OVerstreet I will not be doing the hiring, You should direct your question to Commissioner Lind.

Lind Outside assistance would only happen if we could not do it ourselves. It is not our intent to get outside help for the build of thework. This is a necessary report. BIA funds will be for 18 months of personal services = $62,000 (confirmed figure). Spencer Foundation for $20,000 requested (unlikely), and Ford Foundation a requested $25,000 (verbal approval). $15 000 from other State sources, $5,000 from the Dept. of Educ. and $10,000 from the Legislative Interim Comm. Grant approved 10-25-74.

Dea Coons Dept. of H&SS
Will be studying means of adding BIA schools into regional attendance areas.

Hackney How much is your dept. spending on studies of the various kinds?

Lind I can't answer that, I would have to take a closer look. Smaller studies with teachers of reading etc.

Parr I don't have a problem with this need of the study itself. One change, no way of acessing quality. What is intended by quality as far as that is concerned?

Lind My perseption is that our frustration with deteriming quality in education, in order for a workabel situation is means that it is a degree to which the instruction is individualized.

Swanson- Where will your attentions be focused?

Lind Enable us to study busing, construction, hardship areas etc.

Davis Would like to see the fiscal note.

Swanson We've got enuff studies in this state.

Beirne See this as being an extremely invaluable study for the State in future education of our young people.

Hackney We never actually adopted the CS. Would like to move for the adoption of the Committee Substitute for HB 229.

Parr Seconded
Chairman Hearing no objection, so ordered.

Hackney Would like to move of the adoption of an amendment in Line 11 changing $143,000 to 43,000.
Parr Objection.
Chairman (Took Vote) Motion failed

Parr Motion to move this bill out of Committee with a 'do pass'
Ostrosky Seconded
Chairman (Took Vote) Yea 5 Nay 4
CSHB 229 passes the Committee.

SSHB 256 Rep. Wallis gave briefing of the bill.

Beirne Why do you want them not to have to take the exam?

Wallis This will only be until the exam comes up, then they will have to take the exam. So he can practise up until that time, he is able to take the exam which is only oferred once a year.

Davis In Nome, there are not enough Dentists in the area, they have to cover 22 villages

Hackney Would that mean that a Peace Corp Dentist could work for a non-profit organization for one years time, would he be able to do this?

Wallace Yes, as long as he had a license from some other State.

Pratt Representing the State Board of Dentistry.
Dr. Riddell Local Dentist and also on Board.
Spoke against the bill. Board's function to maintain quality in the State. Under the present law it is possible for a temporary permit to be issued anywhere in the bush area. Under this bill the Board would not be able to do anything about an unqualified dentist practising for a year. It does not address the problem of dentistry in the bush at all. 386 licensed dentists since statehood. 250 are practising now. Concerned with the loss of control of practising dentists.

Dr. Horschover Local Dentist
Representing the Dental Association. Has no legal authority as does the Board. As I see it there is no problem under the present law. Against the bill.

Beirne By putting shall in you are taking away the Boards power of criteria.

Wallis Perhaps it can be amended in Judiciary, language that 'if a corporation had more than 3 or 5 temporary permittees that there would have to be a licensed dentist working with them.'

Parr MOve for the adoption of an amendment, chaning shall to may.
Ostrosky Seconded
Chairman Hearing no objection, so ordered.

Parr Move for the adoption of SSHB 256 as amended
No Ojbection, so ordered.

Meeting adjourned until 8:00 pm to take up HB 387.

Alaska State Legislature

House

HB 229
HB 131

JUNEAU ALASKA

HESS COMMITTEE MEETING

3-20-75

Members All Present:

Chairman Sullivan called the meeting to order at 2:30 pm. to take up first HB 251.

Mr. Muller, Program Services
Our request is for $21,800, component is for instructional care for children.

Hackney Were these all additional funds to private child care facilities and are there listings as to the breakdown of each?

Muller Yes, schedule is available and we will submit them to you.

Medicade Program - The Division is asking for $3,028,000. The projections were made by the consultant for the legislature last year and his figures were way off. We are presently facing a 3.6% deficit. There is also the increase of 35% of costs in the medical care in the State.

Ose If I remember correctly, you folks agreed at the time to the projected figures!

Mr. Sullivan No. We did not see these figures before or after they came out of Free Conference Committee.

Hackney You are getting 1,008,000 from Federal Program Receipts?

Sullivan ONce we sign the contract for medi cade with the Federal people, we must issue services to all eligible recipients. This is 100% a state authorization for 1974. - As of this date we are down to $50,000 in the account. Costs have gone up in this program and we need at least $26,600 to meet the requirements of the program.

Hackney What places would be closed down if the funds weren't available?

Sullivan We would have to close people off from the GR Medical Program, not necessarily close down the place. You people have complete authority for the GR Medical Program. We would have to reduce services immediately.

Parr I have limitations on how long people can wait before remitting a bill?

Sullivan 6 months from the date of the services rendered, this is now the law on the books.

Milo Fritz One point, many times doctors don't get their bills for medications from 60 to 90 days under the GR Medical Program.

Mental Health - Dr. Schrader
This division is requesting $113,200 for additional funds to pay for services in care of BRU. One problem is that we were budgeted for a five patient facility, presently we have 12, which is a large increase in the number of patients. We had to raise the rates. In the process of this transfer, many expenses were incurred. There is a $39,300 deficit in this area presently.

Sullivan What is the sudden rise in people who need to be sent outside?

Schrader This was not unexpected, there has been more consideration of mental health in the Judicial process. There has been a change in the way cases are being handled.

Violent Crimes _ Mr. Benson
We are in need of $75,000 to cover pending fiscal 74 planes, also to cover the planes in 75. Five completed Board planes would mean an expense of $37,000. we now have $2,880 for this work. In the 75 planes we have 38 with 30 completed in file. We concurred that this would be an additional cost of $101,000. There are also 24 incomplete applications. $50,000 appropriation for 75 is totally inadequate.

Corrections-Mr. Adams
$791,800 is our request. Adult confinement costs are $176,000, which covers food fuel etc. All of these expenses have been rising by inflation. We are running an additional 45 offenders over case load. In the Juvenile confinement we need 19 beds to provide care. Adult Rehabilitation, the same 45 beds and mental and dental expenditures. Costs have gone up in medical care. The state building we are using in, for example, Ketchikan and Nome have increased rent. The increases in these buildings are $25,000 alone.

Hackney Do you feel that some of this is a reflect of pipeline impact and did the Division go before the Budget & Audit Committee?

Adams We could not apply for enough additional monies. The impact funding permitted us to take on the assignment. The main problem is the increase of food costs and in the numbers of offenders. Foods are a very important part of this.

Parr The inflaction has been numbered, what inflation factor did you put in for this year?

Swanson 34% assistance costs. The rest of the Budget we used the figures from the Budget and Audit Committee.

Chairman Sullivan asked the pleasure of the Committee on HB 251.

Parr Would like to see some of this backup data on the 7 Million dollars.

Swanson I would also like to know under what authority do we have to expend monies without authority from the Finance Committee. Unless there has been authorization from last year.

HB 251 was held over until another day when there could be more testimony to the bill.

Continutation of Meeting at 3:00pm. Concerning package of Education Bills.

HB 229 HB 182
HB 131 HB 179

HB 229

Dr. Coons -Public School Foundation Program
The major recommendation which was done for the HESS Committee in 1974 was to coordinate the State. The ultimate recipient will be these groups: Study and Costs:
1) Quality Cost & Financing - involving citizens and educators and a basic look of education for children in Alaska. What they want to be done in Alaska as far as education.
   a) Basic study itself - examine costs of all areas.
   b) Involvement of agencies Committies, NEA, AFN, Alaska Schools Board Assoc. etc.
   c) Involvement of citizens in rural areas.
2) General Study Areas $143,000, we would need this amount for a 19 month professional help and 13 months fo clerical help.

Sullivan Would you recommend a substitute phrase in this bill as an amendment?

Coons Yes, this could be replaced by using the title of our study here.

Hackney What happens if this is not funded? Will the sky fall?

Coons It hasn't fallen yet.

OVerstreet This bill is very critical. The major problem is the understanding of the real needs of communities. The largest school districts in the state receive the lesser amount of money and spend the lesser amount per student from State aid. Because of pipeline impact this will change. Someone needs to look at all these factors. So There are so many areas now where there is a real question about the equity. We should take the objective look that will help us distribute the money which leads to serious inequities.

Swanson Don't feel that we have to go outside for anymore experts. We should use what we have through the Dept of Education. I am not in favor of hiring anymore outside experts.

Ostrosky It seems to me that this has been looked at before and has already been explored thoroughly in the last few years.

Coons This would continue this. C&RA is relying on the conference in Wasilla. We would utilize those, and a summary of all these services and studies haven't been put together into one summarized unit.

Delene I think its going to cost $200,000. This bill is for $100,000 and we should let this go out with this notation. I don't think this budget would bring in many people in from outside. Shouldn't overlook the agencies that are available specifically for this financial matter.

Hackney How many people would be involved in traveling?

Coons These figures are all available and I can certainly get them for you at a later date.

Hackney For $24,000 where would you propose to go?

Coons There would be a regular staff and and affiliated staff. We will also provide these information figures for you.

HB 182 - BY Gov
HB 179 - By Beirne

Beirne Gave briefing of bill. This bill has a three year history. The concept has been accepted in both Houses. HB 179 is very similar to last years bill.

Mr. Piola These bills should be included. Concerning HB 182, the intent of the legislation is the same as HB 179, however it is written in the Governor's language. Sec. 36 040 - See changes on attached bill.
I believ the amount of this grant is miserly but our State financial position being what it is this will be sufficient. On the national level the program is 6 to 8% above the present service.

Hackney Does the State Board of Educ. assume the responsibility of this program?

Commissioner Lind
The intent of the Committee Council is to bring the policies together within the State. It was felt that reading effort also applies to community schools. The Board cona't deal specifically with community schools approach.

At this point the bills were held over until such time as more information could be produced for the Committee. By request of the members.

STATE
of ALASKA

MEMORANDUM

Susan Sullivan, Chairman
House H&SS Committee

DATE : March 21, 1975

FROM: Ed Mitchell
Administrative Officer
Division of Corrections

SUBJECT: Correction and clarification of testimony on HB251 before H&SS Committee on 3/20/75

During the meeting you asked what percentage the Division of Corrections supplemental request of 791.8 was of the total Division appropriation for FY75.

My erroneous reply was 4%, when in fact the request represents 6.6% of our total FY75 appropriation.

As further clarification, our request is 18.4% of our non-personal services appropriation for FY75. That relationship gives a better indication of the influence of increased workload and inflation on food, fuel, medical, and "full cost of care" categories of our budget.

Please convey this information to the Committee.

EM:dl

cc: Charles G. Adams

FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. CSHB 229

Title: Making a special appropriation to the Dept. of Education

Requested by: House Finance Committee Date: 5/16/75

Return Date Requested: 5/16/75

Agency: Education Program: Executive Administration

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Office of the Commissioner

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL		143,000				
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		143,000	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND		143,000				
FEDERAL FUNDS		-0-				
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

300 Contractual Services Estimated Expenditures

Personal Services	73,010
Travel	39,600
Contractual Services	27,900
Commodities	1,140
Equipment	1,350

IV. ATTACHMENTS

V. DATE: 5/16/75 PREPARED BY: [signature]

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

UNIVERSITY OF ALASKA
FAIRBANKS, ALASKA 99701

March 17, 1975

Representative Susan Sullivan
House of Representatives
Pouch V
State Capitol
Juneau, Alaska 99811

Dear Representative Sullivan:

This letter is to inform you that the analysis of the quality, cost and financing of Alaskan public education now being undertaken at the Center for Northern Educational Research of the University of Alaska is progressing well. The most recent support has come from the Bureau of Indian Affairs. They are contributing in-kind services in excess of $60,000 by providing a full-time fiscal expert from their Washington office to the project who will be in residence at the Center for Northern Educational Research for at least 18 months. We remain dependent, however, on the State of Alaska for our main source of funds and, of course, it is the state that will be the ultimate beneficiary of the work. The final product of our analysis will be recommendations to the State Department of Education and to the Legislature on the means and manner by which all public education should be financed. This will cover much more than the foundation program and will include federal programs, capital outlay, transportation and all extraordinary educational programs. Thus, the study is recognized as being especially timely what with the changing situation in rural Alaska and the interest of many legislators in full state support for operations. The attached brief description of the study will give you a better idea on how we are proceeding with the work.

House Bill No. 229 introduced on February 27 calls for an appropriation of $100,000 to the Department of Education to provide the necessary financial support for the analysis. I believe, hearings by the House HESS Committee have been scheduled for March 20. Incidentally, the bill refers to only the foundation plan while the actual analysis will cover much more, including the cost and financing of all educational facets both for districts and unorganized borough. The need for the work has had acceptance throughout Alaskan educational circles and if the appropriation is made, the Department will be contracting with the Center for Northern Educational Research so that the effort may continue. When hearings are held on the bill, I am sure Dr. Marshall Lind will be able to explain the details of the study and the benefits to the

PLEASE REPLY BY AIRMAIL

state he sees as a result of the work. Also, Dr. E. Dean Coon, Assistant Director for CNER, will be in Juneau for the hearing and will try to arrange other meetings as may be needed to more fully explain the study. We are anxious for your support in this matter and hope that you agree with us that the analysis of the quality, cost and financing of Alaskan education is especially important and necessary at this time.

Sincerely,

Frank Darnell

Frank Darnell
Director, Center for Northern
Educational Research
(907) 479-7143

FD/ijs
c.c.
cc: Dr. Marshall Lind
Sue Green
Bill Overstreet
Robert Van Houte

The Quality, Cost and Financing of Prehigher Education in Alaska

(Alaska School Finance Study)

PROPOSED OPERATING BUDGET

FY '75 - FY '76 - FY '77

and

Request for State Appropriations for FY '76

- CONTENTS -

Brief Description of the Study 1
- Background and Need for the Study
- Study Topics
- Overview of Work Plan
- Organization of the Study
- The Operating Budget

Operating Budget Summary, FY '75 - '77 5

Request for State appropriations 6

Prepared by the
Center for Northern Educational Research
University of Alaska - Fairbanks

February 3, 1975

Brief Description of the Study

Background and Need for the Study

The Alaska School Finance Study, formally titled " A Study of the Quality, Cost and Financing of Prehigher Education in Alaska", began in the Fall of 1974, with modest financial support provided by the Alaska Department of Education, the Legislative Interim Committee on the Study of School Finance, and the Center for Northern Educational Research (CNER), University of Alaska, Fairbanks. Agencies which earlier had called for such a study included the State Board of Education, the Alaska Federation of Natives, the Alaska Association of School Boards, the Alaska Association of School Administrators, Alaska - NEA, Alaska Association of Secondary School Principals and the 1973 - 74 Legislative Interim Committee on Prehigher Education in the Unorganized Borough. Preplanning for the Study was done by CNER in cooperation with most of the groups listed above. Official beginning of the Study was November 26, 1974 at a General Planning Session in Anchorage.

Alaska's changing economic, political and social scene attests to the need for a comprehensive review of how Alaska will meet its obligations for prehigher education. Other reasons for the Study include the need to resolve the many views regarding state and local responsibilities for education, by the general lack of understanding about what constitutes basic education costs and full education costs, and by the need to reevaluate the Public School Foundation Act. The study now underway proposes to address these needs, as well as others, during the next two years.

Study Topics: School Finance Study topics which will be investigated, discussed and analysed include:

1. The school finance reform movement nationwide;
2. The educational programs in Alaska, including the basic program, curriculum, alternatives and special purpose programs;
3. Questions of equity - for the student and for the taxpayer;
4. Organization and management of prehigher education;
5. Current and future prospects for federal funding;
6. Supporting services, such as buildings, food services, and transportation;
7. Costs of education for the basic program and alternatives, regional differentials, and alternatives computed upon anticipated change in status for schools now operated by the Alaska State-Operated School System and the Bureau of Indian Affairs.
8. Methods of financing the schools; and
9. Revenue projections.

Discussion on these topics will be held throughout Alaska. Citizens will have opportunity in many formal and informal ways to state the kind of education programs they want for Alaska's boys and girls. Periodic reports of these deliberations will be provided.

Organization of the Study: CNER will coordinate the three components of the Study, which are:

1. The Basic Study. This includes data collection and analysis for each of the topic areas. This component is a prime requirement of any comprehensive school finance study. It becomes more important than ever in Alaska where major organizational changes will probably revamp the educational delivery system. The project staff will be heavily involved in this component with assistance from supporting agencies and organizations. Facts and figures collected in this component will be utilized for discussions and consideration by participants in Components 2 and 3.

2. "Establishment" Involvement This component will provide a means whereby suggestions regarding school finance design would be obtained from education agency personnel, teacher groups, school board members, school administrators, legislators, business and civic representatives, and other organized bodies. Persons in this group would generally have some direct experience in operation of schools or related governmental agencies.

3. Citizen Involvement. This component would provide a means to solicit suggestions from a vast cross-section of Alaskans, especially rural residents and members of cultural minorities. This is intended to provide the "consumer" viewpoint so vital to designing the kind of school program desired by Alaskans. Identification of needs in the presently unorganized area of the state would be obtained in this manner.

As previously indicated, CNER is serving as the coordinating agency for the study. In this capacity, CNER will provide a central base of operations for the study, provide direct professional assistance, analyse and factor the data obtained in the study, manage project resources (both financial and contributed staff), and prepare and issue reports.

The Operating Budget: The proposed operating budget for this study totals $257,500 for FY's '75, '76 and '77. The budget summary presents this budget by source and by object of expenditure. In addition, detailed schedules have been prepared to support the request for State appropriations for FY '76- $144,039, and FY '77 - $53,461.

Current plans call for the FY '76 appropriation for the Study to be included as a single line item appropriation for the Department of Education. The Alaska Department of Education would then provide the funds to CNER to carry out the specified activities. Authority to begin using these funds before the beginning of the fiscal year will be requested. The proposed operating budget does not reflect contributed services provided by CNER and by other participating agencies.

Overview of Work Plan

Fall 1974	General preplanning period; study designed Agency and organization support sought Potential resources identified First general planning session conducted (Nov. 26)
1975	
January	Work plan finalized; detailed budget completed. Liaison established with additional interested agencies and groups. Preparation of first report underway.
February - April	Legislative hearings on FY '76 budget request for the study. Supplementary financial assistance requested from the Spencer Foundation. Report No. 1 issued (deals with overview of school reform, Alaska's status, description of funding sources for district, state-operated and Bureau of Indian Affairs schools, and describes present foundation support programs). Basic study commences.
May - June	Staff and consultant recruitment completed. Study steering committee finalizes master schedule of events and reports. Materials for involvement sessions prepared.
July - October	Basic study continues. Involvement components of study underway - state and local meetings and discussions conducted. Legislative Interim Committee on Financing Public Education active.
November - December	Report No. 2 prepared and published (one technical version; one non-technical version).

Overview of Work Plan - continued

1976	
January - March	Preliminary findings of study presented to the Legislators and others. Budget request for FY '77 appropriation for the Study submitted.
April - August	Basic study completed. Final involvement sessions scheduled
September	Statewide Public Forum concludes formal involvement components
October - December	Final reports prepared and distributed
1977	
January - April	Findings and recommendations of the study presented to the Legislators and general public. Suggested plan of action and alternatives ready for Legislative consideration.
May	Study completed.

ALASKA SCHOOL FINANCE STUDY

Operating Budget Summary, FY '75 - '77, By Source of Funds

State Budget* Schedule	Object of Expenditures	FY 1974 -75 Department of Education	FY 1974 -75 Legislature via Leg. Council	FY 1974 -75 FORD Foundation	FY 1974 -75 SPENCER Foundation	FY 1975 -76 SPENCER Foundation	FY 1975 -76 Legislature via Dept. of Ed.	FY 1976 - 77 Legislature via Dept. of Ed.	TOTALS By Source	TOTALS By Object
11 - 12	Personnel - salaries		1,319	2,250			54,560	24,894		
	Staff and Leave Benefits		371	750			19,489	9,179		
	Subtotal:		1,690	3,000			74,049	34,073		112,812
14	Travel	3,400	7,000	16,750	1,000	6,000	39,600	11,000		84,750
15	Contractual Services	800	1,110	5,250	2,000	11,000	27,900	8,000		56,060
16	Commodities	800	200				1,140	388		2,528
17	Equipment						1,350			1,350
	OBJECT TOTAL:									$257,500
Source of Funds:*										
	Department of Education	5,000							5,000	
	State Legislature		10,000				144,039	53,461	207,500	
	Ford Foundation			25,000					25,000	
	Spencer Foundation				3,000	17,000			20,000	
	SOURCE TOTAL:								$257,500	

*Excluding CNER Contribution

Center for Northern Educational Research
University of Alaska - Fairbanks 479-7143
January 28, 1975

Personnel costs for FY '76 are based on FY '75 figures plus 11% for professionals and 4% for classified. Staff and leave benefits must be provided in the appropriation since the entire costs of each position must be borne by the appropriation for the study. Personnel costs for FY '77, although not required at this time, are provided so as to document the true estimated costs of the study. For example, reporting phases of the study will be necessary in the early months of 1977, when the Legislature is considering the final report.

Care is being taken to coordinate study efforts with ongoing activities of other state agencies and with the non-state participating groups, such as Alaska Federation of Natives. Liaison has already been established with the State Division of Planning and Research and the Department of Community and Regional Affairs. Both have planned activities which will complement and supplement the study. Several elements of the basic study will be developed in cooperation with the Legislative Finance Division. The Alaska Department of Education will, of course, be a very active participant in all phases of the study. Prospects are good that the Bureau of Indian Affairs may be able to contribute some staff time to this project. All these efforts to utilize people and activities have been planned (1) to keep the budget and central staff small, and (2) to involve these agencies in a meaningful way.

Finally, here is the status on sources of funds (again, not including CNER contributions):

AMOUNT	SOURCE	STATUS
$ 5,000	Department of Education	Grant to CNER, Sept. 1974
10,000	Interim Committee	Approved October 25, 1974
25,000	Ford Foundation	Requested December 18, 1974
20,000	Spencer Foundation	To be requested February, 1975
144,039	State (via DOE)	Requested for FY '76
53,461	State (via DOE)	To be requested for FY '77
$257,500		
Approved March, 1975 62,000 (in kind service)	BIA	To be initiated May 1, 1975 for 18 month program

HB-244

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST
Bill No. House Bill 244
Title: An act relating to evaluation and planning in the Dept. of Health & Soc. Svcs
Requested by: Date:
Return Date Requested:
Agency: Dept. of Health & Soc. Svcs. Program: DH&SS Administration

II. FISCAL DETAIL
Budget Request Unit(s) Affected: DH&SS Administration
A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL		232.1	255.3	280.8	308.9	339.8
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		232.1	255.3	280.8	308.9	339.8

B. FUNDING: (Thousands of dollars)

GENERAL FUND		232.1	255.3	280.8	308.9	339.8
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	0 /	0 /	0 /	0 /	0 /
MAN MONTHS (P./T.)	/	/ 0	/ 0	/ 0	/ 0	/ 0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

V. DATE: 2-12 PREPARED BY: Barbara M. Lloyd

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

POSITION PAPER

ON

HOUSE BILL NO. 244

An Act relating to evaluation and planning in the Department of Health and Social Services.

This bill adds a new section to the chapter on the Department of Health and Social Services to mandate evaluative studies and planning for improved operations, the cost to be met by earmarking .0025 of the departmental budget for this purpose. The results of these studies are to be presented annually to the Legislature.

The objective of this measure is to ensure that departmental operations are accompanied by evaluation, which in turn can provide guidance for subsequent program developments.

This approach and the accompanying budgetary provision are most urgently needed today, when there are many new developments which affect the department. The claims settlement act, pipeline and outer continental shelf developments, new federal legislation, and anticipated influx of population - all necessitate a fresh review of previous activities, a thorough exploration of all facets of key issues, and discriminating decisions concerning departmental policies and use of resources.

The bill as currently written does not specify whether the .0025 appropriation is to be based upon the full budget (including federal and state funds) or only on the state general fund budget. The amount of the appropriation will depend, of course, on which computation is used: based on the proposed FY 76 budget, $232,100 would be provided if both state and federal funds are considered whereas $160,000 would be provided if the appropriation is based only on the state general fund budget.

In view of the uncertainties concerning federal funding and lack of state control over this factor, the department recommends that the bill specify that the appropriation be based only on the state general fund budget.

If the legislative intent was to finance this bill at the higher figure, then the percentage would have to be raised, perhaps to .0033, if only state general funds are used in the computation.

The department favors the objective of the measure but cannot recommend any increase in the Governor's authorized budget.

Recommended By: Lois M Jund 4/16/75
Lois Jund (Date)
Acting Division Director
Division of Public Health

Approved By: Francis S. Williamson 4/17/75
Francis S.L. Williamson, Commissioner (Date)
Dept. of Health and Social Services

Comments by Governor's Office:

By: _____ _____
(Date)

02-001B

STATE
of ALASKA

MEMORANDUM

TO: The Honorable Susan Sullivan, Chairwoman
Committee of Health, Education and Social Services

THRU: for Francis S. L. Williamson, Commissioner
Department of Health and Social Services

DATE : April 17, 1975

FROM: Jerry L. Madden, Coordinator
Office of Comprehensive Health Planning

SUBJECT: Substitute language from House Bill No. 244

As per your request to assist Representatives Bierne and Hackney, I am submitting to you substitute language which might be incorporated into House Bill No. 244 in order to have it address the questions which were posed during hearing on the afore-mentioned bill held before the House HESS Committee on May 16, 1974.

Beginning on line 10 of the original bill, following "...PLANNING.

A sum of $25,000 will be appropriated to the Department to conduct a study that would define the specific amounts of money and total of such monies being spent by the department for planning and evaluation activities and would make specific recommendations to the Ninth Legislature, Second Session, as to the effectiveness of such expenditures, their role in the total human services activities of the Department, and how resources presently available and available in the future might be capitalized upon to insure more efficient service delivery through on-going planning and evaluation activities.

It should be stressed that the purpose of this proposed amendment is not to exceed the Governor's budget allotment to the Department but is to comply with a legislative request which, I believe, was made in the interest of seeking to assist the department to better accomplish its mission.

A position paper on this matter will be submitted by the department upon request.

cc: Representatives Bierne and Hackney

JLM:hew

HB-245

FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. House Bill 245

Title: Relating to evaluation & Planning in the Dept. of Education

Requested by: House HESS Date: 4/16/75

Return Date Requested: 4/16/75

Agency: Education Program:

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Executive Administration

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL	-0-	315.0	340.2	367.4	396.8	428.6
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL	-0-	315.0	340.2	367.4	396.8	428.6

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-0-	315.0	340.2	367.4	396.8	428.6
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY						
MAN MONTHS (P./T.)						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumption: That the program evaluation would be conducted on individual program basis which are short term in nature, thus not requiring additional personnel in the DOE. Existing personnel would coordinate and conduct long-range planning.

300 Contractual Services
380 Professional Services $315.0
Formula: .025 x $315.0(approx.); Assume 8% growth in DOE operating budget for succeeding fiscal years.

IV. ATTACHMENTS

V. DATE: 4/16/75 PREPARED BY: Pat Cole

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

DEPARTMENT OF EDUCATION

AGENCY COMMENTS

HB 245

BACKGROUND

Under AS 14.07.020, Duties of the Department of Education, the Department is directed to "study the conditions and needs of the public schools of the state and adopt or recommend plans for the improvement of education". However, until the advent of significant federal funding for state departments of education in the late 1960's, the Department had no internal planning and research capabilities through which it could fulfill this duty.

In the early years of the Research and Planning Section of the Department, funding for personnel and auxiliary services directed toward research and planning activities was totally supplied from federal sources. As late as Fiscal Year 1972, the budget of the section, which totalled $302.4, was primarily federally-funded, with only $23.4 of the total supplied from state funds.

Since FY 72, the state's share of the resources allocated to educational planning and research has steadily increased, until, in the FY 75 budget of $352,200, total, $208,960 is general fund. Of the general fund contribution, however, $200,000 was earmarked for a special research and planning project in statewide student skill level assessment.

DISCUSSION

Over the past five years, several movements on both the national and state level have had considerable impact on the direction of the Department of Education. The nationwide thrust for educational accountability -- that is, accountability by professional educators for the results of educational programs -- puts tremendous pressure on the state departments of education both to describe the present status of their educational programs, and to develop plans to move education from where it is to where it should be, in terms of results. The Department's student assessment program addresses the first need, that is, the need to get an accurate description, in terms of student achievement, of the present educational program. The second charge, to design educational programs which achieve or approximate the results desired by the state for its citizens, has not yet been fully addressed in Alaska. Nor will significant steps be taken to improve educational programs until the planning and development functions are recognized and sufficient resources allocated to such functions.

Statewide, the problems of SOS decentralization, expanded secondary programs, continuing education for adults, and educational uses of an operational satellite system are areas which require careful analysis and planning if the solutions to these problems are to be more successful than present practice. Again, within the limits of the present DOE budget for research and planning, such planning and analysis cannot occur on an organized and effective basis.

The strategy outlined in HB 245 appears a reasonable approach to the problem of inadequate resources. It follows a commonly accepted practice in private industry, that of expending a stable percentage of the agency's total operating resources on research, planning and development functions directed toward product improvement.

RECOMMENDATIONS

The agency recommends that HB 245 be passed as submitted, with the planning and development monies authorized being placed in the budget of the Office of the Commissioner and with reports on planning, research and development activities within the Department made annually to the Legislature.

Name: [signature]

Title: Special Assistant to the Commissioner

Date: April 16, 1975

REGARDING HB 245

Proposed Activities for an Expanded
Planning and Evaluation Capability
within the
Department of Education

Activities funded under the provisions of HB 245 will be directed to the following three functions which are essential to an effective planning/evaluation process.

	Activity	Estimated Cost
1.	Planning Planning efforts will be directed to the design of procedures and a management structure necessary to effectively use satellite technology for educational purposes.	$250,000
2.	Evaluation Funds will be used to provide technical assistance to local districts for the evaluation of local educational programs.	35,000
3.	Research Research activities will focus on the design and development of a coordinated management information information system for use by the Department of Education and local districts.	30,000
	TOTAL	$315,000

HB-281

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

May 5, 1975

Members Present:

Beirne
Hackney
Ostrosky
Parr
Sullivan
Swanson

Chairman Sullivan called the meeting to order.

HB 281 & HB 393

Don Clocksin HB 281 ties the Public Assistance Grants to OEO guidelines. HB 393 as we see the bill has the problem of not enough money being provided for needy persons to live on. One purpose of these bills is to increase the funding. There is also a problem here as to the people who are on both Federal and State programs. The way it is set up a Federal increase ends in a State decrease, adding no extra increases for cost of living at all. Alternatives, cheapest first:

1) Provide that the State shall pass along the Federal cost of living increase.
   a. $140,000 top cost of this change
   b. $117,000 - expanded eligibility and recipients of the State share only.

2) Federal cost of living plus the required State grant increase by the same Federal percentage.
   a. Effective next fiscal year $348,000 State funds = $250-271 increase per person.

3) Same as #2, making it retroactive to July 1, 1974 (changing effective date)
   a. $348,000 plus additional cost of $212,000.

4) Fed. Cost of living plus a State supplement increase
   a. Slightly more than #2 (uncalculated at this time)

5) Increases in dollar amounts that the recipient will recieve.
   a. $250-350 - (SB 219) would affect elderly only
   b. 4.1 million for Old Age Assistance only

6) Same increase as #5 for everyone. (Includes cost of #5).
   a. 7.1 million

Would recommend the the State cost of living be increased (#4). This can be done at relatively resonable cost. #2 above is the present HB 393.

Marcia Hubbard AA to Genie Chance.
Explained intent of these bills and each alternative listed above.

Parr Any possibility of giving supplemental assistance out of TItle 20?

Hubbard No, we could not use Title 20 monies to supplement a Title 19 program.

Mr. Kemp Div. of FCS
There's going to be additional costs on any of these options, the Federal regulations will be reducing their checks as of next January and the State will have to pick up the extra costs. Trying to get the Federal law changed to make the Longevity waver permanent.

Mr. Charney Dept. of H&SS
Explained that there are funds left over from last year's grant money and the funds from this year are in the general fund that will lapse if not used. This could allow the use of alternative #3, making it retroactive without any extra funding or appropriation by using this money.

Marcia This would take a letter of intent to authorize that in the June check of this year that they (the recipients) be given the cost of living increase over the last 12 months, by changing the effective date in this bill back to 1974.

Beirne Move CS for HB 393 be passed with a 'do pass' recommendation.
Ostrosky Seconded.

Chairman Hearing no objection, so ordered.

Alaska State Legislature

House

HB 281

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 17, 1975

Members Present:

Beirne	Davis
Hackney	Parr
Osterback	Sullivan
Ostrosky	Swanson

Chairman Sullivan called the meeting to order at 3:00pm.

HB 394 Rep. Gardiner gave a briefing of the bill.
$71.00 per sq. ft. to build. This is a low figure because they have done alot of the work themselves. They own the land and have done everything possible to complete as much as they could before asking for funds.

Hackney Is that an SOS School?

Gardiner Some of the areas in the State that have already gone to independent school districts, this is one of them.

Mr. Thompson 1962 the Hydaburg School was condemed. It is a first class city. The Legislature made them a loan of $350,000 and as repayment they pay a tobacco tax and have reduced it to $207,000. In 1972 there was a $420,000 bond issue under the Dept. and Federal matching funds.

Parr The fiscal amount is the same of the amount specified in the bill.

Swanson What about the Galena School, could this be added to this bill?

Thompson The Galena School will go to bid next week. Galena can obtain the facility fo for the funds available. This is a priority in my opinion.

Ostrosky Motion and ask unanamous 'do pass'
Parr Second
Chairman Hearing no objection, so ordered.

HCR 26 by Guy - gave briefing of the bill.
There are no proper places for disposal, leads to many problems. If this Resolution should pass, I am hoping that a better means will be found. There is no fiscal note because we are uncertain as to how this will be carried out.

Swanson I have introduced a bill thatwill possibly be able to help with all villages and their disposal problems.

Mr. Mueller Dept. Environmental Conservation
This is a real problem throughout the state. The present statuatory responsibility limits itself. We do have a program which does this by water supply and sewage disposal. These could possibly be adjusted to include a wider ranged project. The Dept. is highly in favor of this project. We do have a draft solid waste management plan for Alaska, Perhaps this will help the problem. Probably uneconomical to send recycling materials to Anchorage.

Hackney Move and ask for unanamous do pass.
Swanson Second
Chairman Hearing no objection, so ordered.

HB 281, HB 393
Don Clocksin - HB 281 grants our flexiblity so that they can take the cost of living allowance into account. This covers all welfare programs, all cash grant programs. HB 393 relates only to Adult programs. This would require that the State pass along the Federal cost of living increase and also requires this in the State portion of the grant. Just adult programs only.
SB 309 applies just to aid to families, children, AFDC programs, not adult programs. It illiminates distinction between young kids and old kids, fiscal note explains the cost. The two House Bills, important principals are that we must tie the grants to the cost of living allowance.

Hackney Was that included in the Governor's Budget?

Clocksin None of the three bills were included in his budget.

Don Kemp Dept. of H&SS
Stated that he could not recommend these bills. HB 281's major problem is interpreted in Sec. 8 (see attached material). For the general relief program, this would increase the Dept. expenditures considerably. At the present time, the Dept. is only able to serve 1/4 of the eligibles. (see position paper attached). OEO poverty guidelines are based on gross income. AFDC is based on Net income.
Clocksin I don't understand why the fiscal is based on $3200, it should be based on the present case load. I don't agree with Mr. Kemp here.

Kemp As i read it, i felt that the intent of the bill was to take care of all the eligible people.

Beirne Right now we only have 800 recipients but there are 2400 that could apply and be eligible.

Kemp Our best estimates are that only 1/4 of those that apply are actually given assistance.

Parr Why is the proposed change going to raise the average amount to such a person?

Kemp There will be a minimum amount of assistance, Art. 8 of the bill - pg. 1 Lines 18-20, proposed amendment showing this.

Parr Wonder if Line 18 is necessary for some kind of relief, don't no how you would define subsistence.

Sullivan I am distressed to know that we can only help 1/4 of the people that apply.

Hackney I read this bill that there should be no fiscal impact. we are saying you are going to help even fewer than the 1/4 because if they're going to be mandated to make to much money they won't be eligible.

Kemp Without an appropriation that may be true, but it depends on whether or not they; are applying to the present maximum.

Beirne What's happening to that other 2400 eligible people?

Kemp Sometimes churches, salvation army etc. are able to help some of them. So what we are doing is operating purely on emergency.

Clocksin Back to the position paper of 281. Para. #3 is no longer applicable because (pg 2 grants) one person would require $250 per month, statuatory amount, OEO guidelines offer $244 per month, problem illiminated by providing greater of the two. Para #4 I disagree with. OEO amounts are larger than the present grants that roposed the State has. Suggest changes here, possible on Pg. 2 Line 26-27- to change ndment 'general relief', no floor (minimum grant) in the present Statute.

Hackney Where does it get the money to fund them.

Beirne HB 281 would actually take the cieling off?

Kemp Yes, that is correct.

The bills were held over for vote at a later date.

Adjourned @ 5:30pm.

POSITION PAPER
ON
HOUSE BILL 281

An act qualifying maximum amount of assistance payable under Public Assistance to conform to the Office of Economic Opportunity Poverty Guidelines.

This bill is identical to HB 554 which was introduced in the last Legislative session and for which the Department prepared a position paper. The purpose of this bill is to revise the assistance standards and payment levels as defined by the Office of Economic Opportunity (OEO) in all assistance programs except Old Age Assistance.

For FY76 and beyond the Department has the following comments regarding the impact of HB 281.

1) The Department is concerned about the potential financial consequences of Article 8, Section 47.25.995 of the bill. The Department interpretation of this section is that a person once found eligible for assistance, would be provided with monthly assistance equal to 1/12 of the appropriate OEO poverty guide regardless of any other income available to him. If the bill were amended to read that the assistance grant would be the difference between 1/12 of the appropriate OEO poverty guideline and available income, then the potential fiscal impact becomes more reasonable but is still of considerable consequence relative to current and projected appropriations and expenditures. These consequences are discussed below by assistance category.

2) General Relief Assistance - in this category it is estimated that currently only 1/4 of the potential eligibles are provided assistance and if assisted only at a rate of about $43.45 per recipient per month. Further, it is estimated that an average of 800 recipients per month are served. If, the 800 represents one fourth of the total eligible, 3200 would be the new monthly recipient count under the provisions of HB 281. Further, if we assume a family of four as the average sized family assisted by General Relief, the new average payment per recipient per month under HB 281 would be $118.50 for an average payment increase of $75.05 per recipient. Thus, HB 281 would increase the number of recipients served and the average amount of assistance per recipient. In all, under HB 281, General Relief costs for FY76 would increase from an expected $401.0 to $4,550.4 (3200 X 118.50 X 12).

3) In the blind and disabled categories HB 281 is not workable as written because by using the OEO poverty guidelines as a need standard from which income is subtracted to arrive at an assistance payment amount, the State would in effect be creating a $230 need standard which is lower than the current $250 need standard. This action would cause the State to lose Medicaid matching funds under the provisions of the

Supplemental Security Income law which requires the State to keep all those who were receiving assistance for the month of December, 1973 at the same or a greater level of assistance or the State will lose Federal matching funds for Medicaid.

4) Section 2, AS 47.25.320 (b) of HB 281 deals with Aid to Families with Dependent Children (AFDC). Since the legal maximum payment amounts in the AFDC program were increased effective July 1, 1974 and the current State need standard is based on net income while the OEO poverty guidelines are based on gross income, the State's current need and payment standards exceed the OEO level in Family sizes of 2 through 5, and are only marginally below the OEO level in the larger families.

Department Recommendations

The Department supports the basic concept of building cost of living increases in the assistance programs based on a nationally recognized index. The Office of Economic Opportunity (OEO) Poverty Guidelines provide such an index. However, the OEO poverty guidelines present conflicts with Alaska's current standards some of which may be unresolveable. In addition, HB 281 as presented leaves doubt as to the assistance standards and amount of payment the legislature wants to establish for the assistance programs. Finally, as written, the bill considerably increases the total amounts to be expended in the 100% State funded General Relief Program. The Department does not recommend an increase in the Governor's budget and thus does not recommend passage of HB 281 for the reasons cited.

Recommended by: Judy W. Babcock (Acting Director) 4-17-75 (Date)

Approved by: Francis R. Williamson (Commissioner) 5/4/75 (Date)

Comments by Governor's Office:

(By) (Date)

OEO POVERTY GUIDELINES FOR ALL STATES EXCEPT ALASKA AND HAWAII

Family size	Nonfarm family	Farm family
1	$2,330	$1,980
2	3,070	2,610
3	3,810	3,240
4	4,550	3,870
5	5,290	4,500
6	6,030	5,130
7	6,770	5,750

For families with more than 7 members, add $740 for each additional member in a nonfarm family and $630 for each additional member in a farm family.

OEO POVERTY GUIDELINES FOR ALASKA

Family size	Nonfarm family	Farm family
1	$2,910	$2,480
2	3,840	3,260
3	4,760	4,050
4	5,690	4,830
5	6,610	5,620
6	7,540	6,410
7	8,460	7,190

For families with more than 7 members, add $920 for each additional member in a nonfarm family and $780 for each additional member in a farm family.

OEO POVERTY GUIDELINES FOR HAWAII

Family size	Nonfarm family	Farm family
1	$2,680	$2,280
2	3,530	3,000
3	4,380	3,720
4	5,230	4,450
5	6,080	5,170
6	6,930	5,890
7	7,790	6,620

For families with more than 7 members, add $850 for each additional member in a non farm family and $720 for each additional member in a farm family.

GPO 875-922

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file

MEMORANDUM

TO : House HESS Committee

FROM : Don ~~Glocksin~~

SUBJECT: HB 281, HB 393, SB 309 - Welfare Grants

DATE : April 17, 1975

- -

A brief summary of these bills is made so that you can see where they overlap. All are desirable, but a combination of all three would be best.

PRESENT GRANTS

AFDC:	Two People (1 child under 13)	=	$250/month
	Two People (1 child 13-18)	=	$300/month
	Three People	=	$300-350/month
	Four People	=	$350-400/month
	(maximum of $520/month/household)		
General Relief:	One Person	=	$ 80/month

Adult Public Assistance: (SSI; aged, blind, and disabled)

One Person (shelter costs under $35/month)	=	$185/month
One Person (shelter costs over $35/month)	=	$250/month
Two People (recipient and ineligible spouse)	=	$250/month
Two People (recipient and eligible spouse)		
(shelter costs under $35/month)	=	$285/month
(shelter costs over $35/month)	=	$350/month

1. HB 281.

This bill would set the amount of welfare assistance paid at the level of OEO poverty guidelines or the present state, statutory maximums, whichever is greater. The Office of Economic Opportunity (OEO) is now technically the Community Services Administration (CSA). These guidelines are updated periodically for increases in the consumer price index and are adjusted for Alaska prices.

GRANTS UNDER HB 281.

All Programs:

One Person	=	$ 250/month
Two People	=	$ 310/month*
Three People	=	$ 388/month
Four People	=	$ 474/month

*Two adults, both eligible, with shelter costs over $35/month, would receive $350/month.

2. HB 393.

This bill applies only to the Adult Public Assistance programs - not AFDC or General Relief. The federal government makes a basic payment for these aged, blind, and disabled poor, and the state supplements that payment up to the amounts referred to above under PRESENT GRANTS. Although the federal law requires a cost of living increase in the basic payment, it does the recipient no good, since the state supplement is reduced as the federal share increases. This bill would, 1) require the state to pass-along the federal cost-of-living increase, and 2) require the state to increase its own supplement by the same percentage.

GRANTS UNDER HB 393

Adult Public Assistance:

Before Federal Cost of Living Increase:

SSI payment (federal)	=	$ 160/month (approx.)
Supplement (state)	=	$ 90/month (approx.)
Total Grant	=	$ 250/month

After Federal Cost of Living Increase:

SSI payment (federal)	=	$ 170/month (6% approx.)
Supplement (state)	=	$ 95/month (6% approx.)
Total Grant	=	$ 265/month

AFDC and General Relief: no change

3. SB 309.

This bill adjusts AFDC grants to comply with federal law. See Governor's transmittal letter.

GRANTS UNDER SB 309

AFDC:	Two People	=	$ 300/month
	Three People	=	$ 350/month
	Four People	=	$ 400/month

(no maximum; increases at $50/person)

4. COMPARISON OF THE BILLS

a. HB 281:
1) covers all programs (AFDC, GR, APA)
2) automatic cost of living adjustments
3) higher grants for most people

b. HB 393:
1) applies only to APA program
2) automatic cost of living adjustments
3) higher grants when cost of living increases

c. SB 309:
1) applies only to AFDC program
2) no cost-of-living adjustments
3) higher grants for families with at least one child under 13 years of age.
4) higher grants for large families (over six in family).

DEC:btg

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MEMORANDUM

To: Sen. Hohman and Rep. Sullivan

From: Don Clocksin

Subject: Welfare grants - cost of living increases

Date; Feb. 16, 1975

As we discussed, there are several alternative ways of assuring that the poor people of Alaska are protected from large increases in the cost of living.

1. The first is to tie AFDC and Adult Public Assistance (APA, for the aged, blind and disabled) grants to an objective standard that guarantees automatic cost of living increases. House Bill 554 (Eighth Legislature) would have tied grants to OEO poverty guidelines for Alaska (copy of bill attached). These guidelines are updated periodically for increases in the consumer price index and are adjusted for Alaska. The amounts established in these guidelines are what the Dept. of Health and Social Services considers the level of need in Alaska.

If you pass a bill similar to HB 554, the grants would be adjusted as follows. The federal share of each of these totals is substantial.

AFDC- PRESENT GRANTS:

Two people	(1 child under 13)	= $250/month
	(1 child 13-18)	= 300 "
Three people		= 300-350 "
Four people		= 350-400 "

ADULT PUBLIC ASSISTANCE - PRESENT GRANTS:

One person	(shelter costs under $35/m.)	= $185/month
	(shelter costs over $35/m.)	= 250 "
Two people	(recipient and ineligible spouse)	= 250 "
Two people	(recipient and eligible spouse)	
	(shelter costs under $35/m.)	= 285 "
	(shelter costs over $35/m.)	= 350 "

Introduced: 2/4/74
Referred: Health, Education & Social Services and Finance

BY THE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE BY REQUEST OF THE INTERIM COMMITTEE ON HEALTH CARE, SOCIAL SERVICES AND MENTAL HEALTH DELIVERY SYSTEMS

IN THE HOUSE

HOUSE BILL NO. 554

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act qualifying maximum amount of assistance payable under public assistance to conform to Office of Economic Opportunity poverty guidelines."

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

* Section 1. AS 47.25.130 is amended to read:

Sec. 47.25.130. AMOUNT OF ASSISTANCE. The amount of assistance for a needy person shall be determined by the department with regard to the resources and needs of the person and the conditions existing in each case. Where possible, assistance shall be sufficient to provide the applicant with reasonable subsistence according to standards of assistance established by the department. However, the amount of assistance for subsistence needs may not exceed $80 a person a calendar month <u>unless that amount is less than the Office of Economic Opportunity poverty guidelines for the state, in which case the maximum amount payable does not apply</u>.

* Sec. 2. AS 47.25.320(b) is amended to read:

(b) The monetary maximums in (a) of this section do not apply

<u>(1)</u> to payments made under this program for the care of a dependent child in a foster family home; [. THE PAYMENT SHALL CONFORM TO FOSTER CARE RATES AS PROVIDED BY THE DEPARTMENT.]

<u>(2) if the amount is less than the Office of Economic Opportunity poverty guidelines for the state.</u>

* Sec. 3. AS 47.25.640 is amended to read:

Sec. 47.25.640. AMOUNT OF ASSISTANCE. The department shall

Alaska's situation into account.

UNDER ALTERNATIVE # 3

Before Federal Cost of Living Increase:

SSI payment	=	$150/month
Supplement	=	100/month
Total Grant	=	$250/month

After Federal Cost of Living Increase:

SSI payment	=	$159/month (6%)
Supplement	=	100/month (no change)
Total Grant	=	$259/month

determine the amount of assistance granted for a needy blind person with due regard to the resources and needs of the person and the conditions existing in each case. Assistance shall be sufficient to provide the applicant with reasonable subsistence compatible with decency and health, and according to the standards of assistance established by the department. However, assistance may not exceed $250 a calendar month unless that amount is less than the Office of Economic Opportunity poverty guidelines for the state, in which case the maximum amount payable does not apply. Direct payments for medical services and remedial care may not be considered in determining the maximum amount payable.

* Sec. 4. AS 47.25.810 is amended to read:

Sec. 47.25.810. AMOUNT OF ASSISTANCE. The amount of assistance for a permanently and totally disabled person shall be determined by the department with regard to the resources and needs of the person and the conditions existing in each case. Where possible, assistance shall be sufficient to provide reasonable subsistence compatible with decency and health and according to the standards of assistance established by the department. However, the amount of assistance may not exceed $250 a calendar month unless that amount is less than the Office of Economic Opportunity poverty guidelines for the state, in which case the maximum amount payable does not apply. Direct payments for medical services and remedial care may not be considered in determining the maximum amount payable.

* Sec. 5. AS 47.25 is amended by adding a new section to read:

ARTICLE 8. STANDARDS FOR ASSISTANCE PAYMENTS.

Sec. 47.25.995. MINIMUM AMOUNT OF ASSISTANCE. (a) All public assistance payments authorized under this chapter shall be no less than the federally established Office of Economic Opportunity poverty guidelines for the state.

(b) To the extent that any maximums are established by statute to limit the amount payable under a program authorized in this chapter, they do not apply so long as they are below the minimums required in (a) of this section.

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MEMORANDUM

TO: Interested Legislators

FROM: Donald E. Clocksin

RE: SSI pass-along questions

DATE: February 14, 1975

There are several questions that need to be answered regarding this proposal:

1. What will the cost to the state be of increasing grants when the SSI payments increase pursuant to section 1617 of the Social Security Act (Sec. 6, P.L. 93-368, August 7, 1974). The current estimated SSI increase necessary will be 11.5% annually.

2. Will the state benefit increase be solely at state expense or will the federal "hold harmless" provision allow a federal contribution? (See Sec. 401 of P.L. 92-603 adopting the SSI program.)

3. What are the results of the study mandated by AS 47.25.320 regarding the cost of cost of living increases in the AFDC program? Should these increases be incorporated into this proposal?

4. This proposal will in effect create a flexible state payment maximum which adjusts to cost-of-living increases. The result is amendment by implication of AS 47.25.430 (Old Age), AS 47.25.640 (blind), and AS 47.25.810 which impose grant maximums of $250 per month. Should these be amended?

5. What is cost of keeping state supplem. same when fed. share increases?

DEC:mjb

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MEMORANDUM

TO: Interested Legislators

FROM: Donald E. Clocksin

RE: Cost-of-living up-dates in grants for the aged, blind and disabled.

DATE: February 14, 1975

Effective January 1, 1974-one year ago - the federal government took over the basic responsibility of providing welfare for the aged, blind and disabled. The federal Supplemental Security Income (SSI) program provides a basic grant to eligible persons. The State supplemented that basic federal grant to assure that no one received less money than before January 1, 1974.

The federal law provides for automatic cost-of-living increases in its Old Age, Survivors and Disability Assistance (OASDI) and SSI programs. A cost of living increase in the OASDI program is "passed-along" so that the SSI grant is also increased.

The state law has no such requirement of a pass-along. An increase in the federal SSI payment results in a corresponding decrease in the state supplement. As a result, the aged, blind, or disabled individual receives no benefit - his or her grant stays the same.

For example, under the present law:

Before Cost-of-Living Increase

SSI payment (federal)	=	$146/month
Supplement (state)	=	$ 60/month
Total Grant		$206/month

After Cost-of-Living Increase

SSI payment (federal)	=	$161/month (+$15)
Supplement (state)	=	$ 45/month (-$15)
Total Grant		$206/month

This attached amendment would "pass-along" the federal increase to the recipient.

DEC:mjb
Attachment

Section 1. Amend AS 47.25 by adding a new section as follows:

AS 47.25.005. Whenever benefit amounts under Title II or Title XVI of the Social Security Act are increased as a result of an increase in the cost of living, as determined under sections 215(i) and 1617 of that Act, the benefit amounts paid by the state as a supplement to the federal Supplemental Security Income program shall be increased by the same amount.

Sec. 2. This Act takes effect January 1, 1975.

POSITION PAPER
ON
HOUSE BILL 393

An Act relating to assistance to the aged, blind, and disabled; and providing for an effective date.

This bill would build an automatic cost of living increase into the Old Age Assistance, Aid to the Blind and Aid to the Disabled programs. Using the current legal maximum payment amount of $250 per month as a base, this bill would "pass along" to Aged, Blind or Disabled recipients any increase in Supplemental Security Income (SSI) or Social Security (SSA) benefits and in addition increase current state payments by the same percentage as the SSI or SSA percentage increase. For example, if a current recipient receives $250 per month in assistance ($146 SSI & $104 State) and SSI benefits are increased by ten percent, this recipient's total income will be increased by $25 per month, which is distributed by source as follows:

SSI		State	
$146	Current SSI Payment	$104	Current State Payment
10%	Increase	10%	Increase
14.60	Amount of Increase	10.40	Amount of Increase
$160.60	New SSI Payment	$114.40	New State Payment

Total Assistance = $275.00 per Month

To figure State costs under this bill will be difficult because, the state is never sure of the exact amount of expected SSI and SSA increases. However, once the SSI and SSA percentage increases are known, computing State costs will not be difficult.

The following formula may be used:

Estimated Regular Expenditures X SSI and SSA percentage increases = Increased costs for Fiscal year.

Increased costs for FY76 for each assistance category are as follows using a range between 5 and 10%.

Expected Increased Cost of FY76
If State Payment Were Increased
By Percentages As Indicated

Program	PERCENTAGE INCREASES 5%	6%	7%	8%	9%	10%
Aged	$ 59.1	70.9	82.8	94.6	106.4	118.4
Blind	3.2	3.9	4.5	5.2	5.2	6.5
Disabled	60.1	72.1	84.1	96.1	108.1	120.1
Total	122.4	146.9	171.4	195.9	202.3	245.0

Two points should be noted concerning this bill.

1) Few new recipients would be added to the assistance rolls as a result of this bill. Very few potentially new welfare recipients have income other than SSA. Therefore, those who are currently ineligible because of SSA income will continue to be ineligible as SSA payments increase.

2) The above information assumes that the Federal waiver for disregarding the Alaska Longevity Bonus as income will continue through FY76.

Department Recommendations

This Department supported Senate Bill 219 which increases the legal maximum payments in Old Age Assistance from $250 to $350. The Blind and Disabled recipients may be included in this bill and the costs for this group were included in the Department's position paper on Senate Bill 219.

While House Bill 393 builds an automatic cost of living increase into the Aged, Blind, and Disabled programs, this department believes that increasing the basic floor amount to $350 (which SB 219 does) would be more appropriate at this time. Possibly, then, a cost of living increase could be built on the $350 floor in a year or two. Therefore, the Department of Health and Social Services does not support House Bill 393 at this time.

Recommended by: _____ 4-17-75
(Acting Director) (Date)

Approved by: Francis S. Williamson 4-17-75
(Commissioner) (Date)

Comments by Governor's Office:

_____
(By) (Date)

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. House Bill 393

Title: An act relating to Assistance to the aged, blind, and disabled

Requested by: House HESS Date: April 17, 1975

Return Date Requested:

Agency: Health and Social Services Program: Social Services - Assistance Payments

II. FISCAL DETAIL

Budget Request Unit(s) Affected:

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		*	**	**	**	**

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

* For potential costs see attached chart

** Future costs estimated at 10% per year, see attached chart

All costs would be 100% SGF

Formula for costs is: Current FY '76 Request X SSI and SSI percentages increase = Increased costs

IV. ATTACHMENTS

V. DATE: 4/17/75 PREPARED BY:

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Expected Increased Cost of 1976
If State Payment Were Increased
By Percentages As Indicated

Programs	5%	6%	7%	8%	9%	10%
[illegible]	$ 85.1	70.9	83.0	94.6	104.4	114.4
[illegible]	3.2	3.9	4.5	5.1	5.7	6.3
[illegible]	63.1	72.1	81.1	90.1	99.1	108.1
Total	122.-	146.9	171.4	195.8	209.3	228.8

The [illegible] should be noted accordingly [illegible]:

1) [illegible] [illegible] [illegible]

H/B-325

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER / POUCH N – JUNEAU 99811

March 11, 1976

The Honorable Susan Sullivan
Chairman
Health, Education & Social
Services Committee
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Chairman Sullivan:

I am pleased at the introduction of House Bill 325 to establish a State Medical Examiner System. This department has observed a continuing need for the establishment of a professional medical examiner system.

I have reviewed House Bill 325 and am enclosing my written testimony on the subject. The same information is being sent to Terry Gardiner, Chairman of the House Judiciary Committee.

If I can be of additional assistance, please notify me.

Sincerely yours,

Richard L. Burton

Richard L. Burton
Commissioner

Enclosure

Comments on House Bill No. 325

Relating to Medical Examiners

March 11, 1976

Page 1, lines 14-21

I think a seven member board might be unwieldy and, therefore, suggest a three-man board. In addition, the Commissioner of Public Safety should be substituted for the Director of the Division of State Troopers. Finally, I think only the Departments of Health and Social Services, Law, and Public Safety need be represented. It is my understanding that the courts do not desire to be represented, and I see no need for a representative of the general public. While representation by the State Medical Association and a local police department might be useful, I do not think it necessary.

Page 1, lines 27 - 28

I feel very strongly that simply being a "pathologist" is not sufficient qualification for the chief medical examiner. Pathologist should be defined to require certification by the American Board of Pathology and two years of experience in forensic pathology should be required.

Page 2, lines 8 - 27

I consider this section setting forth the "duties" to be quite inadequate and much perfer the comparable section attached as Appendix A. In addition to such duties as establishing uniform forensic autopsy procedures, conducting death investigation training programs for assistant medical examiners and law enforcement personnel, I think it should be required that the medical examiner certify the cause and manner of all deaths requiring investigation.

Section 12.65.041(a)

The death of a person in police custody should be included in this category of death requiring investigation.

Page 2, lines 23 - 24

I think "medical examiner" should be substituted for "physician" in this line, as the proper authority to sign all death certificates in cases requiring investigation.

Page 3, lines 15 - 18

Regarding the ordering of inquests, I prefer the wording which provides that the court may, on it's own motion, and shall, upon the application of a district attorney, medical examiner, or investigating law enforcement agency, order an inquest.

Page 4, line 1

Add District Attorney to the persons allowed to subpoena and examine witnesses.

APPENDIX A

Section 12.65.041 DUTIES OF STATE MEDICAL EXAMINER.

(a) The State Medical Examiner shall:

(1) file and maintain appropriate reports on all deaths requiring investigation under this chapter;

(2) approve facilities and laboratories to be used in death investigations under this chapter;

(3) conduct death investigation training programs for assistant medical examiners and law enforcement personnel;

(4) establish uniform forensic autopsy and medico-legal death investigation procedures; and

(5) certify the cause and manner of all deaths re-requiring investigation under this chapter.

(b) The State Medical Examiner may:

(1) perform or direct the performance of an autopsy in any death requiring investigation under this chapter;

(2) amend a previously completed death certificate in a death requiring investigation under this cahpter;

(3) order a body exhumed in a death requiring in-vestigation under this chapter;

(4) request the assistance of law enforcement personnel in carrying out the provisions of this chapter;

(5) appoint or hire such medical examination personnel, including technical, professional or clerical personnel, as are necessary for the administration of this chapter.

HB
343

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

April 18, 1975

Members Present:

All Present

CHairman Sullivan called the meeting to order at 3:00pm.

HB 375 Grace Wilson
Fishermen's Fund bill would provide for treatment and care for the fishermen if injured or becomes ill. 60% of license fees. Extension of benefits, present limit ($2500) present extension has to go before the council, only meets twice a year; spring and fall.

Hackney What are the conditions of the fund?

Wilson $577,000, has increased every year, don't anticipate change in stability of the fund by the bill.

Ose Move this bill out with a 'do pass'.
Osterback Seconded
Davis Ask for Mr. Eliason to testify.
Eliason It is the type of insurance that the fisherman pays for with the license fee.

Osterback How long in effect?

Wilson Since 1951

Bill passed the Committee.

HB 399 by Eliason
Read position paper.
Van Houte - Spoke in favor for NEA

Isaacs Read Dept. of Education position paper.

Parr Is the Dept. of Ed. in favor?
Isaac Yes.
James There are money problems here. Presently set up on the dues system, each school paying $75-$225.

Ose Move out with individual Recommendation
Beirns Seconded
CHairman Hearing no objection, so ordered.

HCR 48

Davis Purpose of this bill is so that the young people can get education in their home towns.

Ostrosky The Interim Committee is in favor of this resolution.
Move and ask unanamous concent for 'do pass'
Davis Seconded

Chairman Hearing no objection, so ordered.

HB 343 Rep. Smith gave briefing of bill.
Smith to Eliminate the hospital emergency room as drinking ground. Propose possible ammendment to allow protective custory if refused by treatment centers.

Beirne Favor of the bill but opposed to amendment.
Parr In agreement with Rep. Beirne,

Mrs. Smith Drunks very much interfer with the operation of the emergency room

James Alcoholism is- a disease. Opposed to putting them with sick people. Jail needs medical care facilities.

Barkley Chief of Police, Juneau Disagree's with the bill. Question, the word 'shall' All the discussion has been with Anchorage, Fairbanks, and Juneau. That is not where the problem lies. In the bush areas throughout Ak. there just aren't the alcoholic facilities to handle the cases. The bill says that he 'shall' pick him up, but then what is he to do with him then? You have presented us with an impossible situation here. You have not planned for the provisions of the care of the individual.

Parr Couldn't a hospital in the smaller communities handle these people?

Barkley At this time not all of them could.

Parr Would you be in favor of an amendment in Line 10, change shall to may?

Barkley That won't solve the problem. The incapacitated should go to the hospital. It isn't fair to place the responsiblity of the medical attention needed on the officer.

Smith Para A, deals with lesser degree of alcoholism.

Beirne Chief Barkley has a very good point. Some cases this has been solved by taking them to the medical facilities, but that is not always possible as the lack of the facilities throughout the entire State. I think we should get the Alcoholism people in here to testify.

Chairman I agree with Rep. Beirne and we will take this bill up at a later date for more testimony from the Alcoholism people.

Meeting Adjourned.

HB
349

"An Act relating to child care centers in state office buildings; and providing for an effective date."

5/6/75

COMMITTEE REPORT

FINANCE

HOUSE

Mr. Speaker: Date 5/6/75

The Committee on HESS has had SSHB 349 under consideration. A Majority of the members of the Committee

(X) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan

Ruth McCready

Judith Swanson

Members NOT concurring in the Majority report:

Lawrence Ellis recommends: No Rec

Glenn Carlson recommends:

Glenn Hackney recommends: DO NOT PASS

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

SSHB 349

HESS COMMITTEE MEETING

May 6, 1975

Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Sullivan
Osterback	Swanson

Chairman Sullivan called the meeting to order at 3:00pm.

HCR 49

Parr Explained purpose of the Resolution.
Beirne Move and ask unanamous 'do pass'.
Chairman No objection, so ordered.

SSHB 349
Sullivan - Drew up sponsor substitute per the Committee's recommendation.
Beirne Move and ask unanamous consent for 'do pass' recommendation.
Chairman Hearing no objection, so ordered.

HB 465

Mr. Spazianni Vocational Rehabilitation
There is available 1/2 million dollars in Federal funds for this program.

Parr Is this to be matched by the State?
Spazianni - No.

Ostrosky What is the $160,000 for?

Spazianni - To bring on staff and get the program off the ground.

Beirne - Move out with a 'do pass'
Chairman Hearing no Obecjtion, so ordered.

HB 461
Swanson - I don't expect to do anything with this bill until next year.
Chairman - If there is no objection, I'll move this bill out with individual recommendations. No Objection, so ordered.

SSHB 376

Beirne Gave briefing of the bill. The Interim Committee Bill had been cut by the administration to $283,000, then the Governor cut it to $57,000. This bill is asking to have more monies put back into the bill to make it workable. Back to $571,295.00.

Chairman Asked for a motion to the bill.
Beirne Move out with a do pass recommendation.
Chairman Hearing n o objection, so ordered.

Adjourned.

Alaska State Legislature

House

HB 349

JUNEAU ALASKA

HESS COMMITTEE MEETING

May 1, 1975

Members Present:

Beirne Sullivan
Davis Swanson
Hackney
Ostrosky

Chairman Sullivan called the meeting to order at 3:15pm.

HB 483 Correspondence Study
Commissioner Lind spoke against the bill as such. (See position paper) Also spoke briefly to SB 367. The state should be responsible for the correspondence study program. We don't see any problem with the present operation. 367 speaks to the development of a division. Adutl education and correspondence study should perhaps be merged.

Hackney What has been the feed-back from the school districts themselves and also from the individual from the correspondence homes?

Lind Response from parents has been negative to any change. they are happy to the present system.

Beirne Line 21 (SB367) Isn't this saying that the borough will pay back into the Dept. At the present time, how much are they giving back?

Lind Yes, 500 out of 15. a-l this would do is raise the amoung going back to the Dept. It has been completely a State program but depending on the location they may need more than $1500. The entire amount given to them for correspondent study must be spent only for that purpose.

Beirne I read it to say that the 1/3 will be returned to the Dept.

Lind I think this is true in the unorganized boroughs. All this will be altered with the passage of HB 24.

Hackney Would you consider it necessary to have that handled on a division basis?

Lind No. building all the components together, I thnk you would be taking up division justification, I don't recommend the establishment of division.

Williams Dept. of Education.

Sullivan What kind of functions would be handled with the local level?

Williams Options, depending on the readiness, the total reponsible would mean the delivery of study to students, this covers correspondence with the parents, training teachers, home visitations, providing own carriculum materials.

Sullivan Why would this be helpful?

Williams Places the operation closer to the people recieving the services. More sensitive to the needs of the studnets in their area. The program operates with it doing home visitations and one to do the study services. There isn't enough coordination of student needs. Provides a unified service to the students. Concerned with the quality of the program to the student in the home.

Lind The School Districts only provide so much. A smaller village or town would be provided for by the State until they are ready or the closest borough is ready to help themselves. This could take quite sometime.

Hackney This is my concern, if Fairbanks would be able to handle the outlining areas.

Margaret Justice I think HB 443 is very farreaching. Preschool should be incompassed and also post-secondary until the government decides to fund such levels. Something grea happens when parents teach their youngsters. The state has a choice to develop a system called home study and this is a unique and important change. We must have a coiice for our children, at the present time we don not have this choice, they are required by law to go to public school whether they are learning or not. We would like to have the opportunity to prove to you that a centralized correspondence study is the right of the individual and hopefully this trend would spread to other states.

Beirne ASked that the bill be held over until a work study could be done in this area and prepare the members to vote.

Chairman It was unanamously agreed upon, bill held over.

HB 349 Everett Simpson, Chief Architect for the Div. of Bldgs.
Almost impossible to come up with the total costs for such construction. Based on 12 child capacity, it would require 800 sq. ft. or 80$ per sq. ft = $64,000 for new facilitie

Sullivan Point of contention here, I am under the understanding that $35 sq ft was the licensed rate we used in Anchorage, including restrooms corridors etc.

Simpson According to 1973 Building Code it is 50$ per sq. ft.

It was decided thatMr. Simpson would do further study in the area and study a re estimate cost of expenditure to the state.

Meeting adjourned.

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

3-26-75

Members Present:

Davis	Parr
Hackney	Sullivan
Ose	Swanson
Osterback	
Ostrosky	

Chairman Sullivan called the meeting to order at 3:00pm. to take up DAY CARE bills.

Rick Davidge-Univ. of Alaska, Fairbanks
The need is great for child care on the Fairbanks Campus. (Handed out material) The problem once again is due largely to pipeline impact. There are presently six facilities in the Fairbanks area, 162 children is the total capacity and there is a waiting list that is endless. We have taken a survey and come up with 300 children who are related to the University, and if they were to be taken out of the community centers and put in U of A centers, this would allow for the low income families to take advantage of the present centers. Three things we are trying for are: 1) money, 2) authorization, 3) cooperation. In the area of money, operating costs, capital improvements, and revenues, which would be put back into the program. We primarily interested in 3 year olds and up.

Ose What will this cost per child per day?

Davidge$1 per hour per child per day. It is pretty much in line with the costs of the State Day Care Center operations now.

Ose Will this be for low income groups?

Davidge No, this will be for students, student families, and staff at the U of A.

Ose Have you looked into the possibilities for Federal support of this?

Davidge Our major problem is in the area of the facilities on or near the Campus to meet state requirements. (gave breakdown of financial aid,see attached) Childcare is not a new program to the University, We have requirements in childhood and early development and this would be extending our academic program that would also function as a campus service.

Hackney I am questioning the $29,000 yearly salary for the coordinator?

Sullivan I agree with you Mr. Hackney, that sounds too high.

Davidge $14,000 to $20,000 is presently being paid in the local Fairbanks area for this service. This person would also be a registered nurse.

Day Care

Sullivan Is there anyone who is going to introduce this Legislation for you?

Davidge Yes, the Fairbanks delegation of both houses will be putting together a bill after reviewing this material. Everything here has been developed by the students and this is the first time in 20 years this has happened. I think you have a very good point on the salary level for example and I'm sure changes will be made with the introduction of a bill.

Sullivan Thank you Mr. Davidge and we will continue discussion on this presentation when we have a bill to work with.

HB 161 & 162

We have had previous discussion on these bills. They should be going to CRA and I would like to get these two bills moving and on to that Committee. The basic thrust of -these bills is to make day care available on a sliding scale to people who prefer not to receive AFDC monies.

Swanson We should move these bills on to CRA, and I make a motion to that effect.

Without objection, So ordered.

HB 349 Ms. Sullivan gave Committee a few minutes to read over bill.

Hackney How big and How many? In section 'C', I wonder if we aren't setting up a privledged class?

Sullivan I see your point, what would you suggest?

Hackney Again your giving state employeed something the general public isn't getting. It would almost have to be a condition between wage and state employees. I would like to hear from the AG on this matter. SEC. G may be a conflict with competitive day care centers.

Senator Chance Other employees could start providing these services, it could be by Federal Regulations tax deductible to the business. I have been working with the Chamber of Commerce as to this idea.

Swanson I think what we are trying to do is to add space or construct new space in new buildings for these services. Maybe we could contract its operation out o run the actual day care centers. All we are doing here is to put the facility in the buildings. If we kept it on a business basis it would be alright.

Senator Chance Back in WWII this was common practice as men went to war, to attract women to come to work, facilities were placed in many businesses. When the war was over, day care was dropped in these businesses to get women back into homes and let the men have the jobs.

Sullivan I think this bill has significant payback possibilities.

Hackney I would like to get the AG's opinion.

Ann from LAA I don't think you are going to have any Constitutional problems here.

Day Care

Susan Clark The Federal people are providing day care, I can get the backup material on that for you.

Ose Who will make the Study?

Sullivan That's a good question and I wanted to bring this up for suggestions.

Hackney I al so think it would be important to define 'renovation' also a survey as to how many children will be involved per building.

Susan Clark I have just completed a survey in the Federal Building. Sent questionaires out and will make a report available to the Committee on my findings.

Sullivan This will also take the pressure off of local day care centers to let low income families have these services available.

Meeting was adjourned and work session was continued on the bill.

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

HUMAN RIGHTS COMMISSION

2457 ARCTIC BLVD., SUITE 3
ANCHORAGE 99503
PHONE: 274-4692

file 349.
Thank him for letter - sorry about slow answer

January 7, 1976

Representative Susan Sullivan
7330 Marge Court
Anchorage, Alaska 99504

Dear Representative Sullivan:

Your substitute for House Bill 349 creates a welcome opportunity for all State employees who have difficulty in obtaining child care services. Since women in our society generally accept most of the burden for caring for children, the failure of the State to provide day care services almost rises to the level of sex discrimination.

It also strikes us as good public policy to provide such services, because our employees will likely be more efficient and productive if their children are easily accessible to them. We now have situations in which employees constantly must be leaving work to attend to various types of emergencies all over our cities, when such things could usually be attended to in the same building.

Your approach of contracting such services to local organizations and putting the entire cost on State employees is probably the most wise start. Perhaps subsidy in the form of fringe benefits for such care is a step farther in the future. But for the moment, it should be relatively easy to convince legislators to take the first step contemplated by your bill, since nothing more than the type of arrangement which we have for food service presently is proposed.

Please do not hesitate to let us know if there is anything you wish us to do to express further support for your efforts.

Sincerely,

Niel Thomas
Executive Director

NT:mdd
cc: Commissioners

Enclosure: HB 349

file HB349

May 6, 1975

Re: Legislative Correspondence
131-08

The Honorable Susan Sullivan, Chairman
Health, Education, and Social Services Committee
Alaska State House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Sullivan:

Pursuant to Everett Simpson, Chief Architect, Division of Buildings, appearing before your committee on May 1, 1975 regarding House Bill 349, Day Care Centers, the following cost estimates are submitted.

These estimates are all based on 40 children at 50 square feet per child or a total of 2,000 square feet.

Location	Cost Breakdown	
Anchorage	Construction $80/ft	$160,000
	Design	12,000
	Division of Buildings' Administration	3,000
	Division of Buildings' Inspection	3,200
	Contingency	9,600
	Total	$187,800
Fairbanks	Construction	$200,000
	Design	15,000
	Division of Buildings' Administration	3,750
	Division of Buildings' Inspection	4,000
	Contingency	12,000
	Total	$234,750

HB
367

"An Act relating to the licensing of social workers; and providing for an effective date."

COMMITTEE REPORT

4/1/75

HOUSE

JUDICIARY
FINANCE

Mr. Speaker: Date March 25, 1976

The Committee on HESS has had CSHB 367 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR HB 367 AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Helen Bacon — Do Pass — _____

Susan Sullivan — Do Pass — _____

_____ — _____ — _____

_____ — _____ — _____

Members NOT concurring in the Majority report:

_____ recommends:

Kathryn Ostrom recommends:

_____ recommends:

_____ recommends:

Ellen Hackney recommends: NO REC

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

COMMITTEE MEETING HOUSE HESS

MARCH 26, 1976

Present: Sullivan Ostrosky
Parr Beirne Osterback

Testifying:
Elizabeth Shaw, NASW
Janis Price, NASW
Sister Andrea

HCR 111 - Boundary Change in Health Service Area - Rules

Sister Andrea - opposed to the bill- wants three HSA

Renninger, Dept. H&SS, also supports three HSA conceptually and fiscally

Bill not moved on,

HB 367 -Social Workers Licensing - Beirne

Beirne spoke on revised version of the bill, revised with assistance of Sharon Andrews, director of licensing. Went over provisions of the bill with committee Some changes made on the draft

Mr. Price , Dept. H&SS, discussed minor points of bill
Stated that the bill requires all new employees to have MSW or change their title or requirements of certain jobs to hire people. Dept. does not have to fire any S.W. who are employed now or don't have MSW

Discussion around fiscal implications of all these new licensing bills. Probably will add one more full time person to the licensing division.

Motion passed for individual recommendations on the work draft copy to be a Committee Substitute.

HB 744 - Freedom of choice, medical procedures - Beirne

Mr. Heidersdorf, representing Alaskans for Life, not for the entire concept of the bill, feels there are some problems with it.

Committee discussion regarding suicide, also liability regarding disconnecting life sustaining measures, example Quinlan case.

Heidersdorf feels that people have the right to make this decision, but not 20 or 30 years before, people might change their ideas and minds. Also definition of extraordinary means , might change

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

FEB 27, 1976

Present: All members present

Testifying: Bill Mollerstrom, National Assoc. of S.W.
Gene Reynolds, National Ass. of S.W.
Pam McMillan, Psychiatric Social Worker
Connie Harsh, Dept. H&SS
Mike Morgan,
Albert Patterson, Ak. Rehabilitation Assoc.

H.B. 367 (SB 645) Social Workers licensure Beirne

Connie Harsh, The Dept. opposes this bill because it would mandate hiring practices for the dept.

Committee expressed concern that the bill would limit individuals from practicing, even though some of these individuals would be providing a useful service.

The suggested intent of the bill was to limit the use of titles, not limit services.

Billleft in comjittee

H. B. 392 Rehabilitation Counselors Beirne

Mike Morgan would like revisions, to protect the career ladder reduce from three to two years experience

no more notes available on hearing

bill left in committee

LICENSING OF SOCIAL WORKERS

My name is Dove M. Kull. I hold a Master's Degree in Social Work and a membership in the Academy of Certified Social Workers. Since 1940, I have practiced in the field of social work and held executive positions in Federal, State and private - Agency programs. For seven years, I was State Child Welfare Supervisor of Alaska.

At present, I am State Director of Alaska Homemaker-Home Health Aide Service, Inc., a private, non-profit Agency. I am speaking for recognition and licensing of social workers.

A social worker practices in the field of human relations, respect for the individual, concern for his/her right for self determination, and confidentiality are basic concepts of a trained social worker.

A "so-called" social worker, despite good intentions, can damage the lives of human beings who are dependent or in need of consultation in a crisis situation. An "aide" should be an aide to a social worker, but not be accepted under the terminology of social worker. A social worker needs values, skills, and knowledge in dealing with social problems and individuals. The law requires a dental surgeon, physician and/or nurse to have skills and competence in their fields.

A social worker provides a specialized service to a client who needs help in solving a problem which is beyond self handling. A drug addict may recognize that he is/a life-threatening situation and call for help. Patents without a child may call on a social worker to help them to become parents - to improve the quality of their lives. Adoption to these parents may be a sacred trust of another human life, a child to become a son or daughter, to guide, to educate, to add meaning to life. As a former supervisor of adoptions, I have been consulted by friends and acquaintances who plan to adopt.

CASE INSTANCE

Mr and Mrs. S. are stunned to read a letter which states: "If you are interested, call me to make an appointment to pick up a baby, a boy, born February 10, 1974. His father age 21, has served time in prison for_____; his mother, age 16, has been in trouble since she was 14, and is now in a correctional facility. The doctor says the baby is healthy."

There is no interpretation; no positive statements about environment or heredity. Mr. and Mrs. S are appalled at the suggestion to "pick up" a new family member - a son. They need help from a social worker who is skilled in family relationships and attitudes, who has "listened" to the adoptive parents. There is no suggestion in the letter that the parents might consult with the pediatrician and/or psychologist of their choice and arrange for him/her to confer with the baby's pediatrician. Was the letter itself or its contents suitable?

Human beings are hurt. Potential life-time relationships are damaged.

POLICY STATEMENT ON THE LEGAL REGULATION OF SOCIAL WORK IN ALASKA

ALASKA CHAPTER, NATIONAL ASSOCIATION OF SOCIAL WORKERS

The profession of social work has come to recognize the validity and the necessity of securing legal regulation of the practice of social work so that both quality delivery of social services can be assured to the public and a clearer public understanding of the profession can be attained. The provision of social work services to people, whether as individuals, in groups, or communities, should require that the practitioners providing such services are qualified through specialized knowledge and professional skill to truly understand and aid their clients. People receiving help from social service programs, or seeking help individually from a social worker, are dependent upon the competence and concern possessed by the social worker. It is therefore in the deepest public interest that people engaged in providing social work and social work-related service to the public be properly prepared for their work and held to publicly defined criteria of qualifications and of performance.

More specifically, the profession of social work has determined that there are four major purposes which are effectively met by obtaining licensure of social work practice:

1) Establishing a public, legal definition of the profession which recognizes the different levels of social work practice, namely, certified social worker, social worker, and social work associate.

2) Protecting consumer and clientele rights and raising standards of service competence of practitioners in both agency and independent practice.

3) Establishing a public accountability in the delivery of social services based on professional standards rather than inconsistent, private standards of performance.

4) Providing a basis for the development of the social work profession within the State of Alaska.

LASKA CHAPTER
NATIONAL ASSOCIATION OF SOCIAL WORKERS, INC.
.O.Box 3-3794 »
NCHORAGE, ALASKA 99501

nt: John Pugh MSW*
resident: Eugene Reynolds ACSW*
ponding Secretary: Ella Craig ACSW*
ding Secretary: Bonnie Esch MSW*
rer: Dor Sparrow ACSW*
er at Large: Ken Fallon ACSW*
nating Committee:
Lucien Poussard ACSW* Chairperson
Les Kilgore ACSW
Jack Kleinkauf ACSW
Ann Lipson ACSW
Bill Mollerstrom ACSW

rds & Ethics:
Bill Mollerstrom ACSW* Chairperson

s & Knowledge:
Elizabeth Shaw MSW* Chairperson

Policy & Action (ELAN)
Callie "Pudge" Kleinkauf ACSW* Chairperson

m:
Jack Kleinkauf ACSW* Chairperson

etter Editor:
Nancy Mallis ACSW

d Members

Madam Chairman and Members of the Health, Education and Social Services Committee:

During the 1970's the National Association of Social Workers through its local and state chapters has vigorously pursued the legal regulation of social work in each of the United States. In accord with this pursuit the Alaska Chapter of NASW has submitted a licensing bill to this Ninth Legislature.

Why did the Association feel the necessity for regulating social work in Alaska? Social services touches the lives of virtually every member of the public at one time or another. The rapid growth of Alaska has enormously increased the demands of its citizens for social services. Alaskans receiving service from such programs have a right to be served by competent individuals. This right of the consumer can only be protected if the individuals engaged in providing social services are adequately prepared through education and training and are required to meet certain publicly defined criteria of qualifications and of performance.

Legal regulation can protect the consumer of service and readily enable him to identify a practitioner with acceptable credentials, thus safeguarding the public interest and preventing exploitation of people in need of help. Furthermore, regulation can help to improve the standards for the delivery of social services throughout the state. Also legal regulation can become a vehicle for making the profession of social work accountable for its performance. Finally, regulation can help to clearly define the various levels of social work practice within the social service system.

Quality social services delivered by competent individuals is the aim of the Association's licensing bill. To social workers, these principles are not new. As a matter of fact, the National Association of Social Worker's Code of Ethics

ALASKA CHAPTER
NATIONAL ASSOCIATION OF SOCIAL WORKERS, INC.
P.O.Box 3-3794
ANCHORAGE, ALASKA 99501

ent: John Pugh MSW*
President: Eugene Reynolds ACSW*
esponding Secretary: Ella Craig ACSW*
ding Secretary: Bonnie Each MSW*
urer: Don Sparrow ACSW*
ber at Large: Ken Fallon ACSW*
inating Committee:
Lucien Pousard ACSW* Chairperson
Lee Kilgore ACSW
Jack Kleinkauf ACSW
Ann Lipson ACSW
Bill Mollerstrom ACSW

ards & Ethics:
Bill Mollerstrom ACSW* Chairperson

ice & Knowledge:
Elizabeth Shaw MSW* Chairperson

l Policy & Action (ELAN)
Cellia "Pudge" Kleinkauf ACSW* Chairperson

ram:
Jack Kleinkauf ACSW* Chairperson

letter Editor:
Nancy Meiles ACSW

rd Members

holds the individual responsible "for the quality and extend of service" performed, and responsible to "practice social work within the recognized knowledge and competence of the profession." The Alaska Chapter of NASW feels it is time that all individuals providing social services to the people of this state be required by law to meet certain public defined qualifications. With this in mind we urge the passage of a licensing bill for social workers during this Ninth Legislature.

John R. Pugh, President
Alaska Chapter of NASW

JRP:dh

Susan —

All these people support the sol. workers living bill

Tom

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

#

02227 POM ANCHORAGE ALSKA 15 02-26 0206P AST

1976 FEB 26 PM 9 04

PMS REP SUSAN SULLIVAN

JUN 2660

PLEASE GIVE SERIOUS CONSIDERATION TO SOCIAL LICENSING

BILL THE PEOPLE NEED IT APPROVED

BARBRA GARDENER ACSW 2900 PROVIDENCE DR ANCHORAGE

DRIVE ANCHORAGE ALASKA 99504

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JUNEAU, ALASKA 99801

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BILL THE PEOPLE NEED IT APPROVED

BRIAN WINDSOR ACSW 2900 PROVIDENCE DR ANCHORAGE 99504

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PLEASE SUPPORT THE LICENSING OF SOCIAL WORKERS

JEAN MCCANN 1225 W 12TH 99501

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JUNEAU, ALASKA 99801

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JERRY H ESSICK ACSW 903 WEST 36TH ANCHORAGE 99503

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02226 POM ANCHORAGE ALASKA 15 02-26 0207P AST

FMS REP SUSAN SULLIVAN

JUN 2599

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JIM HINKELMAN ACSW 2900 PROVIDENCE AVE ANCH 99504

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02223 POM ANCHORAGE ALASKA 15 02-26 0210P AST

PMS REP SUSAN SULLIVAN

JUN 2597

PLEASE GIVE SERIOUS CONSIDERATION N TO SOCIAL

LICENSING BILL THE PEOPLE NEED IT APPROVED

RHONDA ANDERSON BSW 2900 PROVIDENCE DR ANCHORAGE 99504

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PHONE: 586-6440
JUNEAU, ALASKA 99801

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02225 POM ANCHORAGE ALASKA 15 02-26 0208P AST

PMS REP SUSAN SULLIVAN

2598

JUN

PLEASE GIVE SERIOUS CONSIDERATION TO SOCIAL LICENSING

BILL THE PEOPLE NEED IT APPROVED

BETTY PLEASANT ACSW 2900 PROVIDENCE DR ANCHORAGE 99504

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.

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JUNEAU ALASKA 99801

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'CJ

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PMS REP SUSAN SULLIVAN

JUN 22 0

I HOLD A BSW AND STRONGLY URGE A LICENSING BILL FOR

SOCIAL WORKERS

MARGARET PUGH

6716 EAST 16 99504

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

HB 367

May 22, 1975

Bill W. Mollerstrom, Chairman
Professional Standards and Ethics
C Committee
Alaska Chapter, NASW
Langdon Psychiatric Clinic, Inc.
3401 East 42nd Avenue
Anchorage, Alaska 99504

Dear Mr. Mollerstrom:

Thank you for your letter on House Bill 367, licensing of social workers. Unfortunately, we have not been able to act on this bill this year, but it will be a high priority of the House HESS Committee next year, and it continues to enjoy my enthusiasm.

I would also like to thank you for your offer of assistance. I am sure that I will find opportunities to take advantage of it.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

HB 367

LANGDON PSYCHIATRIC CLINIC, INC.
3401 EAST 42ND AVENUE
ANCHORAGE, ALASKA 99504
907 - 279-0461

PSYCHIATRY
J. RAY LANGDON, M.D., F.A.P.A.
JOSEPH D. BLOOM, M.D., F.A.P.A.
ARON S. WOLF, M.D.
BARRY L. MENDELSOHN, M.D.
CLINICAL PSYCHOLOGY
ALLEN H. PARKER, PH.D.
JON F. BURKE, PH.D.

PSYCHIATRIC SOCIAL WORK
WILLARD W. MOLLERSTROM, M.S.W., A.C.S.W.
NICKI J. NIELSEN, M.S.W., A.C.S.W.
ELIZABETH ROOSEN-RUNGE, M.S.W.
MARIANNE ROBINSON, M.S.W.
READING THERAPY
TROY SULLIVAN, ED.D.

February 18, 1975

Representative Susan Sullivan, Chairman
Health, Education & Social Services Committee
Pouch V
Juneau, Alaska:

Dear Representative Sullivan:

As Chairman of the Professional Standards & Ethics Committee, Alaska Chapter of the National Association of Social Workers, I wish to thank you very much for your concern and interest in having a licensing act for social workers in the State of Alaska. Representative Helen Beirne has shared with me your desire to become involved in this effort, and your willingness is extremely appreciated. As you know, Helen has been working with my Committee in trying to develop a licensure act which will not only enhance the practice of social work by establishing criteria, assessing qualifications, competence and so on, but also will assist the consumer, enabling him to identify a practitioner with acceptable credentials and safeguard the public interest. Our primary focus is on consumer protection, and our proposed act addresses itself to the public for action against possible malpractice and professional dishonesty.

Thank you very much for your support in this effort - your assistance is indeed crucial for eventual passage. If there is anything that my Committee, the Social Action Committee under Cecelia Kleinkauf, or the Alaska Chapter of NASW might be able to do to help you or your Committee, please do not hesitate to let us know.

Very sincerely yours,

Bill W. Mollerstrom

Bill W. Mollerstrom, Chairman
Professional Standards & Ethics Committee
Alaska Chapter, NASW

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST (cs #D367)
Bill No. SB 645 & HB 392
Title: Acts relating to the licensing of Social Workers & Rehabilitation
Requested by: House HESS Date: 3/1/76 Counselor
Return Date Requested:
Agency: Commerce Program: Licensing Professions

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Regulating and Licensing of Professions

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		16.0	17.6	19.4	21.3	23.4
200	TRAVEL		7.0	7.7	8.5	9.3	10.2
300	CONTRACTUAL		3.0	3.3	3.6	4.0	4.4
400	COMMODITIES		.5	.6	.6	.7	.7
500	EQUIPMENT		1.0				
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		27.5	29.2	32.1	35.3	38.7

B. FUNDING: (Thousands of dollars)

GENERAL FUND		27.5	29.2	32.1	35.3	38.7
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	1 /	1 /	1/	1 /	1 /
MAN MONTHS (P./T.)	/	12/	12/	12/	12 /	12 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

personal services - one license examiner for two boards, R-10
travel - 3 meetings per year per board including examiner
contractual - primary communications & printing & typewriter

Assumes 10% inflation per year. Testimony indicates there are approximately 80 social workers to be effected. Assume same number of rehabilitation counselors, cost of regulation is $172.00 per licensee per year.

IV. ATTACHMENTS

V. DATE: March 1, 1976 PREPARED BY: Sharon Andrew, Director

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

HB

386

Copy to Committee

STATE OF ALASKA

JAY S. HAMMOND, Governor

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER / POUCH S — JUNEAU 99801

April 11, 1975

The Honorable Susan Sullivan
Chairman
House Health, Education & Social
Services Committee
Alaska State Legislature
State Capitol
Juneau, Alaska 99811

Dear Representative Sullivan:

re House Bill No. 386

House Bill No. 386, an Act relating to forgiveness of the remaining outstanding school construction debt of the City of Hydaburg was introduced in the House on April 7, 1975 and was referred to the House Health, Education & Social Services and Finance Committees.

For the information of the House Health, Education & Social Services Committee, I am advised by Richard Alexander, State Investment Officer, Treasury Division of the Department of Revenue that the outstanding school construction debt of the City of Hydaburg as of December 31, 1974 was in amount of $207,335.00.

If you or any members of your Committee have any questions on the proposed legislation, please telephone the writer at 465-2397 and I will contact Mr. Alexander for testimony.

Very truly yours,

R. D. Stevenson

R. D. Stevenson
Special Assistant

cc: The Honorable Hugh Malone
Chairman
House Finance Committee
Alaska State Legislature
State Capitol
Juneau, Alaska

Richard Alexander
State Investment Officer
Department of Revenue

HB

393

"An Act relating to assistance to the aged, blind, and disabled; and providing for an effective date."

COMMITTEE REPORT

4/8/75 HOUSE FINANCE

Mr. Speaker: Date 5/5/75

The Committee on HESS has had HB 393 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR HB 393 AND THAT CS FOR HB 393 DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

Tom Jackson _____ _____

Kathryn Gottsky _____ _____

Chas. Hart _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

POSITION PAPER
ON
HOUSE BILL 393

file

An Act relating to assistance to the aged, blind, and disabled; and providing for an effective date.

This bill would build an automatic cost of living increase into the Old Age Assistance, Aid to the Blind and Aid to the Disabled programs. Using the current legal maximum payment amount of $250 per month as a base, this bill would "pass along" to Aged, Blind or Disabled recipients any increase in Supplemental Security Income (SSI) or Social Security (SSA) benefits and in addition increase current state payments by the same percentage as the SSI or SSA percentage increase. For example, if a current recipient receives $250 per month in assistance ($146 SSI & $104 State) and SSI benefits are increased by ten percent, this recipient's total income will be increased by $25 per month, which is distributed by source as follows:

SSI		State	
$146	Current SSI Payment	$104	Current State Payment
10%	Increase	10%	Increase
14.60	Amount of Increase	10.40	Amount of Increase
$160.60	New SSI Payment	$114.40	New State Payment

Total Assistance = $275.00 per Month

To figure State costs under this bill will be difficult because, the state is never sure of the exact amount of expected SSI and SSA increases. However, once the SSI and SSA percentage increases are known, computing State costs will not be difficult.

The following formula may be used:

Estimated Regular Expenditures X SSI and SSA percentage increases = Increased costs for Fiscal year.

Increased costs for FY76 for each assistance category are as follows using a range between 5 and 10%.

Expected Increased Cost of FY76
If State Payment Were Increased
By Percentages As Indicated

Program	PERCENTAGE INCREASES 5%	6%	7%	8%	9%	10%
Aged	$ 59.1	70.9	82.8	94.6	106.4	118.4
Blind	3.2	3.9	4.5	5.2	5.2	6.5
Disabled	60.1	72.1	84.1	96.1	108.1	120.1
Total	122.4	146.9	171.4	195.9	202.3	245.0

Two points should be noted concerning this bill.

1) Few new recipients would be added to the assistance rolls as a result of this bill. Very few potentially new welfare recipients have income other than SSA. Therefore, those who are currently ineligible because of SSA income will continue to be ineligible as SSA payments increase.

2) The above information assumes that the Federal waiver for disregarding the Alaska Longevity Bonus as income will continue through FY76.

Department Recommendations

This Department supported Senate Bill 219 which increases the legal maximum payments in Old Age Assistance from $250 to $350. The Blind and Disabled recipients may be included in this bill and the costs for this group were included in the Department's position paper on Senate Bill 219.

While House Bill 393 builds an automatic cost of living increase into the Aged, Blind, and Disabled programs, this department believes that increasing the basic floor amount to $350 (which SB 219 does) would be more appropriate at this time. Possibly, then, a cost of living increase could be built on the $350 floor in a year or two. Therefore, the Department of Health and Social Services does not support House Bill 393 at this time.

Recommended by: [illegible] (Acting Director) 4-17-75 (Date)

Approved by: Francis S. Williamson (Commissioner) 4-17-75 (Date)

Comments by Governor's Office:

(By) (Date)

Expected Increased Cost of FY76
If State Payment Were Increased
By Percentages As Indicated

	PERCENTAGE INCREASES					
Program	5%	6%	7%	8%	9%	10%
Aged	$ 59.1	70.9	82.8	94.6	106.4	118.4
Blind	3.2	3.9	4.5	5.2	5.2	6.5
Disabled	60.1	72.1	84.1	96.1	108.1	120.1
Total	122.4	146.9	171.4	195.9	202.3	245.0

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2) The above information assumes that the Federal waiver for disregarding the Alaska Longevity Bonus as income will continue through FY76.

The Legislature of the State of Alaska
FISCAL NOTE
First Session - Ninth Legislature

I. REQUEST
Bill No. House Bill 393
Title: An act relating to Assistance to the aged, blind, and disabled
Requested by: House HESS Date: April 17, 1975
Return Date Requested:
Agency: Health and Social Services Program: Social Services - Assistance Payments

II. FISCAL DETAIL
Budget Request Unit(s) Affected:
A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		*	**	**	**	**

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

* For potential costs see attached chart
** Future costs estimated at 10% per year, see attached chart

All costs would be 100% SGF
Formula for costs is: Current FY '76 Request X SSI and SSI percentages increase = Increased costs

IV. ATTACHMENTS

V. DATE: 4/17/75 PREPARED BY: Ron Kemp

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

TO: Mike Bradner, Speaker
House of Representatives

DATE: May 6, 1975

FROM: House HESS Committee

It is the intent of the Committee, after careful consideration of HB HB 393, that the Committee Substitute be offered in place of the original bill, and that the intent of this legislation authorize that in the June 1975 recipient checks they be given the cost of living increase over the last 12 months.

M E M O R A N D U M

TO: MEMBERS OF HOUSE HESS COMMITTEE

FROM: MARSHA HUBBARD, ADMINISTRATIVE ASSISTANT
SENATOR GENIE CHANCE

SUBJECT: CSHB 393, Assistance to the blind, aged, and disabled

The Committee Substitute for House Bill No. 393 provides for a pass-through of federal cost-of-living increases in the Supplemental Security Income Program (SSI) to Alaskan SSI recipients.

Title XVI of the Social Security Laws provides for a cost-of-living increase in the SSI Program. This increase, however, has not been passed along to Alaskan SSI recipients because the present statutes provide for a maximum benefit level of $250.00 per month.

Because our statutes presently prohibit the pass-through of this cost-of-living increases, our elderly, blind, and disabled SSI recipients have had $6.00 missing from their monthly checks that was rightfully theirs since July 1, 1974. This Committee Substitute will not reimburse this amount, but does provide for the pass-through of any new cost-of-living increases in the SSI Program. The feds have announced that there will be a cost-of-living increase on July 1, 1975. This increase will be approximately 8.5% of the federal SSI Payment, approximately $12.00.

Passage of this Committee Substitute will have a minimal cost. There will be no additional cost for the pass-through of this cost-of-living increase to those Alaskan recipients who are on the Federal SSI Program. There are 945 Alaskan recipients who are on the State SSI Program. These people are deserving of a cost-of-living increase which is the same as the federal government. The cost of this increase will be $140,729.40.

In addition to passing along the federal cost-of-living increase, Committee Substitute to House Bill No. 393 provides for a similar cost-of-living increase in the state contribution. Presently the breakdown of costs in our adult programs is as follows: For a single individual living alone with no outside sources of income, the federal government provides $146 and the state provides $104 bringing the total payment of $250. When the cost-of-living increase of 8.5% increase takes effect in July, the federal payment will increase by $12.41, this bill would require that the state also increase their payment by 8.5% or approximately $8.50. The approximate cost of providing this state cost-of-living increase is $198,000.

The total effect of these provisions would be to increase the payment to recipients from $250 to $271.50 per month. The total cost of the bill would be approximately $354,366.

STATE OF ALASKA

JAY S. HAMMOND, Governor

DEPT. OF HEALTH AND SOCIAL SERVICES

Division of Administrative Services
Financial Management Office

Pouch H-02E

ok Pswl

Document# H HESS9

May 7, 1975

Representative Susan Sullivan
Pouch V
State Capitol Building
Juneau, Alaska 99811

Dear Ms. Sullivan:

The Department's testimony concerning retroactive benefits to Adult Public Assistance recipients at the recent HESS Committee meeting on CSHB 393 indicated that it would cost roughly $500.0 to continue FY 75 retroactive benefit increases into FY 76. The Department's statement was based on the assumption that the Committee and Department's intent was to pass on $6.00 per month per eligible reicpient for all of FY 75. The $6.00 represents the July 1975 Title XVI benefit increase that was not passed along to recipients. However, in changing the effective date of the bill to July 1, 1974, the nature of the assumed intent changed considerably. With the earlier effective date, the Department must now add on 4.3% of FY 75 state payments to meet the state percentage increase provision of this bill. A 4.3% increase equals about $3.00 per recipient per month. This will add about $113.4 to the FY 76 continuation costs.

The Department now estimates that it will cost about $718.4 in FY 76 to continue the FY 75 increases and meet the expected Title XVI increases for FY 76 if both the $6.00 and $3.00 amounts are passed along to recipients.

If the $718.4 figure is deemed too costly, the Department makes the following recommendation to the committee: recorrect the technical flaw in CSHB 393 and make the new effective date July 1, 1975. Then with a Concurrent Resolution instruct the Department of Health and Social Services to make a retroactive payment of $ 6.00 per month per eligible recipient back to July 1, 1974 that is not based on any stated formula. This would cost about $ 226.8 in State General Funds for FY 75. The cost of living increase formula in CSHB 393 would then be implemented on July 1, 1975 on the basis of 8.5% of FY 75 state expenditures including the retroactive payment amount. In this way the funds for the additional $3.00 per month per recipient for FY 75 are not spent nor are such costs carried over to FY 76.

Using the new formula, total costs for FY 76 related to CSHB 393 would be $594.9 which is broken down as follows: $226.8 to continue $6 per

month per recipient FY 75 increase; $227.4 to fund states cost of living increase based on 8.5% Title XVI increase; and $140.7 to increase benefits for state recipients not eligible for SSI. ($226.8 + $227.4 + $140.7 = $594.9).

Under this formula new maximum need standard and maximum monthly recipient income effective July 1, 1975 would be $274 or $275 as opposed to $ 278 in proposed letter to Speaker Bradner or $250 under current program operations.

I should inform the Committee that the above figures are based on the assumption that the Alaska Longevity Bonus will continue to be disregarded by the Supplemental Security Income Program after December 31, 1975. If this assumption proves incorrect, additional costs for Old Age Assistance grants for the last one half of FY 76 will be $454.3.

Sincerely yours,

Myrt Charney

Myrt Charney
Financial Management Officer

MC/DK/vlh

HB 393

May 6, 1975

TO: Honorable Mike Bradner

Speaker of the House of Representatives

FROM: Susan Sullivan Chairwoman
House HES Com

~~Juneau, Alaska 99801~~

SUBJECT: CSHB 393

~~Dear Mr. Speaker:~~

The House Committee on Health, Education, and Social Services has passed out with a unanimous do pass recommendation, Committee Substitute for House Bill 393 which will increase monthly benefits for recipients of Adult Public Assistance.

Committee Substitute for HB 393 provides for a retroactive benefit increase back to July 1, 1974 based on the same formula as is specified in the original and substitute bills for future benefit increases.

Yesterday the Committee was informed by representatives from the Depart-

ment of Health and Social Services that the Department would be lapsing an unspecified amount of money in the grants component for Adult Public Assistance recipients. The major reason the funds will be lapsed is the past policy of the State to reduce welfare payments when other benefits, such as Social Security, were increased. The committee was further informed that there would be enough funds in the FY 75 appropriation to cover a $9.00 per month per recipient retroactive benefit increase back to July 1, 1974. Six dollars per month of the retroactive increase would make up for the July 1, 1974 $ 6.00 Supplemental Security Income (SSI) increase which was not passed along to recipients. The remianing $ 3.00 of the increase represents 4.3% of average monthly state payments to recipients for FY 75. 4.3% is the percentage amount of the Title XVI July 1974 increase. Committee Substitute for House Bill 393 calls for the state percentage increase to be equivalent to the Title XVI increase.

The total cost to the state to make retroactive payments of $9.00 per recipient per month will be $ 340.2, or 3150 recipients x $ 9.00 x 12 = $ 340.2. This amount is available in the current FY 75 appropriation for the Adult Public Assistance Programs. The maximum total retroactive payment per recipient will be $ 108.

For FY 76 maximum total additional expenditures under CS for HB 393 will be $ 718.4 over the current Governor's budget: or $ 340.2 to carry over into FY 76 the retroactive FY 75 benefit increases; plus $ 237.5 the

amount needed to pass along the expected 3.5% July 1, 1975 Title XVI increse; plus $ 140.7 to increase benefits to non-eligibile Title XVI recipients who are eligible for state only payments. ($340.2 + $237.5 + $140.7 = $718.4)

By the beginning of FY 76, the maximum total income available to an Adult Assistance recipient will be $ 278 per month as opposed to $ 250 per month under the current system.

It is the judgement of this committee that a maximum of $ 28 additional per month is a way this legislature can demonstrate to Alaska's needy Aged, Blind, and Disabled population that it recognizes higher living costs while at the same time facing the realities of current state finances.

It is the request of the House Health, Education and Social Services Committee to seek your concurrence in establishing this letter as a statement of legislative intent to instruct the Department of Health and Social Services to make retroactive payments in accordance with the provisions of CS for HB 393 back to July 1, 1974.

Sincerely yours,

Susan Sullivan

Chairperson

SS/DK/vlh

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

May 5, 1975

Members Present:

Beirne
Hackney
Ostrosky
Parr
Sullivan
Swanson

Chairman Sullivan called the meeting to order.

HB 281 & HB 393

Don Clocksin HB 281 ties the Public Assistance Grants to OEO guidelines. HB 393 as we see the bill has the problem of not enough money being provided for needy persons to live on. One purpose of these bills is to increase the funding. There is also a problem here as to the people who are on both Federal and State programs. The way it is set up a Federal increase ends in a State decrease, adding no extra increases for cost of living at all. Alternatives, cheapest first:

1) Provide that the State shall pass along the Federal cost of living increase.
   a. $140,000 top cost of this change
   b. $117,000 - expanded eligibility and recipients of the State share only.

2) Federal cost of living plus the required State grant increase by the same Federal percentage.
   a. Effective next fiscal year $348,000 State funds = $250-271 increase per person.

3) Same as #2, making it retroactive to July 1, 1974 (changing effective date)
   a. $348,000 plus additional cost of $212,000.

4) Fed. Cost of living plus a State supplement increase
   a. Slightly more than #2 (uncalculated at this time)

5) Increases in dollar amounts that the recipient will recieve.
   a. $250-350 - (SB 219) would affect elderly only
   b. 4.1 million for Old Age Assistance only

6) Same increase as #5 for everyone. (Includes cost of #5).
   a. 7.1 million

Would recommend the the State cost of living be increased (#4). This can be done at relatively resonable cost. #2 above is the present HB 393.

Marcia Hubbard AA to Genie Chance.
Explained intent of these bills and each alternative listed above.

Parr Any possibility of giving supplemental assistance out of TItle 20?

Hubbard No, we could not use Title 20 monies to supplement a Title 19 program.

Mr. Kemp Div. of FCS
There's going to be additional costs on any of these options, the Federal regulations will be reducing their checks as of next January and the State will have to pick up the extra costs. Trying to get the Federal law changed to make the Longevity waver permanent.

Mr. Charney Dept. of H&SS
Explained that there are funds left over from last year's grant money and the funds from this year are in the general fund that will lapse if not used. This could allow the use of alternative #3, making it retroactive without any extra funding or appropriation by using this money.

Marcia This would take a letter of intent to authorize that in the June check of this year that they (the recipients) be given the cost of living increase over the last 12 months, by changing the effective date in this bill back to 1974.

Beirne Move CS for HB 393 be passed with a 'do pass' recommendation.
Ostrosky Seconded.

Chairman Hearing no objection, so ordered.

Alaska State Legislature

House

JUNEAU ALASKA

HB 393

HESS COMMITTEE MEETING

April 17, 1975

Members Present:

Beirne	Davis
Hackney	Parr
Osterback	Sullivan
Ostrosky	Swanson

Chairman Sullivan called the meeting to order at 3:00pm.

HB 394 Rep. Gardiner gave a briefing of the bill.
$71.00 per sq. ft. to build. This is a low figure because they have done alot of the work themselves. They own the land and have done everything possible to complete as much as they could before asking for funds.

Hackney Is that an SOS School?

Gardiner Some of the areas in the State that have already gone to independent school districts, this is one of them.

Mr. Thompson 1962 the Hydaburg School was condemed. It is a first class city. The Legislature made them a loan of $350,000 and as repayment they pay a tobacco tax and have reduced it to $207,000. In 1972 there was a $420,000 bond issue under the Dept. and Federal matching funds.

Parr The fiscal amount is the same of the amount specified in the bill.

Swanson What about the Galena School, could this be added to this bill?

Thompson The Galena School will go to bid next week. Galena can obtain the facility for the funds available. This is a priority in my opinion.

Ostrosky Motion and ask unanamous 'do pass'
Parr Second
Chairman Hearing no objection, so ordered.

HCR 26 by Guy - gave briefi g of the bill.
There are no proper places for disposal, leads to many problems. If this Resolution should pass, I am hoping that a better means will be found. There is no fiscal note because we are uncertain as to how this will be carried out.

Swanson I have introduced a bill thatwill possibly be able to help with all villages and their disposal problems.

Mr. Mueller Dept. Environmental Conservation
This is a real problem throughout the state. The present statuatory responsibility limits itself. We do have a program which does this by water supply and sewage disposal. These could possibly be adjusted to include a wider ranged project. The Dept. is highly in favor of this project. We do have a draft solid waste management plan for Alaska, Perhaps this will help the problem. Probably uneconomical to send recycling materials to Anchorage.

Hackney Move and ask for unanamous do pass.
Swanson Second
Chairman Hearing no objection, so ordered.

HB 281, HB 393
Don Clocksin - HB 281 grants our flexiblity so that they can take the cost of living allowance into account. This covers all welfare programs, all cash grant programs. HB 393 relates only to Adult programs. This would require that the State pass along the Federal cost of living increase and also requires this in the State portion of the grant. Just adult programs only.
SB 309 applies just to aid to families, children, AFDC programs, not adult programs. It illiminates distinction between young kids and old kids, fiscal note explains the cost. The two House Bills, important principals are that we must tie the grants to the cost of living allowance.

Hackney Was that included in the Governor's Budget?

Clocksin None of the three bills were included in his budget.

Don Kemp Dept. of H&SS
Stated that he could not recommend these bills. HB 281's major problem is interpreted in Sec. 8 (see attached material). For the general relief program, this would increase the Dept. expenditures considerably. At the present time, the Dept. is only able to serve 1/4 of the eligibles. (see position paper attached). OEO poverty guidelines are based on gross income. AFDC is based on Net income.
Clocksin I don't understand why the fiscal is based on $3200, it should be based on the present case load. I don't agree with Mr. Kemp here.

Kemp As i read it, i felt that the intent of the bill was to take care of all the eligible people.

Beirne Right now we only have 800 recipients but there are 2400 that could apply and be eligible.

Kemp Our best estimates are that only 1/4 of those that apply are actually given assistance.

Parr Why is the proposed change going to raise the average amount to such a person?

Kemp There will be a minimum amount of assistance, Art. 8 of the bill - pg. 1 Lines 18-20, proposed amendment showing this.

Parr Wonder if Line 18 is necessary for some kind of relief, don't no how you would define subsistence.

Sullivan I am distressed to know that we can only help 1/4 of the people that apply.

Hackney I read this bill that there should be no fiscal impact. we are saying you are going to help even fewer than the 1/4 because if they're going to be mandated to make to much money they won't be eligible.

Kemp Without an appropriation that may be true, but it depends on whether or not they;r are applying to the present maximum.

Beirne What's happening to that other 2400 eligible people?

Kemp Sometimes churches, salvation army etc. are able to help some of them. So what we are doing is operating purely on emergency.

Clocksin Back to the position paper of 281. Para. #3 is no longer applicable because (pg 2 grants) one person would require $250 per month, statuatory amount, OEO guidelines offer $244 per month., problem illiminated by providing greater of the two. Para #4 I disagree with. OEO amounts are larger than the present grants that the State has. Suggest changes here, possible on Pg. 2 Line 26-27- to change 'general relief', no floor (minimum grant) in the present Statute.

proposed
endment

Hackney Where does it get the money to fund them.

Beirne HB 281 would actually take the cieling off?

Kemp Yes, that is correct.

The bills were held over for vote at a later date.

Adjourned @ 5:30pm.

LAW OFFICES OF
ALASKA LEGAL SERVICES CORPORATION
315 FIFTH STREET, SUITE 8
JUNEAU, ALASKA 99801
TELEPHONE 586-6145

File HB 393

MEMORANDUM

To: Sen. Hohman and Rep. Sullivan

From: Don Clocksin

Subject: Welfare grants - cost of living increases

Date; Feb. 16, 1975

As we discussed, there are several alternative ways of assuring that the poor people of Alaska are protected from large increases in the cost of living.

1. The first is to tie AFDC and Adult Public Assistance (APA, for the aged, blind and disabled) grants to an objective standard that guarantees automatic cost of living increases. House Bill 554 (Eighth Legislature) would have tied grants to OEO poverty guidelines for Alaska (copy of bill attached). These guidelines are updated periodically for increases in the consumer price index and are adjusted for Alaska. The amounts established in these guidelines are what the Dept. of Health and Social Services considers the level of need in Alaska.

If you pass a bill similar to HB 554, the grants would be adjusted as follows. The federal share of each of these totals is substantial.

AFDC- PRESENT GRANTS:

Two people	(1 child under 13)	= $250/month
	(1 child 13-18)	= 300 "
Three people		= 300-350 "
Four people		= 350-400 "

ADULT PUBLIC ASSISTANCE - PRESENT GRANTS:

One person	(shelter costs under $35/m.)	= $185/month
	(shelter costs over $35/m.)	= 250 "
Two people	(recipient and ineligible spouse)	= 250 "
Two people	(recipient and eligible spouse)	
	(shelter costs under $35/m.)	= 285 "
	(shelter costs over $35/m.)	= 350 "

UNDER OEO GUIDELINES (eff. June 21, 1974):

One person	= $242.25/month	***
Two people	= 310 "	***
Three people	= 388.33 "	
Four people	= 474.15 "	

*** Since amount for one person is less than some current grants, we should be sure that the greater amount is paid. See HB 554

2. The second alternative is to require cost-of-living increases in state payments whenever the federal payments go up. This would exclude AFDC because there are no mandatory federal cost-of-living increases in the AFDC program. The language attached to my Feb. 14 memo would accomplish this. While federal cost-of-living increases would apply only to the federal share of the payment, adopting this language would also guarantee increases in the state supplement as well.
For example:

UNDER PRESENT SITUATION

Before Federal Cost of Living Increase:

SSI payment (federal)	= $150/month	
Supplement (state)	= 100/month	
Total Grant	$250/month	

After Federal Cost of Living Increase:

SSI payment	= $159/month	(6%)
Supplement	= 94/month	
Total Grant	= $250/month	(no change)

IF ALTERNATIVE # 2 IS ADOPTED

Before Federal Cost of Living Increase:

SSI payment	= $150/month	
Supplement	= 100/month	
Total Grant	= $250/month	

After Federal Cost of Living Increase:

SSI payment	= $159/month	(6%)
Supplement	= 106/month	(6%)
Total Grant	= $265/month	

3. The third, and cheapest, alternative is to simply require that the state "pass-along" the federal cost-of-living increase. The state would not add one of its own, but would keep its grants the same, even though the federal grant increased. It should be noted that under this alternative there is no cost-of-living factor built into the state's share of the grant; that is, the total grants won't reflect the increase in the cost of living. The federal increase does not take

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MEMORANDUM

TO: Interested Legislators

FROM: Donald E. Clocksin

RE: SSI pass-along questions

DATE: February 14, 1975

There are several questions that need to be answered regarding this proposal:

1. What will the cost to the state be of increasing grants when the SSI payments increase pursuant to section 1617 of the Social Security Act (Sec. 6, P.L. 93-368, August 7, 1974). The current estimated SSI increase necessary will be 11.5% annually.

2. Will the state benefit increase be solely at state expense or will the federal "hold harmless" provision allow a federal contribution? (See Sec. 401 of P.L. 92-603 adopting the SSI program.)

3. What are the results of the study mandated by AS 47.25.320 regarding the cost of cost of living increases in the AFDC program? Should these increases be incorporated into this proposal?

4. This proposal will in effect create a flexible state payment maximum which adjusts to cost-of-living increases. The result is amendment by implication of AS 47.25.430 (Old Age), AS 47.25.640 (blind), and AS 47.25.810 which impose grant maximums of $250 per month. Should these be amended?

5. What is cost of keeping state supplem. some when fed. where increases?

DEC:mjb

OEO POVERTY GUIDELINES FOR ALL STATES EXCEPT ALASKA AND HAWAII

Family size	Nonfarm family	Farm family
1	$2,330	$1,980
2	3,070	2,610
3	3,810	3,240
4	4,550	3,870
5	5,290	4,500
6	6,030	5,130
7	6,770	5,750

For families with more than 7 members, add $740 for each additional member in a nonfarm family and $630 for each additional member in a farm family.

OEO POVERTY GUIDELINES FOR ALASKA

Family size	Nonfarm family	Farm family
1	$2,910	$2,480
2	3,840	3,260
3	4,760	4,050
4	5,690	4,830
5	6,610	5,620
6	7,540	6,410
7	8,460	7,190

For families with more than 7 members, add $920 for each additional member in a nonfarm family and $780 for each additional member in a farm family.

OEO POVERTY GUIDELINES FOR HAWAII

Family size	Nonfarm family	Farm family
1	$2,680	$2,280
2	3,530	3,000
3	4,380	3,720
4	5,230	4,450
5	6,080	5,170
6	6,930	5,890
7	7,790	6,620

For families with more than 7 members, add $850 for each additional member in a non farm family and $720 for each additional member in a farm family.

GPO 875-922

POSITION PAPER

SENATE BILL #137

Making a special appropriation to the Department of Education to provide additional funding for the Hydaburg School Addition.

BACKGROUND

In 1974, the Second Session of the 8th Legislature appropriated $40,000 as a supplemental appropriation to the General Appropriation Act, to be used for site and design development for the Hydaburg School Addition. Furthermore, the Legislature earmarked $420,000, Chapter 142 SLA 1974, for the Hydaburg School which was recently approved by the voters, making a total of $460,000 available for the Hydaburg School Addition. The intent of those funds was to provide a high school addition consisting of an instructional media center and shower rooms, storage, and related mechanical to the existing multi-purpose room, enabling Hydaburg to have a facility for their high school program. Architectural estimates, of February 10, 1975, indicate the basic bid for lockers, showers, storage, independent study, and learning resource area of 4787 sq. feet will cost $71.00 per sq. ft., for a total of $339,877. Included is a proposed Alternate #1, expansion of that area to include art-science, toilet rooms, audio-visual storage, group study of 1512 sq. ft., at a cost of $88,629. Total estimated cost of construction is $428,506. The proposed legislation, SB #137, will provide an appropriation of $150,000, and would insure that (1) Alternate #1 would be included, and (2) a kitchen, originally included as Alternate #2, could also be included in the invitation to bid.

PROBLEMS

The Department of Public Works, Division of Buildings, will be inviting bids on the basic bid for the Hydaburg project in March 1975. SB #137 takes effect July 1, 1975, which would mean, if such funds became available, that Alternate #1 or #2 would have to be included in a separate contract, or as a Change Order to the anticipated contract, which would bring the cost higher than if the funds became available at the time the bid is awarded in April. Groups that may have an interest in the legislation would include the Hydaburg City Council, the school administration, and the school board -- all of whom are vitally interested in the additional funds.

DEPARTMENT RECOMMENDATIONS

The school population of Hydaburg, originally estimated in the summer of 1973, has grown faster than was anticipated. An update was done by the

City of Hydaburg -- an overall community economic study -- in April, 1974. Since that time, the population has increased more than that April 1974 study indicated, therefore, the City of Hydaburg is updating their comprehensive economic survey at the current time. In light of these developme ts, the Department of Education does support S. B. #137.

William A. Brown

Name

Director Management and Finance

Title

Feb 24, 1975

Date

POSITION PAPER
ON
CSHB 393

An act relating to assistance to the Aged, Blind, and Disabled; and providing for an effective date.

This bill will build an automatic cost of living increase into the Old Age, Blind, and Disabled assistance payments. Using the current legal maximum payment amount as a base, this bill would "pass along" to recipients any increase in Federal Supplemental Security Income (SSI) benefits and in addition increase current state payments by the same percentage as the SSI percentage increase. For example, if a current recipient receives $250 per month in assistance ($146 SSI and $104 State) and SSI benefits are increased by eight and one half percent (8.5%), this recipients total monthly income will be increased by $21.00 (rounded) per month, which is distributed by a source as follows:

SSI		STATE	
$146.00	current payment	$104.00	current payment
8.5%	increase	8.5%	increase
$ 12.41	amount of increase	$ 8.84	amount of increase
$158.00	New SSI Payment	$113.00	New State Payment

Total Assistance = $271 per month

This bill has an effective date of July 1, 1974 which means that current recipients will be eligible for both Federal and State retroactive cost of living benefits back to July 1, 1974. The Department estimates that the cost of the retroactive increase will be $9 per month per eligible recipient - $6 to "pass along" the July 1974 SSI increase and a $3 State increase which represents an equivalent percentage increase in State payments as that allowed under the SSI Program. The maximum retroactive increase would be $108 or $9 per month x 12 months = $108. Funds are available in the current year appropriation in the Adult Public Assistance component for the retroactive increase.

With both retroactive increases and the expected July 1, 1975 increases the new maximum assistance standard effective July 1, 1975 would be $278 as opposed to the current maximum of $250.

Few new recipients would be added to the assistance rolls as a result of this bill. Very few potentially new welfare recipients have income other than Social Security. Therefore, those who are currently ineligible will continue to be ineligible as Social Security payments increase.

Department's Recommendations

This Department supported Senate Bill 219 which increases the legal maximum payments in Old Age Assistance from $250 to $350. The Blind and Disabled recipients may be included in Senate Bill 219 and the costs for this group were included in the Department's position paper on the bill.

While CSHB 393 builds an automatic cost of living increase into the Aged, Blind, and Disabled programs, this department believes that increasing the basic floor amount to $350 (which SB 219 does) would be more appropriate at this time. Possibly, then, a cost of living increase could be built on the $350 floor in a year or two. Therefore, the Department of Health and Social Services primarily supports the concept of SB 219 and then the cost of living increase concept of CSHB 393. However, the Department is not in a position to recommend increasing the Governor's budget to fund the costs of either SB 219 or CSHB 393.

Recommended by: Lida M. Borenick (Acting Director) 5/14/75 (Date)

Approved by: Francis S. Williams (Commissioner) 6/23/75 (Date)

Comments by Governor's Office:

(By) (Date)

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST
Bill No. CSHB 393
Title: An Act relating to assistance to the Aged, Blind, and Disabled
Requested by: House HESS Date:
Return Date Requested: 5/14/75
Agency: Health & Social Services Program: Social Services/Assist. Payments

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Assistance Payments
A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.		718.4	790.2	869.2	956.1	1,051.7
	TOTAL	- - -	718.4	790.2	869.2	956.1	1,051.7

B. FUNDING: (Thousands of dollars)

GENERAL FUND		718.4	790.2	869.2	956.1	1,051.7
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See Attachment #1

IV. ATTACHMENTS

CSHB 393 Cost Areas - Attachment #1

V. DATE: 5/15/75 PREPARED BY: Don Kemp

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

FISCAL NOTE
CSHB 393
Attachment #1

Three Major Cost Areas:

$340.2

To continue into FY76 the retroactive adjusments in payment and need levels that were established in FY75. The adjustment would be a $9 per month per recipient benefit increase retroactive for all non nursing home recipients back to July 1, 1974. The formula for calculating these continuation costs in FY76 is as follows:

3150 recipients X $9 per month X 12 months = $340.2

$237.5

To increase FY76 state payment by the same percentage as the July 1, 1975, SSI increase which is expected to be 8.5%. Formula:

$2,448.3 FY76 Governors Budget Request + 340.2 Continuation of increased FY75 costs = $2788.5 X 8.5% SSI percentage increase = $237.5.

$140.7

An estimated 945 of current recipients do not receive SSI benefits and will not benefit from the SSI increase. To provide the same increase to non-SSI (state only) recipients will cost:

945 X $12.41 X 12 = $140.7.

The $12.41 represents the expected monthly increase for SSI recipients effective July 1, 1975.

Cost Summary

$340.2	FY75 Continuation Costs
$237.5	8.5% State Percentage Increase 7/1/75
$140.7	8.5% Percentage Increase for State Only Recipients
$718.4	Total

SSHB 431

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. SS HB 431
Title: An Act Making (Etc.)
Requested by: HESS Date: 5-21-75
Return Date Requested: 5-21-75
Agency: Health & Social Services Program: Program Service BRU.

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Program Service BRU.

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL		100.0	110.0	121.0	133.1	146.4
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		100.0	110.0	121.0	133.1	146.4

B. FUNDING: (Thousands of dollars)

GENERAL FUND		100.0	110.0	121.0	133.1	146.4
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	N / A	N / A	N / A	N / A	N / A
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

SS HB 431 would appropriate a blank amount of 100.0 to the Department of Health and Social Services to provide grants to eligible agencies for child abuse counselling.

IV. ATTACHMENTS

CS: SS 432

V. DATE: May 21, 1975 PREPARED BY: Kathleen F. Mailer

HB
395

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

May 17, 1975

Members Present:

Bierne
Hackney
Osterback
Ostrosky
Sullivan
Swanson

Testifying Guests:

Dr. Price

Chairman Sullivan called the meeting to order at 1:40 pm.

HB 395 Registry of Persons with Impairments

Bierne: The Senate version of this bill, I believe, has met with some problems.

Price: Yes. It has been returned to Senate Committee. They are having problems with who is to be determined as handicapped, and with establishing safeguards to ensure confidentiality. They have cut the list of impairments to be registered to cerebral palsy, mental retardation, epilepsy, and genital transmitted defects. It believe that this cut was a mistake.

Bierne: The bill requires some rewording so that it would ensure that this does not impinge upon individual rights.

Parr: We can only justify voluntary registry.

Price: I'm afraid that with the voluntary thing, we would have nowhere near the potential effectiveness for protection of those individuals with impairments.

Ostrosky: What use is presently made of the register?

Price: When a doctor must treat one of these persons, he can work with a consultant who knows the patient's specific problem. The register can also assist the State in determining where special clinics are needed, and the register can be used in applying for federal funds. This knowledge would also function for prevention in streptococci related impairments.

It was decided that this bill be held in Committee.

HB 329 Pupil Transportation

Ostrosky: I move that line 13 should be changed to " must be based upon two competitive bids" rather that three. There was a problem in our community where there wer only two competitors, and there are no stipulations for this.

This amendment was unanimously passed.

Swanson: I think that we should omit item (g). The department will write negotiating contracts right into it. We need a review committee to go over administrative regulation written by the departments.

The role of the departments in determining regulations was briefly discussed.

Hackney: There is an error in line 23. "Read" should probably be "reach".

This amendment was passed without objection.
HB 329 was passed out with the two amendments. There was no objection.

CSSB 367 Centralization of Correspondence Study

Sullivan: I believe that there are many people who want this bill, so I would like to get it passed out.

Hackney: I would like to hear more testimony. I have heard two conflicting stories.

Ostrosky: I think I have figured it out. The general operating theory of the Department of Education has lately been to decentralize programs. Correspondence Study, however, has been very successful on a centralized basis.

Sullivan: From what I understand, grades 1 - 8 have been handled by S.O.S., and high school grades, more satisfactorily, by Margaret Justice. The intent of the bill is to put them all under Margaret Justice.

Hackney: I am not hung up either way on the bill. I just want to be sure that there is a viable option to the local schools open to those who want one.

Sullivan: The way it is now handled, school districts are being paid for correspondence students.

Hackney: School districts get about $1700 per student, and only $250 reverts to the Department.

Sullivan: I think we should get that excess money out of the boroughs and give a larger amount to the Department for the correspondence program.

Hackney: Why don't we pass this bill out with a letter of intent stating that we want this money to be given to the centralized program.

Sullivan: I agree. In the letter we could state that the school districts should not be funded for correspondence students, and that a larger percentage of that money should go to the Department for correspondence programs.

The bill was passed out with a "do pass" recommendation. One member objected with four concurring. Rep. Bierne had had to leave prior to the vote.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 15, 1976 7:00 P.M.

Present:

Ostrosky	Parr	Sullivan
Swanson	Beirne	Hackney

HB 733 - Commitment procedures for mentally ill - HESS

Louise Ma - Research Analyist, Legis. Affairs Office - explained basis and provisions for the bill

Parr - After 270 days what can be done with someone who cannot be helped but is dangerous??

Gruening - have to be new circumstance to begin commitment procedures.

Jerry Schrader, Director, Div. of Mental Health - Presented the dept. postiion regarding this bill. Basically in favor, but have a few problems with it. Can make amendments to correct. See position paper.

Beirne wanted to know if it might be possible to combine into one facility the function of crisis intake and mentally ill, alcoholics, drug addicts, etc.??

Pat Spartz - Kodiak Aleutian Mental Health Center - Supports bill, but would like to see some amendments. Hard to see how bill would actually work until it is tried.

no action on bill

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 15, 1976

Present: Sullivan Hackney
Beirne Ose Osterback

Testifying: Dr. Pauls, Dept. H&SS, Public Health
Dick Block, Div. of Ins.
Sonya Johansen, Dept. H & SS HIS

HB 481 - Health Maintenance Organizations - HESS

Dick Block - Explanation of bill, HMO similar and mandatory to various types of health insurance. Reasons why we need regulation on HMO 1. to keep high standard of medical care 2 Since subscribers pay in advance, organization must be financially sound.

Committee - How much money would be needed to assure solvency, Block had no definite answer. Teamsters example as an HMO. Can this bill be redone to eliminate alot of the unneeded regulations, Block thinks so.

Committee requests Dick to submit a draft of an alternative to this bill. Dr. Pauls said Dept. will work along with him on this.

Dr. Pauls - did not have an official position paper on this bill from the Dept. but feelings regarding it are that there are now other health bills which speak to the same issue., for instance the Indian Health Service. So he doesn't feel this bill is needed.

Committee decided not to take any action on this now.

HB 395 - Registry of Impairments - HESS

Sonja Johnson - Dept. H&SS, feels that there is some problems with this bill, relating mainly to mandatory signing and also confidentiality. But she also feels that eventually everything will have to be on a registry.

Committee - If this is implemented what are the problems with it? Should this bill speak to the problems of data processing at the same time, yes. Dept. is now working to standardize procedures for data processing and will have done by the end of April.

Hackney - Is this bill really needed or does everything spoken to in here redo what is already in the regulations.??

Dr. Pauls - If it is done by regulations instead of a bill, there must be a public hearing all over and then the regs. must be rewritten. This bill does not force the regulations to be rewritten.

Sullivan concerned with whether some of the confidentiality problems are unconstitutional??, nobody seems to know.

Alaska State Legislature

House

JUNEAU ALASKA

Beirne - thinks this bill is much needed, but doesn't want to take rights away from individuals to choose to be on a registry.

Committee decided to hold bill.

17 April 1975

Representative Susan Sullivan
Pouch V
Juneau, Ak. 99801

Dear Representative Sullivan:

As a member of the Advisory Board to the Registry of Human Impairments, I would like for you to know that I am in support of the legislation now pending befor e the House (HB 395) in regard to the expansion of the scope of the Registry.

Such expansion will, I believe form the basis for better services to those with impairments, and the statistical reports will provide data useful in planning and evaluation of these services.

Sincerely yours,

Martha R. Wilson

Martha R. Wilson, M. D.

MRW:nh

HB 395

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

May 18, 1975

Dr. Kenneth T. Richardson
1016 W. 6th Avenue
Anchorage, Alaska 99501

Dear Dr. Richardson:

Thank you for your letter of April 18 regarding House Bill 395, "Registry of Persons with Impairments". I agree with you that such a registry would provide the most practical data base from which to develope health and education programs for impaired individuals.

Dr. Elizabeth Price of the Division of Public Health discussed the purpose of the bill at one of our recent committee meetings. As you mentioned, there has been concern that such a registry might impinge upon individual rights. After meeting defeat in the Senate, the bill has returned to the Senate HESS Committee for rewording in order to ensure that individual rights are maintained, and to determine exactly which impairments are to be registered.

Our committee is presently awaiting the Senate HESS adaptation, and is anxious for the development of the registry to be underway.

Again, that you for your letter as the opinions of professionals dealing directly with health care are of particular usefulness in considering such matters.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

HB 395

KENNETH T. RICHARDSON, M. D.
PRACTICE LIMITED TO OPHTHALMOLOGY
1016 W. 6TH AVENUE
ANCHORAGE, ALASKA 99501

TELEPHONE 272-1513

April 18, 1975

Susan Sullivan, Chairman
Pouch V
Juneau, Alaska 99801

Dear Mrs. Sullivan:

I would urge your support of House Bill #395.

All too often in the area of public health care and education elaborate, expensive solutions to apparent problems are devised and implemented prior to realistically defining the extent and nature of the problem. With our increasing population and the possiblity of increased finances being available to the Legislature for activities in this area, there will undoubtedly be pressures from special interest groups for funding of programs for impaired persons. Quick surveys often done under the aegis of a special interest group can be misleading and programs developed against this background are likely to be more expensive and possibly less effective than those developed with a cohesive knowledge of the entirety of the human impairment program.

A Registry of Persons with Impairments is the only practical way of developing an unbiased data base from which reasonable health and education programs for impaired persons can be developed.

The fear of the computer and loss of human rights is a justifiable concern that appears to be dealt with effectively in the second draft of the Alaska Registry of Persons with Impairments as drawn up by Mr. Richard Peters.

Thank you for your concern in this matter.

Sincerely,

Kenneth T. Richardson, M.D.

KTR/kml

SSHB

419

'An Act relating to health education.'

COMMITTEE REPORT

4/15/75

HOUSE

Mr. Speaker: Date 5/8/75

The Committee on HESS has had HB 419 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends: NO REC

_____ recommends: No recommendation made

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

"An Act relating to health education."

COMMITTEE REPORT

HOUSE

2/17/76

Mr. Speaker: Date Mar 11, 1976

The Committee on HESS has had SSHB 419 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

Helen Rennick _____ _____

Members NOT concurring in the Majority report:

Jean Hackney recommends: NO REC.

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HB 419

HESS COMMITTEE MEETING

May 8, 1975

Members Present:

Beirne	Ostrosky
Davis	Sullivan
Hackney	Swanson
Osterback	

Chairman Sullivan called the meeting to order at 3:30pm. The first order of business was HB 415 &419.

HB ~~414~~ 415 & HB 419

Dr. Price: These measures are urgently needed. The 1972 Council considered the number one need to be School Health Education. A survey was taken in 1973, on the elementary level it was taught by individual teachers as they see fit, the administration is not aware of the carricula. In Junior High and High School there is some carricula taught by the physical education teachers but they rarely have training in Health Education specifically to teach the subject. 90% of the PE teachers have never taken first aid courses. We presently have 12 candidates for the position of School Health Educator, the money is not available after July 1, the funds will be lost. Funded through Federal D14 monies. SB66 (Congressional Bill) if passed, would be taking new monies into consideration.

Swanson Line 18, is this just seed money or would this take care of the entire program?

Price This will take care of the program for the first year. We would like to see this as a collaberation between the two departments, H&SS and Education.

Jeffers ONe professional employee and one clerical, there will be contractural methods to do other things.

Swanson What to you class and Health Education in grades K-12?

Jeffers The intent is to structure so that the younger kids could benefit as well as the others. The more safisticated problems are handled at a later age. These programs will be introduced when the students are old enough to benefit from them.

Hackney Couldn't we Legislate something to insure that the individual school districts will hire trained Health Educational staff on the local level?

Jeffers We would provide some sort of training program so that they would get training as well. A Health Education Carriculum would be added for use on the local level.

Hackney Any Health Ed. taught today?

Commissioner Lind Further explanation of the bills. Also expressed the Dept's concern and urged passage of these bills.

There was some discussion at this time as to the word "initial" development added to the bill.

Ostrosky Motion to add "Dept. of H&SS"
Swanson Objection.
Chairman Vote on the amendment, chaning the bill back to its original form.(Unanamous)
Sullivan Move bill out with Individual recommendation.
No Objection , so ordered.

HB 447

Richard Dowling, Ak. Educ. Broadcasting Commission
Handed out material, here to answer questions. The reason for this legislation is that KAKM will serve to the areas on the map, Kenai Pen., Turnigan Arm, Talkeetna, Palmer etc.

Parr Who would do this, the State or a privately funded operation?

Dowling The Television Station itself would contract with some individual to do the work.

Parr Question, the pay of the project coordinator?

Dowling Explained what the position was to do, prepare spec. for equipment; hire two man crew for installation; performace tests; system tests, and document the system so that it can be maintained, this has to all be completed in four months of work. PBS, locally produced, KYUK-Bethel, KYAK-Fairbanks, Educational Programming coordinated with these stations. Most of these areas do not have commercial programming. 1/3 to 1/2 currently do not recieve regular commercial television.

Sullivan Would like to hear Rep. Beirne's views on this bill before we take up a vote.
Ostrosky In favor of the program. Public television is an asset and quality of programs are quite beneficial in comparison with commercial television.

HB 487

Parr Motion to move bill out with 'do pass'
Chairman No obejction, so ordered.

Adjourned at 5:00pm.

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 28, 1975

Members Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Swanson
Osterback	

Vice Chairman Parr called the meeting to order at 3:00pm. The first order of business was SB 220.

SB 220 Senator Hohman Gave briefing of the bill.

Swanson In favor of bill.

Hackney What we are asking for here is a review of the construction by the Legislative Budget & Audi Committee. How often do they meet?

Hohman More frequently than once a month by history.

Phil Thompson - Dept. of Education
Neither the Dept. or SOS goes to bid for the construction projects. Offer an amendment: Pg. 1 Line 16 insert"the Dept. of Public Works". With this amendment, we have no objectio to thebill. The bill is not retroactive. Most of the projects have not gone to bid. The Key here is if the Legislative Budget & Audit Committee meets regularily. Core Drillings should be taken and included in the reports to the L. B&A Comm.

Hackney Do you have any objection to perhaps a language change?

Hohman I think this language here is sufficient. It is stated that the Committee will study all reports of construction when they meet.

Parr Move for the adoption of Mr. Thompson's suggested amendment to add Dept. of Public Works.

Swanson Seconded
Parr Hearing no objection, amendment adopted.

Swanson Move bill out with a 'do pass'.
Davis Second
Parr Hearing no objection, so ordered.

HB 415 & HB 419

Jeff Jeffers (HB415) Dept. of Education.

Parr Are these Companion bills?

Jeffers No, they are seperate. HB 415 would place the money with the Dept. of H&SS, it provides a good sum to begin a process that would take longer than one year. We are in favor of the bill.

Beirne Last year this bill did not pass, are we building on what H&SS already has?

Jeffers We agreed that they would hire a person and put them temporary duty with our Dept. A study was done with 314D Funds.

Hackney Were the funds in the Gov's budget?

Jeffers No, they were never there.

Beirne Why should we put it through H&SS again for it to go to the Dept. of Educ?

Jeffers It doesn't provide a continous program the way it is written here. In 415 it doesn't provide for the employment of anyone for the position.

Beirne If we were to change this to the Dept. of Educ. what would it do?

Jeffers It would not in itself establish this position.

HB 419 Would provide a position and enough funds to add to the carriculum teacher training as such. No price tag to this particular bill. Provides a more sustained effort then 415. They treat the same problem however.

Parr Is the Dept. prepared to explain where they are to suggest to the School Districts where to add this extra program....will something have to be deleted?

Jeffers We would not, the wording in the bill takes care of this. A Health Education specialist at range 21 A, about $1800 per month, $26,460 per year. Would only be funded if money were provided. They money in 415 would go to the Dept. of H&SS.

Swanson I don't think this kind of education should be included in Kindergarten.

Larry Sullivan - Juneau School Board
415 & 419....In '68 and '69 they recommended the need for Health Education. I disagree with Mr. Jeffers that Health Education is presently taught in schools. See definite meed for this in Alaska. Don't need to drop anything in the cirriculum, it could be added to the Science program. On behalf of the Juneau School Board, we support this bill.

Swanson This bill should have come to us as a bill and as an approp. bill accompanying it.

Parr I question the need for State aid here. With the School leaders being paid what they are, they should be able to originate such important programs.

Parr Proposed amendment, Line 12, Delete Dept. of H&SS and insert Dept. of Education.

Beirne Proposed amendment to HB 415, would say that the funds would flow to the Dpt. of Education.

Parr This could be done by amending the Title of the bill.

Ostrosky Line 12 & 13, move for the adoption of amendment: Substitute "Coordination" for "Initial Development".

Parr Hearing no objection, motion passes.

Beirne I would like to get the Comm. of Education to answer to the bills, we need more input here.

Swanson I would like to know more details about the program, what is going to be taught and at what age etc.

Beirne I move to hold up on the bills for Comm. Lind to reply. Fiscal notes etc.
Parr Hearing no objection, motion carries.

HB 421 Don Kemp - Div. of Children & Family Services.
Purpose of the bill is to amend the Ak. Statutes to bring them into conformity with supplemental security income program. This does not effect persons eligibility for help.

Beirne Move out with a 'do pass'
Parr Hearing no objection, so ordered.

HB 426 Dr. Schrader, Dir, Div. of Mental Health
We are in support of this bill. It will allow to claim reimbursement through Title 19 for services that are already provided. It will enable the Dept. of collect approx. $365,000 for the Fed. Government.

Ostrosky Intermediate Care facility?

Schrader For the mentally retarded, the regulation specifically talk about the mentally retarded. Harborview Memorial Hospital in Valdez for example. This will allow us to claim reimbursement for an additional number of residence there.

Hackney It gives me great pleasure to move and ask unanamous concent for the adoption of this bill.
Parr Congratulations, Mr. Hackney. Hearing no objection, so ordered.

HB 427 Roger Lang Dept. of H&SS. 5.2% of the total case load was ineligible for total grants. In each case we are talking on the average of about $270.00.

Hackney Where would you get the money to put this into effect?

Lang We could get a run from the Emply. Sec. Div. based on the SS# from the recipient payrolls and have someone do a physical check where there are discrepincies. To start out we should be able to do it with our exsisting staff. All this bill does is allow us the right to get the information through the Emply. Sec. Div.

Hackney Move out with a 'do pass'
Parr Hearing no objection, so orded.

HB 428

Beirne Offered amendment: Line 15 delete "amount set by the Commissioner" and insert:

0-50 beds	$50.
51-124 beds	$100.
125 or more beds	$150.

No objection to the amendment, motion carries.

Swanson Move HB 428 out with a Committee Substitute and a do pass recommendation.
Parr Hearing no objection, so ordered.

Meeting adjourned @5:30pm.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 12, 1976

Present: Beirne Hackney
Osterback Ostrosky
Sullivan

HJR 61 - Comprehensive Health Ed. School - HESS

Diane LaResch - Health Ed. Specialist of D.O.E.
Explanation of resolution and the congressional legislation referred to.

Committee discussion

Hackney- motion to move out, no objection - do pass

SSHB 419 Health Education - Sullivan

Diane LaResch, spoke to the importance of health ed. and the lack of it in Alaska

Committee discussion and motion to move out, no objections

HB 712 - Physical and Dental Exams in School - Sullivan

Sullivan explain d reason for the bill, it was to add to medical exams for studentens and dental exams.

Diane LaResch responded to questions for the committee.

Hackney - moved to pass out, do pass

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. HB 419
Title: An Act relating to Health Education
Requested by House HESS Committee Date: 2/20/76
Return Date Requested: ASAP
Agency: Education Program: Preelementary and Secondary

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Educational Program Support/Learner Assist.

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		47.9				
200	TRAVEL		5.				
300	CONTRACTUAL		28.				
400	COMMODITIES		.8				
500	EQUIPMENT		.3				
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		82.0	90.2	99.2	109.1	120.0

B. FUNDING: (Thousands of dollars)

GENERAL FUND		82.0	90.2	99.2	109.1	120.0
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	2 / 0	2 / 0	2 / 0	2 / 0	2 / 0
MAN MONTHS (P./T.)	/	24 / 0	24 / 0	24 / 0	24 / 0	24 / 0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Education Specialist II	33.6	Development of Multi-Media Health Education Learning Packages	12.
Clerk Typist III	14.3		
Travel		Commodities	.8
In-state to Districts	5.	Equipment	.3
Contractual Services			
Teacher & School Nurse In-Service Workshops	12.	Total	82.0
School Administrators Health Education Planning & Curriculum Development Conferences	4.		

IV. ATTACHMENTS

Assume 10% inflation in succeeding fiscal years.

V. DATE: 2/23/76 PREPARED BY: William D Thomas

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

FEB. 23, 1976

Present: Beirne, Osterback, Ose, Swanson, Sullivan, Ostrosky, Parr, Davis

Testifying: Vern Williams, Dept. of Ed.
Frank Austin, P.T.A.

HB 691 - Identification cards for senior citizens

Sullivan gave an explanation of the bill and why it would be useful to senior citizens.

Vote - unanimous - do pass

HB 419 - An act relating to health education

Beirne - would like to have input from Diane Laresh, with Dept. Diane is on a trip now and cannot testify. Important to get input from her since she has been providing cities with a health ed. plan. Another concern is how this would be incorporated into an allready heavy curriculum.

Vern Williams - Dept. of Ed in favor of this bill. Feels preventative health education beneficial. in 1973 less than 50% of schools in Ak. taught health ed. Schools need help in providing this. Curriculum priorities in health ed. program would be, the curriculum approach, research materials, elementray grades.

Committee concerned about the cost, fiscal note seems really high. Williams said major cost would be in year of implementration, after that not much, mainly revising curriculum.

Hackney concerned about portion of the bill that speaks to appropriate use of health services. Afraid that means birth control clinics, etc. Some other committee members concerned also about what that means. Exactly what do health services include?

Frank Austin-P.T.A. At the National State level,comprehensive health education was the priority. Feels this very importatn to all areas of Ak.

Hackney - motion , individual recommendations for bill and refer to finance, - motion failed

Parr - motion to delete from "a school" line 17 to line 22

which would take the funding portion out of the bill.
Amendment fails.

Hackney - Amendment, exclude line 16 - 28
Amendment fails.

Beirne - Amendment, omit from line 27 "except" through end of bill. Short discussion on this and Beirne moved her motion off the floor.

Meeting adjourned.

file Health Ed

Vetsa

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST

Bill No. SB 51 and HB 419

Title:

Requested by: Date:

Return Date Requested:

Agency: Program:

II. FISCAL DETAIL

Budget Request Unit(s) Affected:

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		47.9				
200	TRAVEL		5.				
300	CONTRACTUAL		28.				
400	COMMODITIES		.8				
500	EQUIPMENT		.3				
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		82.0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Education Specialist II	33.6	Development of Multi-Media Health Education Learning Packages	12.
Clerk Typist III	~~14.3~~ 1.	Commodities	.8
Travel		Equipment	.3
In-State to Districts	5.		
Contractual Services		Total	82.0
Teacher & School Nurse In-Service Workshops	12.		
School Administrators Health Education Planning & Curriculum Development			
Conferences	4.		

IV. ATTACHMENTS

HB 419

SOME GENERAL RESULTS OF THE 1973 ALASKA SCHOOL HEALTH EDUCATION SURVEY

Conducted by the State Department of Education
and
Department of Health and Social Services

287 schools responded to the questionnaires sent to both principals and health workers associated with schools.

Who Is Teaching Health Education?

Almost half of the elementary schools indicated that no one was designated to coordinate health curriculum. Elementary teachers are generally on their own. Schools employing school nurses tend to rely on them to coordinate or provide guidance in health.

Secondary school health education resource people tend to be evenly divided among P.E., home economics, health, science and "unspecified subject matter" teachers, school nurses and others. Seven schools reported no one with responsibility for some area of health instruction.

There is a lack of training in health at all levels of teaching personnel. In a representative sample of all Alaskan teacher's certification records, fifty percent had had only one college course relating to health and thirteen percent had never had any. A significant number of comments on the questionnaires indicated a lack of teachers' preparation in health education, or lack of motivation, or an inappropriate use of staff for health education.

What Is Being Taught In Health Education?

The information gathered was not objective. No indication of the quality or the scope of the health education being taught was available.

Following is the list of health topics reportedly being taught in Alaskan schools, in order of frequency. It should be noted that what are considered the "Basic Health" topics are included in the higher ranks of topics being taught. These were tne only subjects being taught in at least fifty percent of the schools. However, even the most basic--"cleanliness"--isn't taught in a third of the schools.

HEALTH TOPICS CURRENTLY BEING TAUGHT AS REPORTED BY PRINCIPALS AND HEALTH WORKERS, IN ORDER OF FREQUENCY

Total Schools Reporting: 287*

Topic	Reported by Principals	Reported by Health Workers
cleanliness and grooming	66%	41%
food and nutrition	61%	38%
dental health	57%	39%
accident prevention	54%	34%
structure, function of body	53%	35%
exercise and relaxation	50%	36%
smoking	49%	34%
vision and hearing	47%	37%
drugs and narcotics	46%	32%
communicable diseases	44%	29%
alcohol abuse	44%	27%
growth and development	43%	33%
environmental hazards	43%	28%
posture and body mechanics	41%	28%
first aid	39%	32%
community helpers	37%	23%
skin care	34%	27%
boy-girl relationships	33%	26%
mental health/personal adjustment	32%	25%
family life	32%	22%
sex education	31%	28%
personality development	31%	26%
consumer education	27%	14%
weight control	23%	18%
non-communicable diseases	23%	15%
community health programs	23%	15%
venereal disease	22%	15%
health careers	21%	15%
health examinations and appraisals	17%	16%
foot care	16%	15%
parenthood and child care	14%	9%
health heroes	13%	8%
preparation for marriage	8%	6%
research developments in health	7%	6%
other	3%	1%

What Health Topics should be Added to the Curriculum or receive increased emphasis, in order of priority?

Summary of All Schools

Principal's Opinions	Health Worker's Opinions
1. alcoholism	1. alcoholism
2. first aid	2. mental health
3. mental health & drug abuse	3. accident prevention

Rural Schools

Principal's Opinions	Health Worker's Opinions
1. alcoholism	1. alcoholism
2. sex education	2. accident prevention
3. first aid	3. dental health

Urban Schools

Principal's Opinions	Health Worker's Opinions
1. mental health	1. mental health
2. personality development	2. personality development
3. first aid	3. family life education

SOS

Principal's Opinions	Health Worker's Opinions
1. alcoholism	1. alcoholism
2. first aid	2. accident prevention
3. sex education	3. dental health

Independent School Districts

Principal's Opinions	Health Worker's Opinions
1. mental health	1. mental health
2. personality development	2. sex education
3. first aid	3. personality development

What priorities were suggested by the survey results?

A. A statewide curriculum guide featuring a K-12 conceptual approach could be Alaskan adapted from good ones developed by other states.

B. Resource materials with up-dates for teachers should be made available. Resource development and acquisition should be based on priority topics designated in the survey.

C. Priority age targets may be elementary grades.

D. The backlog of unprepared teachers is great, so teacher training is a top priority.

E. A key target group which should receive priority attention are the rural (SOS) schools. Most of them are extremely small with limited access to resources, have a wide range of basic health problems demanding attention, teacher preparation in health education is the lowest in the state, and few existing educational materials are relevant and appropriate to their needs.

F. Local involvement in planning should be a major component of all program coordination efforts.

A Unified Approach to Health Teaching

Health education—particularly that aspect identified as health instruction—is of greater concern in contemporary society than ever before. The variety of choices and decisions to be made by the individual and society have multiplied in number and increased in consequence. Sporadic educational efforts, isolated "once-a-year lectures," in a haphazard or "spur of the moment" fashion, are both difficult to administer and virtually ineffective. *A unified approach to health teaching—that is, a planned, sequential curriculum in health education throughout the school years—is necessary to help attain the objective of education, the healthy, educated man.*

Discussion

Today many people enjoy a higher level of health and a greater life span than ever before. This has been brought about primarily through the development of new drugs, research, better public health programs, improved medical care, and health education. In spite of these advances in medicine and personal well-being, millions of people are not living at their optimal level of health. Modern patterns of living have intensified health problems such as heart disease, obesity, cancer, mental illness, alcoholism, drug addiction, and venereal disease. Moreover, some of these diseases loom larger than before because of our aging population.

In their enthusiasm to find solutions to existing health problems and most immediate needs, many official and voluntary health agencies and organizations have developed teaching materials especially for school use. Both official and voluntary agencies are to be commended for making these teaching aids available to schools. Many are well planned and have been most helpful in filling a void. However, the number of health problems deserving special consideration in the curriculum has become so great that these very teaching aids and materials often interfere with the development of a comprehensive and sequential health instruction program required to meet the many health needs and problems of today's children and youth.

School administrators, in the absence of well planned health instruction, and in their willingness to cooperate with local groups, have incorporated these materials in their curriculum. This is especially true when pressure builds in a community to have the schools "do something" about drugs, sex, smoking, and alcohol. This results in the hastily scheduled two-week unit or one-lecture type of health offering to cover a specific problem—a problem "shot down" this year and forgotten next year in order to concentrate attention on something else. This kind of scheduling may lead to overemphasis on a health problem or it may be responsible for the neglect or omission of a number of other pertinent health problems. Health instruction, to be effective, must be on a continuing basis and not a crash program.

Recommendations

In view of the need for a comprehensive program of health instruction, it is recommended that:

1. There be a unified approach to health teaching, a program of health instruction organized and scheduled in such a way that there is scope and sequence through the school years (K-12).
2. A program of curriculum development be undertaken which will involve (a) the identification of specific courses with content, learning activities, and evaluation activities and (b) coordination and integration with other subject matter areas.
3. The health curriculum be developed by school personnel and curriculum directors who work closely with the lay public, with individuals from the voluntary and official health agencies, and with consultants from the state and national level when available.
4. Those who teach health be specifically prepared and have a genuine interest in the field of health education.

This statement, prepared by a committee of the School Health Division, was approved by the School Health Division Executive Council and officially approved and endorsed by the AAHPER Board of Directors.

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HB 419

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

May 19, 1975

Mrs. Keith M. Brownsberger
3136 Madison Way
Anchorage, Alaska 99504

Dear Mrs. Brownsberger:

I am writing in response to your letter of April 14 in which you inquired whether or not the House has taken any action on a bill similar in content to Senate Bill 51.

Our committee recently took up House Bill 419, identical to Senate Bill 51, and in recognition of the need for health education programs in Alaskan schools, passed it out with a "do pass" recommendation. It is presently in the Rules Committee to be scheduled on the House calendar.

I share with you a concern that health education legislation will be enacted on both the State and Federal levels out of a strong belief in preventive medicine.

Thank you very much for both your letter and your presentation before our committee in March as both have assisted us in recognizing the need for health education.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

SB51

Mrs. Keith M. Brownsberger
3036 Madison Way, Anchorage, Alaska 99504

April 14, 1975

Representative Susan Sullivan
H E & S Committee
Pouch V
Juneau, Alaska 99811

Tell her

Dear Representative Sullivan,

I am writing in reference to Senate Bill 51 on Health Education. Has the house taken any action as yet on a similar bill? As I stated when I appeared before your committee, I feel the state needs to take the initative in encouraging health education programs in the schools throughout the state. We need a health coordinator

and fully qualified teachers. I feel that on the national level Senate Bill 544 and H.R. 2599 need to be acted upon as the result would supplement state programs. These bills would improve the quality of health education in Alaskan schools and hopefully provide the opportunity to establish patterns of living that will prevent disease and enhance personal health in our children.

I urge the support of you and your committee on these bills.

Sincerely,

Sally Brownsberger

HB

428

"An Act relating to hospitals."

COMMITTEE REPORT

4/15/75

HOUSE

Mr. Speaker: Date 4/28/75

The Committee on HESS has had HB 428 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR HB 428 AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 28, 1975

Members Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Swanson
Osterback	

Vice Chairman Parr called the meeting to order at 3:00pm. The first order of business was SB 220.

SB 220 Senator Hohman Gave briefing of the bill.

Swanson In favor of bill.

Hackney What we are asking for here is a review of the construction by the Legislative Budget & Audit Committee. How often do they meet?

Hohman More frequently than once a month by history.

Phil Thompson - Dept. of Education
Neither the Dept. or SOS goes to bid for the construction projects. Offer an amendment: Pg. 1 Line 16 insert"the Dept. of Public Works". With this amendment, we have no objectio to thebill. The bill is not retroactive. Most of the projects have not gone to bid. The Key here is if the Legislative Budget & Audit Committee meets regularily. Core Drillings should be taken and included in the reports to the L. B&A Comm.

Hackney Do you have any objection to perhaps a language change?

Hohman I think this language here is sufficient. It is stated that the Committee will study all reports of construction when they meet.

Parr Move for the adoption of Mr. Thompson's suggested amendment to add Dept. of Public Works.

Swanson Seconded
Parr Hearing no objection, amendment adopted.

Swanson Move bill out with a 'do pass'.
Davis Second
Parr Hearing no objection, so ordered.

HB 415 & HB 419

Jeff Jeffers (HB415) Dept. of Education.

Parr Are these Companion bills?

Jeffers No, they are seperate. HB 415 would place the money with the Dept. of H&SS, it provides a good sum to begin a process that would take longer than one year. We are in favor of the bill.

Beirne Last year this bill did not pass, are we building on what H&SS already has?

Jeffers We agreed that they would hire a person and put them temporary duty with our Dept. A study was done with 314D Funds.

Hackney Were the funds in the Gov's budget?

Jeffers No, they were never there.

Beirne Why should we put it through H&SS again for it to go to the Dept. of Educ?

Jeffers It doesn't provide a continous program the way it is written here. In 415 it doesn't provide for the employment of anyone for the position.

Beirne If we were to change this to the Dept. of Educ. what would it do?

Jeffers It would not in itself establish this position.

HB 419 Would provide a position and enough funds to add to the carriculum teacher training as such. No price tag to this particular bill. Provides a more sustained effort then 415. They treat the same problem however.

Parr Is the Dept. prepared to explain where they are to suggest to the School Districts where to add this extra program....will something have to be deleted?

Jeffers We would not, the wording in the bill takes care of this. A Health Education specialist at range 21 A, about $1800 per month, $26,460 per year. Would only be funded if money were provided. They money in 415 would go to the Dept. of H&SS.

Swanson I don't think this kind of education should be included in Kindergarten.

Larry Sullivan - Juneau School Board
415 & 419....In '68 and '69 they recommended the need for Health Education. I disagree with Mr. Jeffers that Health Education is presently taught in schools. See definite need for this in Alaska. Don't need to drop anything in the cirriculum, it could be added to the Science program. On behalf of the Juneau School Board, we support this bill.

Swanson This bill should have come to us as a bill and as an pprop. bill accompanying it.

Parr I question the need for State aid here. With the School leaders being paid what they are, they should be able to originate such important programs.

Parr Proposed amendment, Line 12, Delete Dept. of H&SS and insert Dept. of Education.

Beirne Proposed amendment to HB 415, would say that the funds would flow to the Ept. of Education.

Parr This could be done by amending the Title of the bill.

Ostrosky Line 12 & 13, move for the adoption of amendment: Substitute "Coordination" for "Initial Development".

Parr Hearing no objection, motion passes.

Beirne I would like to get the Comm. of Education to answer to the bills, we need more input here.

Swanson I would like to know more details about the program, what is going to be taught and at what age etc.

Beirne I move to hold up on the bills for Comm. Lind to reply. Fiscal notes etc.
Parr Hearing no objection, motion carries.

HB 421 Don Kemp - Div. of Children & Family Services.
Purpose of the bill is to amend the Ak. Statutes to bring them into conformity with supplemental security income program. This does not effect persons eligibility for help.

Beirne Move out with a 'do pass'
Parr Hearing no objection, so ordered.

HB 426 Dr. Schrader, Dir, Div. of Mental Health
We are in support of this bill. It will allow to claim reimbursement through Title 19 for services that are already provided. It will enable the Dept. of collect approx. $365,000 for the Fed. Government.

Ostrosky Intermediate Care facility?

Schrader For the mentally retarded, the regulation specifically talk about the mentally retarded. Harborview Memorial Hospital in Valdez for example. This will allow us to claim reimbursement for an additional number of residence there.

Hackney It gives me great pleasure to move and ask unanamous concent for the adoption of this bill.
Parr Congratulations, Mr. Hackney. Hearing no objection, so ordered.

HB 427 Roger Lang Dept. of H&SS. 5.2% of the total case load was ineligible for total grants. In each case we are talking on the average of about $270.00.

Hackney Where would you get the money to put this into effect?

Lang We could get a run from the Emply. Sec. Div. based on the SS# from the recipient payrolls and have someone do a physical check where there are discrepincies. To start out we should be able to do it with our exsisting staff. All this bill does is allow us the right to get the information through the Emply. Sec. Div.

Hackney Move out with a 'do pass'
Parr Hearing no objection, so orded.

HB 428

Beirne Offered amendment: Line 15 delete "amount set by the Commissioner" and insert:

0-50 beds	$50.
51-124 beds	$100.
125 or more beds	$150.

No objection to the amendment, motion carries.

Swanson Move HB 428 out with a Committee Substitute and a do pass recommendation.
Parr Hearing no objection, so ordered.

Meeting adjourned @5:30pm.

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 25, 1975

Chairman Sullivan Called the meeting to order at 3:00pm.

Members Absent:
Ose
Osterback
Hackney

Sullivan Bills on today's calendar were introduced by HESS by request of the Dept. of H&SS and are primarily "housekeeping measures".

HB 421
Held over for more information.

HB 422
Beirne Move and ask unanamous concent for a 'do pass' recommendation.
Chairman Hearing no objection, so ordered.

HB 423

Beirne Move and ask unanamous concent for a 'do pass' recommendation.
Davis Seconded
Chairman Hearing no objection, so ordered.

HB 424

Swanson I don not like the language, 'recovered alcoholic'. Proposed amendment to add 'known' recovered alcoholic. (amendment failed unanamously).

Beirne Move and ask unanamous concent for a 'do pass' recommendation.
Davis SEconded
Chairman Hearing no objection, so ordered.

HB 425

Parr In favor of bill.
Beirne Opposed to bill. In reference to working with insurance companies, proposed an amendment Line 11 Delete '60' and insert '90'
Swanson Seconded
Amendment adopted unanamously.
Parr Motion to move bill out of Committee as amended.
Davis Seconded
Chairman Hearing no objection, so ordered,

HB 426

Beirne Request it be held over for more information.
Chairman Hearing no objection, so ordered.

HB 427

Davis Request it be held over for more information.
Chairman Hearing no objection, so ordered.

HB 428

Beirne Opposition to change in Sec. 1
Chairman Bill will be held over for more information.

Meeting adjourned at 4:15.

POSITION PAPER
House Bill No. 428

An act relating to hospitals.

This bill would change payment of licensing fees and would correct the definition of a hospital.

Sec. 18.20.030 APPLICATION AND FEES. Processing costs for issuing licenses have greatly increased but the State's revenue for this activity has not. Eliminating a fixed, "one-time" application fee of $10 and establishing a flexible fee as determined by the department will provide a greater source of revenue to the state by reflecting more nearly current costs for licensing activities.

Sec. 18.20.040. ISSUANCE AND RENEWAL OF LICENSE AND POSTING. This section needs amendment also, since it deals with application fees, but was not included in this bill. Our current statute states, "A license, unless suspended or revoked, is renewable annually without charge...." Activities related to renewing licenses are now much more involved and therefore cost more. In processing a hospital license application, it is necessary for a Health Facilities Surveyor to travel to the facility, survey it, note any deficiencies, and properly document them. Detailed statements of such deficiencies are given to the hospital and consultation for correction of deficiencies is provided on request. This is a continuing process, yet no provision exists for getting a continuing source of revenue for such activities. This section should be amended to read as follows:

> "AS 18.20.040 ISSUANCES AND RENEWAL OF LICENSE AND POSTING. Upon receipt of an application for license and the licensing fee, the department shall issue a license if the applicant meets the requirements established under Secs. 60-80 of this Chapter. If the applicant does not meet the requirements established under Secs. 60-80 of this Chapter but makes continued efforts to comply with them, the department may grant him a temporary or provisional license for a reasonable period of time. A license, unless suspended or revoked, is renewable annually for a fee in the amount set by the commissioner of the department [WITHOUT CHARGE] upon filing by the licensee, and approval by the department of an annual report on the uniform date and containing the information in the form the department prescribes by regulation. The department shall deposit all fees received in the state treasury. Each license issued is for the premises and person or governmental unit named in the application and is not transferable or assignable except with the written approval of the department. Licenses shall be posted in a conspicuous place in the licensed premises.

Sec. AS 18.20.130(1). The revised definition specifically includes both a public or private establishment which provides care for 24 hours each day, rather than a minimum of 24 hours a week as stated previously.

The prior language was most likely an inadvertent typographical error, as no facility offering acute care could operate for only 24 hours per week.

With the above recommended additional change the department supports this bill.

Recommended by: Arnold V. Freedman
Division Director

4/22/75
Date

Approved by: Dr. Dunn
for Commissioner

4/25/75
Date

Comments by Governor's Office:

By: _____

_____
Date

HB

431

"An Act making a special appropriation to the Department of Health and Social Services; and providing for an effective date."

COMMITTEE REPORT

4/16/75 HOUSE FINANCE

Mr. Speaker: Date 4/29/75

The Committee on HESS has had SSHB 431 under consideration. A Majority of the members of the Committee

(X) recommends it DO PASS

( ) recommends it DO NOT PASS

(X) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: HEBS COMMITTEE

TO: _____ HOUSE BILL No. SSHB 431

SENATE BILL No. _____

PAGE: 1 LINE: 11

Delete period at the end of the sentence and add " for use by local agencies providing child abuse counseling and for the facilitation of local programs."

Alaska State Legislature

House

JUNEAU ALASKA

SSHB 432

HESS COMMITTEE MEETING

April 29, 1975

Members Present:

Beirne	Parr
Davis	Sullivan
Osterback	Swanson
Ostrosky	

Chairman Sullivan called the meeting to order at 3:00pm. The first order of business was HB 432.

SSHB 432
Marcia Hubbard. Purpose of the bill 1) assist to local groups and 2) State Child protection Statutes in conformity with the Federal regualtions.

Mrs. Peck Social Worker
Expressed concer. Worked in the area for 5 years and am aware of the great need for more funding. $100,000 is very small amount and it should be more like $200,000.

Beirne How would you see the money flowing into this district?

Peck We have some very good people in the community who are quite capable of working with others and solving many of the local problems in this area. Rural Cap, etc. could do a tremendous job working on a preventive basis with this problem. There should be an effort to train people already in this field. Money spent for training and coordination. There is nothing actually being done in this area other than referrals to the Dept. Juneau and outlining areas are experiencing many problems in the child abuse area.

Davis How would this money be disbursed throughout the State?

Sullivan Hopefully to be used and matched by Federal funds, the money would be disbursed around the State.

Davis Who would administer this program?

Sullivan The Dept. of H&SS and the Office of Child Advocacy would pass on the grants.

Beirne $100,000 could be used just as well as a million dollars of bureaucratic spending, if it is disbursed correctly.

Sullivan It would go into a fund only for the purpose we've mentioned and it would be allocated by the Office of Child Advocacy to the different areas throughout the State.

Parr Offered an amendment to Line 11 (HB 431) specify granting to community agencies.

Beirne (HB 431) Line 11, add 'and facilities and programs' at the end of the sentence.

Mr. Peters No major objection to raising the age or expanding the type of injuries inflicted. Perhaps on Pg 1 line 25, should clear that it not be requried unless they're going into court.

Sullivan I will request that HB 432 go to Judiciary as it has no further referrals at this time.

Swanson Line 27 amend it to read 'not less than $100 and not more than $5,000.
Swanson Offered amendment
Pg. 2 Line 14 strike word 'professional'.
Beirne Second
Chairman Hearing no objection, so ordered.

Parr Offered amendment in Line 11. delete (,) and continue sentence (see file)
Beirne seconded.
Chairman Hearing no objection, so ordered.

Beirne Move SSHB 432 out as amended with a 'do pass'-
Davis Objection, move out with individual recommendation.
Parr Seconded
Chairman So ordered, bill passes the Committee.

HB 431 am
Beirne Move out with individual recommendation.
Parr Seconded
Chairman Hearing no objection, so ordered.

HB 363

Beirne The purpose of the bill is that it would provide medical insurance for retired teachers until they're eligible for medicade.

Bob Gates Would act past 65 as supplement to medicade until death.

Beirne Motion to move bill out with individual recommendation.
Ostrosky Seconded
Chairman No objection, so ordered.

HB 143

Stu Hall Explained purpose of amendments that he proposed.

Beirne Move ammendment #1
No Ojbection, so ordered.

Ostrosky MOve amendment #2
no objection, so ordered

Beirne Move amendment #3
no objection, so ordered.

Ostrosky Move amendment #4
no objection, sc ordered.

Beirne Move amendment #5
no objection, so ordered.

Beirne Move adoption of all amendments into a Committee Substitute.
Ostrosky Seconded
Chairman Hearing n o objection, so ordered.

HB 144
Parr Purpose of the CS is to incorporate SB 239

Ekvall Policy council should have power to 1) suggest directors and confirm, 2) review and approve budget 3) and other powers as delineated in AFN position paper.

Beirne Perhaps we can move this out and after meetings next week, propose changes can get brought up before House Fin ance or Senate Committee.
Move out as CS to be amended and drawn up by Stu Hall

Chairman Hearing no objection, so ordered.

HB

433

"An Act relating to tuition grants; and providing for an effective date."

COMMITTEE REPORT

4/16/75 HOUSE FINANCE

Mr. Speaker: Date 4/21/75

The Committee on WESS has had HB #33 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

HB 433

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 21, 1975

Members Present:

Chairman Sullivan called the meeting to order at 3:00 pm.

HB 433

Dr. Scholz, Sheldon Jackson College
Spoke in favor of the bill.

Beirne I move and ask unanamous concent that we pass this bill out of committee with a 'do pass' recommendation.

Ostrosky SEconded

Chairman Hearing no objection, so ordered.

HB 404
REpresentative Urion gave briefing of the bill.

Swanson Move for the adoption of an amendment, 'Delete Sec. 1'
Ostrosky Second the motion

Chairman Hearing no objection, motion carries.
Swanson Move and ask unanamous concent to move HB 404 out of Committee as amended.
Ostrosky Second

Chairman Hearing no objection, so ordered.
(a Committee Substitute was drawn up with the approved amendment)

HB 168 Urion spoke in favor of the bill as opposed to HB 272.

Cosgrove Office of the Aging
Spoke in favor of the concept.

Dozier Dept. of C&RA
Spoke to the difference of the two bills.

The Bill was held over until a later date.

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST
Bill No. CSHB 433 (Revised Fiscal Note:)
Title: Relating to tuition grants
Requested by: House Finance Committee Date: 5/16/75
Return Date Requested: ASAP
Agency: Education Program: Student Financial Aid

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Tuition Grants
A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.		625,000	911,250	997,500	1,083,750	1,170,000
	TOTAL		625,000	911,250	997,500	1,083,750	1,170,000

B. FUNDING: (Thousands of dollars)

	GENERAL FUND		625,000	911,250	997,500	1,083,750	1,170,000
	FEDERAL FUNDS						
	OTHER						

C. POSITIONS:

	PERMANENT/TEMPORARY	/	/	/	/	/	/
	P.M. POSITIONS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section I.)

Sec. 2 AS 14.40.770(a) FY 76
a) Assume 700 full-time students to $1,850 for ASH 1,295,000
b) Assume 500 full-time students, $1,600 for scholarships 750,000
b) Governor's Budget $650,000
c) Fiscal Impact 1,775,000 - 650,000 = $625,000
d) Assume 50 student increase in each succeeding fiscal year (25 students to ASH and 25 students at scholarships)
FY 77 $911,250; FY 78 $997,500; FY 79 1,083,750; FY 80 $1,170,000

IV. ATTACHMENTS

V. DATE: 5/19/75 PREPARED BY: Pat Cole

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. CSHB 433

Title: Relating to tuition grants

Requested by: House Finance Committee Date: 5/16/75

Return Date Requested: 5/16/75

Agency: Education Program: Student Financial Aid

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Tuition Grants

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.		381,600	445,938	510,625	575,313	640,000
	TOTAL		381,600	445,938	510,625	575,313	640,000

B. FUNDING: (Thousands of dollars)

GENERAL FUND		381,600	445,938	510,625	575,313	640,000
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Sec. 2 AS 14.40.776(a)

FY 76

a)1. Assume 700 full-time students $1,850 for AMU
75% award = 971,600

2. Assume 300 full-time students $1,600 for Sheldon Jackson 75% award = 360,000

b) Governor's budget $950,000

c) Fiscal impact 2-b=c or 1,331,600 -950,000 = 381,600

d) Assume 50 student increase in each succeeding fiscal year (25 students at AMU and 25 students at Sheldon Jackson)

FY 77 $445,938 FY 78 $510,625; FY 79 $575,313; FY 80 $640,000

IV. ATTACHMENTS

V. DATE: 5/19/75 PREPARED BY: [signature]

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

The Legislature of the State of Alaska
FISCAL NOTE
First Session - Ninth Legislature

3.01

I. REQUEST

Bill No. HB 433

Title: Relating to Tuition Grants

Requested by: House HESS Committee Date: 4/18/75

Return Date Requested: ASAP

Agency: Education Program: Student Financial Aids

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Tuition Grants

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.	-0-					
	TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND		-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

No fiscal impact.
Governor's Budget FY 76 950.0 adequate to cover increase in grant amount.

The closure of AMU will offset increases at Sheldon Jackson and students transferring to University of Alaska and applying for scholarship loans.

IV. ATTACHMENTS

V. DATE: 4/21/75 PREPARED BY: [signature]

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

file HB 433, tuition grant

CONTINUATION OF THE TUITION GRANT LEGISLATION (WITH SOME REVISIONS)

Sheldon Jackson College strongly recommends the continuation of the Tuition Grant Program. This program, along with the Federal BEOG (Basic Educational Opportunity Grant) provides an essential financial basis of higher education for students. The Tuition Grant Program has afforded considerable indirect support to private higher education in Alaska. It provides an option, or freedom for students to choose a college on the basis of what will best meet their needs, rather than a financial decision of which is the lower priced school. This choice is especially important for native students. Although the University of Alaska has made great strides in recent years to attract and respond to the needs of native students, the size of the University of Alaska in Fairbanks and Anchorage can place them at a disadvantage in the learning process. It is imperative to students that the choice be available, and it is a matter of utmost importance to the College that the students continue to have the financial support they need to attend college.

Cost of Education: Although tuitional charges and the tuition grant covered by the State does not cover the total cost of providing an education, along with the other amounts provided by the student, it does provide a definite basic income needed by the College, and makes it easier for the College to attract gifts and grants from other sources. Recent calculations indicated that the per student cost at Sheldon Jackson College was $3600. Thus the $1400 tuition grant only pays about 40% of the cost of educating a student. Other sources of gift income, private support, and grants are necessary.

Because of inflation and other pressures, the present legislation as it now stands is too restrictive, and we would propose the following recommendations: 1) the ceiling of $1400 should be lifted or eliminated; 2) the amount of support from private sources should be 10% even though in most cases it will be higher; 3) student eligibility should be expanded to include other than degree seeking students; 4) eligibility should be at three (3) credits, rather than six (6); and 5), insure that funds be retained in the Tuition Grant Program during the fiscal year sufficient to cover students attending summer school. A brief discussion and rationale behind these recommendations might be helpful, followed by specific recommendations regarding the wording of the legislation.

1) The ceiling of the $1400 should be lifted or eliminated. Although the easiest solution would be to have no ceiling on the amount of tuition grant, the State is concerned about an unlimited ceiling which would enable a private institution to raise tuition to an unreasonable level. This year, in light of the rising costs, Sheldon Jackson College's Board of Trustees had to raise tuition $200 for next year, with the projection it may have to be adjusted further this fall. The tuition will still be low by comparison with South 48 colleges, especially when one takes into account the 25% higher cost of living index in Alaska. If the ceiling is merely lifted to a higher

level, the legislature will return year after year to make an adjustment if the cost of living continues to rise. Legislation could be written in such a way as to allow the administrator of the program to negotiate with a committee, determined by the legislators, and the colleges involved, or a procedure based on a percentage increase related to the cost of living could be used to arrive at the level of the tuition grant.

2) The amount of support for the colleges from private sources should be 10%, even though in most cases it will be higher. The legislative intent is to insure that the private institutions make every effort to continue to obtain gifts other than public funds. The College does not foresee that it would not be raising more than this amount, but placing it at 10% insures a level that is realistic for the foreseeable future and does assure the College we will work toward this end.

3) Student eligibility should be expanded to include other than fully active degree seeking students. Our concern is that Alaskan residents be given the same opportunity to take classes for their own purposes at Sheldon Jackson College as they would at any University of Alaska institution. The original legislation was written so the State would not be subsidizing interest courses. We agree that the State should not necessarily be in a position to pay for "flower making" classes or similar types of courses; however, a course in "History of the Revolution" might be taken by an adult for interest, and to stimulate further educational interest and growth. In particular, there are those who may be taking courses for other than degree purposes, courses related to the improvement in job skills or personal growth.

4) Eligibility for grants should begin at three (3) credits rather than six (6). The work involved in processing a 3-credit grant is almost as much as a full time student; nevertheless there are adults in the community, including teachers, who advance themselves through education by taking one course at a time. These students should not be denied an education opportunity because of a requirement involving six or more hours.

5) Tuition grant funds should be available for summer school. The present legislation states that, "On March 1 of each fiscal year, if there is a balance of appropriated but unexpended funds in the tuition grant fund created under (b) of this section, that sum shall be automatically transferred to the scholarship revolving loan fund . . .". This provision does not allow for summer school students, and limits educational opportunities for students. Summer school is a most helpful program for students. College in Sitka is a delightful place in the summer, where one can combine an education and a vacation. Attached are copies of this year's summer program and an announcement on the Sitka Summer Music Festival.

The following specific suggestions in the wording of the legislation are merely proposals, and could be altered, keeping the above proposes in mind:

Sec. 14.40.776 to read TUITION GRANTS. (a) The executive secretary of the selection committee shall award a tuition grant to a student in an amount up to the difference between the cost* of attending a comparable Alaska State public institution and the cost* of attending the private institution, provided 1) the resulting tuition grant does not increase beyond $1600 by more than the rise in cost of living index unless specifically worked out with the administrative officer of the grant program and representatives of the legislature with sufficient supporting evidence to justify any increase beyond the rise in the cost of living, and 2) the tuition grant will be applicable pro rata on a per credit basis for those students taking 3 credits or more. The amount is to be applied by the student towards his tuition and fees at the private university or college in which he is enrolled.

Sec. 14.40.776 (b) We would recommend omitting this altogether inasmuch as a fiscal report will be given the State each year and any undue cost of educating a student would be immediately apparent.

Sec. 14.40.791 to read ELIGIBILITY OF STUDENTS. A student may apply for a grant under Sec. 776 of this chapter if he is a resident of Alaska, and apply the grant to tuition for academic courses.

Sec. 14.40.796 First part to read the same, inserting "officially" in the sentence that reads "The executive secretary of the selection committee may award grants only after the institution of higher education has certified that the student has officially enrolled." Omit rest of that sentence which reads "in a full-time or part-time course of study, in an associate, baccalareat, or graduate degree program". Also omit the sentence "the difference between 1) the cost of operation for the state institution per semester credit hour, and 2) the fee paid by the student at the state institution per semester credit hour, but not to exceed an appropriate portion of $1400".

Sec. 14.40.801 Omit (d) altogether

Sec. 14.40.806 Omit (1), (2), and (3) and change (4) to read (1), and (5) to read (2).

Sec 14.40.751 Change March 1 to April 1, and leave to discretion of the administrator the amount to reserve for summer school.

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*Cost refers to regular tuition and fees only.

HB
435

"An Act making a special appropriation to the Greater Anchorage Area Borough; and providing for an effective date."

COMMITTEE REPORT

4/16/75 HOUSE FINANCE

Mr. Speaker: Date 4/25/75

The Committee on [illegible] has had HB 435 under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

[illegible] [illegible] _____

_____ [illegible] _____

[illegible] [illegible] _____

[illegible] [illegible] _____

Members NOT concurring in the Majority report:

[illegible] recommends: [illegible]

[illegible] recommends: DO NOT PASS

[illegible] recommends: [illegible]

[illegible] recommends: [illegible]

[illegible] recommends: [illegible]

[illegible] Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HB 435

HESS COMMITTEE MEETING

April 24, 1975

Members Present:

All Present

Chairman Sullivan called the meeting to order at 3:00-. The first order of business was HB 435 by McKinnon.

HB 435 McKinnon gave briefing of the bill.
The actual fiscal note is $49,200, this will actually cost considerably less in consideration of the revenue for the State of Alaska.

Hackney I am not in favor of just sending this directly on to Finance Committee.

McKinnon Since HB 111 will most likely be held up in Finance Committee because of a inaccurate fiscal note, that is the purposed of this bill. $420,000 a year in Anchorage spent on animal control, this will be reduced in future years.

Hackney Still opposed to the concept, The State cant' afford this at the present time.

Ose Seems like it would be cheaper for the Anchorage Borough to carry this program on itself.

Ostrosky In support of the bill. In contact with the Anchorage Animal Shelter and it is true that the problem is getting out of hand.

Davis Motion to Table the bill.
Hackney Seconded
Motion failed 4 to 4.

Ostrosky Motion to move out with 'individual recommendation'.
Parr Seconded
Chairman Motion passes the Committee.

CSHB 229
Overstreet The present system is subject to inequitable funding. A careful study needs to be undertaken. Our primary thrust in the past three years has been exactly what this bill would take care of.

Swanson Who will be doing the hiring for this study, someone from the outside?

OVerstreet I will not be doing the hiring, You should direct your question to Commissioner Lind.

Lind Outside assistance would only happen if we could not do it ourselves. It is not our intent to get outside help for the build of thework. This is a necessary report. BIA funds will be for 18 months of personal services = $62,000 (confirmed figure). Spencer Foundation for $20,000 requested (unlikely), and Ford Foundation a requested $25,000 (verbal approval). $15 000 from other State sources, $5,000 from the Dept. of Educ. and $10,000 from the Legislative Interim Comm. Grant approved 10-25-74.

Dean Coons Dept. of H&SS
Will be studying means of adding BIA schools into regional attendance areas.

Hackney How much is your dept. spending on studies of the various kinds?

Lind I can't answer that, I would have to take a closer look. Smaller studies with teachers of reading etc.

Parr I don't have a problem with this need of the study itself. One change, no way of acessing quality. What is intended by quality as far as that is concerned?

Lind My perseption is that our frustration with deteriming quality in education, in order for a workabel situation is means that it is a degree to which the instruction is individualized.

Swanson- Where will your attentions be focused?

Lind Enable us to study busing, construction, hardship areas etc.

Davis Would like to see the fiscal note.

Swanson We've got enuff studies in this state.

Belrne See this as being an extremely invaluable study for the State in future education of our young people.

Hackney We never actually adopted the CS. Would like to move for the adoption of the Committee Substitute for HB 229.

Parr Seconded
Chairman Hearing no objection, so ordered.

Hackney Would like to move of the adoption of an amendment in Line 11 changing $143,000 to 43,000.
Parr Objection.
Chairman (Took Vote) Motion failed

Parr Motion to move this bill out of Committee with a 'do pass'
Ostrosky Seconded
Chairman (Took Vote) Yea 5 Nay 4
CSHB 229 passes the Committee.

SSHB 256 Rep. Wallis gave briefing of the bill.

Beirne Why do you want them not to have to take the exam?

Wallis This will only be until the exam comes up, then they will have to take the exam. So he can practise up until that time, he is able to take the exam which is only oferred once a year.

Davis In Nome, there are not enough Dentists in the area, they have to cover 22 villages

Hackney Would that mean that a Peace Corp Dentist could work for a non-profit organization for one years time, would he be able to do this?

Wallace Yes, as long as he had a license from some other State.

Pratt Representing the State Board of Dentistry.
Dr. Riddell Local Dentist and also on Board.
Spoke against the bill. Board's function to maintain quality in the State. Under the present law it is possible for a temporary permit to be issued anywhere in the bush area. Under this bill the Board would not be able to do anything about an unqualified dentist practising for a year. It does not address the problem of dentistry in the bush at all. 386 licensed dentists since statehood. 250 are practising now. Concerned with the loss of control of practising dentists.

Dr. Horschover Local Dentist
Representing the Dental Association. Has no legal authority as does the Board. As I see it there is no problem under the present law. Against the bill.

Beirne By putting shall in you are taking away the Boards power of criteria.

Wallis Perhaps it can be amended in Judiciary, language that 'if a corporation had more than 3 or 5 temporary permittees that there would have to be a licensed dentist working with them.'

Parr MOve for the adoption of an amendment, chaning shall to may.
Ostrosky Seconded
Chairman Hearing no objection, so ordered.

Parr Move for the adoption of SSHB 256 as amended
No Objection, so ordered.

Meeting adjourned until 8:00 pm to take up HB 387.

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

HB435

I. REQUEST
Bill No. ——— Spay Clinic - Anchorage (Estimate)
Title:
Requested by: Rep Joe McKinnon Date: 4-16-75
Return Date Requested: ASAP
Agency: Natural Resources Program: Agric

II. FISCAL DETAIL
Budget Request Unit(s) Affected:
A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES	34.2					
200	TRAVEL						
300	CONTRACTUAL	5.0					
400	COMMODITIES	3.0					
500	EQUIPMENT	7.0					
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL	49.2					

B. FUNDING: (Thousands of dollars)

	GENERAL FUND	49.2					
	FEDERAL FUNDS						
	OTHER						

C. POSITIONS:

	PERMANENT/TEMPORARY	2/1	1	1	1	1	1
	MAN MONTHS (P./T.)	24/1					

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
100 - Based on hiring one full time veterinarian (base salary at State Grade 21, Step A - present starting salary in Anchorage, approximately 2.0 per month) 24.0. Assistant at Grade 07, Step A - approximately .85 per month (10.2)
200 - No travel funds figured in although some local mileage may become involved.
300 - Rent and utilities would be augmentation. Some occasional contractual help plus contingencies.
400+500 - Initial year would be most expensive for instruments - (after 1st year basic instrument purchases would not have to be repeated)

IV. ~~ATTACHMENTS~~
Remarks: If municipal government or local sponsors were to participate, a percentage reduction of state funds could be correspondingly figured

V. DATE: 4-16-75 PREPARED BY: F. S. Wennerger, DVM
State Veterinarian & Acting Director - Alaska Division of Agriculture

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

HB

436

LAW OFFICES OF
FAULKNER, BANFIELD, DOOGAN & HOLMES
SUITE 201, 311 FRANKLIN STREET
JUNEAU, ALASKA 99801

TEL. 586-2210
AREA CODE 907

HERBERT L. FAULKNER (1882-1972)
NORMAN C. BANFIELD
FRANK M. DOOGAN
MICHAEL M. HOLMES
RANDALL J. WEDDLE
WILLIAM B. ROZELL

JAN VAN DORT
LAWRENCE T. FEENEY
CHARLES N. DRENNAN

April 22, 1975

The Hon. Susan Sullivan
Chairman, Health, Education and
Social Services Committee
Pouch V
Juneau, Alaska 99811

Re: HB 436 - Medical Malpractice

Dear Representative Sullivan:

As a representative of the American Mutual Insurance Alliance, I am interested in all legislation dealing with the medical malpractice insurance issue. Please let me know when your committee will be holding hearings or work sessions on HB 436.

Very truly yours,

FAULKNER, BANFIELD, DOOGAN & HOLMES

By
Jan Van Dort

JVD/aw

ALASKA STATE
MEDICAL ASSOCIATION
1135 W. Eighth Avenue • Anchorage, Alaska 99501 • (907) 277-6891

May 8, 1975

Representative Mike Bradner
Speaker of the House
Alaska State Legislature
Juneau, Alaska 99801

Re: Medical Malpractice Awards
HB 98

Dear Speaker Bradner:

Earlier in the session we asked for passage of HB 98, an Act limiting awards in medical malpractice suits to $100,000. We understood then that there was little support for it aside from Mr. Fink.

We then offered with the help of Representative Hackney, a more elaborate remedy to the medical malpractice insurance crisis in HB 436, "an Act creating a Medical Injuries Compensation Board". HB 436 is a complex bill which needs much more study and reworking than there is probably time for in the remaining days of this session.

The crisis still persists, particularly in places such as Juneau and Kenai-Soldotna where medical practice is being severely distorted by the high cost or unavailability of insurance. We estimate that there are still about 50 physicians in Alaska practicing without insurance.

We ask that you consider passing HB 98 as an interim measure to avoid crisis such as presently occurring in California where large numbers of physicians are not working. Idaho and Indiana have passed measures this year limiting, among other things, liability of a doctor to $100,000. Next year a more totally socially constructive measure such as HB 436 can be passed.

HB 98 is a simple bill, costs the state nothing, does not tamper with contingency fees, and, in our opinion, would cause insurers to re-enter the market since there would be a ceiling on awards. This is a matter which concerns insurance companies enormously in the present day atmosphere of million dollar suits.

Thank you for your consideration.

Sincerely yours,

Rodman Wilson

Rodman Wilson, M. D.
President

RW:mlm
cc. Representatives Ted Smith
Keith Specking
Terry Gardiner
Willard Bowman
Glenn Hackney
Charlie Parr
Susan Sullivan
Mike Beirne
Helen Beirne

ALASKA STATE
MEDICAL ASSOCIATION
1135 W. Eighth Avenue • Anchorage, Alaska 99501 • (907) 277-6891

May 7, 1975

Representative Susan Sullivan
House of Representatives
State of Alaska
Juneau, AK 99801

Dear Representative Sullivan:

Thank you for being willing to hold hearings on HB 436 - "an Act creating a Medical Injuries Compensation Board". Such as it is late in the Legislative year and since other states are passing bills on medical malpractice which we might profitably copy and since we feel that HB 436 needs time for more study and revision, we have decided to ask that action on the bill be deferred until the second half of the United States Legislature in 1976. On the other hand, there continues to be a pressing problem concerning the high cost or unavailability of malpractice insurance. There is still 50 - 60 private practitioners in the state who are not covered by any insurance.

We again suggest to you that the Legislature pass HB 98, an Act relating to causes of action for medical malpractice as an inner measure. The principal feature of the bill is to limit awards in malpractice cases to $100,000. This would immediately ease the situation in Alaska. Insurance companies, we feel, would be eager to return to the market with such a ceiling on awards. Perhaps in this way a crisis in Alaska such as currently occuring in California and many other states could be avoided.

After longer discussion and study of the problem here and nationally, we could turn our attention next year to HB 436 which in the long run might be of more totally equitable remedy.

The principle reason that we have not pushed hard on HB 98 is that we were given to understand that in March there is little support for it but perhaps in the waning days of the Legislature this could be passed.

Sincerely,

Rodman Wilson

Rodman Wilson, M.D.
President

RW:ldh

cc carolyn Brown, M.D.

ALASKA STATE
MEDICAL ASSOCIATION
1135 W. Eighth Avenue • Anchorage, Alaska 99501 • (907) 277-6891

April 25, 1975

Representative Susan Sullivan
Chairman of the HESS Committee
House of Representatives
State of Alaska
Juneau, AK 99801

Dear Susan:

We have reviewed HB 436 which Representative Hackney has introduced. The Legislative Committee very much supports the concept of this bill and would like to assist you in any way possible to further serious discussion of this bill.

The two main areas where we feel the bill probably needs some further working are as follows:

1. Some type of grievance procedure ought to be available to the patient and physician before the claims come to the Medical Injuries Compensation Board. Possibly some language could be written into the bill which would provide that the claim must have been handled by a grievance committee of the local medical society or the state medical association prior to its presentation to the Medical Injuries Compensation Board.

2. Because claims of injury and/or death often deal with medical data and information, we feel that perhaps the Board should consist of two licensed physicians rather than one.

We certainly support the concept of this bill and are pleased to work with you in any way possible to move it along. Please let us know where we can help.

Sincerely,

carolyn

carolyn Brown, M.D.
Chairperson, Legislative Committee

cB:ldh

HB
437

"An Act making a special appropriation to the Department of Education; and providing for an effective date."

COMMITTEE REPORT

4/15/75 HOUSE FINANCE

Mr. Speaker: Date 4/22/75

The Committee on PESS has had SSHB 437 under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Irene Sutliff

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Irene Sutliff Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 22, 1975

Members Present:

Beirne	Ostrosky
Davis	Sullivan
Ose	Swanson
Osterback	

Chairman Sullivan called the meeting to order at 3:00pm. The First order of business was HB 437.

HB 437
Linda James, Alcoholism Central Agency

Marie Drake hired a teacher for mandatory 7 week class on alcoholism. Requested to do the same thing in other schools, plus requested to put on similar program in drug education. This was a successful program as measured by a number of young people who came to them. The program is 6 months old. $10,000 is felt to be adequate to maintain and increase magnitude of the program.

Sullivan Move for an amendment to change 10,000 to 15,000 as a sponsor substitute.
Ostrosky Se-onded
Swanson Objection
Chairman SSHB 437 passed the Committee.
Yea 3 Nay 3

HB 387 Ose gave briefing

Mrs. Forcheck (?) Acting Dir. of Family and Children Services

John Steinman Architect for State.
$63 sq. foot - estimated costs. $80 sq. foot - bids. Suggested that they go back to Alcantra's original design. A complete report by the structural engineer is forthcoming.

Ose 29 boys currently in Alcantra, Ages 11-16 years old. 30 is the realistic maximum. For the past 6 years the same minor structural stress has remained due to quakes.

Beirne I would like to hear the Commissioner on this and request reports from him, a structural report, and the Child Welfare League Report.

The Bill was held over until more information could be introduced with much disatisfaction expressed from Mr, Ose and Swanson.

M E M O R A N D U M

TO: Susan Andrews
EDP Coordinator
Division of Legislative Finance
Room 409
Capitol Building

FROM: Chief Clerk
House of Representatives

Secretary of the Senate

SUBJ: Legislation
Identification_____

The following information is transmitted for the bill or resolution named above:

1. KEYWORDS - Keywords are important words from the title or from the body of the legislation under which the measure will be listed in the alphabetic index.

Approp - ~~HB 5~~ Dept of Ed.
Education - alcohol & drug

2. STATUTE REFERENCES - List sections of the statutes added, amended, repealed, or repealed and reenacted.

3. DEPARTMENTS - List departments or agencies referred to or principally affected by the legislation.

Dept of Ed

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. SSHB 437

Title: An Act making a special appropriation to the Dept. of Ed.

Requested by: House HESS Committee Date: 5/15/75

Return Date Requested: 5/16/75

Agency: Education Program: Educational Program Support

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Learner Assistance

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL		1,000				
300	CONTRACTUAL		12,500				
400	COMMODITIES		1,000				
500	EQUIPMENT		500				
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		15,000	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND		15,000	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

200 Travel
Learner Assistance Section Specialists to assist in conducting workshops 1.0

300 Contractual Services
Professional Services: short-term contracts with experts to conduct workshops 12.5

400 Commodities
Paper & printing 1.0

500 Equipment .5

IV. ATTACHMENTS

See S.B. #51

V. DATE: 5/16/75 PREPARED BY: [signature]

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

The Legislature of the State of Alaska
FISCAL NOTE
First Session - Ninth Legislature

I. REQUEST

Bill No. *H.B. #437*

Title: *Special Appropriation to the Dept. of Education*

Requested by: *House HESS Committee* Date: *4-18-75*

Return Date Requested: *ASAP*

Agency: *Education* Program: *Educational Program Support*

II. FISCAL DETAIL

Budget Request Unit(s) Affected: *Learner Assistance*

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL		*1,000*				
300	CONTRACTUAL		*7,500*				
400	COMMODITIES		*1,000*				
500	EQUIPMENT		*500*				
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		*10,000*	*-0-*	*-0-*	*-0-*	*-0-*

B. FUNDING: (Thousands of dollars)

GENERAL FUND		*10,000*	*-0-*	*-0-*	*-0-*	*-0-*
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

200 Travel

Learner Assistance Section Specialists to assist in conducting workshops 1.0

300 Contractual Services

Professional Services: short-term contracts with experts to conduct workshops 7.5

400 Commodities

Paper & printing 1.0

IV. ATTACHMENTS

500 Equipment .5

See S.B. #51

V. DATE: *4/20/75* PREPARED BY: *William D. Templeman*

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Alcoholism Central Agency

240 MAIN STREET JUNEAU, ALASKA 99801

LINDA L. JAMES
Executive Director
(907) 586-6163
(907) 586-6164

YOUTH ALCOHOL/DRUG EDUCATION PROGRAM

HB 437

Educational presentations are currently being given in an effort to meet the needs of the Juneau Publi' Schools. Classes are held daily and the Agency is putting forth a major effort to make presentations to all levels of educational institutions, utilizing an alcoholism counselor, films, tapes and literature, the classes focus on disseminating basic information concerning alcohol as a drug. Misconceptions and social attitudes surrounding alcohol are also dealt with in these presentations. The Agency is making daily classes and seminars to each grade in a given school, eventually intending to reach every grade and school in the City and Borough of Juneau.

The current weakness of the present program primarily involves staffing and funding. It is a near-impossible task for one alcoholism counselor to give the 4,500 student population of Juneau the deserving attention to this growing problem of alcoholism and drug abuse. The current budgets of the Education Department of the City and Borough of Juneau do not provide for the funding of a Youth Alcoholism/Drug Education Program. The present program is conducted by the Alcoholism Central Agency in an unselfish interest in the youth of the Juneau community.

With the appropriation of $15,000.00 to the Education Department of the City and Borough of Juneau for the express purpose of establishing a Youth Alcohol/Drug Education Program through the Alcoholism Central Agency, an Alcoholism Education Program Coordinator, and two (2) Alcoholism Education Specialists could be established to devote full-time instruction and counselling service to the school population, with the goals of (1) providing alcohol and alcoholism information and education, and (2) the reduction of alcohol abuse

among the youth of the Juneau area.

A recent statistical study made of clients attending out-patient treatment at the Alcoholism Central Agency in the age bracket of 15 to 25 years of age shows:

October 1974 .....58 (approximately 37% over 20 years)

November 1974 .....60 " " " " " "

December 1974 .....63 " " " " " "

After the present Youth Alcohol/Drug Program was put into the Juneau Public Schools, the study shows:

January 1975 .....104 (approximately 15% over age 20)

February 1975 .....120 " " " " " "

This is a definite indication that the presentations are reaching the students and that they are becoming aware of a problem or possible problem and are seeking help from the Alcoholism Central Agency. It is not unrealistic to estimate that these figures would double, if not triple, with the proposed funding program.

YOUTH ALCOHOL/DRUG EDUCATIONAL PROGRAM

CURRENT STAFFING AND WORK LOAD:

One (1) Alcohol/Drug Counselor - Range 10-A

Number of hours applied to program per week 28

PROPOSED STAFFING AND WORK LOAD:

One (1) Alcohol/Drug Education Coordinator Range 13-A

Two (2) Alcohol/Drug Education Specialist Range 10-A

Number of hours applied to program per week 110

PROPOSED YOUTH ALCOHOL PROGRAM (Y.A.P.)

OBJECTIVES:
1. Development of proper attitudes towards the use of alcoholic beverages.
2. Creation of an awareness of the disease of alcoholism and other alcohol problems.

PLAN: A minimum of one individual counseling interview.

Four one and a half hour group sessions.

One follow-up interview involving parents where possible.

METHOD: Direct teaching with emphasis on participation in group discussion. Paper and pencil tests and films will also be used as teaching tools.

CURRICULUM

FIRST CLASS

I. (a) Evaluation of different beverages

(b) Alcoholic beverages - differen kinds

(c) What happens when we drink alcohol

(d) Who drinks alcoholic beverages

- Does Everybody Drink? -

(e) Why people use alcoholic beverages

SECOND CLASS

I. (a) Alcoholism - the illness

(b) Sources and causes of alcoholism

(c) Who becomes alcoholic, how many

(d) Progressive nature of illness

(e) Symptoms of alcoholism - early and late stages

II. Recovery from Alcoholism

(a) Presentation from young member of A.A.

THIRD CLASS.

Other Alcohol Problems

I (a) Drinking and the Law

(b) Drinking and Driving

(c) Drinking, Work and Finances

II (a) Film Presentation "What Time is it Now?"

(b) Discussion on film topic

FOURTH CLASS.

Alternatives to Alcohol

I (a) Peer Pressure

(b) Alcohol and Sports

(c) How to Die - Though Drunk

II Motivation

(a) For Self, and Others

(b) Where are You Going?

(c) Group Discussion

SUMMARY

ALCOHOLISM CENTRAL AGENCY

240 MAIN ST.

JUNEAU, ALASKA 99801

2 DECEMBER 1974

THE ALCOHOLISM CENTRAL AGENCY WILL CONDUCT A WORKSHOP ON DRUGS AT THE MARKE DRAKE JUNIOR HIGH SCHOOL FROM 3 DEC 1974 TO 17 JAN 1975.

12/3/74 TO 12/6/74	-	MARIJUANA AND HASHISH GLUE SNIFFING
12/9/74 TO 12/13/74	-	BARBITUATES AND DEPRESSANTS
12/16/74 TO 12/20/74	-	AMPHENTAMINES AND ALL STIMULANTS
1/6/75 TO 1/10/75	-	NARCOTICS - HEROINE AND MORPHINE
1/13/75 TO 1/17/75	-	HALLUCINOGENS - LSD AND MESCALIN

GUEST SPEAKERS WILL INCLUDE REPRESENTATION FROM THE LAW ENFORCEMENT AGENCIES AND FROM THE OFFICE OF DRUG ABUSE.

Alcoholism Central Agency

240 MAIN STREET JUNEAU, ALASKA 99801

LINDA L. JAMES
Executive Director
(907) 586-6163
(907) 586-6164

17 MARCH 1975

THE ALCOHOLISM CENTRAL AGENCY WILL CONDUCT A WORKSHOP ON DRUGS AT THE FLOYD DRYDEN JUNIOR HIGH SCHOOL.

3/18/75 TO 3/19/75	DISCUSSION: MARIJUANA, HASHISH & GLUE SNIFFING
	FILMS: MARIJUANA - THE GREAT ESCAPE
	MARIJUANA
3/20/75 & 3/24/75	DISCUSSION: BARBITUATES AND DEPRESSANTS
	FILMS: HOOKS
	DRUGS USE AND ABUSE
3/25/75 & 3/26/75	DISCUSSION: AMPHENTAMINES AND STIMULANTS
	FILMS: SPEEDSCENE
	GUEST SPEAKER: JUANITA JOHNSON, RN
4/1/75	DISCUSSION: NARCOTICS
	GUEST SPEAKERS: BOB BURTON
4/2/75	DISCUSSION: HALLUCINOGENS
	GUEST SPEAKER: OFFICER OF THE LAW

April 11, 1975

FROM: Alaska Association of Alcoholism Professionals
Pouch 6540
Anchorage, Alaska 99502

RE: Office of Alcoholism Budget 1975-76

Dear Legislator,

The attached copies of: a letter to Governor Hammond, the current fiscal request for the Office of Alcoholism, a copy of The NCA - Alaska Region News, and a recommended budget are for your information. . . and we hope action.

The State Office of Alcoholism has just advised all programs in Alaska that they must submit budget requests for the exact same dollar amount as last year. If this budget situation is effective, many programs may have to close down completely. Others will have to cut services 30 to 40%.

We recognize the tremendous fiscal pressure you bear this year when each special interest group pleads for funds to meet soaring inflation costs. We do ask, however, that you consider some facts and then determine if alcoholism treatment in the state is receiving proper priority.

1. Alcoholism is Alaska's number one health, mental health, corrections and welfare problem.

2. Alaska has the dubious distinction of competing with the District of Columbia for the number one alcoholism problem area in the United States.

3. State general revenue funds requested by the Administration for 1975-76 are only 65% of the general revenue funds which were allocated in 1971 ('71 - $600,000 - '75 - $399,000). We (the state) have a smaller commitment to alcoholism today than we did four years ago.

4. The priorities of the current Department of Health and Social Services budget which includes huge increases for Mental Health, Public Health, Corrections and Welfare and actually cut back on direct service programs for alcoholism seem (to say the least) to be unrealistic.

5. Office of Alcoholism programs are contracted to private not-for-profit local agencies which provide services at a lower cost than state operated programs.

These local not-for-profit agencies, however, are not part of the self perpetuating bureaucracy which is involved in the process of Administration budget development.

6. Alcohol causes this disease, and liquor tax revenue to the state was in excess of $6,000,000 last year. Our budget request asks for 25% of this income to treat and prevent the problem.

We urge you to:

1. Examine the current and recommended fiscal notes.

2. Examine the NCA News article page four which details an existing formulae for distribution to low-cost effective local programs in your district.

3. Check with your local constituants in alcoholism and get their input.

4. Look at the state budget and see where funds might be directed or transferred from less pressing and cost-effective areas to the vitally important program area of alcoholism.

5. Urge your collegues in the HESS, Finance and Free Conference committees to support the proposed AAAP recommended budget.

Thank you for your attention to our request.

Howard Scaman, Chairman
Alaska Association of Alcoholism Professionals

HS/mt

CURRENT REQUEST:

	ALLOCATION	APPROP	SOURCES CENTRAL FUND	SOURCES OTHER
ALCOHOLISM				
Administration & Consultation	230,800			*
Grants to Communities	2,000,000		399,900	1,830.900
Sub Total		2,230,300		

Explanation:

* "Other" in this request includes

1)	1,327,800	HEW TITLE VIa & XVI
2)	200,000	HEW NIAAA State Formulae Grant
3)	25,000	HEW NIAAA Prevention Grant
4)	278,100	Local cash from communities

It is to be noted:

1. Actual money available to support local community programs statewide from the state is only $1,392,600

2. While total Program request is 2,230,800 - an apparent increase of $10,700 over FY 75 budget of $2,219,100 - (approximately .05% increase)...

3. The 25,000 Prevention Grant was not included in FY 75 budget - and is part of administration...

4. Actual monies available for programs decreases in this budget request by approximately 1.2%.

5. In light of inflation this fiscal request is a decrease of over 30% at a time when programs are just beginning to reach maturity and produce measurable results.

Governors Budget
Current Request

Proposed by Alaska Association of Alcoholism Professionals

Recommended Fiscal Request - 1975-1976

	Allocation	Appropriation		Sources: General Fund	Sources: Other
Alcoholism					
Administration & Consultation	400,000				
Grants to Communities	3,600,000				
		4,000,000	=	1,519,100	* 2,430,900

In this budget "other" includes:

1. 1,327,800	HEW Title IVa & XVI
200,000	HEW NIAAA State Formulae Grant
25,000	HEW NIAAA Prevention
278,100	Local Community Cash
650,000	HEW NIAAA Pipeline Impact (3 years)
$2,480,900	

A $650,000 NIAAA "pipeline" impact award has been received by the state and approved by the legislature. $200,000 of this, however, is committed to direct services on the pipeline.

The $1,519,000 general revenue request is approximately 25% of the state's direct income from liquor taxes.

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Thank you for your attention to our request.

Howard Scaman, Chairman
Alaska Association of Alcoholism Professionals

HS/mt

HB
443

Alaska State Legislature HB 443

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

May 1, 1975

Members Present:

Beirne Sullivan
Davis Swanson
Hackney
Ostrosky

Chairman Sullivan called the meeting to order at 3:15pm.

HB 443 Correspondence Study
Commissioner Lind spoke against the bill as such. (See position paper) Also spoke briefly to SB 367. The state should be responsible for the correspondence study program. We don't see any problem with the present operation. 367 speaks to the development of a division. Adutl education and correspondence study should perhaps be merged.

Hackney What has been the feed-back from the school districts themselves and also from the individual from the correspondence homes?

Lind Response from parents has been negative to any change. they are happy to the present system.

Beirne Line 21 (SB367) Isn't this saying that the borough will pay back into the Dept. At the present time, how much are they giving back?

Lind Yes, 500 out of 15. a-l this would do is raise the amoung going back to the Dept. It has been completely a State program but depending on the location they may need more than $1500. The entire amount given to them for correspondent study must be spent only for that purpose.

Beirne I read it to say that the 1/3 will be returned to the Dept.

Lind I think this is true in the unorganized boroughs. All this will be altered with the passage of HB 24.

Hackney Would you consider it necessary to have that handled on a division basis?

Lind No. building all the components together, I thnk you would be taking up division Justification, I don't recommend the establishment of division.

Williams Dept. of Education.

Sullivan What kind of functions would be handled with the local level?

Williams Options, depending on the readiness, the total reponsible would mean the delivery of study to students, this covers correspondence with the parents, training teachers, home visitations, providing own carriculum materials.

Sullivan Why would this be helpful?

Williams Places the operation closer to the people recieving the services. More sensitive to the needs of the studnets in their area. The program operates with it doing home visitations and one to do the study services. There isn't enough coordination of student needs. Provides a unified service to the students. Concerned with the quality of the program to the student in the home.

Lind The School Districts only provide so much. A smaller village or town would be provided for by the State until they are ready or the closest borough is ready to help themselves. This could take quite sometime.

Hackney This is my concern, if Fairbanks would be able to handle the outlining areas.

Margaret Justice I think HB 443 is very farreaching. Preschool should be incompassed and also post-secondary until the government decides to fund such levels. Something grea happens when parents teach their youngsters. The state has a choice to develop a system called home study and this is a unique and important change. We must have a coiice for our children, at the present time we don not have this choice, they are required by law to go to public school whether they are learning or not. We would like to have the opportunity to prove to you that a centralized correspondence study is the right of the individual and hopefully this trend would spread to other states.

Beirne ASked that the bill be held over until a work study could be done in this area and prepare the members to vote.

Chairman It was unanamously agreed upon, bill held over.

HB 349 Everett Simpson, Chief Architect for the Div. of Bldgs.
Almost impossible to come up with the total costs for such construction. Based on 12 child capacity, it would require 800 sq. ft. or 80$ per sq. ft = $64,000 for new facilitie

Sullivan Point of contention here, I am under the understanding that $35 sq ft was the licensed rate we used in Anchorage, including restrooms corridors etc.

Simpson According to 1973 Building Code it is 50$ per sq. ft.

It was decided thatMr. Simpson would do further study in the area and study a re estimated cost of expenditure to the state.

Meeting adjourned.

Introduced by: Burton
Date: April 15, 1975
Action: Adopted
Vote: 114.33 Yes, 9 No

KENAI PENINSULA BOROUGH

RESOLUTION 75-24

A RESOLUTION IN OPPOSITION TO DECENTRALIZATION OF THE STATE CORRESPONDENCE STUDY PROGRAM AND THE PLACING OF CORRESPONDENCE STUDY UNDER LOCAL CONTROL.

WHEREAS, an adequate and effective program for correspondence study is now being administered through the Department of Education, of the State of Alaska; and

WHEREAS, the Department of Education has established a Correspondence Study Division, whose only charge and concern is correspondence study at the elementary level, while local school districts already have several other areas of responsibility; and

WHEREAS, there is a library and supplementary material easily accessible currently prepared, stocked, and serving its students; and

WHEREAS, the current centralized correspondence program provides, among other things, continuity, central records, a professional staff, able to deal with the students as individuals; and

WHEREAS, at present there are nine teachers working part time to handle all of the state's elementary correspondence program, with a teacher for each grade level and that by placing the program in local control would require a duplicate cost in supplies, salaries, and books for between 20 to 40 different local districts; and

WHEREAS, there are only approximately 350 lawful elementary correspondence students within the State of Alaska, and these students

would not likely receive the attention or priority in the local districts and as a result the students are likely to become lost in the shuffle; and

WHEREAS, decentralization would emasculate any proper state direction of a correspondence program in that no direct feedback would then be available to the state;

NOW THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

That the Assembly of the Kenai Peninsula Borough hereby opposes the decentralization of the correspondence school program now administered by the State of Alaska through the Department of Education, and further, that the present program as instituted and administered should receive the support and encouragement its staff deserves.

That copies of this resolution shall be transmitted to Governor Jay S. Hammond; Dr. Marshall L. Lind, Commissioner of Education; Senator Clem Tillion, Rep. Hugh Malone, Rep. Leo Rhode, and Rep. Keith Specking.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 15th DAY OF April, 1975.

Assembly President

ATTEST:

Borough Clerk

MEMORANDUM State of Alaska

TO: Marshall Lind
Commissioner of Education

DATE: April 30, 1975

FILE NO:

TELEPHONE NO:

FROM: Vern Williams, Coordinator
Learner Assistance

SUBJECT: House Bill #443

Background:

Historically the Department of Education has provided correspondence services to elementary and secondary students in the state who are unable to attend school because they reside at such a distance from school that it is impossible or impractical for them to attend regular school sessions.

More recently these services have been offered in some districts of the state as an alternative to attendance in the regular school program. The State Foundation Program provides for funding to school districts based on numbers of students enrolled in the correspondence study program.

Discussion:

The State Board of Education is dedicated to the philosophy of local control of all educational programs. The Board believes that programs administered at the local level are more sensitive to the needs of those receiving services than programs administered at the State level. Funding to support all programs should be made available to local school districts.

The bill is antipodal to the philosophy of the Board in that it would place control and administration of the correspondence study program exclusively at the State level and redirect State Foundation support money from the local school districts to the State Department of Education.

Attached is a copy of the State Board of Education's position paper on Correspondence Study.

Recommendation:

We recommend that the bill not be passed.

VW;lg
Attachment

MEMORANDUM State of Alaska

TO: Marshall Lind
Commissioner of Education

DATE: April 29, 1975

FILE NO:

TELEPHONE NO:

FROM: Vern Williams, Coordinator
Learner Assistance

SUBJECT: Senate Bill #367

Background:

Historically the Department of Education has provided correspondence services to elementary and secondary students in the State that are unable to attend school because they reside at such a distance from school that it is impossible or impractical for them to attend regular school sessions.

More recently these services have been offered in some districts of the State as an alternative to attendance in the regular school program. The State Foundation Program provides for funding to school districts based on numbers of students enrolled in the correspondence study program.

Discussion:

The tone of this bill is consistant with the philosophy of the Department of Education and the State Board of Education i.e., that the Correspondence Section in the Department of Education will continue to be responsible for curriculum development, in-service training and research evaluation.

Postsecondary education is quite universally considered to be a credit program at the college level. If this is the interpretation of the term used in this bill, the responsibility more appropriately lies with the University. Correspondence courses are available at present through the University of Alaska.

The present funding pattern for correspondence consists of legislative appropriations supplemented by program receipts collected from districts on the basis of students enrolled in the program and who reside in the district.

Recommendations:

The legislation, as written, does not materially affect services provided correspondence students by the Department. The Department of Education, however, does not see the need for the establishment of a Division of Correspondence Study.

VW:lg
Attachment

STATE BOARD OF EDUCATION

Position Paper on

CORRESPONDENCE STUDY

The State Board of Education, at its Thirty-Seventh Regular Session, held March 2 and 3 in Juneau, moved that "...the Department of Education should proceed with the decentralization (of the Correspondence Study program operation)."

Subsequent to this decision, a great deal of misleading information has been circulated to Correspondence Study parents and the general public. At its April meeting, the Board reaffirmed its earlier decision regarding decentralization of the Correspondence Study program and outlined in detail the Board policy and desires concerning the transition from central to local operation of the program.

First, the Board reaffirmed its belief in the dedication to the philosophy of local control of all educational programs. Second, it restated its desire that the present level of quality of Correspondence Study be maintained or improved for each student.

The State Board directed the Department of Education to work closely with those city and borough school districts which have Correspondence Study programs, and to provide assistance to districts in setting up local programs.

Operation of the Correspondence Study program will be turned over to a local city or borough district when it is mutually agreed by the district or city and the Department of Education that the district or city is ready to assume operation without loss of program quality to the individual student. Further, the State Board directed the Department to continue the operation of the Correspondence Study program for those students residing in the Unorganized Borough. In addition,

the Board directed the Department of Education to work cooperatively with the Alaska State-Operated School System on the improvement of the secondary Correspondence Study program. Department of Education operation of Correspondence Study for students in the Unorganized Borough will continue until such time as control of the total education function is decentralized in the Unorganized Borough.

Throughout the transition period from central to local operation, the State Department of Education will provide staff training and program development services to the affected school districts. Further, the State Department of Education will continue indefinitely to maintain those functions which are most cost/effectively provided on a State level. Such State level functions include curriculum development for elementary, secondary, and other age groups; provision of supplementary media and materials; in-service training for local district Correspondence Study staff, and centralized research and program evaluation.

In summary, the State Board decision of March 3, 1975, and reaffirmed on April 3, 1975, directs the Department to initiate a plan for the transition of the Correspondence Study operation from State to local district control; such transition to be based on mutual agreement and readiness between the Department of Education and the affected district. Direct operation of Correspondence Study services for students of the Unorganized Borough is to be maintained by the Department of Education, until such time as this function can be more effectively handled at a level closer to the students involved.

HB

447

"An Act making a special appropriation to the Alaska Educational Broadcasting Commission; and providing for an effective date."

COMMITTEE REPORT

4/22/75 HOUSE FINANCE

Mr. Speaker: Date April 9, 1976

The Committee on HESS has had HB 447 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR HB 447 AND THAT CS FOR HB 447 DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HB 44?

HESS COMMITTEE MEETING

May 8, 1975

Members Present:

Beirne	Ostrosky
Davis	Sullivan
Hackney	Swanson
Osterback	

Chairman Sullivan called the meeting to order at 3:30pm. The first order of business was HB 415 &419.

HB ~~514~~ 415 & HB 419

Dr. Price: These measures are urgently needed. The 1972 Council considered the number one need to be School Health Education. A survey was taken in 1973, on the elementary level it was taught by individual teachers as they see fit, the administration is not aware of the carricula. In Junior High and High School there is some carricula taught by the physical education teachers but they rarely have training in Health Education specifically to teach the subject. 90% of the PE teachers have never taken first aid courses. We presently have 12 candidates for the position of School Health Educator, the money is not available after July 1, the funds will be lost. Funded through Federal D14 monies. SB66 (Congressional Bill) if passed, would be taking new monies into consideration.

Swanson Line 18, is this just seed money or would this take care of the entire program?

Price This will take care of the program for the first year. We would like to see this as a collaberation between the two departments, H&SS and Education.

Jeffers ONe professional employee and one clerical, there will be contractural methods to do other things.

Swanson What to you class and Health Education in grades K-12?

Jeffers The intent is to structure so that the younger kids could benefit as well as the others. The more safistlcated problems are handled at a later age. These programs will be introduced when the students are old enough to benefit from them.

Hackney Couldn't ~~I~~ we Legislate something to insure that the individual school districts will hire trained Health Educational staff on the local level?

Jeffers We would provide some sort of training program so that they would get training as well. A Health Education Carriculum would be added for use on the local level.

Hackney Any Health Ed. taught today?

Commissioner Lind Further explanation of the bills. Also expressed the Dept's concern and urged passage of these bills.

There was some discussion at this time as to the word "initial" development added to the bill.

Ostrosky Motion to add "Dept. of H&SS"
Swanson Objection.
Chairman Vote on the amendment, chaning the bill back to its original form.(Unanamous)
Sullivan Move bill out with Individual recommendation.
No Objection , so ordered.

HB 447

Richard Dowling, Ak. Educ. Broadcasting Commission
Handed out material, here to answer questions. The reason for this legislation is that KAKM will serve to the areas on the map, Kenai Pen., Turnigan Arm, Talkeetna, Palmer etc.

Parr Who would do this, the State or a privately funded operation?

Dowling The Television Station itself would contract with some individual to do the work.

Parr Question, the pay of the project coordinator?

Dowling Explained what the position was to do, prepare spec. for equipment; hire two man crew for installation; performace tests; system tests, and document the system so that it can be maintained, this has to all be completed in four months of work. PBS, locally produced, KYUK-Bethel, KYAK-Fairbanks, Educational Programming coordinated with these stations. Most of these areas do not have commercial programming. 1/3 to 1/2 currently do not recieve regular commercial television.

Sullivan Would like to hear Rep. Beirne's views on this bill before we take up a vote.
Ostrosky In favor of the program. Public television is an asset and quality of programs are quite beneficial in comparison with commercial television.

HB 487

Parr Motion to move bill out with 'do pass'
Chairman No obejction, so ordered.

Adjourned at 5:00pm.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 9, 1976

Present: Parr Swanson Beirne
Davis Sullivan

Testifying: Bill Mack, KAKM
Frank Mengel,
Larry Verable, Ak. Carriers Assoc.

HB 447 Ak. Educational Broadcasting - Beirne

Bill Mack made opening presentation for K.A.K.M.

Frank Mengel, explained progress of the prject and why more $ was needed.

Charlie, line 10, delete $225,000", add "$185,000"
Change line 11 "13" to "11"

Hohman, explained situation of Bethel-Kuskokwim Com College, they would like to expand their T.V. system.

Red, move to have a new section add""$140,000 for 15 translators, $81,000 for talk back capability, SW Ak., KYUK, Kuskowim Com. College

Red, move out with do pass, as a C.S.HB 447
unanimous

HB 113 - Noise Pollution - Beirne

Robertson, presented Public Safety psotiion.

Larry Verable, presented the Ak. Carriers Assoc. position.

Bill held over till Helen geta C.S.

The Legislature of the State of Alaska
FISCAL NOTE

HB447

First Session - Ninth Legislature

I. REQUEST

Bill No. HB 447

Title: relating to making a special appropriation the the Educational Broadcast Com

Requested by: House Finance Date: 5/16/75

Return Date Requested: ASAP

Agency: education Program: Educational Broadcasting Commission

II. FISCAL DETAIL

Budget Request Unit(s) Affected:

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.		225,000				
	TOTAL		225,000				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		225,000				
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

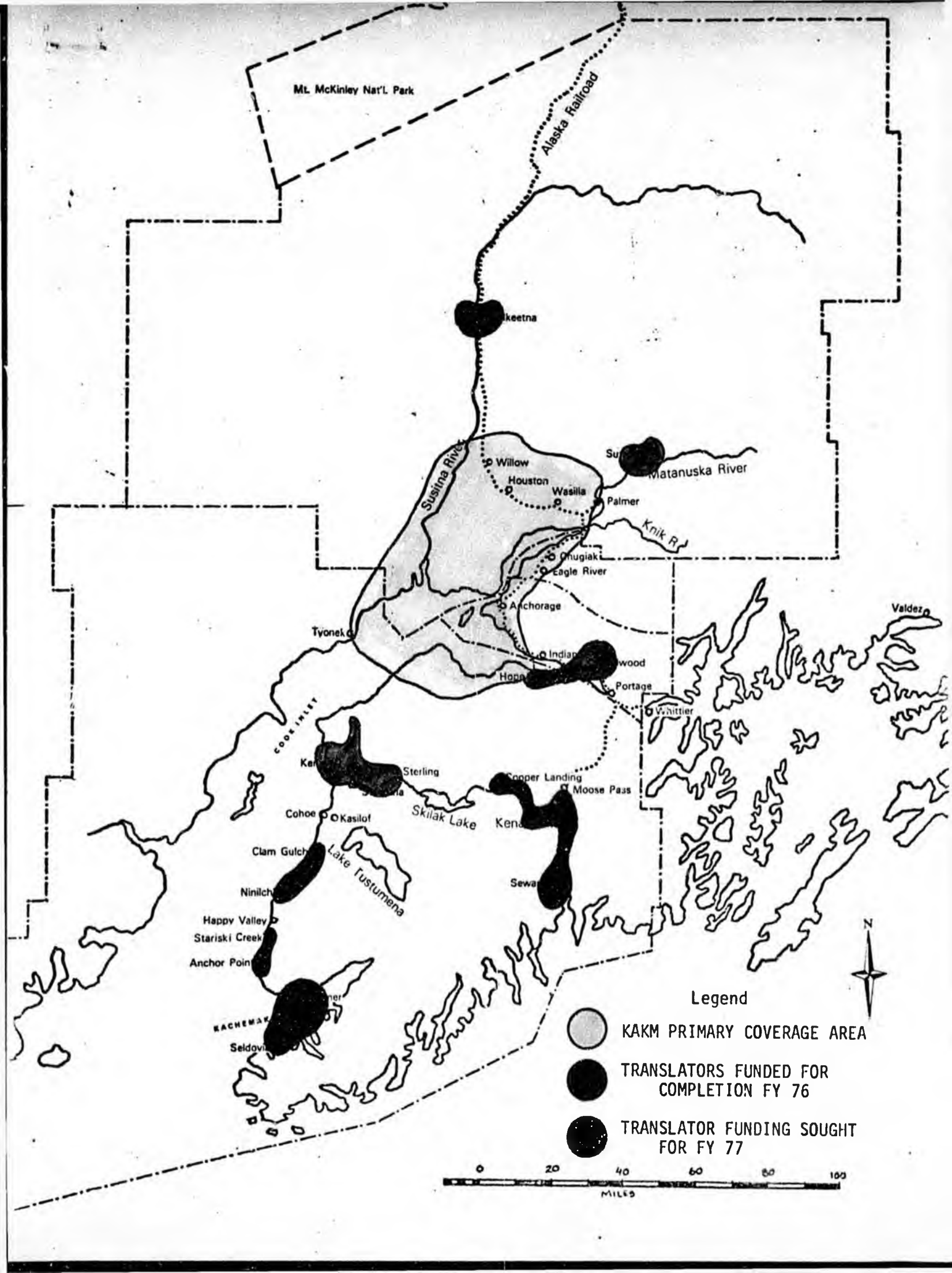
III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See attached

IV. ATTACHMENTS

V. DATE: 5/19/75 PREPARED BY:

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)


Mt. McKinley Nat'L Park
Alaska Railroad
Susitna River
Willow
Houston
Wasilla
Palmer
Matanuska River
Knik R.
Eagle River
Anchorage
Valdez
Tyonek
Portage
Whittier
COOK INLET
Sterling
Copper Landing
Moose Pass
Cohoe
Kasilof
Skilak Lake
Clam Gulch
Lake Tustumena
Ninilch
Happy Valley
Anchor Point
Seldovi
Legend
KAKM PRIMARY COVERAGE AREA
TRANSLATORS FUNDED FOR COMPLETION FY 76
TRANSLATOR FUNDING SOUGHT FOR FY 77
0 20 40 60 80 100
MILES
N

FUNDING REQUIREMENTS IN FISCAL YEAR 77: TRANSLATOR PROJECT

It has been the intent of Alaska Public Television from its inception to provide reception of KAKM throughout the boroughs of Anchorage, Kenai and Matanuska/Susitna. A system of translators is the logical means of achieving this goal. A total of $160,000 in legislative appropriation for our translator project in fiscal year 76 has put us well on our way to achieving this goal.

The funds appropriated in fiscal year 76 for our translator project were directed by the Legislature to serve the areas of Sutton, Hope and Girdwood, Kenai and Seward. We are in the final completion phases now of providing translator service to all these areas except Seward. Feasibility studies have indicated that the fiscal year 76 translator budget is totally inadequate to service Seward directly by translator. These studies have indicated that an additional $95,000 will be required for this service.

There are several large segments of the tri-borough population that are still not served by Channel 7's signals. These areas include:

- Talkeetna
- the western side of the Kenai Peninsula including the cities of Clam Gulch, Ninilchik, Anchor Point, Seldovia and Homer
- and a large area near the city of Palmer.

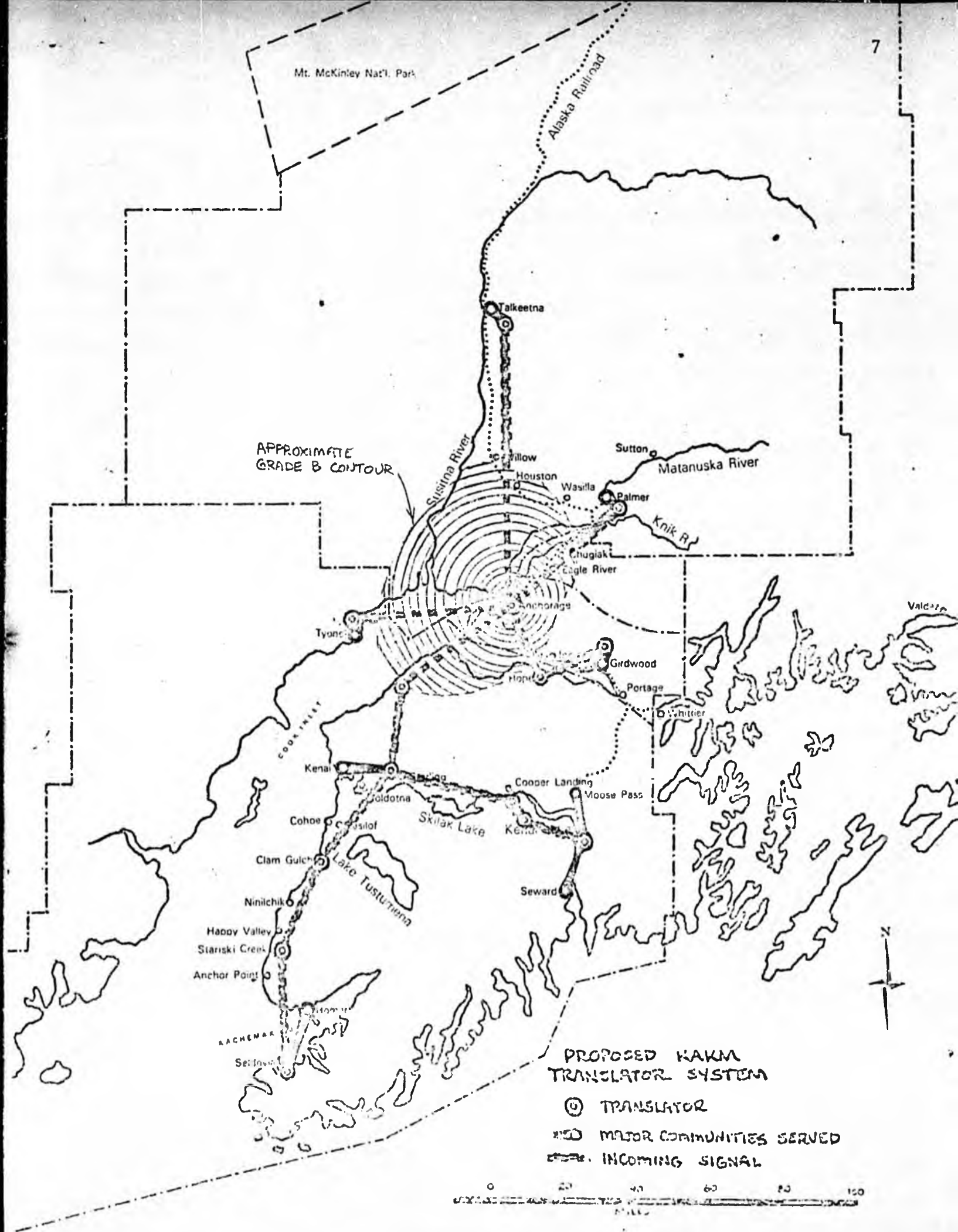
Service to these areas can be accomplished with an additional $90,000. Appropriation of these additional amounts will insure public television service to approximately 90% of the tri-borough population.

ANTICIPATED FY77 FUNDING FOR TRANSLATOR PROJECTS

Talkeetna	
Serves city proper, pop. 300, 2% of borough	$ 15,500
Seldovia - Homer System	
Serves Kachemak Bay, western side of Kenai Peninsula	$ 46,700
Palmer	
Serves shadow areas only, pop. 1,900, 20% of borough	$ 19,800
Administration	$ 8,000
Additional funding required in FY77 to serve all large population centers in the tri-borough area that do not get our signal	$ 90,000
Adjustments to FY76 budget to provide service to Seward	$ 95,000
TOTAL FY77 FUNDING REQUIRED	$185,000

SITE-BY-SITE COST ANALYSIS
OF KAKM TRANSLATOR SYSTEM

Sites	Equipment Cost	Total including installation
North Kenai	$ 15,860	$ 19,160
Sterling	16,510	19,810
Clam Gulch	15,410	17,390
Starlski Creek	15,410	17,390
Seldovia	18,160	22,250
Cooper Landing #1	11,060	15,040
Cooper Landing #2	11,060	15,040
Seward/Moose Pass	20,560	25,190
Hope	13,450	15,430
Girdwood	7,610	9,590
Tyonek	12,760	16,610
Talkeetna	8,510	10,490
Palmer	17,410	20,710
Total	$183,770	$224,100
Less 10% bid discount		18,377
		$205,723
Project Coordinator 120 days @ $150/da.		18,000
Grand Total		$223,723


Mt. McKinley Nat'l. Park
Alaska Railroad
Talkeetna
APPROXIMATE GRADE B CONTOUR
Susitna River
Willow
Houston
Wasilla
Sutton
Matanuska River
Palmer
Knik R.
Chugiak
Eagle River
Anchorage
Tyonek
Girdwood
Portage
Whittier
COOK INLET
Kenai
Soldotna
Cooper Landing
Moose Pass
Cohoe
Kasilof
Skilak Lake
Clam Gulch
Lake Tustumena
Seward
Ninilchik
Happy Valley
Stariski Creek
Anchor Point
KACHEMAK
Seldovia
PROPOSED KAKM TRANSLATOR SYSTEM
TRANSLATOR
MAJOR COMMUNITIES SERVED
INCOMING SIGNAL
0
20
40
60
80
100
MILES

HB 447

361 Distin, #207
Juneau, Alaska 99801

21 March 1975

Mr. Marvin R. Weatherly
Executive Director
Alaska Educational Broadcasting Commission
308 G Street
Anchorage, Alaska 99501

Dear Marv:

I have examined the KAKM translator cost analysis document and have talked with Frank Mengel, and make the following general observations:

1. The siting of translators and routes chosen to deliver signals to individual communities is generally sound. However, it is only a first approximation, and exact siting cost vs. performance analysis has not been done. Therefore, the hardware costs could go up or (possibly) down.

2. Installation costs have generally been underestimated by a factor of 2 to 5.

3. No funds have been included for such site development costs as buildings, power lines, earth work, etc.

4. Only an insignificant amount of money has been budgeted for licensing costs--which, in the case of a 100 watt VHF translator proposed for Seldovia wil require a change in the table of assignemnts and will therefore be fairly costly.

5. Existing Division of Communications/commercial TV sites have been proposed by KAKM in some instances. The use of these sites may not be the most cost-effective approach.

6. Many less desirable UHF translations have been proposed, possibly made necessary by existing congestion in the available VHF band.

If the KAKM proposal is to be considered only on its own merits, in my estimation the budgeted amount should be raised to around $225,000. This would cover the additional site survey, licensing, and installation costs.

Because of the State of Alaska's involvement in bringing commercial TV to these same locations, it does not seem wise for KAKM to proceed independently. This should be a joint effort.

I recommend, if it is desired to deliver television to the four borough area, that the following actions be taken:

1. The areas to be served--and by whom--should be defined.

2. An exact engineering study should be made to examine alternatives such as:

   A. Various translator-only configurations, i.e. different sitings to optimize initial cost vs. maintenance cost factors.

   B. Combinations of microwave and translators.

   C. Combinations of cable and translators.

3. The use of Channels 5 and 6 should be further explored to minimize the number of UHF translations--especially since Channel 5 is non-adjacent to Channel 4, and co-location would be practical.

I can provide more specific information on these points if needed, and I would be happy to undertake further investigation of possible alternatives in providing television to the areas surrounding Anchorage, at your request.

Regards,

Dick

Richard P. Dowling

8 May 1975

361 Distin #207
Juneau, Alaska 99801

Mr. Marvin R. Weatherly
Executive Director
Alaska Educational
Broadcasting Commission
308 G Street
Anchorage, Alaska 99501

Dear Marv:

As requested, I testified before the House Health, Education and Social Services Committee regarding HB 447, the KAKM translator funding appropriation.

Present on the committee were: Sullivan, Davis, Osterback, Swanson, Parr, Ostrosky. Mrs. Beirne was testifying before another committee and was unable to be present.

I outlined the system, and described why it was necessary and what service would be provided. I also handed out the attached two sheets, which give site-by-site cost estimates, and provide a map of the areas covered.

The coordinator position salary was questioned by Parr; he felt the figure was high. Osterback, on the other hand, felt that since it was a 7 day a week job it wasn't enough. I stated that this was a reasonable figure for this job.

I feel strongly that Frank Mengle needs someone to ram-rod this job, or he will never get everything <u>properly</u> installed this summer and next spring.

Rep. Sullivan asked what the program source would be, and I described the PBS programs briefly and stated that these would be augmented by local productions and program exchange with KUAC and KYUK. Rep. Ostrosky spoke of the need for this service and strongly supported it. Rep. Parr told of KUAC's programs and described them as appealing to the minority. He was not negative, though.

Rep. Sullivan delayed further consideration of the bill until Rep. Beirne could be present, and I was dismissed.

Regards,

Dick

Richard P. Dowling

HB447

SITE-BY-SITE COST ANALYSIS
OF KAKM TRANSLATOR SYSTEM

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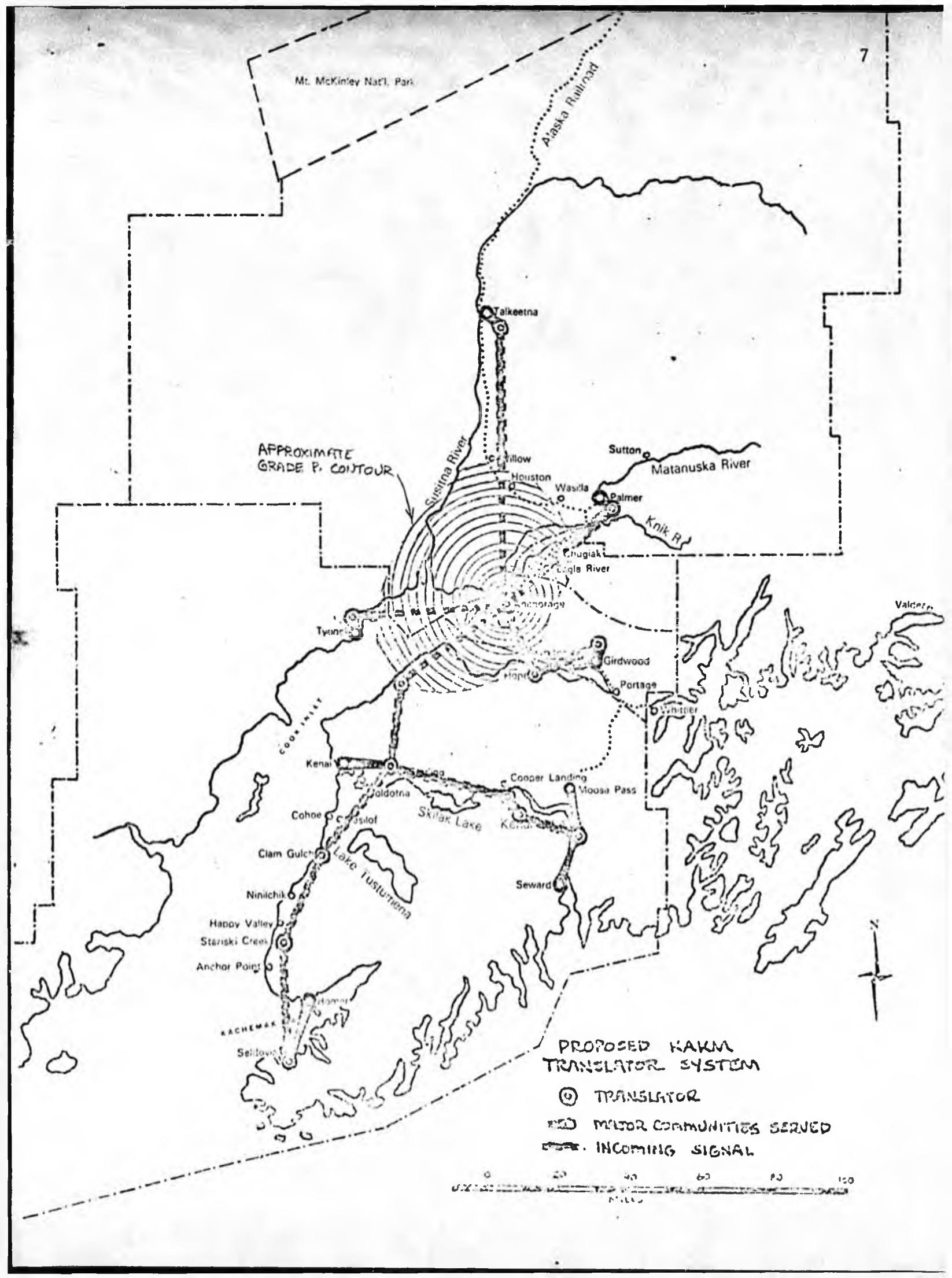
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PROPOSED KAKM TRANSLATOR SYSTEM
TRANSLATOR
MAJOR COMMUNITIES SERVED
INCOMING SIGNAL
0
20
40
60
80
100
MILES

RECEIVED
3-12-76

KUSKOKWIM COMMUNITY COLLEGE
University of Alaska
P. O. Box 368 907-543-2047
Bethel, Alaska 99559

March 5, 1976

Representative Phillip Guy
State of Alaska
House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Guy:

The 1975 Alaska legislature awarded $154,000 to Kuskokwim Community College for the installation of translator sites to extend KYUK's signal to much of the Yukon-Kuskokwim delta. This was for the purpose of delivering instructional television programming to villages in this area. Kuskokwim Community College is currently delivering 27 hours per week of instructional television programming (mostly live) and hopes to continue this kind of effort in the coming school year. This delivery system is the most cost effective way we know of to extend our programs over our 60,000 square mile service area.

The initial appropriation was less than the amount needed to extend KYUK's signal to the entire region. Enclosed is a proposal for $221,993 which would provide for the completion of the rest of the translator installations and the upgrading of installations at existing sites.

I have asked Senator Hohman to request a dir : appropriation for this project. Any support you can give thi egion will be greatly appreciated by the residents of this area.

Sincerely,

Jan Gibson

Jan Gibson, Acting Director
Kuskokwim Community College

cc: Senator George Hohman

JG:jd

PLEASE REPLY BY AIR MAIL

Kerio CC

Revised for Revised Funds

Kenchorwin CC

Programs to be shifted from revised to planned funds

1. Instructional TV – 20 villages involved.
FY76 last year for 74,727 grant from Fund for Improvement of Postsecondary Education.
Sixth Gr. pooled funds (154,000) for installation of equipment.
FY77 request will provide staff & operating ITV viewing stations KYVC.

2. Village Management Institute - 37.0
Seminars, workshops & accounting training workshops & seminars adapted to needs of villages.
Previously funded by grants & contracts now to be institutionalized.

3. Boarding Maintenance Technician Training 37.0
Several skills training related to training in carpentry, electricity, welding, engines, etc.
Currently a CETA project through Kipsitet Basic. No request in FY77.

4. Land Conservation Asst 31.1
Two positions were provided by CETA funding in FY76. No funding in FY77.

5. ABE - Village Programs FY 4

P. Day

Have restricted funds provide ABE in 11 villages. Cut in funds for FY 77 anticipated

6. Bilingual Language Workshop.

Loan request in FY 77

15M

THE FOLLOWING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

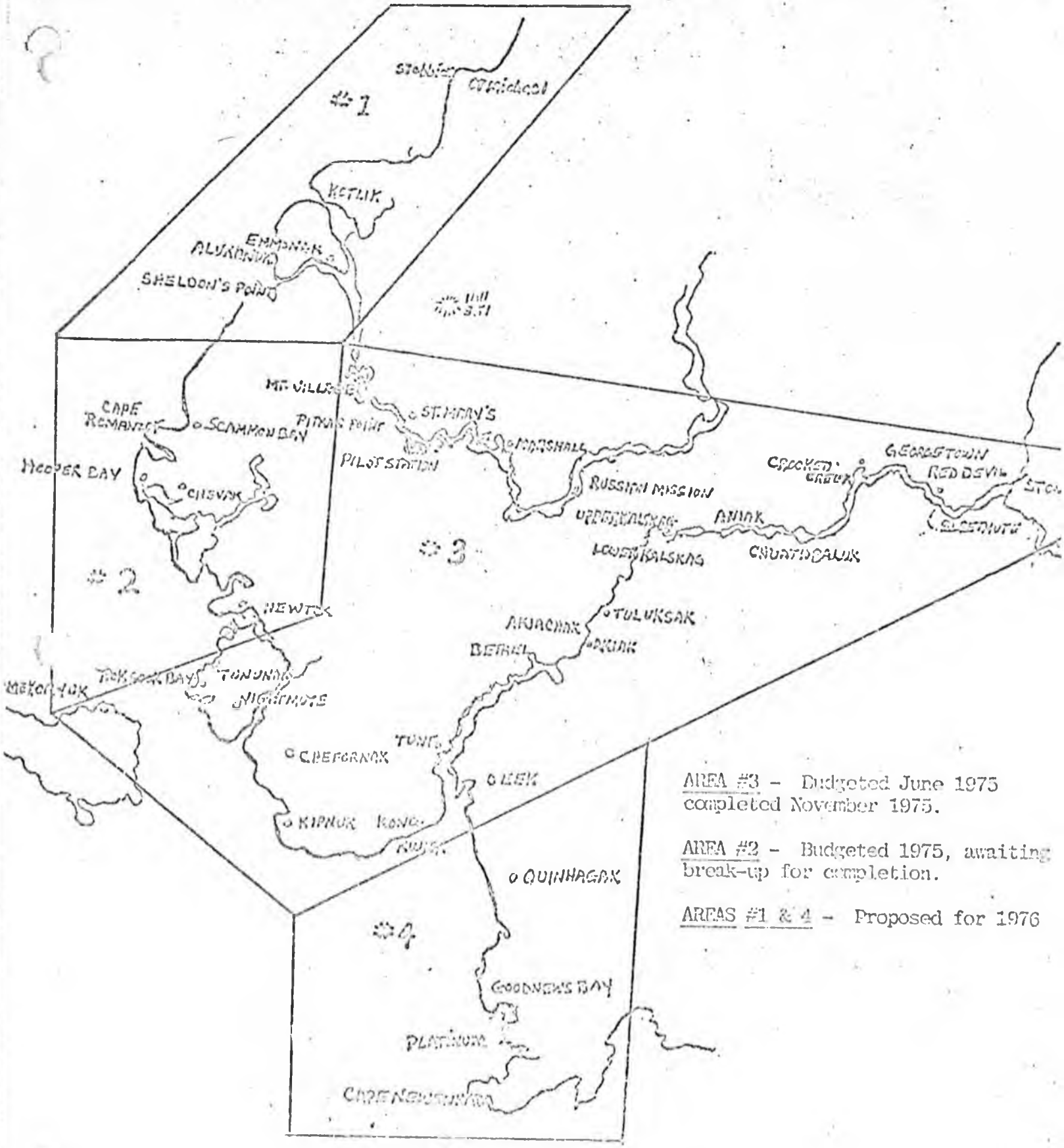
KUSKOKWIM COMMUNITY COLLEGE

TELEVISION TRANSLATOR

PROPOSAL

January 29, 1976

PORTER ELECTRONICS COMPANY
P.O. Box 447
Bethel, Alaska 99559
(907) 543-2533

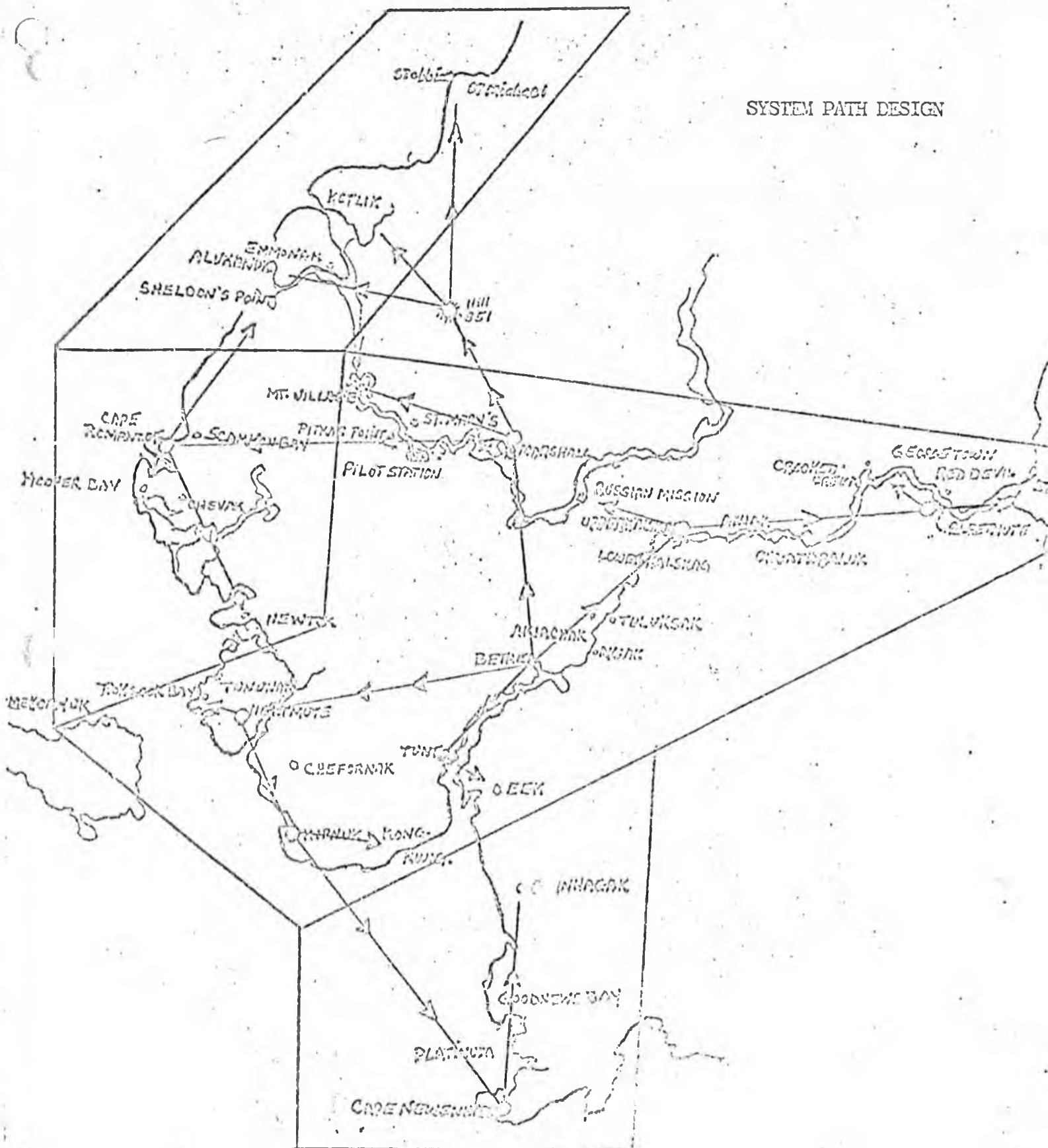


AREA #3 - Budgeted June 1975 completed November 1975.

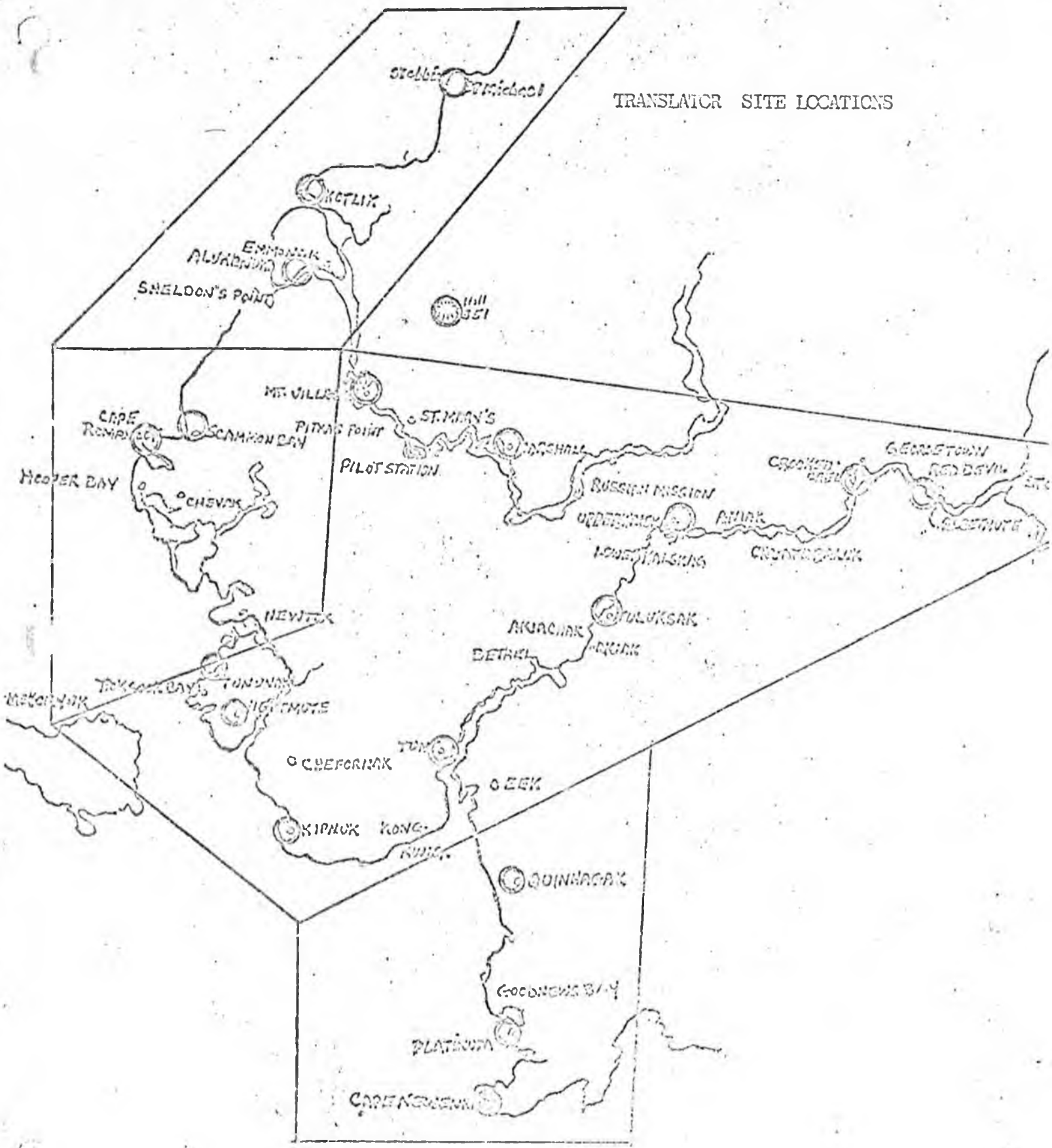
AREA #2 - Budgeted 1975, awaiting break-up for completion.

AREAS #1 & 4 - Proposed for 1976

SYSTEM PATH DESIGN



TRANSLATOR SITE LOCATIONS



EXPLANATION OF TERMS

Completition

Project began in FY75 or FY76, funds allocated enough to install and operate at a less than complete level. Project completion funds requested to finish site installation as originall planned.

Upgrade

Projects completed in FY75 and FY76. After a year of operation it has become apparent that some additions will improve service in two major areas.

PROPOSAL FOR DESIGN, CONSTRUCTION, LICENSING, INSTALLATION, UPGRADING AND COMPLETION OF TELEVISION TRANSLATOR SYSTEM WITH INSTALLATIONS OF TALK-BACK FACILITY IN EACH OF THE REGION VILLAGES WHICH ARE POPULATED THROUGHOUT THE SCHOOL YEAR.

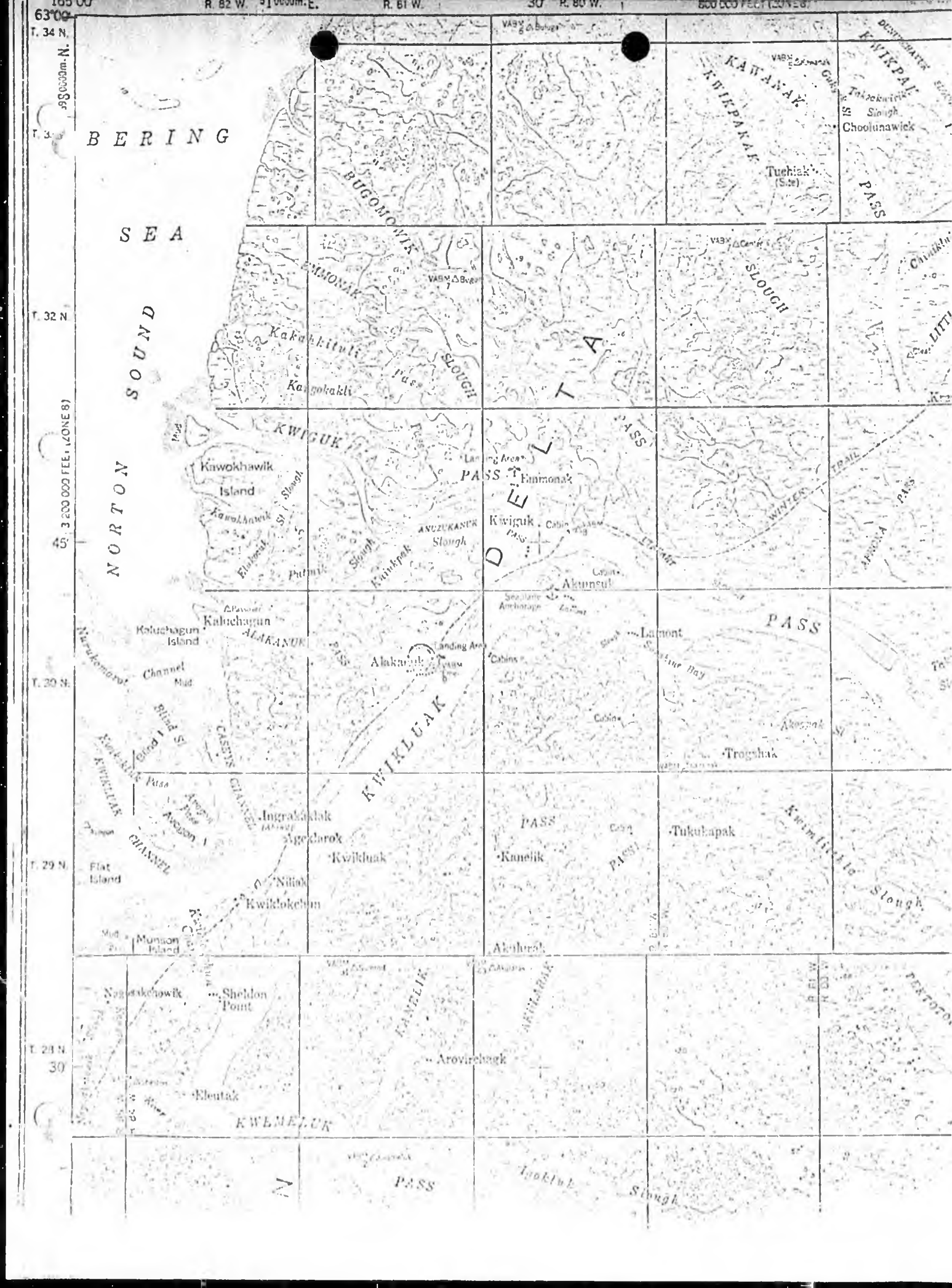
TOTAL COST OF INSTALLATIONS OF NEW SITE LOCATION TRANSLATORS FOR 9 LOCATIONS*.....	$118,043.00
TOTAL COST OF INSTALLATION COMPLETION OF TRANSLATORS AT 3 LOCATIONS**.....	14,935.00
TOTAL COST OF UPGRADING INSTALLATIONS OF TRANSLATORS AT 3 LOCATIONS***.....	8,015.00
TOTAL COST OF TRANSLATORS	$140,993.00
TOTAL COST OF TALK-BACK INSTALLATIONS IN THE REMAINING 27 VILLAGES****.....	81,000.00
TOTAL PROPOSAL FOR TALK-BACK AND TRANSLATORS	$221,993.00

*Alakanuk, Cape Newenham, Crooked Creek, Kotlik, Lower Yukon Feeder Hill 351, Platinum, Quinhagak and Tuluksak.
** Kipnuk, Mt. Village and Red Devil.
*** Marshall, Nightmute and Tuntutuliak.
****Tuluksak, Akiak, Tuntutulia, Eek, Pilot Station, Pitka's Point, Red Devil, Sleetmute, Stony River, Georgetown, Napamute, Crooked Creek, Sheldon's Point, Alukanuk, Scammon Bay, Cape Romanzoff, Cape Newenham, Newtok, Platinum, Goodnews Bay, Quinhagak, Kwigillingok, Kongiganak, Kotlik and Lime Village.

ALUKANUK

A translator is needed between the villages of Alukanuk and Emmonak. These large progressive villages are located at the extreme fringe coverage area of the Cape Romanzoff translator, and within the service area of the low power installation on Hill 351, neither of which will afford enough signal strength to adequately serve the population.

This translator will incorporate sensitive receiving equipment, with a power output of 10-watts, located near Alukanuk with power beamed to Emmonak.


BERING
SEA
NORTON
SOUND
DELTA
KWIGUK
PASS
KWIKLUAK
PASS
KWEMEJUK
PASS
KAWANAY
KWIKPAK
PASS
BUGOMONIE
SLOUGH
Kakakkituk
Slough
Kangokakli
Kwiguk
Cabins
Emmonak
Akunsul
Kwokhawik
Island
Kwokhawik
Slough
Kaiukpak
Slough
Putmuk
Kaluchagun
Island
Kaluchagun
ALAKANUK
Alakanuk
Landing Area
Cabins
Channel
Mud
Lamont
Seashore Bay
Cabins
Akeogak
Troghak
Ingrakkaklak
Agedarok
Kwikluak
Flat
Island
Nilak
Kwikluk
Munson
Island
Kanelik
Tukukapak
Kwimlukalo
Slough
Akuluruk
Nunakakhawik
Sheldon
Point
Aroviruagk
Eleutak
Inuklut
Slough
Tuchlak
(Site)
Choolunawick
Takekwirik
Slough
SLOUGH
WINTER
TRAIL
PASS
T. 34 N.
T. 33
T. 32 N.
T. 30 N.
T. 29 N.
T. 28 N.
45
30
R. 82 W.
R. 81 W.
R. 80 W.
165 00
63°00'
3 000 000 FEET (ZONE 8)

TRANSLATOR SITE: ALAKANUK

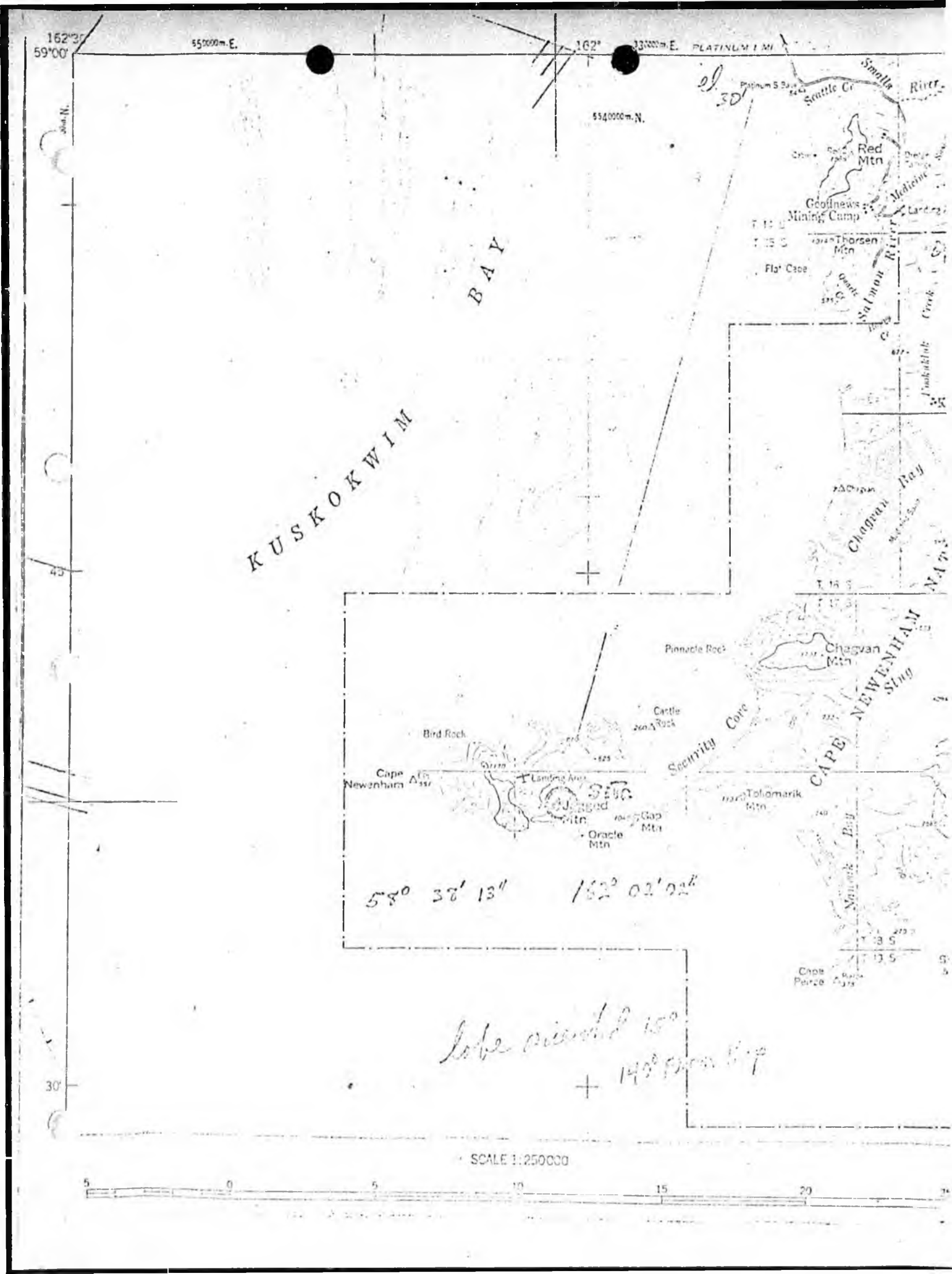
TRANSLATOR TV 10	$6,000.00
TOWERS 2 X 70'	775.00
RECEIVING ANTENNA	240.00
TRANSMITTING ANTENNA	240.00
HARNESS - RECEIVING	30.00
HARNESS - TRANSMITTING	30.00
200' VOAX CABLE	60.00
TRANSMITER HOUSING	400.00
500'' LINE	90.00
REGULATING TRANSFORMERS	400.00
AIR TRANSPORTATION	540.00
CASUAL & REGULAR LABOR	900.00
OUT OF TOWN LODGING	450.00
FREIGHT	230.00
LICENSING	150.00
TOTAL	$10,535.00

CAPE NEWENHAM

The Cape Newenham translator, to be located on the peak of Jagged Mountain, 2,395 feet above sea level, repeats a signal from Kipnuk, and serves the villages of; Platinum, Quinhagak, and the military site at Cape Newenham.

This signal will be re-translated into Goodnews Bay. This site may be received, and could be translated into the Togiak area and also via Clarks Pt. into Dillingham.

Right of way and stable power have been secured from the military.

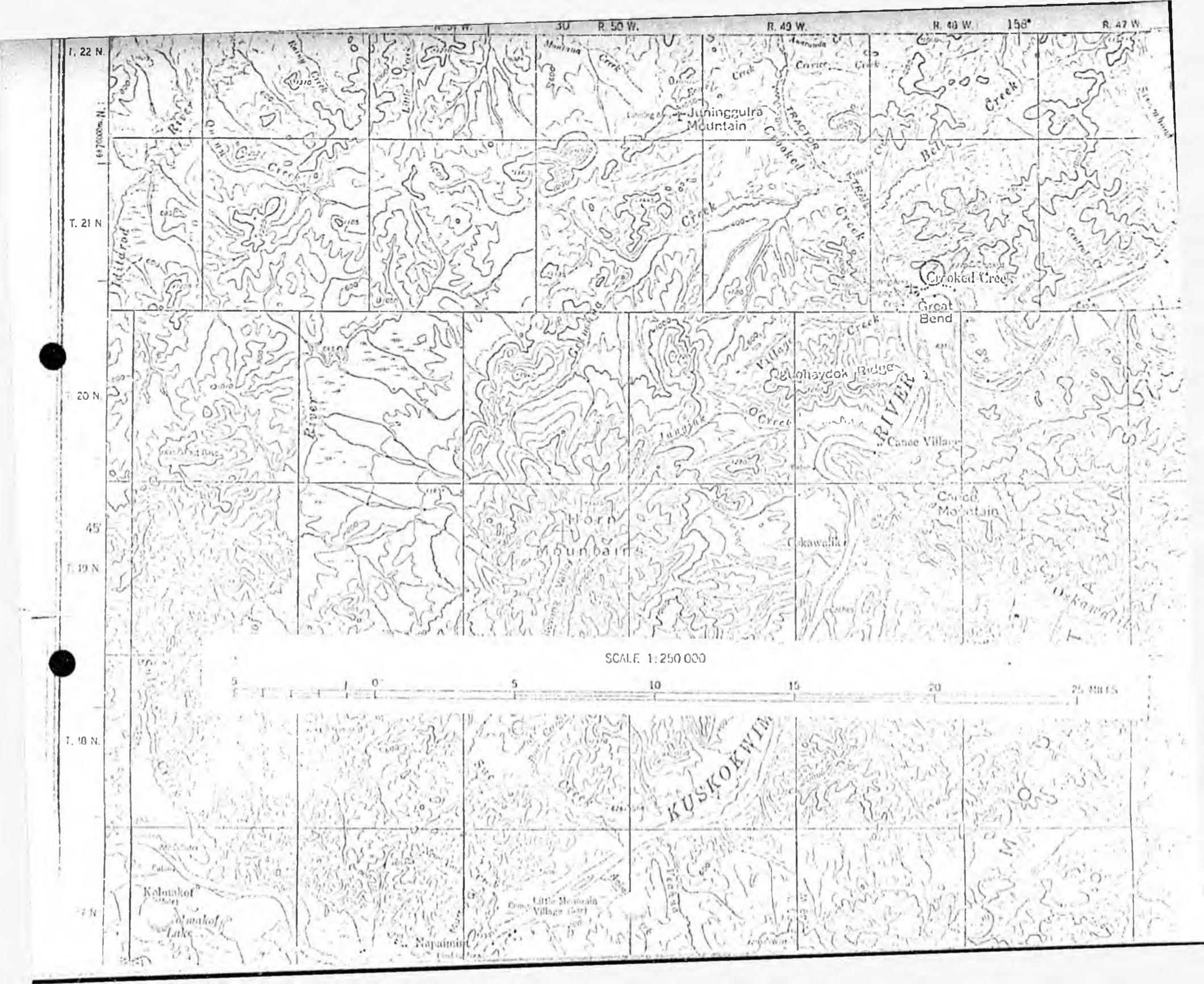

162°30'
59°00'
550000m.E.
162°
330000m.E.
PLATINUM 1 MI
5540000m.N.
Platinum
Seattle Cr
Smalls River
Red Mtn
Goodnews Mining Camp
Thorsen Mtn
Flat Cape
Salmon River
Kanaklak Creek
KUSKOKWIM BAY
Chagvan Bay
Pinnacle Rock
Chagvan Mtn
Castle Rock
Bird Rock
Security Cove
CAPE NEWENHAM
Cape Newenham
Landing Area
Gap Mtn
Oracle Mtn
Tohomarik Mtn
Nanvak Bay
Cape Peirce
58° 38' 13"
162° 02' 02"
Lat 58°38'13" N
Long 162°02'02" W
SCALE 1:250000
5 0 5 10 15 20

TRANSLATOR SITE: CAPE NEWENHAM

TRANSLATOR TV 10 V	$6,000.00
TOWERS 2	170.00
RECEIVING ANTENNA 2 X	240.00
TRANSMITTING ANTENNA 2 X	240.00
RECEIVING ANTENNA HARNESS	30.00
TRANSMITTING HARNESS	30.00
200' COAX CABLE	60.00
TRANSMITER HOUSING	400.00
16,000' POWER LINE	3,216.00
REGULATING TRANSFORMERS	520.00
AIR TRANSPORTATION	594.00
GROUND TRANSPORTATION	90.00
LABOR & CASUAL LABOR	1,400.00
OUT OF TOWN LODGING	460.00
LICENSING	150.00
FREIGHT	120.00
TOTAL	$13,720.00

CROOKED CREEK

The Crooked Creek translator, to be located one mile from the village, 800 feet above sea level, repeats a signal from Red Devil and beams it down into the valley for old and new villages of Crooked Creek. It will serve between 250 and 300 people, who are otherwise blocked from reception by mountains.

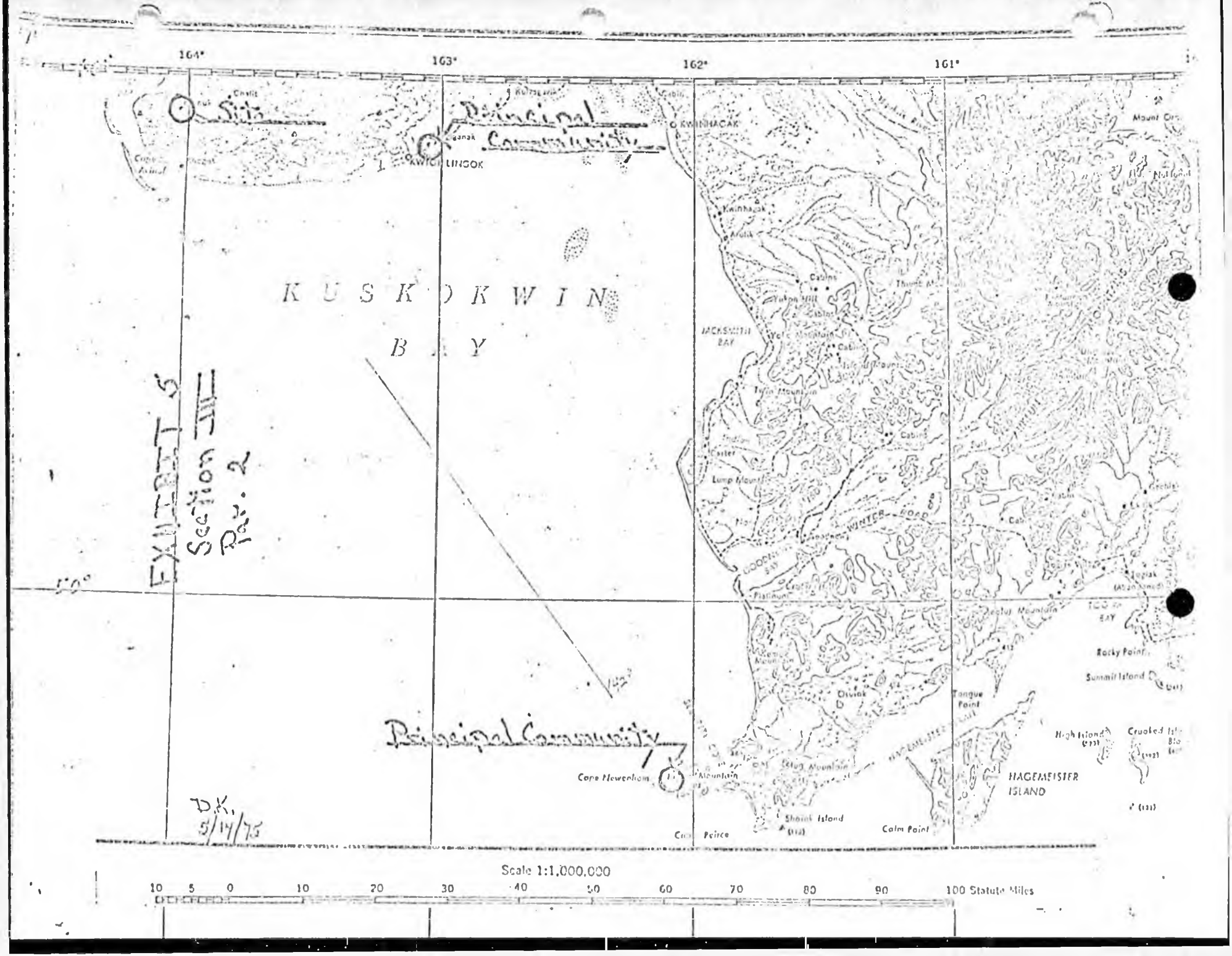

R. 50 W.
R. 49 W.
R. 48 W.
158°
R. 47 W.
T. 22 N.
T. 21 N.
T. 20 N.
T. 19 N.
T. 18 N.
Juninggutra Mountain
Crooked Creek
Great Bend
Ogtohaydok Ridge
Canoe Village
Horn Mountain
Oskawalik
KUSKOKWIM
Kolmakof
Kolmakof Lake
Napaimiut
SCALE 1:250 000
0
5
10
15
20
25 MILES

TRANSLATOR SITE: CROOKED CREEK

TRANSLATOR TV 1 V	$4,000.00
TOWERS X 2	132.00
RECEIVING ANTENNA X 2	240.00
TRANSMITTING ANTENNA X 2	240.00
RECEIVING HARNESS	30.00
TRANSMITTING HARNESS	25.00
100' COAX	30.00
TRANSMITER HOUSING	400.00
8,000' POWER LINE	2,200.00
REGULATING TRANSFORMERS	794.00
AIR TRANSPORTATION	540.00
GROUND TRANSPORTATION	50.00
LABOR & CASUAL LABOR	1,050.00
OUT OF TOWN LODGING	450.00
LICENSING	150.00
FREIGHT	160.00
TOTAL	$10,501.00

KIPNUK - Completition

The Kipnuk translator, located on the Bering Sea coast receive its signal from Nightmute, 60 miles to the West. Originally proposed as a 22-watt, multi-directional site to also serve Kwigillingok, Kongiganik, and to boost the signal to Cape Newenham, 104 miles across Kuskokwim Bay. Due to budgetary limits in FY'75, the site was established and is operating at 10-watts serving Kipnuk, and marginally Kwigillingok.

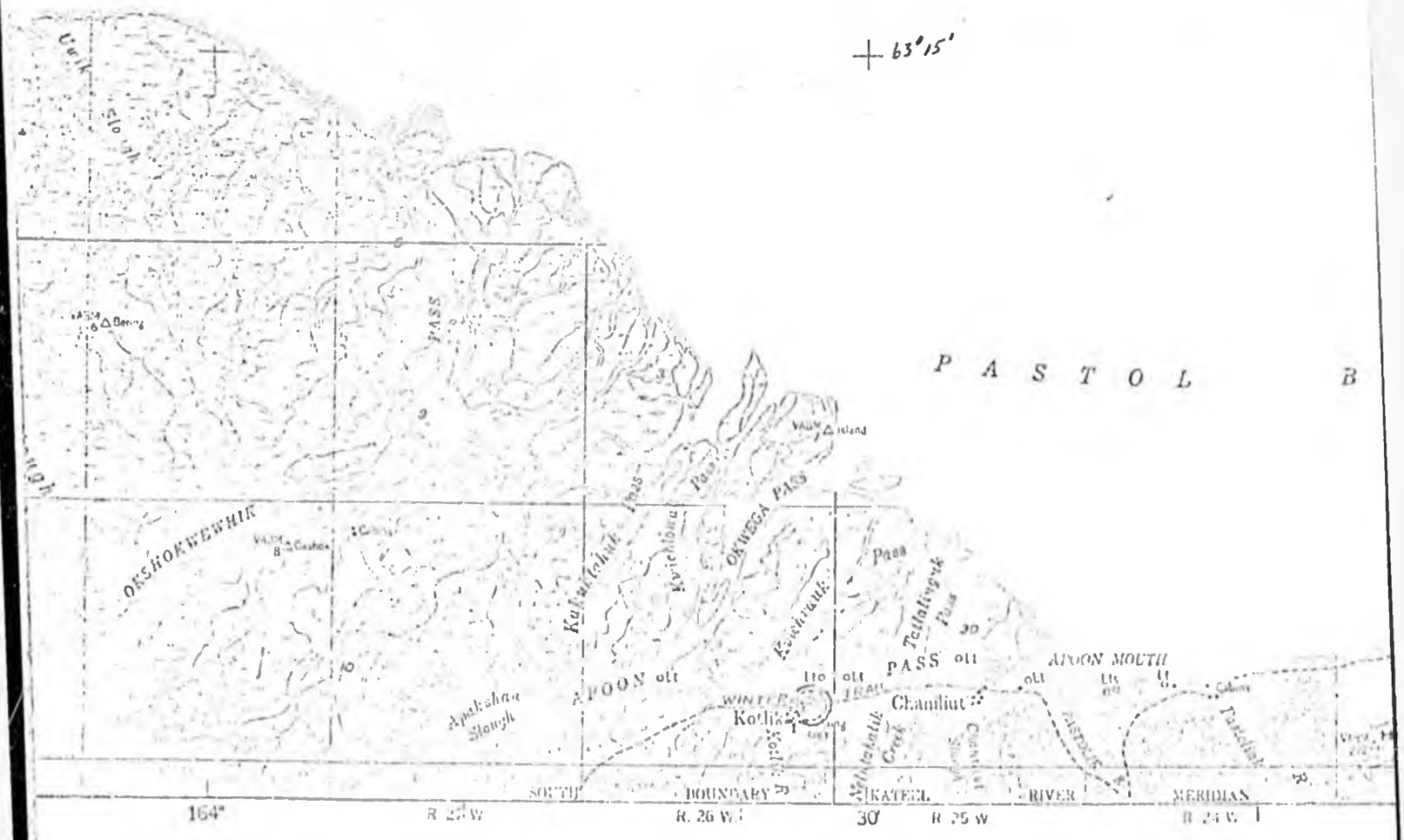

164°
163°
162°
161°
Site
Principal Community
KWINHAGAK
QUINHAGAK
KUSKOKWIM
BAY
Kwinhagak
Cabins
Yukon Hill
Yukon Mountain
JACKSMITH BAY
Tyon Mountain
Indian Center
Lump Mountain
WINTER ROAD
GOODNEWS BAY
Platinum
Oksrukuyik Mountain
Oksrukuyik
Tongue Point
Rocky Point
Summit Island
High Island
Crooked Island
HAGEMEISTER ISLAND
Shaint Island
Calm Point
Cape Newenham
Principal Community
EXHIBIT 5
Section III
Pg. 2
D.K.
5/14/75
Scale 1:1,000,000
10 5 0 10 20 30 40 50 60 70 80 90 100 Statute Miles

TRANSLATOR SITE: KIPNUK Completition

SPLIT 4 MXA	900.00
AMPLIFIERS TVA 10's	2,000.00
TRANSMITTING ANTENNAS	240.00
TRANSMITTING HARNESSES	60.00
AIR TRANSPORTATION	405.00
LABOR & CASUAL LABOR	300.00
OUT OF TOWN LODGING	280.00
FREIGHT	100.00
TOTAL	$4,285.00

KOTLIK

A low powered station with a circular radiation pattern located in the village of Kotlik adjacent to the BIA school, employing a very sensitive receiving components to utilize the signal from Hill 351 and cover the village with a normal "rabbit ear' strength signal. In village sites such as this, in areas which would be otherwise 'fringe' reception', the translator is a safety factor, preventing a rash of tall, dangerous, and expensive driftwood poles around the village with welfare check financed $300.00 antennas and pre-amps flapping in the wind.



SCALE 1:250000

5 0 5 10 15 20

5 0 5 10 15 20 25 KILOMETERS

CONTOUR INTERVAL 100 FEET

DATUM IS MEAN SEA LEVEL

DEPTH CURVES IN FEET DATUM IS MEAN LOWER LOW WATER

SHORELINE SHOWN REPRESENTS THE APPROXIMATE LINE OF MEAN HIGH WATER

1950 MAGNETIC DECLINATION AT SOUTH EDGE OF SHEET VARIES FROM 17° TO 19°30' EAST

THIS MAP IS AVAILABLE IN BOTH SHADED RELIEF AND CONTOUR EDITIONS

FOR SALE BY U. S. GEOLOGICAL SURVEY

FAIRBANKS, ALASKA 99701, DENVER, COLORADO 80225, OR WASHINGTON, D.C. 20242

A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

TRANSLATOR SITE: KOTLIK

TRANSLATOR 1 Watt	$4,000.00
TOWERS X 2	280.00
RECEIVING ANTENNAS	240.00
TRANSMITTING ANTENNA	130.00
RECEIVE HARNESS	30.00
BLONDER TONGUE PRE AM	120.00
100' COAX CABLE	40.00
TRANSMITTER HOUSING	400.00
200' POWER LINE	45.00
REGULATING TRANSFORMERS	395.00
AIR TRANSPORTATION	750.00
GROUND TRANSPORTATION	50.00
LABOR & CASUAL LABOR	900.00
OUT OF TOWN LODGING	350.00
LICENSING	150.00
FREIGHT	230.00
TOTAL	$8,110.00

LOWER YUKON FEEDER, HILL 351

A remote mountain top installation located on Hill 351 in the Andreafsky Mountains, 1,142 feet above sea level, this translator, using solar power in summer and propane in winter, will receive its signal from the Marshall translator, which is now operating in the Ilivit Mountain Range.

Hill 351, located on the Western fringe of the Andreafskies is 6,000 feet from Lake Arolokovik, which provides a landing area, summer and winter for light planes and affords line of site to the entire Yukon Mouth, including Sheldon's Point, Alukanuk, Emmonak, Kotlik and the Stebbins - St. Michael area.

Because of the practical limitations of solar powered sites, this signal is proposed as a feeder, rather than village coverage, but the signal could be used by isolated groups along the river such as Hamilton, Bill Moore's and the new cannery sites which do not qualify as villages.

The propane unit will be located on the lake shore with power line running to the mountain top, eliminating the otherwise expensive helicopter lifting of propane bottles to the site.

YUKON
RIVER
Mukilaka
Azachorok Hill
Mountain
Village
Johnny Village
Wilburs Place
Old Andreafsky
Kwikloaklok
Andreafsky Mtn
Pitkas Point
Arekaralingak
Anvik River
Cabins
Landing Area
R. 80 W.
R. 78 W.
30'
R. 77 W.
R. 76 W
R. 75 W.
SCALE 1:250000
5 0 5 10 15 20 25 MILES
5 0 5 10 15 20 25 KILOMETERS
CONTOUR INTERVAL 100 FEET

TRANSLATOR SITE: LOWER YUKON FEEDER, HILL 351

TRANSLATOR	$4,000.00
AMPLIFIER	2,000.00
TOWERS X 2	160.00
antennas	370.00
COAX CABLE	40.00
TRANSMITTER HOUSING	400.00
HOUSING POWER UNIT	400.00
POWER LINE	2,200.00
SOLAR UNIT	5,824.00
PROPANE UNIT	927.00
PROPANE FOR 2 YEARS	400.00
LABOR & CASUAL LABOR	1,400.00
AIR TRANSPORTATION	600.00
ON SITE SUSTENANCE	400.00
LICENSING	150.00
FREIGHT	260.00
TOTAL	$19,531.00

MARSHALL - Upgrade

The Marshall translator, on the peak of Pilcher Mountain is 1,700 feet above sea level, and uses 6 miles of power line. It was first installed on a temporary basis in January 1975, and finished in July of 1975. It covers Marshall, Pilot Station and Saint Mary's, and has been off the air a total of nine days in 13 months of operation. All of the down time to date has been caused by structural failure of the receiving antennas due to unusually heavy icing and wind combinations.

During this period three antennas have been totally destroyed, and one severly damaged, even though the types used are the most rugged available, and are serving trouble-free throughout Alaska.

It has been determined that the wooden housing structures on the site do not collect ice, and have sustained no damage. It is therefore recommended that a wooden housing structure be erected to cover and shield the antennas. The total cost of the shielding structure, to approximately equal the amount already expended in replacing and repairing antennas.

Ingrichsak Hill
MOUNTAIN VILLAGE
Old Andreafsky
Andreafsky
Pitkas Point
SITE
Russian Mission
Marshall
Ohogamiut
Bethel
BAIRD INLET
NELSON
Scale 1:1,000,000
10 5 0 10 20 30 40 50 60 70 80 90 100 Statute Miles

TRANSLATOR SITE: MARSHALL - Upgrade

HOUSING MATERIALS	950.00
GUYS & DEAD MEN	300.00
LABOR & CASUAL LABOR	900.00
LODGING OUT OF TOWN	400.00
AIR TRANSPORTATION	350.00
GROUND TRANSPORTATION	400.00
FREIGHT	175.00
TOTAL	$3,475.00

MOUNTAIN VILLAGE - Completition

The Mountain Village translator, originally proposed as a 22-watt station was cut back to 4-watts by budgetary limitations.

Installed in June of 1975, it serves Mountain Village and Pitka's Point. Service is adequate at Mountain Village, but marginal at Pitka's Point which is 20 miles distant. Bringing this station up to the original design power will provide excellent coverage to both villages as well as isolated individuals in the area.

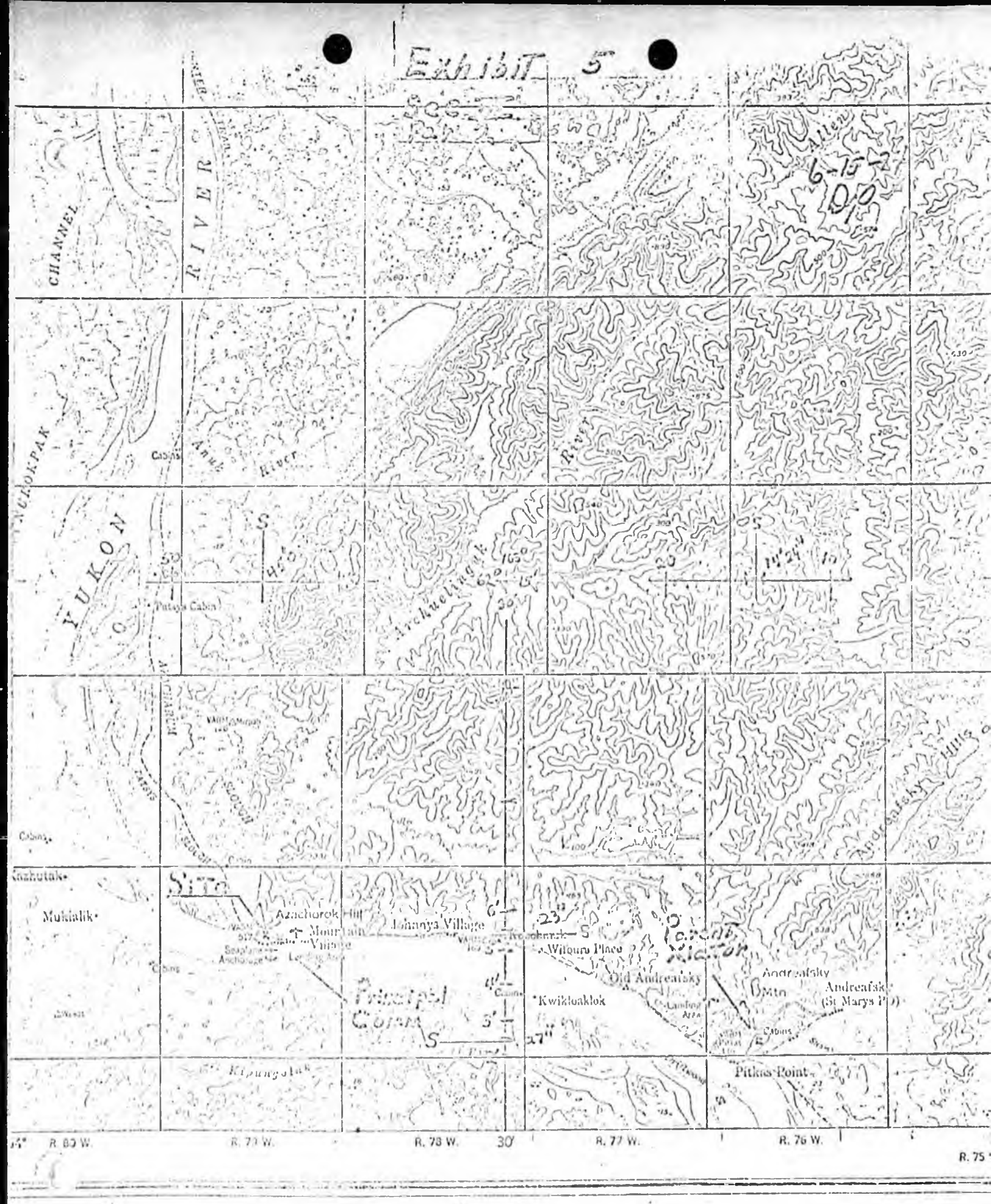


Exhibit 5
CHANNEL
RIVER
Allen
6-15-10
Anvil River
Cabin
YUKON
Pitka's Cabin
Site
Azachorok Hill
Mountain
Village
Johnnys Village
Wilcox Place
Old Andreafsky
Andreafsky
Andreafsky (St Marys P.O.)
Kwikluaklok
Pitkas Point
Mukialik
Kipungaluk
R. 80 W.
R. 79 W.
R. 78 W.
R. 77 W.
R. 76 W.
R. 75
SCALE 1:250000
5 0 5 10 15 20 25 MILES
5 0 5 10 15 20 25 KILOMETERS

TRANSLATOR SITE: MOUNTAIN VILLAGE - Completition

TVA AMPLIFIER 10 WATT	$2,500.00
SPLIT 4 MXA	200.00
TRANSLATOR HOUSING	100.00
AIR TRANSPORTATION	300.00
GROUND TRANSPORTATION	90.00
LABOR & CASUAL LABOR	300.00
OUT OF TOWN LODGING	360.00
FREIGHT	75.00
TOTAL	$4,625.00

NIGHTMUTE - Upgrade

The Nightmute translator was first installed on a temporary basis in December of 1974 and brought up to original design standards in 1975. It serves directly the villages of Nightmute, Chefornak, Toksook Bay, and Mekoryuk, and is re-translated into Tununak and Kipnuk with planned expansion into the Cape Newenham area.

During the 14 months of service the system has been off the air 8 days due to equipment failure, 4 days of which were caused by equipment received defective from the factory.

This site has been plagued, however, by signal fades caused by tidal action of inland water systems in the path of the incoming signal. This defect can be eliminated with the installation of a diversity receiving system, located such that, as the signal fades from the primary receivers it increases in the secondary receivers, with the translator automatically accepting the stronger of the two imputs. *

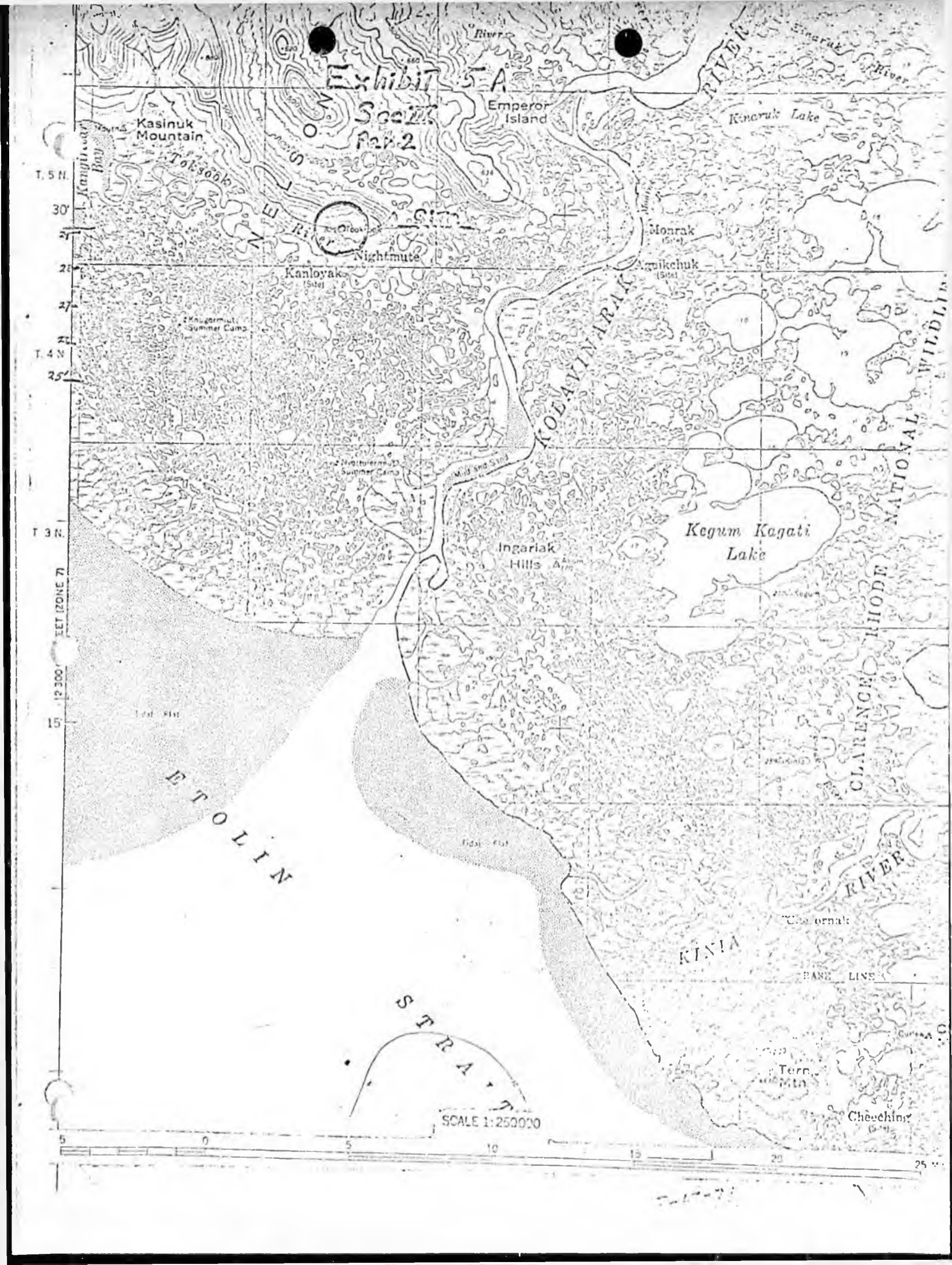


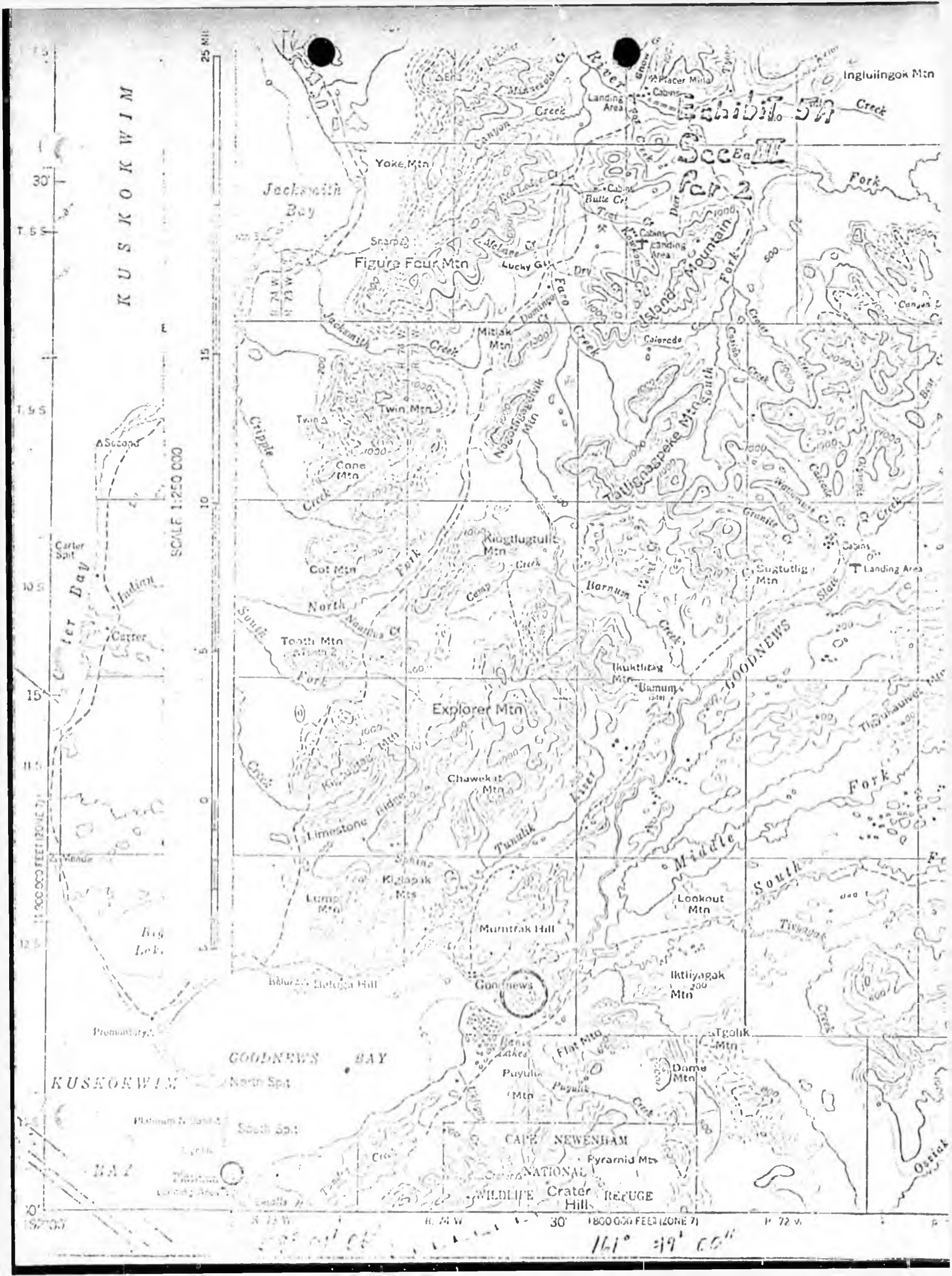
Exhibit 5-A
Part 2
Emperor Island
Kasinuk Mountain
Kangikuar Bay
Toksook Bay
NELSON ISLAND
Nightmute
Kanloyak (Site)
Monrak
Nunikchuk (Site)
KOLAVINARAK RIVER
Kegum Kagati Lake
Ingariak Hills
CLARENCE RHODE NATIONAL WILDLIFE
ETOLIN STRAIT
KINIA
Cheechinok
T. 5 N.
T. 4 N.
T. 3 N.
SCALE 1:250000

TRANSLATOR SITE: NIGHTMUTE - Upgrade

2 TOWERS	420.00
RECEIVING ANTENNAS	240.00
RECEIVING HARNESS	75.00
150' COAX CABLE	45.00
DIVERSITY SENSING	520.00
AIR TRANSPORTATION	540.00
GROUND TRANSPORTATION	120.00
LABOR & CASUAL LABOR	600.00
OUT OF TOWN LODGING	370.00
TOTAL	$2,930.00

PLATINUM

The Platinum translator will receive a signal from Cape Newenham and repeat it 'around the corner' into Goodnews Bay. It will also give a 'rabbit ear' picture to the village of Platinum where reception otherwise would require expensive outside antennas and boosters.

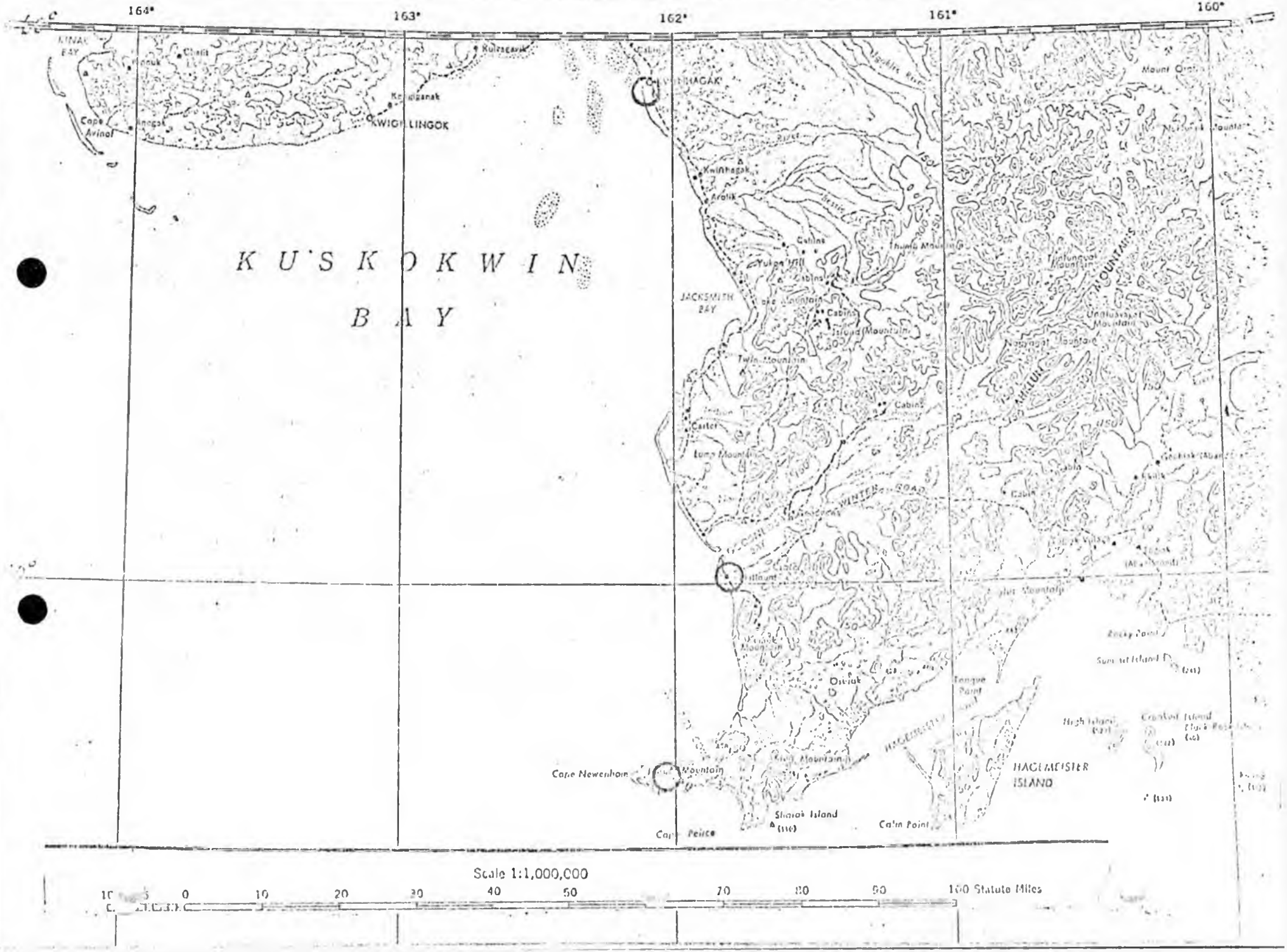

KUSKOKWIM
Jackpeth Bay
Yoke Mtn
Figure Four Mtn
Jackpeth Creek
Twin Mtn
Cone Mtn
Carter Spit
Carter Bay
Indian
Carter
Cot Mtn
North Fork
Tooth Mtn
Explorer Mtn
Chawekut Mtn
Limestone Ridge
Tunalik River
Big Lake
Kiglapak Mts
Lump Mtn
Mumtrak Hill
Goodnews
GOODNEWS BAY
KUSKOKWIM
North Spit
South Spit
Platinum
Beluga Lake
Paypuk Mtn
Flat Mtn
Dome Mtn
Tgolik Mtn
Lookout Mtn
Iktliyagak Mtn
Middle Fork
South Fork
Tuluksak
Ingluilingok Mtn
Placer Mine
Landing Area
Cabins
Exhibit 54
Fork
Island Mountain
Taylingsepeke Mtn South
Granite Creek
Colorado
Barnum
Ikuktlitag Mtn
Sugtutlig Mtn
Slate Creek
Ragglugtuli Mtn
Nagaitsagaitsik Mtn
Kwigluk Mtn
Pyramid Mtn
CAPE NEWENHAM
NATIONAL WILDLIFE REFUGE
Crater Hills
SCALE 1:250 000
25 Miles
15
10
5
0
1 300 000 FEET (ZONE 7)
1 800 000 FEET (ZONE 7)
30'
T. 5 S.
T. 9 S.
T. 10 S.
T. 11 S.
T. 12 S.
R. 73 W.
R. 74 W.
R. 75 W.
R. 76 W.
R. 77 W.
R. 72 W.
161° 39' 00"

TRANSLATOR SITE: PLATINUM

TRANSLATOR TV 10	$6,000.00
50' TOWERS	820.00
RECEIVING ANTENNAS X 2	240.00
TRANSMITTING ANTENNAS X 2	240.00
RECEIVING HARNESS	30.00
TRANSMITTING HARNESS	30.00
200' COAX CABLE	90.00
TRANSLATOR HOUSING	400.00
POWER LINE 1,000'	240.00
REGULATING TRANSFORMER	400.00
AIR TRANSPORTATION	540.00
LABOR & CASUAL LABOR	900.00
OUT OF TOWN LODGING	400.00
LICENSING	150.00
FREIGHT	160.00
TOTAL	$10,640.00

QUINHAGAK

The village of Quinhagak located on the coast of Kuskokwim Bay, approximately 70 miles South of Bethel, has no high ground which can be used for direct reception. It can, however, be served from the opposite direction, repeating a signal from 2,400 foot Jagged Mountain at Cape Newenham. This will make Quinhagak the longest single path in the entire region, about 364 miles, via Nightmute, Kipnuk and Cape Newenham.


164°
163°
162°
161°
160°
KINAK BAY
Cape Avinof
KWIGILINGOK
Kwinhagak
Aroiuk
KUSKOKWIN BAY
JACKSMITH BAY
Twin Mountain
Lump Mountain
WINTER ROAD
Mount Chagvan
Unatuksagat Mountain
ANKUKPAT
Oriuk
Cape Newenham
Shaman Island
Cape Peirce
Cairn Point
HAGEMEISTER ISLAND
Scale 1:1,000,000
0
10
20
30
40
50
70
80
90
100 Statute Miles

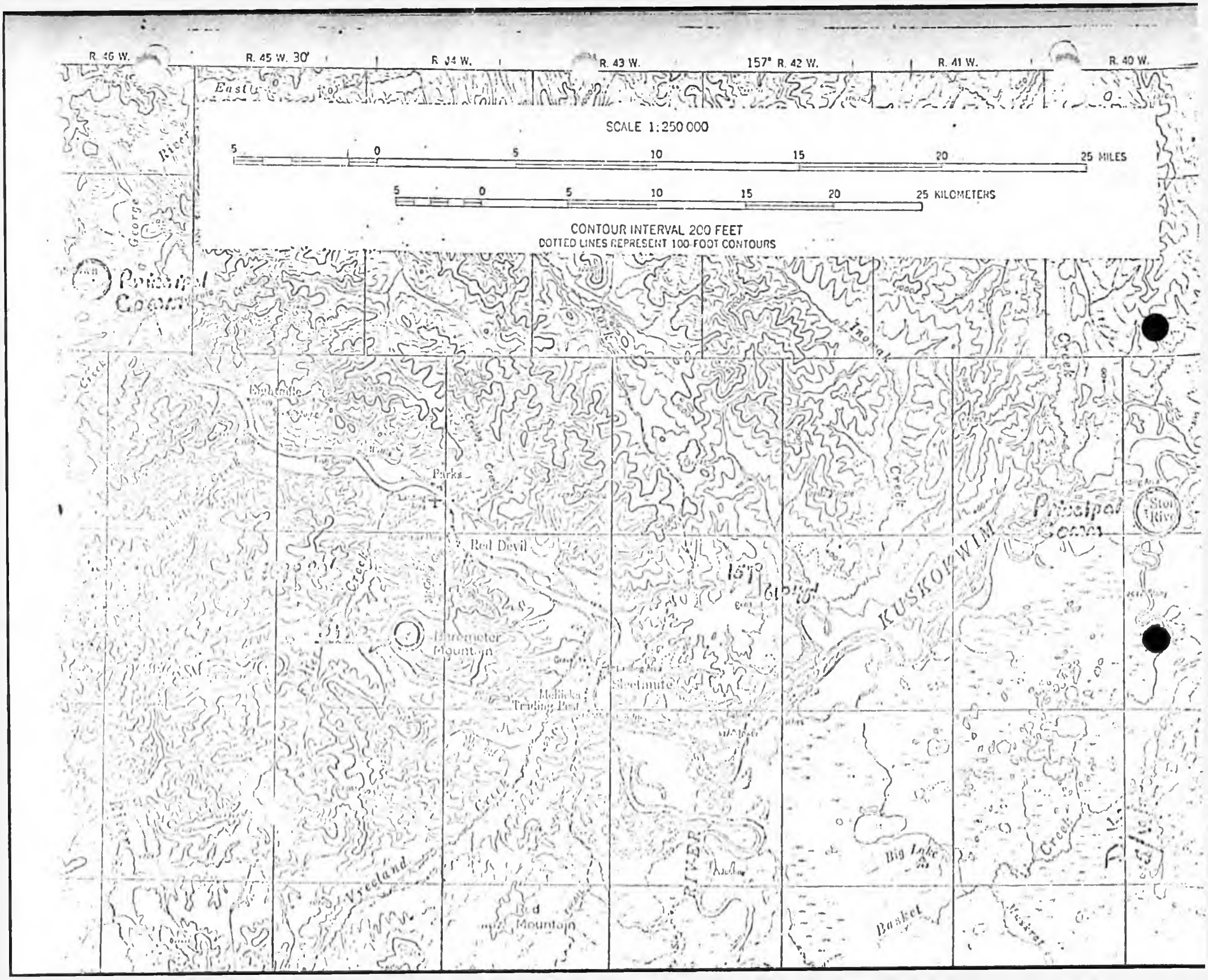
TRANSLATOR SITE: QUINHAGAK

TRANSLATOR TV 10	$6,000.00
50' TOWERS X 2	820.00
RECEIVING ANTENNA	280.00
TRANSMITTING ANTENNA	280.00
RECEIVING HARNESS	40.00
TRANSMITTING HARNESS	40.00
200' COAX CABLE	90.00
TRANSLATOR HOUSING	400.00
POWER LINE 1,000'	240.00
REGULATING TRANSFORMERS	400.00
AIR TRANSPORTATION	540.00
LABOR & CASUAL LABOR	1,200.00
OUT OF TOWN LODGING	480.00
LICENSING	150.00
FREIGHT	240.00
TOTAL	$11,200.00

RED DEVIL - Completition

The Red Devil translator, 2,500 feet above sea level and using 5 miles of power line, is located on the peak of Barometer Mountain. Originally designed as a directional station, it was limited by the budget to a single direction.

The Eastern Lobe was put on air in August 1975, and has been continuously serving Red Devil, Sleetmute and Stony River, as well as Homesteaders on the Holitna River. It is now proposed to add the Western transmitting Lobe which will serve Georgetwon, Crooked Creek, and numerous isolated families along the Kuskokwim.


R. 46 W.
R. 45 W. 30'
R. 44 W.
R. 43 W.
157° R. 42 W.
R. 41 W.
R. 40 W.
SCALE 1:250 000
5 0 5 10 15 20 25 MILES
5 0 5 10 15 20 25 KILOMETERS
CONTOUR INTERVAL 200 FEET
DOTTED LINES REPRESENT 100-FOOT CONTOURS
Parks
Red Devil
Barometer Mountain
Sleetmute
Medfra Trading Post
KUSKOKWIM
Big Lake
Vreeland
Red Mountain
Basket
Creek
RIVER

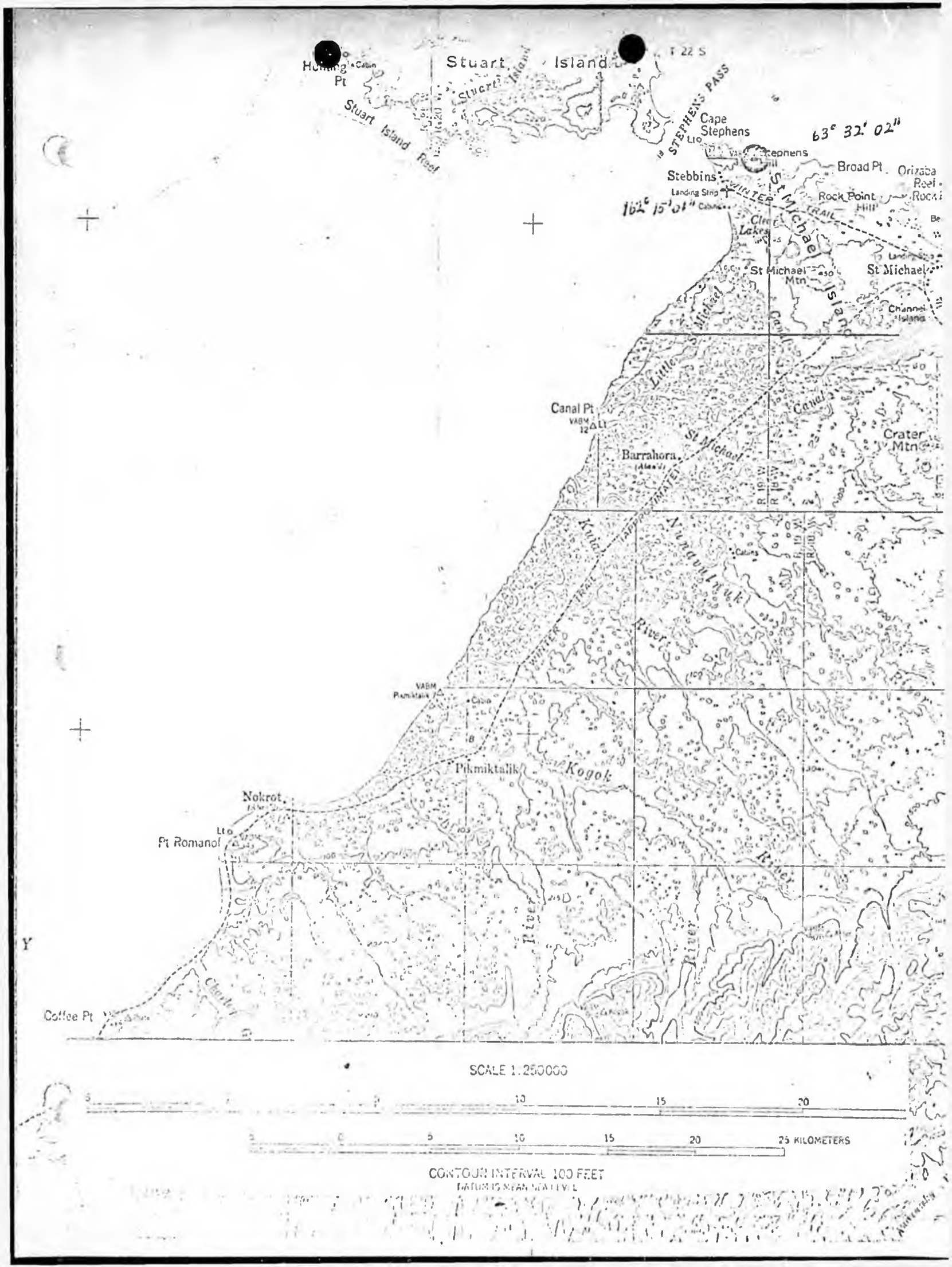
TRANSLATOR SITE: RED DEVIL - Completition

AMPLIFIER 10 WATT	$2,500.00
SPLITTER	900.00
TOWERS	170.00
TRANSMITTING ANTENNAS	240.00
TRANSMITTING HARNESS	30.00
AIR TRANSPORTATION	630.00
GROUND TRANSPORTATION	180.00
LABOR & CASUAL LABOR	800.00
OUT OF TOWN LODGING	500.00
FREIGHT	75.00
TOTAL	$6,025.00

STEBBINS, ST. MICHAEL, UNALAKLEET

A mountain top installation on St. Michael Island utilizing the signal from Hill 351 will directly cover villages of Stebbins and St. Michael, will be receivable in Unalakleet and Shaktoolik.

This site will cover the South East 1/3 of Norton Sound, completing the logical North Westerly expansion of the Yukon/Kuskokwim system by abutting the area which geographically, economically and culturally should be considered the Nome area.


Stuart Island
T 22 S
Hunting Pt
Stuart Island Reef
Cape Stephens
STEPHENS PASS
63° 32' 02"
Stephens
Broad Pt
Orizaba Reef
Stebbins
Landing Strip
WINTER TRAIL
St Michael
162° 15' 01"
Rock Point Hill
Clear Lakes
St Michael Mtn
St Michael
Channel Islands
Canal Pt
VABM 12
Little
Canal
Crater Mtn
Barrahora
St Michael
APPROXIMATED
Kuiligak
Nunguulnuk
River
WINTER TRAIL
VABM Pikmiktalik
Pikmiktalik
Kogok
Nokrot
Pt Romanof
Coffee Pt
SCALE 1:250000
5 0 5 10 15 20
5 0 5 10 15 20 25 KILOMETERS
CONTOUR INTERVAL 100 FEET
DATUM IS MEAN SEA LEVEL

TRANSLATOR SITE: STEBBINS, ST. MICHAEL, UNALAKLEET

TRANSLATOR TV 10	$6,000.00
SPLITTER	1,000.00
AMPLIFIERS	6,700.00
TOWERS X 4	920.00
ANTENNAS & HARNESSES	1,360.00
COAX CABLE	70.00
TRANSMITTER HOUSING	400.00
24,000' POWER LINE	4,320.00
AIR TRANSPORTATION	1,100.00
GROUND TRANSPORTATION	450.00
LABOR & CASUAL LABOR	3,500.00
OUT OF TOWN LODGING	740.00
LICENSING	150.00
FREIGHT	260.00
TOTAL	$26.970.00

TULUKSAK

The village of Tuluksak located 50 miles North East of Bethel is a fringe area, in which antenna installations cost up to twice as much as the television sets, putting TV out of reach for many and creating a hazard with 30-foot poles scattered throughout the village. Most of them are inadequately secured, and results are normally poor.

A 1-watt translator located in the woods, about 200 feet from the edge of the village at the point furthest from the airport will provide a rabbit ear picture to the entire village.

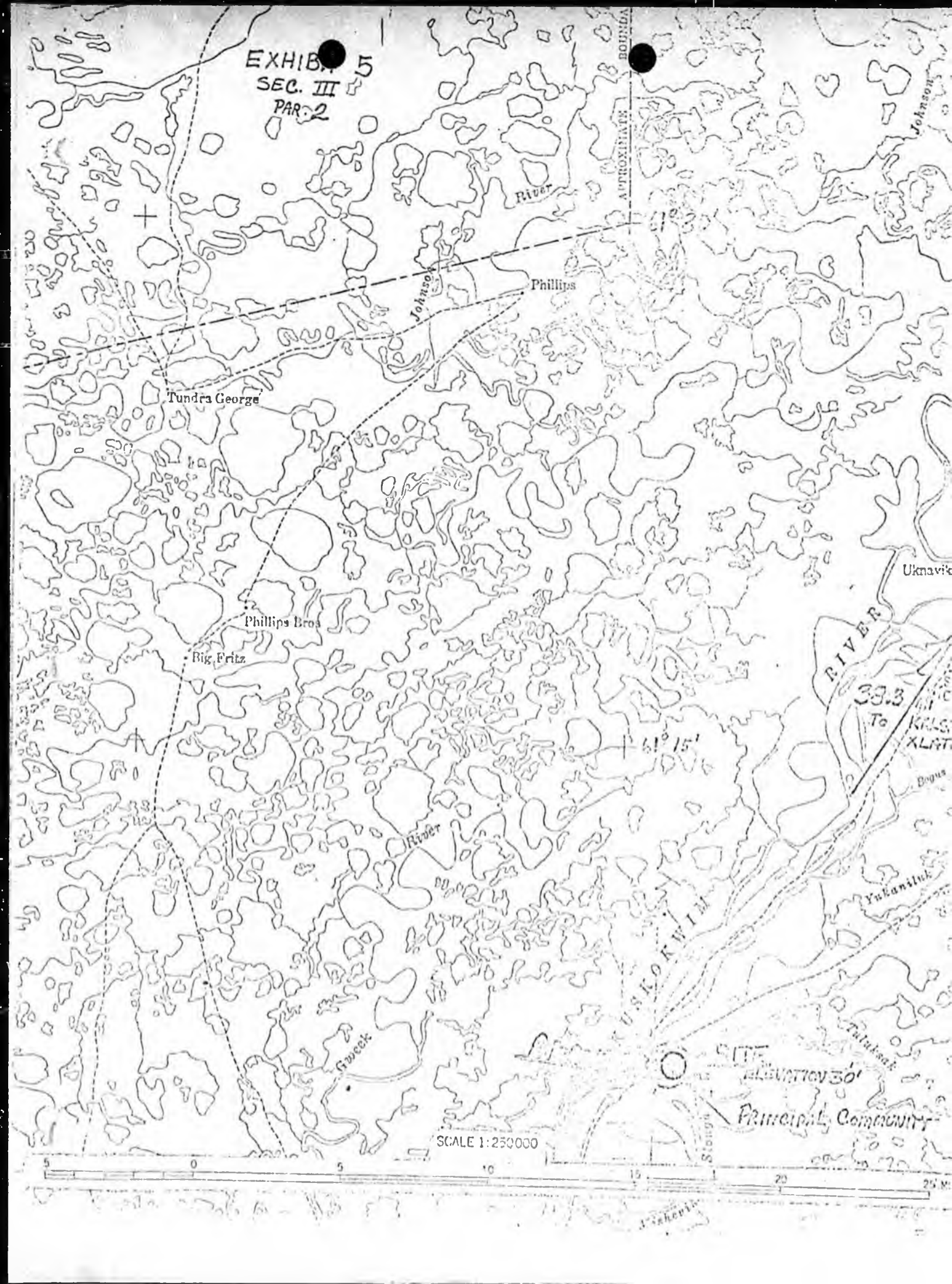


EXHIBIT 5
SEC. III
PAR. 2
APPROXIMATE BOUNDARY
Johnson River
Phillips
Johnson
Tundra George
Phillips Bros
Big Fritz
River
61° 15'
Uknavik
RIVER
39.3
To
Bogus
Yukaniluk
USKOKWIM
Tuluksak
SITE
ELEVATION 30'
Principal Community
Stony
Gweek
SCALE 1:250000
5 0 5 10 15 20 25 Mi

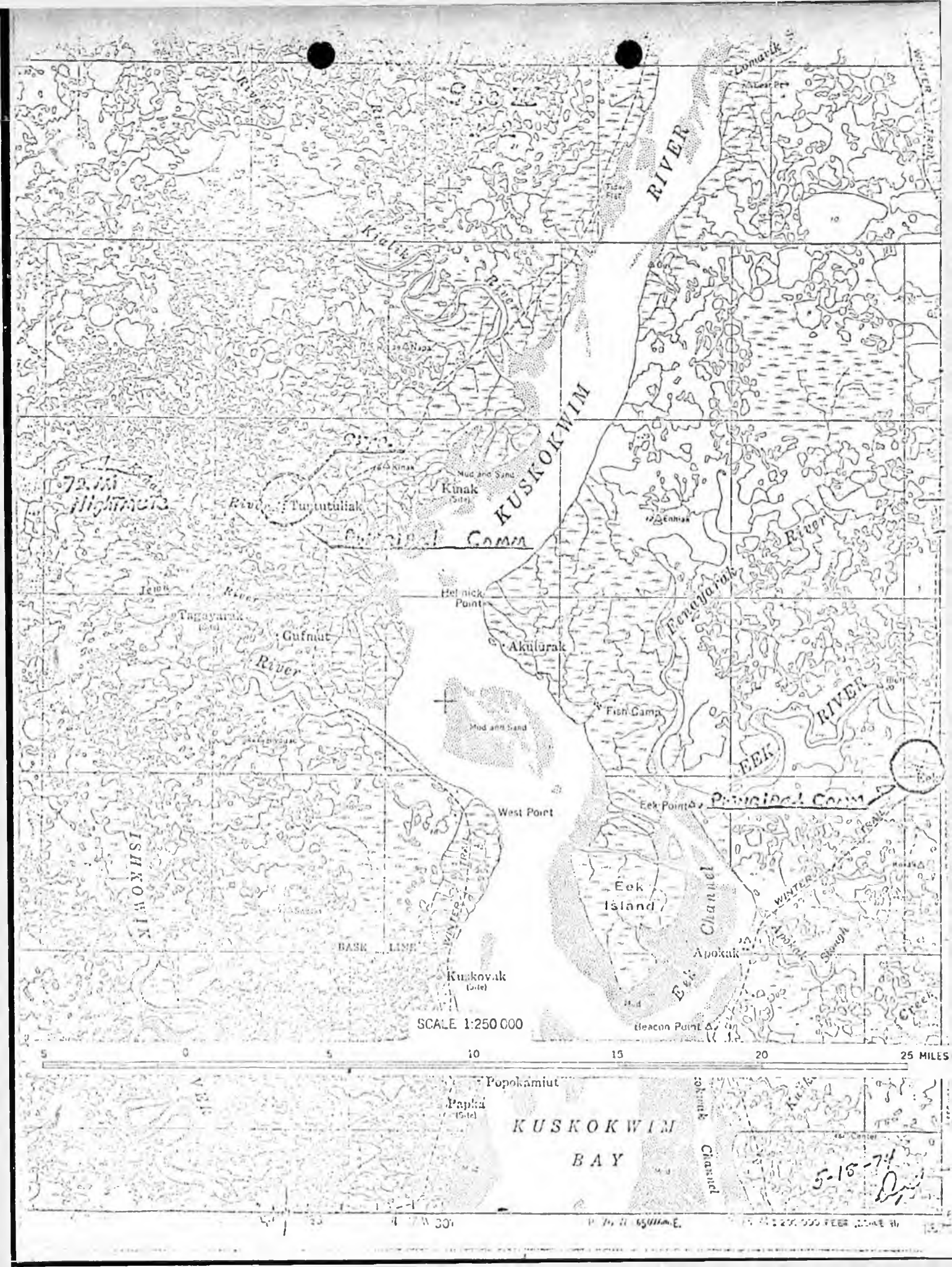
TRANSLATOR SITE: TULUKSAK

TRANSLATOR TV1V	$3,800.00
RHOTE 30' TOWERS	200.00
RECEIVING ANTENNA	100.00
TRANSMITTING ANTENNAS	240.00
HARNESS	30.00
GUYS	50.00
100'' COAX CABLE	50.00
TRANSLATOR HOUSING	400.00
200' POWER LINE	406.00
AIR TRANSPORTATION	400.00
LABOR & CASUAL LABOR	840.00
OUT OF TOWN LODGING	190.00
FREIGHT	130.00
TOTAL	$6,836.00

TUNTUTULAIK - Upgrade

The Tuntutuliak translator has been operating since October of 1974 with the only down time caused by a record flood in the Fall of 1975.

This translator was underfunded originally, and was not included in the FY75 budget. The original receiving antennas, which are still in use were damaged 'cast-offs' of KYUK-TV, repaird with clothes hangers and tapes, they have perfromed adequately but should be replaced.


KUSKOKWIM
RIVER
Kialik River
Kinak
Tuntutuliak
Jelon River
Tagayarak
Gufmiut
River
Helnick Point
Akulurak
Fenagyarak River
Fish Camp
Mud and Sand
EEK
RIVER
Eek Point
West Point
Eek Island
Eek Channel
Apokak
Kuskovak
BASE LINE
SCALE 1:250 000
5 0 5 10 15 20 25 MILES
Popokamiut
Papka
KUSKOKWIM
BAY
Kuskokwim Mountains
Kialik
Skwentna Channel
5-15-74

TRANSLATOR SITE: TUNTUTULIAK - Upgrade

RECEIVING ANTENNAS X 2	220.00
TRANSMITTING ANTENNAS X 2	240.00
AIR TRANSPORTATION	250.00
LABOR & CASUAL LABOR	600.00
OUT OF TOWN LODGING	300.00
TOTAL	$1,610.00

THE PRECEDING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

HB
453

POSITION PAPER
ON
HOUSE BILL 453

"An Act relating to the age of persons eligible for programs for exceptional children".

It appears that the purpose of this Bill is to effect two substantial changes in Alaska law: 1) to place responsibility on local governments, through the procedures of the Department of Education and the foundation program, for the education of "exceptional adults"; 2) to establish a procedure by which education programs for adults qualify for special grants from the Department of Health and Social Services; 3) to amend and extend Senate Bill 188 and House Bill 454.

The Division of Mental Health cannot speak to the general citizens' desire that the State assume such an educational responsibility. However, there are several questions which we wish to raise regarding House Bill 453:

1. A tangle of intent between the two apparent purposes of the Bill: placement of authority and responsibility for the education of adults, including mentally retarded adults in the Department of Education (14.30) and placing the same responsibility and authority only for mentally retarded adults in the Department of Health and Social Services (47.20).

We believe that this will extend the present difficulities experienced by this Department and the Department of Education regarding provision of similar services to the same group (e.g., day care and services to the mentally retarded).

2. While AS 14.30.191 specifies that diagnostic standards be established jointly by the Department of Education and the Department of Health and Social rvices, the new language of House Bill 453 specifies that only for adults (as distinct from children) determination of eligibility for a program whose standards are established by the Department of Education should reside only with the Department of Health and Social Services. We believe this to be inconsistent with sound program management and to raise potential difficulties between the two departments and consumer groups.

3. The third difficulty is of a more practical sort and is, perhaps, best spoken to by the Department of Education. It is possible that the State is interested in assuming responsibility, beyond the present Adult Basic Education program and Vocational Education and Rehabilitation programs, for those adults who have not fully benefited from the educational experiences of their childhood years. The group of "exceptional adults" in House Bill 453 is possibly quite large, containing as it does, not only the mentally retarded whose need for such services is unquestionable and greatly needed but also many adults with "learning disabilities" and "emotional handicaps". It is estimated that at least 4000 exceptional adults would become eligible for new "competent education services" upon passage of this bill. The reason for this large figure is that their is no way known to determine that an adult would not benefit from competent educational services of some kind. Therefore, all adults who are mentally retarded, physically handicapped, emotionally handicapped, learning disabled, gifted and multiply-handicapped would become eligible for educational services.

4. It would be more appropriate that additional opportunities for education be made available for exceptional adults in the State's community college system.

Position: Oppose.

Recommended By: _____ 5-7-75
(Division Director or Separate Office Coordinator) (Date)

Approved: _____ 5/8/75
(Commissioner) (Date)

Comments by Governor's Office:

By: _____ _____
(Date)

The Legislature of the State of Alaska
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. House Bill 453

Title: An Act relating to the age of persons eligible for programs for exceptional children.

Requested by: _____ Date: _____

Return Date Requested: _____

Agency: _____ Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Special Education

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL	4,000,000	same	same			

B. FUNDING: (Thousands of dollars)

GENERAL FUND	3,700,000	"	"			
FEDERAL FUNDS						
OTHER (Local)	300,000	"	"			

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The Special Education Section of the Department of Education estimates that for 4000 exceptional adults, $4,000,000 per year would be expended based on the School Foundation Support program.

IV. ATTACHMENTS

V. DATE: 5-7-75 PREPARED BY: Jimmy L Schrader

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

HB
454

POSITION PAPER
ON
SENATE BILL NO. 188

An Act relating to mentally retarded persons; and providing for an effective date.

The legislative intent is not clear from the bill as stated. This should be specified further as to the goals or objectives of this act.

The effect of this legislation is to remove age restrictions, thus expanding availability of service to all exceptional persons. The introduction of this legislation is timely in that Alaska Statute 14.30 enacted during the 1974 Legislature for special education has had impact on the scope of AS 47.20.

Line 11 uses the word "may" and line 18 uses the word "shall" in reference to the same function of the Department. The desired function of the Department should be clarified.

The Department of Health and Social Services, in consultation with the Department of Education, has proposed an Infant Learning Program for exceptional children under the authority of AS 47.20 as it currently stands. To the extent the proposed amendments of Senate Bill No. 188 would broaden the coverage under AS 47.20, it has the potential of detracting from the Infant Learning Program as proposed.

Fiscal implications. Passage of Senate Bill No. 188 doubtless will result in increased costs. The Department of Health and Social Services is committed to operating within the Governor's approved administration budget. The costs should be considered carefully.

Providing the clarifications listed above can be achieved, the Department supports the goals of the bill but does not see any way that the funding can be provided through the divisional or departmental budget for FY 76.

Recommended by: Donald K. Freedman — Director, Division of Public Health — Date 3/12/75

Approved by: [illegible] — Deputy Commissioner, Department of Health & Social Services — Date 3/12/75

HB

457

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 29, 1976

Present: Sullivan Davis Parr
Hackney Beirne Ostrosky Osterback

Testifying: Pat Hung, Div. of Personnel

SCR 94 - Licensing of Nursing Home Administrators - Rules

Depts. position is that they are against it for various reasons. Mainly that the city would use it as incentive for a Phy. assistant to come in and charge fees. Agains the states policy. Many legal problems.

Committee wants to know if public health nurses could still come in and use the facility????

Amendment line 19, p1

"Be it further resolved that the transfer document guarantee continued availability of space for state medical personnel at no cost to the state"

Committee decided to hold this bill over till we can get someone to testify on it.regarding the questions raised by the committee

(amendment was not voted on)

CSHB 457 - Training & Ed. of state employeees- Buchholdt

Pat Hunt - testifying regarding this bill and how it would affect the state employees. Fiscal implications hard to figure out. Depts now do some educating of employees, but mainly those who are minority hire.

Thelma- purpose of bill to allow professional people to follow their chosen profession by continuing education.

Committee concerned that the ed. process will override the job. Bill mandates alo f things, such as "shall" creat a program.

Amendment p.2 line 5 delete the word "shall", add "may as funds permit"

amendment passed.

Hold bill over for more information.

HB 881 - Interference with Phy/patient relationship

Hugh Fleischer, attorney for many cancer patients interested in laetrile. made various recommendation s for this bill. change word drug to "substance"

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 24, 1976

Present: Parr Ostrosky Osterback
Sullivan Beirne

HJR 70 & HCR 132 - Waste disposal in Barrow and Bethel - HESS

Committee discussed the issues and voted to pass both out with a do-pass.

HB 894 - Practice of Dentistry - HESS

Committee discussed the bill and also whether to include dental hygenists,
Amendment, line 8, page 2 after dentist, add "And Dental Hygenists."
Line 18, page 2, after dentist, add" or dental hygenists"
Line 1, page 3, after dentistry, add " and dental hygeine"

Committee concerned about repealing the advertising section of the statutes. This would enable a dentist to advertise for business, prices, etc. Discussion centered around how the Dental Assoc. felt about this, they were not too concerned, but did feel it would allow non-competent dentists to get more business.

Motion to move bill out with amendment, do pass

HB 457 - Training and Ed. of State Employees - Buchholds

Hold till Monday, get someone here, Patrick Hurg from Personnel to testify Helen wants him to

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 10, 1976

Present Sullivan Beirne
Ose Hackney
Ostrosky Swanson
Parr

Testified: Lois Jund, Dept. H & SS
K. Kareen, Div. of Personnel
Edna Crawford, Public Health Nurses

HB 457 Training and Ed. of State Employees - Buchholdt

Buchholdt- explained why she felt a need for the bill

KAreen, explained the present policy of training for state employees.

Committee discussion concerning the needs of state employees, shouldnt' they foot the time and bill for an ed. if they want it. Others all for it.

Decided to have a work session on this bill.

HB 467 Catastrophic Illness Aid Beirne

Beirne expressed the need for this bill, gave examples of how many families there were that are having to live below poverty level because of severe illness. The system right now forced people not to work, so that they can be on welfare and have the medical bills paid for by someone else.

Lois Jund -xwxxx

A M E N D M E N T

Offered in the HOUSE By House HESS

To: _____ HOUSE BILL NO. CSHB 457

_____ SENATE BILL NO. ____

AMENDMENT: Page 2 Line 5

delete the word "shall"

add "may as funds permit"

STATE of ALASKA

MEMORANDUM file HB457

DEPARTMENT OF ADMINISTRATION

TO All Agency Heads

DATE : November 2, 1972

FROM: Patrick L. Hunt, Director
Division of Personnel

SUBJECT: Training Policy

Purpose:

This policy provides common guidelines to be used by all departments when they engage in training activities.

I. Authorization

A. A.S.39.25.050: "the Director of Personnel...shall (3) develop, in cooperation with appointing authorities and others, program for the improvement of employee effectiveness...,"

II. Training

A. Training is that provided by a State or non-State institution or agency for which the State may pay authorized expenses.

B. Training is given to meet departments needs for scientific, professional, technical, mechanical, trade, clerical, fiscal, administrative, or other skills. The training must be of necessary and direct value to the State and directly relevant to the trainee's occupation or training directly related to occupational advancement within the employee's occupational area. The training must be limited to subject matter not sufficiently encompassed in the trainee's previous education and experience or which the trainee normally would not be expected to know prior to appointment to his present position.

III. Assignments (Calendar Days)

A. Over 30 Days - An assignment which extends beyond a period of 30 calendar days is designated full-time training.

B. 30 Days or Less - An assignment of 30 days or less is designated short term training.

C. Part-time - An assignment which encompasses a part of trainee's regular hours, for any length of time, is designated part-time training.

D. After Working Hours - An assignment outside the trainee's regular work hours is designated "after working hours" training.

E. Full time training shall not exceed two consecutive years duration.

F. Exclusions (assignments not considered training, per se): institutes, conferences, convention, or meetings designed to provide primarily for:

1. enhancement of professional relationships
2. a general sharing of experience and broadening of understanding
3. an exploration of problems particular to the sponsoring organization and profession
4. operational purposes such as public relations, recruiting, planning, etc.

IV. Compensation

A. Over 30 Days - The trainee may receive up to his regular salary during the period of training. The department may also pay all or part of the expenses associated with travel, tuition, fees and necessary supplies.

B. 30 Days or Less, and Part-time - The trainee may receive up to his regular salary during the period of training. The department may pay all or part of the expenses associated with travel, tuition, fees and necessary supplies.

C. After Working Hours - The department may pay all or part of the expenses associated with travel, tuition, fees and necessary supplies.

D. Uncompleted Assignments - The trainee or his estate may be reimbursed for any expenses to the trainee associated with travel, tuition, fees and necessary supplies if the assignment is terminated prior to completion either:

1. at the convenience of the State provided that the training facility reports satisfactory performance in the prescribed course of study during the period of assignment or,
2. because of death, prolonged illness, disability or similar eventuality beyond the control of the trainee as determined by the appointing authority.

E. Authorized expenses may be advanced to the employee, or reimbursed to him upon submission of receipts.

F. The combination of State and non-State assistance shall in no case exceed the maximum amount available under State assistance alone.

V. Agreement

A. Any employee assigned to FULL TIME training for which payment of expenses is authorized shall sign a Training Agreement, Form 02-240. Salary and transportation costs shall not be subject to the provisions of this Agreement.

VI. Selection & Justification

A. The department is responsible to select the individual employees for training and to provide justification for the training as may by requested by the Department of Administration.

VII. Annual Training Report

A. The department will file an annual report with the Division of Personnel by September 30, of each year, for the fiscal year just closed.

B. The annual report shall contain for each course the following:

1. Course title
2. Type of training conducted
3. Names of trainees
4. Classification titles of trainees
5. Type of assignment and duration
6. Length in man days away from the job
7. Costs itemized: salary, travel, tuition, fees, supplies
8. Total number of trainees all courses
9. Total cost all training

VIII. Training Needs Survey

A. The department shall conduct a training needs survey periodically to determine the training needs of the department. (See Guide to Surveying Training Needs.)

B. The Division of Personnel will assist departments to develop and maintain training needs data.

C. The department shall submit an annual report of training needs to the Division of Personnel. This report shall be submitted September 30 of each year in preparation for the coming fiscal year and budget planning.

IX. Training Planning

A. The department is responsible to plan training activity, to keep the plan current, and to use it as the primary basis for budgeting and scheduling training of employees. (See Guide to Surveying Training Needs.)

02-240.

STATE OF ALASKA

TRAINING AGREEMENT

It is agreed between the State and _____, the employee, that the cost of authorized expenses (itemized below) for the following named training course(s) _____

Will be paid by the State upon submission of receipts and proof of satisfactory completion of the course. In the event the course is not satisfactorily completed, all State advances will be reimbursed by the employee.

ITEM	$	ITEM	$

It is also agreed that if the employee terminates employment with the State of Alaska in less than two years after completion of training, unless termination is result of death, prolonged illness, disability, unacceptability of the employee to the State, or other circumstances beyond the control of the employee, the employee will reimburse the State an amount of the itemized expenses in accordance with the following schedule:

(a) 100% if termination occurs before completing 6 months.
(b) 75% if termination occurs after 6 mos. & before 12 months.
(c) 50% if termination occurs after 12 mos. & before 18 months.
(d) 25% if termination occurs after 18 mos. & before 2 years.
(e) 0% if termination occurs after 2 years.

Termination for reasons due to misconduct or dilinquency on the part of the employee, shall not excuse the employee for liability for reimbursement within the limits specified above.

It is further agreed that the State of Alaska shall have the right to deduct from the undersigned employee's final pay check any monies owing the State in accordance with the above terms or to recover such monies by other legal means.

Signatures

1. _____ _____
Employee Date

_____ _____
City Department

2. _____ _____
Appointing Authority Date

_____ _____
City Department

HB

461

"An Act relating to forgiveness of the remaining outstanding school construction debt of the City of Nenana; and providing for an effective date.

COMMITTEE REPORT

4/26/75 HOUSE FINANCE

Mr. Speaker: Date 5/6/71

The Committee on HESS has had HB 461 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HB 461

HESS COMMITTEE MEETING

May 6, 1975

Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Sullivan
Osterback	Swanson

Chairman Sullivan called the meeting to order at 3:00pm.

HCR 49

Parr Explained purpose of the Resolution.
Beirne Move and ask unanamous 'do pass'.
Chairman No objection, so ordered.

SSHB 349
Sullivan - Drew up sponsor substitute per the Committee's recommendation.
Beirne Move and ask unanamous consent for 'do pass' recommendation.
Chairman Hearing no objection, so ordered.

HB 465

Mr. Spazianni Vocational Rehabilitation
There is available 1/2 million dollars in Federal funds for this program.

Parr Is this to be matched by the State?
Spaziarni - No.

Ostrosky What is the $160,000 for?

Spazianni - To bring on staff and get the program off the ground.

Beirne - Move out with a 'do pass'
Chairman Hearing no Obecjtion, so ordered.

HB 461
Swanson - I don't expect to do anything with this bill until next year.
Chairman - If there is no objection, I'll move this bill out with individual recommendations. No Objection, so ordered.

SSHB 376

Beirne Gave briefing of the bill. The Interim Committee Bill had been cut by the administration to $283,000, then the Governor cut it to $57,000. This bill is asking to have more monies put back into the bill to make it workable. Back to $571,295.00.

Chairman Asked for a motion to the bill.
Beirne Move out with a do pass recommendation.
Chairman Hearing n o objection, so ordered.

Adjourned.

STATE OF ALASKA
DEPARTMENT OF REVENUE

JAY S. HAMMOND, GOVERNOR

POUCH S A – JUNEAU 99811

May 1, 1975

The Honorable Susan Sullivan
Chairman
House Health, Education & Social
Service Committee
Alaska State Legislature
State Capitol
Juneau, AK 99811

Dear Ms. Sullivan:

re House Bill No. 461

House Bill No. 461, an Act relating to forgiveness of the remaining outstanding school construction debt of the City of Nenana, was introduced in the House on April 26, 1975 and was referred to the House Health, Education & Social Services and Finance Committees.

For the information of the House Health, Education & Social Services Committee, I am enclosing a copy of a memorandum dated April 30, 1975 from John M. Daugherty, Director, Treasury Division, Department of Revenue that indicates that the present principal balance outstanding of the school construction debt for the City of Nenana is $265,000 and will remain at such figure until January 1, 1976 when the next principal and interest payment is due.

If you or any members of your Committee have any questions on the proposed legislation, please telephone the writer at 465-2397 and I will contact Mr. Daugherty for testimony.

Very truly yours,

R. D. Stevenson
Special Assistant

RDS:sp
Enclosure

cc The Honorable Hugh Malone
Chairman
House Finance Committee

John M. Daugherty
Director
Treasury Division

MEMORANDUM State of Alaska

TO: R. D. Stevenson
Consultant
Department of Revenue

DATE: April 30, 1975

FILE NO:

TELEPHONE NO:

FROM: John M. Daugherty, Director
Treasury Division
Department of Revenue

SUBJECT: City of Nenana G.O. School Bonds

The present unpaid principal balance for the City of Nenana Bonds totals $265,000. This balance will remain at $265,000 until January 1, 1976 when the next principal and interest payment is due.

JMD:ge

RB3072

HB

465

'An Act making a special appropriation to the Department of Education for the establishment of a center for vocational education teacher training; and providing for an effective date."

COMMITTEE REPORT

4/30/75

HOUSE

FINANCE

Mr. Speaker: Date 5/6/75

The Committee on HESS has had HB 465 under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

Kathryn Ostrom _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends: DO NOT PASS

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HB 465

HESS COMMITTEE MEETING

May 6, 1975

Present:

Beirne	Ostrosky
Lavis	Parr
Hackney	Sullivan
Osterback	Swanson

Chairman Sullivan called the meeting to order at 3:00pm.

HCR 49

Parr Explained purpose of the Resolution.
Beirne Move and ask unanamous 'do pass'.
Chairman No objection, so ordered.

SSHB 349
Sullivan - Drew up sponsor substitute per the Committee's recommendation.
Beirne Move and ask unanamous consent for 'do pass' recommendation.
Chairman Hearing no objection, so ordered.

HB 465

Mr. Spazianni Vocational Rehabilitation
There is available 1/2 million dollars in Federal funds for this program.

Parr Is this to be matched by the State?
Spazianni - No.

Ostrosky What is the $160,000 for?

Spazianni - To bring on staff and get the program off the ground.

Beirne - Move out with a 'do pass'
Chairman Hearing no Obecjtion, so ordered.

HB 461
Swanson - I don't expect to do anything with this bill until next year.
Chairman - If there is no objection, I'll move this bill out with individual recommendations. No Objection, so ordered.

SSHB 376

Beirne Gave briefing of the bill. The Interim Committee Bill had been cut by the administration to $283,000, then the Governor cut it to $57,000. This bill is asking to have more monies put back into the bill t ake it workable. Back to $571,295.00.

Chairman Asked for a motion to the bill.
Beirne Move out with a do pass recommendation.
Chairman Hearing n o objection, so ordered.

Adjourned.

HB
467

"An Act providing financial aid for catastrophic illness or injury; and providing for an effective date."

COMMITTEE REPORT

5/1/75 HOUSE FINANCE

Mr. Speaker: Date April

The Committee on HESS has had ~~SS~~ HB 467 CS

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(X) recommends it BE REPLACED WITH CS FOR HB 467 (same title) AND THAT CS FOR ~~HB~~ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan Chairman

Tom Harkins

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

"An Act providing financial aid for catastrophic illness or injury; and providing for an effective date."

COMMITTEE REPORT

4/9/76

HOUSE

FIN

Mr. Speaker: Date April 8 1976

The Committee on HESS & Human Resources has had HB 467 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

(✓) recommends it DO PASS WITH ATTACHED AMENDMENT(S) CP

( ) recommends it BE REPLACED WITH CS FOR HB 467 AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Anderson, Bryan Hassel, _____

Jim Darbo, _____, _____

_____, _____, _____

_____, _____, _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Anderson Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: HESS

To: _____ HOUSE BILL No. CS HB 467

SENATE BILL No. _____

PAGE: 1 LINE: 25, 26, 27

Delete " who has suffered a catastrophic illness", line 25
Delete "oppointed by the Governor" lines 26 & 27.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

APRIL 2, 1976

Present: Hackney Osterback Cstrosky
Beirne Sullivan

Testifying: Kay Smith, Dept. of H&SS
Larry Sullivan, Dept. of H&SS
Jack Chenowith, A.A. Pat Rodey

HCR 111 - Boundary Change in Health Service - Rules

Ramona Kelley - explained reason for this resolution, predominately fiscal justification.

Committee - no action.

HB 790 -Contract Agreements/Adoption Service - Buchholdt

Buchholdt, explained why she introduced the bill and how it could save some state $.

Kay Smith, representing depts. position. Dept. favors this bill for future needs. no $ for FY 77.

SB 611 -Adoption by step parents - Rodey

Jack Chenowith, representing Rodey,

Kay Smith presented dept. poisiton. Would like to define step-parent with the child.

Move to accept Dept.s amendment.

Committee decided to pass bill out with amendment.

HB 467 - Catastrophic illness aid - Beirne

Larry Sullivan, represent dept. position. In favor of concept and favor passage with fiscal note as presented with dept. position paper.
Amend line 25 delete"who has suffered at catastrophic illness"
line 26 & 27 delete "appointed by the gov."
Unanimous do pass for CSHB 467 as amended.

HJR 67 = Medicare and Hemophilliacs - HESS

DO pass, no objection , moved out.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 10, 1976

Present Sullivan Beirne
Ose Hackney
Ostrosky Swanson
Parr

Testified: Lois Jund, Dept. H & SS
K. Kareen, Div. of Personnel
Edna Crawford, Public Health Nurses

HB 457 Training and Ed. of State Employees -- Buchholdt

Buchholdt- explained why she felt a need for the bill

KAreen, explained the present policy of training for state employees.

Committee discussion concerning the needs of state employees, shouldnt' they foot the time and bill for an ed. if they want it. Others all for it.

Decided to have a work session on this bill.

HB 467 Catastrophic Illness Aid Beirne

Beirne expressed the need for this bill, gave examples of how many families there were that are having to live below poverty level because of severe illness. The system right now forced people not to work, so that they can be on welfare and have the medical bills paid for by someone else.

Lois Jund -xwtiixwerkxexxxworkable billxwithxthxdept. Dept. feels that this bill has a good concept but that it is not workable at this time.

Beirne - will work on a more workable and functional bill with the dept.

PUBLIC HEALTH NURSES PRESENTATION

Edna Crawford made a presentation for the P.H.N.

Alaska State Legislature

House

JUNEAU ALASKA

SB 4 HB 467

It is the intent of the House Health, Education and Social Services Committee as well as the intent of the Division of Public Assistance to pay the obligations of Mr. Harvey both at Sitka and Petersburg hospitals and to further maintain Mr. Harvey on the General Relief program by paying the hospital for the materials used in the treatment of his hemophilia.

Susan Sullivan
Chairperson
Health, Education &
Social Services

1

STATE OF ALASKA
DEPT. OF HEALTH AND SOCIAL SERVICES
DIVISION OF PUBLIC ASSISTANCE / POUCH H 07 – JUNEAU 99811
JAY S. HAMMOND, GOVERNOR

April 6, 1976

Document# House HESS #8

The Honorable Susan Sullivan
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Ms. Sullivan:

In reference to the above case it is the intent of the Division to pay the obligations of Mr. Harvey both at Sitka and Petersburg hospitals and to further maintain Mr. Harvey on the General Relief program by paying the hospital for the materials used in the treatment of his hemophilia.

Sincerely,

Lawrence J. Sullivan
Director

LJS/el

TELEGRAM

ALASKA COMMUNICATIONS, INC
PHONE: 586-6440
JUNEAU, ALASKA 99801

#

1976 MAR 4 PM 7 30

02 12 1 POM TDA CHUGIAK AK 15 03-04 105P AST

PMS REP SUSAN SULIVAN

JUN 1969

WE URGE HB 467 OUT OF COMMITTEE TO THE HOUSE FOR A VOTE

RICHARD AUSTIN BOX 8793 ANCHORAGE 99508

1976 MAR 4 AM 12 32

#

02362 POM ANCHORAGE ALASKA 15 03-03 1013A AST

PMS REP SUSAN SULLIVAN

JUN

LETS GET HB467 OUT OF COMMITTEE AND ON TO

THE FLOOR FOR A VOTE

ROGER AND LOUISE PIKE SRA BOX 309 99507

TELEGRAM

ACA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

1976 MAR 4 AM 2 09

#

02534 POM ANCHORAGE ALASKA 15 03-03 1030P AST

PMS REP SUSAN SULLIVAN

JUN

I'D BILL 467 CATASTROPHIC HEALTH INSURANCE OUT

OF COMMITTEE AND ON FLOOR FOR VOTE

BRIAN LEE 1800 PARKWAY XANCH 99504

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

1976 MAR 8 PM 12 56

02013 POM TDA CHUGIAK AK 15 03-08 941A AST

PMS REP SUSAN SULLIVAN
2149

JUN

WE URGE HB467 OUT OF COMMITTEE TO THE HOUSE

FOR VOTE

BIRGINIA BLAIR SR BOX 1460 CHUGIAK 99567

Chronological Files - Boice

POSITION PAPER/Department of Health and Social Services

POSITION PAPER

ON

HOUSE BILL NO. 467

"An Act providing financial aid for catastrophic illness or injury; and providing for an effective date."

This act provides for financial aid for catastrophic illness or injury for low and middle income persons who do not qualify for assistance under existing federal and state programs and whose health insurance does not cover the high cost of such catastrophes.

RECOMMENDATIONS

The Department of Health and Social Services agrees in concept with the need for catastrophic health insurance, but does not favor passage of the bill in its current state. Therefore, until comprehensive legislation can be drafted, we recommend the following:

Page 1, lines 90-29; Page 2, lines 1-29; Page 3, lines 1-28 be deleted and substitute the following:

Section 47.25.250. Temporary Relief. When a person is not entitled to assistance under § 120-300 of this chapter and has no relatives in the state liable for his support under §§ 230 and 240 of this chapter, the needy person may receive temporary subsistence assistance in the form and amount which the department considers necessary.

POSITION PAPER/Department of Health and Social Services

Temporary assistance for needs other than transportation and medical care shall not exceed $80 per person a calendar month.

AS 47.25.255. Catastrophic Illness. Not withstanding provisions under §§ 230 and 240 of this chapter, the Department shall reimburse providers of medical care for costs incurred in the treatment of catastrophic illness. The determination of allowable costs and levels of reimbursement shall be determined by the Catastrophic Illness Committee which shall consist of the Medical Review Officer of the Department of Health and Social Services, a Governor-appointed consumer who has suffered a catastrophic illness and a Governor-appointed representative of the Department of Commerce and Economic Development.

Recommended By:

Lawrence J. Sullivan, Director — Date 8/16/76

for Francis S.L. Williamson, Commissioner — Date 3/17/76
Commissioner
Department of Health & Social Services

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. HB 467
Title: Providing financial aid for catastrophic illness or injury
Requested by: Representative Helen Beirne Date:
Return Date Requested:
Agency: HEALTH & SOCIAL SERVICES Program: GENERAL RELIEF-MEDICAL

II. FISCAL DETAIL
Budget Request Unit(s) Affected: General Relief Medical Travel; General Relief Medical Contractual

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL		3.2	3.5	3.8	4.2	4.6
300	CONTRACTUAL		300.4	330.5	363.6	399.9	439.9
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		303.6	334.0	367.4	404.1	444.5

B. FUNDING: (Thousands of dollars)

GENERAL FUND		303.6	334.0	367.4	404.1	444.5
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/ 0	/ 0	/ 0	/ 0	/ 0	/ 0
MAN MONTHS (P./T.)	/ 0	/ 0	/ 0	/ 0	/ 0	/ 0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Catastrophic illness committee will meet approximately 12 times per year - allowing for meeting once per month with emergency handled on immediate basis by telephone - teletype assuming 9 meetings will be in Juneau; 3 in Anchorage or other locations - travel and per diem at $50 = $3,150 allowing $450 for telephone and other administrative costs - total administration of program will estimate at $3,600.

IV. ATTACHMENTS

V. DATE: 4/2/14 PREPARED BY:
Lawrence J. Sullivan, Director
Division of Public Assistance

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

REVIEWED BY FINANCIAL MANAGEMENT:
EUGENE A. SMITH, HSS FIN. OFFICER

H/S 53

ANALYSIS OF FISCAL NOTE
FOR
HOUSE BILL 467
(Continued)

Statistics establishing medical costs for incidents or illnesses that could be considered as catastrophic are not available at this time. Because this bill represents the first effort to provide assistance to individuals who do not qualify for an established program there is no data on which to base an estimate of total cost.

The Alaska Hospital Association reports approximately $650,000 in unpaid bills for the current year. This figure probably includes amounts which the hospital could collect in time and amounts owed by individuals no longer in the State. However, it does establish a ceiling on the total amount owed or uncollected by hospitals in Alaska for a year.

Because no figures or statistics exist on which to base an actual estimate of costs incurrred for catastrophic illnesses, an arbitrary figure of $300,000 is used in this fiscal note.

The funding could come from those funds cut from the Medical Assistance - General Relief Medical budgets. The projected cost for each year after FY 77 is increased by 10% or the approximate increase of cost of living per year.

A study to determine medical costs incurred for catastrophic illnesses or incidents should be conducted to determine funding for the program in the next fiscal year (FY 78).

HB

474

"An Act relating to bilingual education in state-operated schools."

COMMITTEE REPORT

HOUSE

5/2/75

Mr. Speaker: Date 5/6/75

The Committee on HESS has had HB 474 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan Robert [illegible]

Laura Ross Ralph Vernon

Tim Hackney Helen Runyan

Kathryn Cotroneo

Members NOT concurring in the Majority report:

Tim Hackney recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: PESS

To: _____ HOUSE BILL No. HB 474

SENATE BILL No. _____

PAGE: 1 LINE: 11

After the word "whose" insert "common".

Alaska State Legislature

House

JUNEAU ALASKA

HB 474

HESS COMMITTEE MEETING

May 7, 1975

Members Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Swanson
Osterback	Sullivan

Chairman Sullivan called the meeting to order at 3:15pm.

HB 474 Sheri Gross representing Speaker Bradner
In favor of the bill.

Parr Move the bill be ammended to add "common" in line 11 after the word "whose".
Chairman Hearing no objection to the ammendment, so ordered.

Swanson Move and ask unanamous consent for 'do pass' rec.
Chairman Hearing no objection, so ordered.

CSSB 35 am

There was a motion to replace the language of this bill with that of HB 24.
Hearing no objection, so ordered.

Swanson - Move out
Chairman No objection, so ordered.

SB 113 am

Dr. Dave Canterbury Testified in favor of the bill.
Senator Ziegler - Stated that this was a ASMA bill and also testified in favor.

Dr. Spence Testified in favor of the bill

Beirne - Move and ask unanamous concent.
Chairman Hearing no objection, so ordered.

HJR 28

Hackney Move out of committee.
Chairman Hearing no objection, so ordered.

Adjourned/

HB
481

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 15, 1976

Present: Sullivan Hackney
Beirne Ose Osterback

Testifying: Dr. Pauls, Dept. H&SS, Public Health
Dick Block, Div. of Ins.
Sonya Johansen, Dept. H & SS HIS

HB 481 - Health Maintenance Organizations - HESS

Dick Block - Explanation of bill, HMO similar and mandatory to various types of health insurance. Reasons why we need regulation on HMO 1. to keep high standard of medical care 2 Since subscribers pay in advance, organization must be financially sound.

Committee - How much money would be needed to assure solvency, Block had no definite answer. Teamsters example as an HMO. Can this bill be redone to eliminate alot of the unneeded regulations, Block thinks so.

Committee requests Dick to submit a draft of an alternative to this bill. Dr. Pauls said Dept. will work along with him on this.

Dr. Pauls - did not have an official position paper on this bill from the Dept. but feelings regarding it are that there are now other health bills which speak to the same issue., for instance the Indian Health Service. So he doesn't feel this bill is needed.

Committee decided not to take any action on this now.

HB 395 - Registry of Impairments - HESS

Sonja Johnson - Dept. H&SS, feels that there is some problems with this bill, relating mainly to mandatory signing and also confidentiality. But she also feels that eventually everything will have to be on a registry.

Committee - If this is implemented what are the problems with it? Should this bill speak to the problems of data processing at the same time, yes. Dept. is now working to standardize procedures for data processing and will have done by the end of April.

Hackney - Is this bill really needed or does everything spoken to in here redo what is already in the regulations.??

Dr. Pauls - If it is done by regulations instead of a bill, there must be a public hearing all over and then the regs. must be rewritten. This bill does not force the regulations to be rewritten.

Sullivan concerned with whether some of the confidentiality problems are unconstitutional??, nobody seems to know.

Alaska State Legislature

House

JUNEAU ALASKA

Beirne - thinks this bill is much needed, but doesn't want to take rights away from individuals to choose to be on a registry.

Committee decided to hold bill.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 15, 1976 7:00 P.M.

Present:

Ostrosky	Parr	Sullivan
Swanson	Beirne	Hackney

HB 733 - Commitment procedures for mentally ill - HESS

Louise Ma - Research Analyist, Legis. Affairs Office - explained basis and provisions for the bill

Parr - After 270 days what can be done with someone who cannot be helped but is dangerous??

Gruening - have to be new circumstance to begin commitment procedures.

Jerry Schrader, Director, Div. of Mental Health - Presented the dept. postiion regarding this bill. Basically in favor, but have a few problems with it. Can make amendments to correct. See position paper.

Beirne wanted to know if it might be possible to combine into one facility the function of crisis intake and mentally ill, alcoholics, drug addicts, etc.??

Pat Spartz - Kodiak Aleutian Mental Health Center - Supports bill, but would like to see some amendments. Hard to see how bill would actually work until it is tried.

no action on bill

Table 2. BASIC HEALTH CARE BENEFITS REQUIRED BY PROGRAM

	HMO Act	HB 481	DHSS Amend.	Model Legislation (NAIC)	(Federal)	AS 47.07. Medicaid	Medicaid Amend. (AS 47.07.030) SB 542	(AS 47.25.120) General Relief Medical
1. Physician Services	X	X		X	X	X		X
2. Inpatient hospital	X	X		X	X	X		X
3. Outpatient hospital	X	X		X	X	X		X
4. Emergency services	X	X		X	X	X		X
5. Psychiatric inpatient						X*		
6. Short term mental health	X						X	X
7. Drug & Alcohol services	X							
8. Skilled nursing						X		X
9. Intermediate nursing						X		X
10. Home health services	X					X		X
11. Laboratory & X-ray	X	X		X		X		X
12. Preventive Services	X**	X		X		X***		
13. Drugs							X	X
14. Dental care	X(children)							X(emergency, adult)
15. Wheelchairs, hearing aids, ect.								X

* for persons over 65 and under 21 years.

** minimum preventive services are family planning and fertility counceling, preventive dental care for children, and children's eye exams.

*** Early periodic screening, diagnosis and treatment for children is required under Medicaid.

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y · STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

MEMORANDUM

March 10, 1976

SUBJECT: HB 481, The Health Maintenance Organization Enabling Legislation (W.O.#2049)

TO: The Honorable Susan Sullivan

FROM: Brian L. Saylor BLS
Research Analyst

The passage of House Bill 481 would make Alaska the 18th state to enact enabling health maintenance organization legislation. In most states, the HMO legislation was designed to counteract the inhibiting effects of statutes regulating health insurance companies, hospital and medical service corporations and professional licensure. HB 481 succeeds in accomplishing this.

Major issues within HB 481 and the pages in this memo that refer to them are:

1. Requirements for rate reviews for HMO's (18.18,030)..... p 5

2. Safeguards for consumers:
   - Surety bonds (18.18.030, 18.18.110)..... p 6, 9
   - Certificate of need (18.18.040)..... p 7
   - Governing Boards (18.18.040)..... p 7
   - Complaints system (18.18.100)..... p 9

3. Required benefit packages (18.18.250) ..... p 11,12 Table 2

4. Open vs closed enrollment ..... p 12

In addition to the above basic considerations with the organization of an HMO, there are problems with the administration of the program review, and regulation of HMO's are split between the Department of Health and Social Services and the Department of Commerce and Economic Development. Both departments are currently trying to find solutions to this problem. As more information reaches us, we'll pass it on.

BLS:jm
Enclosures

I. BACKGROUND

A "Health Maintenance Organization" provides an alternative to the present fragmented "non-system" of medical care. The term refers to the organization of health care services organized along the lines of either a group practice or a federation of individual medical practices. HMO's undertake the delivery of comprehensive medical services to a defined population on a prepaid basis with a fixed charge for each person enrolled. Thus, the term HMO can describe any alternative health care delivery system which welds together a series of services required by its enrolled population. 1/

The idea of prepaid health care is not new in the United States. The theoretical model for the HMO type of health care delivery was developed almost fifty years ago. A group of experts refined the idea and published their recommendations in 1932 in a paper entitled Medical Care for the American People. 2/ The basic concept stated:

1) Groups of physicians, rather than solo practitioners, should give necessary services, enforcing high standards through peer evaluation.
2) All costs should be prepaid.
3) Disease prevention should be emphasized.
4) Facilities should be planned on a community basis.
5) Consumer groups should sponsor such health care delivery systems and contract with provider groups.

These recommendations were developed by a large number of prepaid practice plans during the next 20 years. One of the first applications

of the idea of prepaid group practice was developed in Oklahoma in a small farming community about 1929. By 1950 there existed 24 similar plans in farm cooperatives throughout the country.

Prepaid health care gained momentum in the urban areas with the organization of Group Health Association of Washington, D. C. in 1937 and the New York Health Insurance Plan (HIP) in 1947. The idea continued to be refined by Kaiser-Permanente in California and the Group Health Cooperative of Puget Sound in Seattle and Tacoma. 3/

None of these programs had an easy time becoming self-sufficient or gaining acceptance in the community. Most of them suffered from discrimination by organized medicine, which declared that programs in which patients did not pay for services but rather were in the prepaid mold were unethical. Physicians serving in such programs were refused access to professional associations as well as to hospitals.

Law suits gradually eliminated the worst prohibitions against prepaid group practices. By 1973 the number of states which effectively prohibited HMO's had been reduced from thirty to less than ten. 4/

Federal commitment to the concept first appeared in Presidential White Paper in 1971. 5/ The Health Maintenance Organization Act of 1973 (P.L. 93-222) was signed into law at the end of that year, and provisions to override restrictive state laws were included in it. The legislation was considered a great advance toward bringing order, cost consciousness and entrepreneurial spirit to the disorderly system of health care delivery.

As of December, only four Health Maintenance Organizations in the United States have been certified as an HMO qualified under the Act. They are in Rhode Island, Connecticut, Illinois, and Pennsylvania.6/

P.L. 93-222 has been considered by some to be too restrictive in a number of areas. Among these are:

1) The benefit package required by law is too expansive and, therefore, costly.

2) Because the package is set by law, the insurance carriers cannot vary the benefits in response to community need.

3) The law requires HMO's to community rate their health care risks. This means that while an HMO will have to accept anybody (open enrollment) other insurance carriers will be able to skim all the good risks off the top through experience rating mechanisms.

These provisions restrict the ability of HMO's to compete with other health insurance carriers in the open market. 7/

In response to these problems, the National Association of Insurance Commissioners developed model state legislation which would allow states much more latitude in developing HMO's which meet their unique needs. 8/ The federal government has proposed another approach which is slightly more flexible in its proposed regulatory provisions.

Alaska's enabling HMO legislation (HB 481) makes use of the NAIC model legislation. A comparison of the federal model legislation and Alaska's proposed legislation is presented section by section in narrative form for greater applicability. Both the NAIC and the federal proposals are attached. Table 1 shows how HB 481 compares with similar legislation in other states. Table 2 compares benefit packages under public programs within Alaska with those proposed under alternative HMO structures.

II. SECTION BY SECTION ANALYSIS: HB 481

Section 18.18.010. A certificate of authority is required by any person who wants to establish or operate a HMO. Existing Alaskan HMO's (there aren't any now) are allowed 60 days to comply with the law.

This section is consistent with NAIC model legislation.

Section 18.18.020. The application form, approved by the commissioner of Commerce and Economic Development, will require:

1) a basic organizational document
2) bylaws for internal affairs
3) list of responsible persons
4) copies of all contracts between participating providers
5) description of health care plan including services offered, and facilities and manpower used.
6) evidence of coverage for enrolled persons (see 18.18.070)
7) contract forms with enrolled persons
8) statement of HMO finances
9) marketing methods
10) power of attorney
11) geographic area served
12) complaint procedure used (see 18.18.100)
13) quality control procedures
14) methods of involving enrollees in policy decisions
15) anything else the commissioner wants

Any modification of these statements must also be approved by the commissioner within 45 days.

Comment: Public Law 93-641 requires the issuance of a certificate of need for HMO's. The type of information required for the HMO review should be coordinated with the information required by the certificate of need review. Alternative certificate of need proposals are now under consideration.

All provisions are consistent with recommended NICA model legislation.

Section 18.18.030 As soon as the application reaches the commissioner of Commerce and Economic Development, a copy is given to the commissioner of Health and Social Services. HSS is responsible for the first review. Time for review is 30 days. Criteria for review are:

1) Adequacy of personnel, facilities and continuity of service

2) Availability and accessibility

3) Quality assurance (see 18.18.140)

4) Adequacy of statistical reporting systems

After the commissioner of Health and Social Services approves the HMO application, the commissioner of Commerce and Economic Development begins a review of the HMO's plan of operation. Criteria for the second review are:

1) Approval of HSS

2) Appropriateness of HMO mechanism to provide services

Comment: The latitude in deciding what is "appropriate" seems to be very wide. This clause could have the effect of preventing innovative types of HMO's from developing.

3) Financial responsibility in terms of

A) charges for services

Comment: The federal model legislation deletes any reference to rate review. The drafters felt that it would be more appropriate to rely on the free market mechanisms. Rate review may stifle completion by promoting rate uniformity.

B) working capital

C) agreements with other insurance carriers

D) agreements with health care providers

E) surety bonds

Comment: Surety bonds are required. Specific dollar figures are given in Sec. 18.18.110. These figures may be insufficient to safeguard consumers. For example, it might cost as much as $640,000 to provide necessary health care services to 2,500 enrollees for one year. The surety bond requires $10,000.

4) Opportunity for consumer involvement

5) Assurances that the project is in the public good.

6) Consistency of policy awards and termination are consistent with other carriers

7) Problems in HSS review were corrected.

The entire review must be conducted within 60 days unless there is a modification of a previous application. In that case the review takes 45 days.

Comment: Time requirements for review are very long. The time allowed for a HMO review is 60 days. If a certificate of need is also required, the process could take 150 days. Concurrent DHSS reviews at the state level could reduce this figure by at least 30 days.

Proposed Review Timeframe	Alternative Concurrent Review Timeframe
	90 days concurrent review:
30 days HSS review	30 days HSS review
90 days cert. of need	60 days cert. of need
30 days Commerce review	30 days Commerce review
150 days	120 days

Section 18.18.040. An HMO can:

1) Build

2) Loan money

3) Contract for services

4) Contract for marketing health plan

5) Contract to other carriers to underwrite HMO

6) Offer basic services

7) Accept public or private money

The HMO has to inform the commissioner of any intent to build or loan money. There must be a response within 30 days.

Comment: A capital expenditure in excess of $100,000 will probably require a certificate of need under new federal requirements. Processing a certificate of need application takes 90 days. Only 30 days are allowed under this section.

Section 18.18.050. establishes a governing body. There is no specification of the proportion of consumers and providers.

Comment: Agruments against the inclusion of consumers on the governing board include: (1) such participation is unnecessary and perhaps even harmful to the efficient and professional delivery of health care services, (2) a consumer role will impede the initiation of an HMO since more people must be involved and (3) consumers can always seek alternative health care. The arguments for a consumer role include (1) consumer participation results in a more responsive organization, and (2) consumer participation is not the same as lay control over the rendering of professional service.

Section 18.18.060 makes sure one person is responsible for financial matters.

Section 18.18.070 itemizes the kind of evidence that must be given to

each enrollee regarding benefits. There can be no changes in benefits without notice. Evidence of coverage should contain:

1) No misleading statements

2) A summary of

   A) benefits

   B) limitations of service

   C) sources of information about how to get services

   D) total payment for services

   E) complaints system

Forms for evidence of coverage must be approved by the commissioner within 30 days of its submission.

Comment: The federal model legislation includes a provision that enrollees shall be told of service priorities in case of epidemic or other emergency affecting the demand for medical services. The inclusion of the provision would probably be an asset.

The Department of Health and Social Services has suggested that two additional sections be added:

1. Add to (2) another subsection (F) requiring the inclusion of criteria for disenrollment in the evidence of coverage form.
2. Another section prohibiting the HMO from cancelling the enrollment of a participant or refusing to transfer an enrolled participant from a group for reasons relating to age, sex, race or health status.

Section 18.18.080 requires an annual report submitted to the commissioner containing:

1) a financial statement of receipts and disbursements

2) any changes in the original certificate of authority

3) number of persons enrolled

4) anything else the commissioner requires

Comment: The model federal legislation requires that the annual report contain a statement disclosing the percent of enrolled participants assisted by public funds. This clause can provide an evaluation tool to see if public health care dollars are better spent on HMO programs vs traditional public assistance programs.

Section 18.18.090 requires a similar report to be submitted to all enrollees containing:

1) a financial statement

2) a description of services

3) the method of resolving complaints

Section 18.18.100 describes the complaint system. The only requirements are that it exist and maintain written records.

Comment: HB 481 requires that a system exist for handling written complaints only. The Department of Health and Social Services suggests that the language of the NAIC model legislation be included. The change would require the HMO to keep records of the underlying causes of such complaints, as well as the number and resolution of all malpractice cases filed against the HMO.

Section 18.18.110 addresses requirements for surety bonding which obligates the health plan to provide services. This provision is not in the federal model legislation. Required dollar amounts are specified (see "Comment", 18.18.030(3)(E).

Section 18.18.120 allows joint operation with hospital service corporations (Blue Cross) and medical service corporations (Blue Shield).

Section 18.18.130 prohibits an HMO from issuing misleading statements, cancelling a policy or using certain words in advertising.

Section 18.18.140 requires a review of each HMO program every three years.

Comment: Federal law (P.L. 93-641) requires a review of institutional health services every five years.

Section 18.18.150 allows the commissioner to suspend a certificate of authority if:

1) The HMO is not in compliance with its basic organizational document (see Section 18.18.020).
2) Charges are not in line with those stated in the evidence of coverage.
3) There is no consumer involvement in policy development
4) There is no complaint system
5) Advertising is misleading, false or unfair
6) The commissioner determines that the HMO doesn't comply with the law.

The commissioner can go farther and revoke a certificate of authority if:

1) The commissioner of HSS agrees that the HMO is unable to continue providing services, or
2) The HMO is found to be financially unsound.

As soon as the decision to suspend or revoke a certificate of authority is made, the HMO must stop functioning.

Section 18.18.160 authorizes the commissioner to write necessary regulations.

Section 18.18.170 establishes administrative procedures for appeals. These procedures are consistent with the Administrative Procedures Act.

Section 18.18.180 sets fees for application and review processing.

Comment: The fees charged for review contain no provisions for the equitable allocation of fees between the Department of Commerce and the Department of Health and Social Services.

Section 18.18.190 itemizes sanctions against an HMO for non-compliance. The fee is $100 to cover the administrative expenses of the department and can go as high as the commissioner estimates the damages suffered to be.

Section 18.18.200 requires all documents to be available for public scrutiny.

Section 18.18.210 assures that medical or hospital service corporations are still under separate laws. Advertising by an HMO does not violate the Medical Practices Act.

Section 18.18.220 establishes confidentiality of medical records.

Section 18.18.230 allows the commissioner of Health and Social Services to contract for review functions.

Section 18.18.240 requires all agents associated with the HMO to be controlled by regulation.

Section 18.18.250 sets out definitions (See Table 2).

Comment: There is a great deal of controversy regarding the required benefit package for an HMO. One side says that an overly rigid benefit package might inhibit competition among HMO's and between HMO's and other forms of health insurance. The federal legislation (P.L. 93-222) has been criticised for this. Those in favor of a structured and comprehensive benefit package argue that

the package should assure enrollees of a reasonable amount of services to meet their basic health care needs. A more rigid benefit structure could have the effect of either putting the HMO out of business or promoting necessary changes in the health care delivery system.

III: ADDITIONAL CONSIDERATIONS

Open Enrollment

The NAIC proposes a period of at least one month when anyone could enroll in the HMO. The first open enrollment period begins after the HMO has been operational for 24 months. Open enrollment allows people access to the program who may not be eligible for other types of health insurance, thereby encouraging a community rating rather than an experience rating approach. Critics contend that open enrollment would make it difficult for an HMO to compete with other types of insurance.

Liquidation Procedures

The NAIC model HMO bill includes complex insurance type liquidation procedures. Critics oppose increasing government involvement in the internal workings of an HMO and prefer to rely on existing general bankruptcy laws.

Footnotes

1. For a complete discussion of Health Maintenance Organizations, see:

   - Klarman, H., "Analysis of the HMO Proposal--Its Assumptions, Implications and Prospects, pp. 24-38, Health Maintenance Organizations, A Reconfiguration of the Health Services System, Chicago, 1971

   - Glasgow, J., "Prepaid Group Practice as a National Policy: Problems and Perspectives, Inquiry, March, 1972

   - Greenlick, M., "The Impact of Prepaid Group Practice on American Medical Care: A Critical Evaluation," The Annals of the American Academy of Political and Social Science, January, 1972

2. Wilbur, R. L. et al, Medical Care for the American People, University of Chicago Press, 1932

3. Birnbaum, Hilde, "Competition Between Health Care Delivery Systems Under the 1973 HMO Legislation?", Ninth Annual Pacific Northwest Regional Economic Conference, Spokane, Washington, 1975

4. Clarke, G. C., "Health Maintenance Organizations," Health Programs in the States: A Survey, Center for State Legislative Research and Service, Eagleton Institute for Politics, Rutgers University, March, 1975

5 U. S. Department of Health, Education and Welfare. Towards a Comprehensive Health Policy for the 70's: White Paper. Washington, D. C.: Government Printing Office, 1970

6. HMO Update #2, DHEW Health Services Administration, December 15, 1975

7. Birnbaum, Hilde, op cit.

8. Suggested Health Maintenance Organization Act, Draft. National Association of Insurance Commissioners, Suggested State Legislation, 1975

TABLE 1. HEALTH MAINTENANCE ORGANIZATION

As of May 1974	States With HMO Laws: Form Required						Financial Requirements		States Without Specific HMO Laws (primarily Blue Cross/Blue Shield provisions): Form Required									
	For Profit	Non-Profit	Mandatory Policy-Making Role for Enrollees	Prior Rate Approval Required	Mandatory Dual Choice	Mandatory Open Enrollment	Insolvency Protection	Investment Protection*	For Profit	Non-Profit	Insurance Type Regulation	Specific Prohibition of Advertising	Mandatory Open Panel	Require Physicians to be % of Governing Body**	Medical Society Approval Required	Specific Restriction on Corporate Contract for, or Practice of, Medicine	Specific Exemption from Corporate Practice of Medicine Restrictions	Legislative Activity in 1974
Alabama										X	X						X	
(HB 481) Alaska	X	X	X	X			X			X	X	X					X	X
Arizona	X	X		X			X											
Arkansas										X	X	X						
California		X	X	X		X	X											
Colorado	X	X	X	X		X	X	X										
Connecticut										X	X			25%				
Delaware										X	X						X	
Florida	X	X		X		X		X										
Georgia										X	X		X	maj.	X	X		X
Hawaii									X	X							X	X
Idaho	X	X	X	X		X	X	X										
Illinois										X	X		X	maj.			X	X
Indiana																	X	
Iowa	X	X	X	X		X	X	X										
Kansas	X	X	X	X				X										
Kentucky	X	X		X		X	X[2]	X										
Louisiana										X		X		maj.	X		X	
Maine										X	X			maj.			X	X
Maryland										X	X	X					X	X
Massachusetts										X	X		X	33%				X
Michigan	X	X	X	X	X	X		X										
Minnesota		X	X			X												
Mississippi										X	X						X	
Missouri										X	X	X					X	
Montana										X			X		X	X		
Nebraska										X	X	X		67%			X	X
Nevada	X	X	X	X		X	X											
New Hampshire										X	X				X		X	X
New Jersey	X	X	X		X		X	X										
New Mexico										X	X	X					X	
New York		X		X			X	X										
North Carolina										X	X						X	
North Dakota										X	X		X	maj.		X		X
Ohio										X	X							
Oklahoma										X	X	X						
Oregon										X	X						X	
Pennsylvania		X[1]	X	X	X													
Rhode Island										X	X			33%	X		X	
South Carolina									X	X	X						X	X
South Dakota		X	X	X		X	X[2]											
Tennessee	X	X				X												
Texas										X	X			maj.		X		X
Utah	X	X	X	X	X	X												
Vermont										X	X						X	X
Virginia									X	X	X	X					X	
Washington									X	X	X						X	
West Virginia										X	X						X	X
Wisconsin										X	X		X				X	X
Wyoming									X	X	X						X	

*Investments restricted to those allowed insurance companies.
**Physicians or hospital representatives.
[1] And non profit hospital "corporation" only.
[2] May be waived by director or commissioner.

Adapted from: Aspen Systems Corporation, H.M.O. Sourcebook — 1973 Edition and H.M.O. Sourcebook Supplement: Legislative Developments in 1973 (Rockville, Md.: Health Law Center, Aspen Systems Corporation, 1973 and 1974). Information also supplied by Interstudy, Minneapolis, Minnesota.

SECTION I - DEFINITIONS

(a) "Health Maintenance Organization" means a public or private organization, which is organized under the laws of this State or the laws of another State or the District of Columbia, which:

(1) provides or otherwise make available to enrolled participants health care services, including at a minimum those basic health care services which are [determined by the Administrator to be] generally available on an insured or prepaid basis in the locality served by the organization;

(2) is compensated [(except for copayments)] for the provision of basic health care services to enrolled participants solely on a predetermined periodic rate basis;

(3) provides physicians' services primarily (i) directly through physicians who are either employees or partners of such organization, or (ii) under arrangements with one or more groups of physicians [(organized on a group practice or individual practice basis) under which each such] group [(A)] is compensated for its services primarily on the basis of an aggregate fixed sum or on a per capita basis and (B) is provided with an effective incentive to avoid unnecessary inpatient utilization, regardless of whether the individual physician members of any such group are paid on a fee-for-service or other basis; and

(4) assures the availability, accessibility and quality (including effective utilization) of comprehensive health care services through clearly identifiable focal points of legal and administrative responsibility.

(b) "Basic Health Care Services" means usual physician hospitalization, laboratory, X-ray, emergency and preventive service, and out-of-area coverage.

(c) "Health Care Services" means basic health care services and other services, medical equipment and supplies which may include, but are not limited to, medical, surgical and dental care; psychological, obstetrical, osteopathic, optometric, optic, podiatric, nursing, physical therapy services and pharmaceutical services; health education, preventive medical, rehabilitative and home health services; inpatient and outpatient hospital services, extended care, nursing home care, convalescent institutional care, laboratory and ambulance services, appliances, drugs, medicines and supplies; and any other care, service or treatment of disease, the correction of defects of the maintenance of the physical and mental well-being of human beings.

(d) "Enrolled Participant" means a person who has entered into a contractual arrangement or on whose behalf a contractual arrangement has been entered into with a health maintenance organization to receive health care services.

(e) "Person" means any natural or artifical person including but not limited to individuals, partnerships, associations,

or corporations or other business entities.

(f) "Provider" means any physician, hospital, or other institution, organization or person that furnished health care services and is licensed or otherwise authorized to practice in the State.

(g) "Administrator" means the head of (name of agency). The Administrator may call upon any other State agency in administering this Act.

SECTION II - APPLICATION FOR CERTIFICATE OF AUTHORITY

(a) No person may operate a health maintenance organization without obtaining a certificate of authority from the Administrator.

(b) Applications for a certificate of authority shall be made in the form required by the Administrator and shall be verified by the individual who plans to operate a health maintenance organization or an officer or authorized representative of the applicant and shall set forth or be accompanied by:

(1) A copy of the basic organizational documents of the applicant, if any, such as articles of incorporation, partnership agreements, trust agreements, or other applicable documents.

(2) A copy of the bylaws, regulations or similar document, if any, regulating the conduct of the internal affairs of the applicant.

(3) A list of the names, addresses and official capacity with the organization of all the persons who are to be responsible for the conduct of its affairs, including all members of the governing body, the officers and directors in the case of a corporation, and the partners or members in the case of a partnership or corporation.

(4) A statement generally describing the organization, its enrollment process, its operation, its quality assurance mechanism, its internal grievance procedures, the methods it proposes to use to offer its enrolled participants or public representatives an opportunity to participate in matters of policy and operation, the location of the facilities at which health care services will be regularly available to enrolled participants, the type and speciality of health care personnel engaged to provide health care services, the number of personnel in each category and the medical records system providing documentation of utilization rates for enrolled participants.

(5) Copies of all contract forms the organization proposes to offer enrolled participants and the basis for developing the proposed or actual rates to be charged.

(6) A statement of the financial condition of the organization, including income statement, balance sheet (assets and liabilities) and cash flow statement.

(7) A statement describing with reasonable certainty the geographic area or areas to be served, and the hours during which services will be provided.

(8) A description of the proposed marketing techniques and copies of any proposed advertising materials.

(9) A power of attorney duly executed by such applicant appointing the Administrator and his successors in office,

and duly authorized deputies as the true and lawful attorney of such applicant upon whom lawful process in any legal action against such organization on any cause of action arising in this State may be served.

(10) Such other information as may be required by the Administrator to make the determinations required in Section III of this Act.

SECTION III - ISSUANCE OF CERTIFICATE OF AUTHORITY

(a) The Administrator shall issue a Certificate of Authorit to any person filing an application within sixty (60) days of such filing unless he notifies the applicant within such time that such application is not complete and the reasons therefor or that payment of the fees required by Section XI has not bee made or that he is not satisfied that:

(1) The basic organization document of the applicant w combined with the powers enumerated in Section IV, permits the applicant to conduct business as a health maintenance organizat

(2) The organization has demonstrated the intent and ability to assure that health care services will be provided in a manner to assure both their availability and accessibility.

(3) The organization is financially responsible and may be reasonably expected to meet its obligations to its enrolled participants. In making this determination the Administrator shall consider among other relevant factors:

(i) any agreements with an insurer, a medical or hospital service corporation, a government

agency or any other organization paying or insuring payment of health care services;

(ii) any agreements with providers for the provision of health care services;

(iii) any arrangements for insurance coverage or an adequate plan for self-insurance to respond to claims for injuries arising out of the furnishing of health care services.

(4) The procedures for offering health care services and offering and terminating contracts to enrolled participants will not discriminate on the basis of age, sex, race, health or economic status. This requirement shall not prohibit reasonable underwriting classifications for the purpose of establishing rates nor shall it prohibit experience rating.

(5) Procedures, subject to the regulations of the Administrator, are established to:

(i) monitor the quality of care provided by such organization, including, at a minimum, internal peer review;

(ii) resolve complaints and grievances initiated by enrolled participants; and

(iii) offer enrolled participants or public representatives an opportunity to participate in matters of policy and operation.

(6) The organization will maintain a readily accessible medical records system which is adequate to provide an accurate documentation of utilization rates for every enrolled participant, such system to clearly identify, at a minimum, each patient by name, number, age and sex and to clearly indicate the services provided, when, where, and by whom, the diagnosis, treatment, and drug therapy and to document the patient's health s atus. The Administrator may in accordance with regulations permit an organization to contract potential enrolled participants prior to the granting of a Certificate of Authority, to discuss the health care services such organization proposes to offer is a certificate of Authority were granted.

The powers of a holder of a certificate of authority issued pursuant to Section III of this Act shall include, in addition to any powers conferred by the law under which the health maintenance organization is organized, the following:

(a) The purchase, lease, construction, renovation, operation, or maintenance of hospitals, medical facilities, or both, and their ancillary equipment, and such property as may reasonably be required for its principal office or for such other purposes as may be necessary in the transaction of the business of the organization;

(b) The furnishing of health care services on a prepaid basis through providers which are under contract with, otherwise associated with, or employed by the health maintenance organization;

(c) Marketing, enrollment and administration or the contracting with any person for the performance on its behalf of such functions;

(d) The contracting with an insurance company licensed in this State, or with a hospital or medical service corporation authorized to do business in this State, for the provision of insurance, indemnity, or reimbursement against the cost of health care services provided by the health maintenance organization;

(e) The offering, in addition to health care services, of indemnity benefits covering out-of-area or emergency services;

(f) Receiving and accepting from governmental or private agencies or any persons, payments or grants covering all or part of the cost of the services provided or arranged for by the organization.

SECTION V - CONTRACT FORM

(a) All forms of contracts issued by the organization to enrolled participants or other marketing documents purporting to describe the organization's health care services shall contain clear and complete information indicating:

(1) The health care services and other benefits to which the enrolled participant is entitled;

(2) Where and in what manner services may be obtained;

(3) The predetermined periodic rate of payment for health care services and other benefits, if any, which the enrolled participant is obliged to pay;

(4) Any exclusions or any limitations on services or any other benefits to be provided including any deductible or copayment feature or any restrictions relating to pre-existing conditions;

(5) All criteria relating to disenrollment or denials of re-enrollment;

(6) Service priorities in case of epidemic, or other emergency conditions affecting demand for medical services.

(b) No health maintenance organization authorized under this Act shall cancel the enrollment of a participant or refuse to transfer an enrolled participant from a group to an individual basis for reasons relating to age, sex, race, or health status. However, nothing contained herein shall prevent cancellation of a contract with enrolled participants who violate any published policies of the organization which have been approved by the Administrator.

(c) No health maintenance organization authorized under this Act shall contract with any provider requiring enrolled participants to guarantee payment (other than copayments and deductibles) to such provider if the health maintenance organization shall fail or refuse to pay the provider for any costs related to benefits to which the enrolled participant is entitled.

(d) No contract form or amendment to an approved contract form shall be issued unless the same is filed with the Administrator. Such contract form or amendment shall become effective within thirty (30) days of such filing unless the Administrator finds that such contract form does not comply with the requirements of Section III(a) or Subsection(a) above.

SECTION VI - ANNUAL DISCLOSURE

(a) Every health maintenance organization shall provide annually to its enrolled participants and make available to the general public:

(1) A statement of financial condition including a balance sheet and summary of receipts and disbursements.

(2) A description of the benefit packages available and their rates.

(3) A description of the accessibility and availability of services including where and how to obtain them.

(4) A statement disclosing by category the percent of enrolled participants assisted by public funds.

(5) Such other information as the Administrator may by regulation prescribe.

(b) Such information shall be presented in clear, readable, and concise form and shall include, at a minimum, all of the material elements required of contracts with enrolled participants.

SECTION VII - REPORTS TO THE ADMINISTRATOR

(a) Every organization subject to this Act shall annually, on or before _____, file a report with the Administrator, verified by an appropriate official of the organization, showing its financial condition on the last day of the preceding calendar year.

(b) Such report shall be filed on forms prescribed by the Administrator and shall include:

(i) financial statement of the organization including its balance sheet and statement of income and expenditures for the preceding year, certified by an independent public accountant;

(ii) any changes in the information submitted pursuant to Section II of this Act;

(iii) such other information relating to the performance of the organization as the Administrator may require to enable him to carry out his duties under this Act.

SECTION VIII - EXAMINATIONS

(a) The Administrator shall make an examination of the affairs of any health maintenance organization and providers with whom such organization has contracts, agreements, or other arrangements as often as he deems it necessary but not less frequently than once every three (3) years.

(b) The Administrator shall make an examination concerning the quality of health care services of any health maintenance organization and providers with whom such organization has contracts, agreements, or other arrangements as often as he deems it necessary but not less frequently than once every three (3) years.

(c) Every health maintenance organization and provider shall submit its books and records relating its operation to such examinations and in every way facilitate them. Medical records of individuals and records of physicians providing service under contract to the health maintenance organization shall be subject to such examination, but the identity of patients shall not be disclosed by the Administrator. For the purpose of examination the Administrator may issue subpoenas, administer oaths to, an

examine the officers and agents of the health maintenance organization and the principals of such providers concerning their business.

SECTION IX - SANCTIONS

(a) Upon satisfactory evidence that any health maintenance organization has:

(1) Operated significantly in contravention of its basic organizational documents and the authorities conferred by this Act;

(2) Has failed to fulfill its obligations to furnish the health care services specified in its contracts with enrolled participants;

(3) Violated any provision of this Act, or any regulations promulgated hereunder;

(4) Made any false statement with respect to any report or statement required by this Act or by the Administrator under this Act;

(5) Advertised or marketed, or attempted to market, its services in such a manner as to misrepresent its services or capacity for service, or has engaged in deceptive, misleading or unfair practices with respect to advertising or marketing;

(6) Prevented the Administrator from the performance of any duty imposed by this Act; or

(7) Fraudulently procured or fraudulently attempted to procure any benefit under this subtitle;

the Administrator may, in his discretion, pursue any one or more of the following courses of action:

(i) suspend or revoke the certificate of authority to operate as a health maintenance organization under this Act:

(A) when the certificate of authority is suspended, the organization shall not, during the period of such suspension, enroll any additional enrolled participants except newborn children or other newly acquired dependents of existing enrolled participants, and shall not engage in any advertising or solicitation whatever;

(B) when the certificate of authority is revoked, such organization shall proceed under the supervision of the Administrator, immediately following the effective date of the order of revocation, to wind up its affairs, and shall conduct no further business except as may be essential to the orderly conclusion of the affairs of such

organization. It shall engage in no further advertising or solicitation whatsoever. The Administrator may, by written order, permit such further operation of the organization as he may find to be in the best interest of enrolled participants, to the end that enrolled participants will be afforded the greatest practical opportunity to obtain continuing health care coverage.

( ) impose a penalty of not more than ten thousand dollars ($10,000) for each and every unlawful act committed;

(iii) issue an administrative order requiring the health maintenance organization:

(A) to cease or modify inappropriate conduct or practices by it or any of the personnel employed or associated with it;

(B) to fulfill its contractual obligations;

(C) to provide a service which has been improperly denied; or

(D) to take appropriate steps to restore its ability to provide a contracted - for service.

(iv) apply to any Court for such legal or equitable relief as the Administrator deems appropriate.

(b) Before the Administrator takes any action as set forth in (i), (ii), (iii) or (iv) above, he shall give written notice to the organization its agent or officer thereof, accused of a violation, stating specifically the nature of such alleged violation and fixing a time and place, at least ten days thereafter, when a hearing of the matter shall be held. After a hearing or upon failure of the accused to appear at the hearing, the Administrator may impose any of the above penalties as he deems advisable.

(c) (Insert here provisions regarding administrative hearings and review, including but not limited to the judiciary, consistent with State's existing law.)

SECTION X - FEES

Every organization subject to this chapter shall pay to the Administrator the following fees:

(1) For filing a copy of its application for a certificate of authority or amendment thereto $_____.

(2) For filing each annual report pursuant to Section _____, $_____.

(3) The expenses of any examinations conducted pursuant to Section VIII.

SECTION XI - STATUTORY CONSTRUCTION AND RELATIONSHIP TO OTHER LAWS

(a) Provisions of the insurance law and provisions of hospital or medical service corporation laws shall not be

applicable to any health maintenance organization granted a certificate of authority under this Act; provided that, no health maintenance organization shall include in its name the words "insurer," "casualty," "surety," "health and accident" or any words generally regarded as descriptive of the insurance industry; provided further, that this provision does not apply to an insurer or hospital or medical service corporation licensed and regulated pursuant to the insurance laws or the hospital or medical service corporation laws of this State, except with respect to its health maintenance organization activities authorized and regulated pursuant to this Act.

(b) The provision of factually accurate information regarding coverage, rates, locations and hours of service, names of affiliated institutions, and credentials of participating providers by a health maintenance organization or its personnel to potential enrolled participants shall not be construed to be violative of any provision of law relating to solicitation or advertising by health professionals.

(c) Any health maintenance organization authorized under this Act shall be exempt from the provision of (insert proper State law citation) prohibiting the practice of medicine by corporations, associations, or other organizations.

(d) Any health maintenance organization authorized under this act which contracts with a health facility or enters into arrangements with one or more groups of physicians organized

on a group practice or individual practice basis shall not by virtue of such contracts or arrangements be deemed to have entered into a "conspiracy in restraint of trade" in violation of (insert proper State law citation) the State's antitrust laws.

(c) No law or regulation of this State shall be applied to prohibit or unreasonably interfere with the ability of any healt maintenance organization or provider or group of providers, unde arrangements with a health maintenance organization to provide any health care service to the enrolled participants of such health maintenance organization, from employing or otherwise associating with any provider of such health care service.

SECTION XII - MULTIPLE CHOICE

(a) Every public or private employer or employee benefit fun within this State having more than 25 employees or members must make available to every employee to which it offers a health benefit program of any kind the opportunity in accordance with regulations promulgated by the Administrator (1) to participate in a plan which does not restrict an employee's choice of physician or hospital and (2) to obtain health care services from health maintenance organizations which are representative of all significantly different health maintenance organization de ery systems available in the employment area; provided that no employer or fund may be required to select more than one health

health maintenance organization of any single type. No employer or fund shall be required to pay any health maintenance organizati an amount in excess of payments required under the applicable collective-bargaining agreement or any other agreement providin health care benefits.

(b) The provision of this section may be enforced by the Administrator or by any aggrieved party in civil litigation.

SECTION XIII - IMPLEMENTING REGULATIONS

The Administrator may, after notice and hearing, promulgate reasonable rules and regulations as are necessary or proper to carry out the provisions of this Act. Nothing in this Act shall be construed to prohibit the Administrator from requiring changes in procedures previously approved by him.

SECTION XIV SEVERABILITY

If any section, term or provision of this Act shall be adjudged invalid for any reason, such judgment shall not affect, impair, or invalidate any other section, term, or provision of this Act, but the remaining section, terms, and provisions shall be and remain in full force and effect.

SECTION XV - FEDERAL LEGISLATION

Nothing in this Act shall prohibit any health maintenance organization from meeting the requirements of any federal law which would authorize such health maintenance organization to receive federal financial assistance or enroll beneficiaries assisted by federal funds.

MEMORANDUM OFFICE OF THE SECRETARY

file HB 481

TO : Assistant General Counsel, Legislation
THROUGH: Assistant Secretary for Health _____

FROM : Deputy Assistant Secretary for Health Policy Development

SUBJECT: HMC Model State Legislation

We hereby request that the attached model State HMO Enabling Act be included as an addendum to the Department's model State law submissions to OMB and the Council of State Governments. The bill has been developed pursuant to the mandate contained in the President's 1971 Health Message and subsequent policy directives issued by former Secretary Richardson. It was drafted by the staff of the HMO Service with assistance from Interstudy, a private, non-profit policy development center on contract to the HMO Service, and the staff of the Office of the Deputy Assistant Secretary for Health Policy Development. Informal review sessions have been held with representatives of the Office of the General Counsel and the Assistant Secretary for Legislation (Health).

The bill represents non-restrictive HMO Enabling Legislation which would encourage a full range of HMO models to compete both with each other and with the fee-for-service sector. It provides basic authority for HMO organization and regulation, while at the same time invalidating a number of the traditional State legal barriers to HMO development and growth.

The bill does not address the issues of comprehensive health planning, personnel licensure or Medicaid contracting, which are more easily addressed in other legislation, or the issues of medical claims subrogation and coordination of benefits which can be handled in enrollee contracts, at least in most States. Nor does it address specifically the issues of special tax benefits for "charitable" non-profit HMOs or premium taxes for HMOs. In principle we oppose provisions

that discriminate against certain kinds of HMOs, or against HMOs as a class. (We have included provisions for licensure fees to help finance regulatory activities.)

The regulatory style utilized in the bill focuses, wherever possible, on public disclosure and information as opposed to government control. In this regard, it differs from the model bill developed by the National Association of Insurance Commissioners which relies more heavily on government action rather than private competition, made effective through public disclosure, as a means of assuring product adequacy.

There are several significant specific differences between our bill and the NAIC bill which are as follows:

(1) Exclusivity.

The NAIC bill is designed to be the exclusive regulatory vehicle. No prepaid health delivery system which does not meet the regulatory standards described in the bill, or implementing regulations, would be permitted to exist. In contrast, our bill would provide only that a organization which does not meet standards imposed by the bill could not be called an HMO. Whether the State would choose to permit such organizations to exist, or to regulate them through other means, would be left to State by State determination.

(2) Delegation of regulatory authority to the Insurance Commissioner.

The NAIC bill delegates regulatory responsibility to the Insurance Commissioner.

Our bill says nothing on this issue. Again, we believe that the choice of a regulatory vehicle should be a determination of the State, not the Federal government. In some States, it may be best to select the Health Department, or an entirely new agency rather than delegate authority to the Insurance Commissioner.

(3) Approval of rates.

The NAIC bill includes insurance type rate approval. In contrast, we believe it would be more appropriate to rely on the free market. It is doubtful whether rate regulation would provide an effective control on costs. Indeed, it may be -- because of limited HMO experience -- that rate regulation would actually promote rate uniformity, and thus stifle price competition. (Of course, the financial responsibility requirements of our bill would insure that any rate chosen by an HMO would be adequate to pay incurred costs.)

(4) Definition.

The definition contained in the NAIC bill does not make clear that the HMO is responsible for the provision or arrangement for medical care services rather than simply payment for such services. Our bill does.

(5) Benefit package.

The benefit package contained in the

NAIC bill is overly rigid and comprehensive and, thus, may make HMOs uncompetitive with traditional insurance.

(6) Different standards for insurance run HMOs.

Under the NAIC bill, HMOs controlled by insurance companies are subject to different standards than other kinds of HMOs. Our bill makes no such distinction.

(7) Open enrollment.

The NAIC bill contains open enrollment provisions which could make it more difficult for HMOs to compete with traditional insurers which, typically, are not subject to such requirements.

(8) Restrictions on investments.

The NAIC bill contains insurance type restrictions on HMO investments. Our bill contains no such restrictions. We would prefer to rely solely on disclosure and general financial responsibility standards.

(9) Approval of contract changes.

The NAIC bill would require advance approval of any contract changes. In contrast, our bill requires only notification. Of course, the regulatory authority would remain free to subsequently

challenge any modification which adversely and materially alters a contract.

(10) Insurance liquidation provisions.

The NAIC bill includes complex insurance type liquidation and rehabilitation provisions which we believe may encourage unwarranted government incursions into the internal affairs of HMOs. Our bill includes no specific liquidation or rehabilitation provisions. We would rely more heavily on HMO management, and on the general bankruptcy law where HMOs do fail.

(11) Liquid reserve requirement.

The NAIC bill includes liquid reserve requirements which are inappropriate, ineffective, and inhibiting to certain kinds of HMOs. In contrast, our bill utilizes a variety of different criteria for determining financial responsibility.

(12) Multiple Choice.

While the NAIC bill includes no mandatory multiple choice provision, our bill currently does. It may be, however, that this provision is not consistent with present Administration policy. The arguments in favor of the provision are:

(1) that mandatory multiple choice is essential to rapid HMO development and,

(2) that in this case it is the State rather than the Federal government which is levying the requirement.

The arguments against the provision are:

(1) that it is inappropriate until the results of Federal demonstration efforts are evaluated and,

(2) that, as it applies only to companies presently offering health insurance coverage, it is discriminatory in its impact. Moreover, it could be argued that such discrimination will encourage employers, and particularly small employers, presently offering coverage to cease to do so because of the added administrative burdens, or alternatively, inhibit employers who would otherwise begin to offer coverage.

On balance, we would prefer to retain this provision.

We believe that the Department's posture toward the NAIC bill should be basically supportive as that bill also adopts a non-restrictive, competitive approach. However, for the foregoing reasons, we believe that our bill is substantially superior to the bill developed by the NAIC. Moreover, we do not believe that the

DRAFT

SUGGESTED HEALTH MAINTENANCE ORGANIZATION ACT

introduction of our bill will harm chances of passage of meaningful HMO legislation. Existing experience suggest that it would simply improve the quality of the bills which are finally enacted.

Scott Fleming

Attachment (1)

cc: Mr. Rubel
Dr. Zapp
Mr. MacLeod

THE HEALTH MAINTENANCE ORGANIZATION ACT

Sections:

I Definitions

II Application for Certificate of Authority

III Issuance of Certificate of Authority

IV Powers of Health Maintenance Organizations

V Contract Form

VI Annual Disclosure

VII Reports to the Administrator

VIII Examinations

IX Sanctions

X Fees

XI Statutory Construction and Relationship to other Laws

XII Multiple Choice

XIII Implementing Regulations

XIV Severability

XV Federal Legislation

STATEMENT OF FINDINGS AND DECLARATION OF PURPOSE

(a) The legislature finds that --

(1) The medical care system in this State is not organized in a manner which encourages the provision of medical care at reasonable costs.

(2) The medical care system in this State is oriented toward providing care once a health need has occurred rather than towards providing health maintenance and preventive health services.

(3) Experience of prepaid group health organizations operating in various areas across the Nation indicates that such organizations have great potential for reducing the inefficiencies in the present system.

(b) It is therefore the purpose of this Act to authorize and facilitate the establishment of Health Maintenance Organizations, and to regulate their operation to insure that high quality health services are provided to all enrolled participants of such organizations throughout the State.

THE HEALTH MAINTENANCE ORGANIZATION ACT

Sections:

I Definitions

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XII Multiple Choice

XIII Implementing Regulations

XIV Severability

XV Federal Legislation

file HB 69

Public Law 93-222
93rd Congress, S. 14
December 29, 1973

An Act

87 STAT. 914

To amend the Public Health Service Act to provide assistance and encouragement for the establishment and expansion of health maintenance organizations, and for other purposes.

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

Health Maintenance Organization Act of 1973.

SHORT TITLE AND TABLE OF CONTENTS

SECTION 1. This Act, with the following table of contents, may be cited as the "Health Maintenance Organization Act of 1973".

TABLE OF CONTENTS

Sec. 1. Short title and table of contents.
Sec. 2. Health maintenance organizations.

"TITLE XIII—HEALTH MAINTENANCE ORGANIZATIONS

"Sec. 1301. Requirements for health maintenance organizations.
"Sec. 1302. Definitions.
"Sec. 1303. Grants and contracts for feasibility surveys.
"Sec. 1304. Grants, contracts, and loan guarantees for planning and for initial development costs.
"Sec. 1305. Loans and loan guarantees for initial operation costs.
"Sec. 1306. Application requirements.
"Sec. 1307. Administration of assistance programs.
"Sec. 1308. General provisions relating to loan guarantees and loans.
"Sec. 1309. Authorizations of appropriations.
"Sec. 1310. Employers' health benefits plans.
"Sec. 1311. Restrictive State laws and practices.
"Sec. 1312. Continued regulation of health maintenance organizations.
"Sec. 1313. Limitation on source of funding for health maintenance organizations.
"Sec. 1314. Program evaluation.
"Sec. 1315. Annual report.".
Sec. 3. Quality assurance.
Sec. 4. Health care quality assurance programs study.
Sec. 5. Reports respecting medically underserved areas and population groups and non-metropolitan areas.
Sec. 6. Health services for Indians and domestic agricultural migratory and seasonal workers.
Sec. 7. Conforming amendments.

HEALTH MAINTENANCE ORGANIZATIONS

SEC. 2. The Public Health Service Act is amended by adding after title XII the following new title: Infra, p. 896.

"TITLE XIII—HEALTH MAINTENANCE ORGANIZATIONS

"REQUIREMENTS FOR HEALTH MAINTENANCE ORGANIZATIONS

"SEC. 1301. (a) For purposes of this title, the term 'health maintenance organization' means a legal entity which (1) provides basic and supplemental health services to its members in the manner prescribed by subsection (b), and (2) is organized and operated in the manner prescribed by subsection (c).

Definition.

Basic health services.

"(b) A health maintenance organization shall provide, without limitations as to time or cost other than those prescribed by or under this title, basic and supplemental health services to its members in the following manner:

"(1) Each member is to be provided basic health services for a basic health services payment which (A) is to be paid on a periodic basis without regard to the dates health services (within the basic health services) are provided; (B) is fixed without regard to the frequency, extent, or kind of health service (within the basic health services) actually furnished; (C) is fixed under a community rating system; and (D) may be supplemented by additional nominal payments which may be required for the provision of specific services (within the basic health services), except that such payments may not be required where or in such a manner that they serve (as determined under regulations of the Secretary) as a barrier to the delivery of health services. Such additional nominal payments shall be fixed in accordance with the regulations of the Secretary.

"(2) For such payment or payments (hereinafter in this title referred to as 'supplemental health services payments') as the health maintenance organization may require in addition to the basic health services payment, the organization shall provide to each of its members each health service (A) which is included in supplemental health services (as defined in section 1302(2)), (B) for which the required health manpower are available in the area served by the organization, and (C) for the provision of which the member has contracted with the organization. Supplemental health services payments which are fixed on a prepayment basis shall be fixed under a community rating system.

"(3) The services of health professionals which are provided as basic health services shall be provided through health professionals who are members of the staff of the health maintenance organization or through a medical group (or groups) or individual practice association (or associations), except that this paragraph shall not apply in the case of (A) health professional services which the organization determines, in conformity with regulations of the Secretary, are unusual or infrequently used, or (B) any basic health service provided a member of the health maintenance organization other than by such a health professional because it was medically necessary that the service be provided to the member before he could have it provided by such a health professional. For purposes of this paragraph, the term 'health professionals' means physicians, dentists, nurses, podiatrists, optometrists, and such other individuals engaged in the delivery of health services as the Secretary may by regulation designate.

"Health professionals."

"(4) Basic health services (and supplemental health services in the case of the members who have contracted therefor) shall within the area served by the health maintenance organization be available and accessible to each of its members promptly as appropriate and in a manner which assures continuity, and when medically necessary be available and accessible twenty-four hours a day and seven days a week. A member of a health maintenance organization shall be reimbursed by the organization for his expenses in securing basic or supplemental health services other than through the organization if it was medically necessary that the services be provided before he could secure them through the organization.

"(c) Each health maintenance organization shall—

"(1) have a fiscally sound operation and adequate provision against the risk of insolvency which is satisfactory to the Secretary;

"(2) assume full financial risk on a prospective basis for the provision of basic health services, except that a health maintenance organization may obtain insurance or make other arrangements (A) for the cost of providing to any member basic health services the aggregate value of which exceeds $5,000 in any year, (B) for the cost of basic health services provided to its members other than through the organization because medical necessity required their provision before they could be secured through the organization, and (C) for not more than 90 per centum of the amount by which its costs for any of its fiscal years exceed 115 per centum of its income for such fiscal year;

"(3) enroll persons who are broadly representative of the various age, social, and income groups within the area it serves, except that in the case of a health maintenance organization which has a medically underserved population located (in whole or in part) in the area it serves, not more than 75 per centum of the members of that organization may be enrolled from the medically underserved population unless the area in which such population resides is also a rural area (as designated by the Secretary);

"(4) have an open enrollment period of not less than thirty days at least once during each consecutive twelve-month period during which enrollment period it accepts, up to its capacity, individuals in the order in which they apply for enrollment, except that if the organization demonstrates to the satisfaction of the Secretary that—

"(A) it has enrolled, or will be compelled to enroll, a disproportionate number of individuals who are likely to utilize its services more often than an actuarially determined average (as determined under regulations of the Secretary) and enrollment during an open enrollment period of an additional number of such individuals will jeopardize its economic viability, or

"(B) if it maintained an open enrollment period it would not be able to comply with the requirements of paragraph (3),

the Secretary may waive compliance by the organization with the open enrollment requirement of this paragraph for not more than three consecutive twelve-month periods and may provide additional waivers to that organization if it makes the demonstration required by subparagraph (A) or (B);

"(5) not expel or refuse to re-enroll any member because of his health status or his requirements for health services;

"(6) be organized in such a manner that assures that (A) at least one-third of the membership of the policymaking body of the health maintenance organization will be members of the organization, and (B) there will be equitable representation on such body of members from medically underserved populations served by the organization;

"(7) be organized in such a manner that provides meaningful procedures for hearing and resolving grievances between the health maintenance organization (including the medical group or groups and other health delivery entities providing health services for the organization) and the members of the organization;

"(8) have organizational arrangements, established in accordance with regulations of the Secretary, for an ongoing quality assurance program for its health services which program (A) stresses health outcomes, and (B) provides review by physicians

and other health professionals of the process followed in the provision of health services;

"(9) provide medical social services for its members and encourage and actively provide for its members health education services, education in the appropriate use of health services and education in the contribution each member can make to the maintenance of his own health;

"(10) provide, or make arrangements for, continuing education for its health professional staff; and

"(11) provide, in accordance with regulations of the Secretary (including safeguards concerning the confidentiality of the doctor-patient relationship), an effective procedure for developing, compiling, evaluating, and reporting to the Secretary, statistics and other information (which the Secretary shall publish and disseminate on an annual basis and which the health maintenance organization shall disclose, in a manner acceptable to the Secretary, to its members and the general public) relating to (A) the cost of its operations, (B) the patterns of utilization of its services, (C) the availability, accessibility, and acceptability of its services, (D) to the extent practical, developments in the health status of its members, and (E) such other matters as the Secretary may require.

"DEFINITIONS

"SEC. 1302. For purposes of this title:

"(1) The term 'basic health services' means—

"(A) physician services (including consultant and referral services by a physician);

"(B) inpatient and outpatient hospital services;

"(C) medically necessary emergency health services;

"(D) short-term (not to exceed twenty visits), outpatient evaluative and crisis intervention mental health services;

"(E) medical treatment and referral services (including referral services to appropriate ancillary services) for the abuse of or addiction to alcohol and drugs;

"(F) diagnostic laboratory and diagnostic and therapeutic radiologic services;

"(G) home health services; and

"(H) preventive health services (including voluntary family planning services, infertility services, preventive dental care for children, and children's eye examinations conducted to determine the need for vision correction).

If a service of a physician described in the preceding sentence may also be provided under applicable State law by a dentist, optometrist, or podiatrist, a health maintenance organization may provide such service through a dentist, optometrist, or podiatrist (as the case may be) licensed to provide such service. For purposes of this paragraph, the term 'home health services' means health services provided at a member's home by health care personnel, as prescribed or directed by the responsible physician or other authority designated by the health maintenance organization. A health maintenance organization is authorized, in connection with the prescription of drugs, to maintain, review, and evaluate (in accordance with regulations of the Secretary) a drug use profile of its members receiving such service, evaluate patterns of drug utilization to assure optimum drug therapy, and provide for instruction of its members and of health professionals in the use of prescription and non-prescription drugs.

"(2) The term 'supplemental health services' means—

"(A) services of facilities for intermediate and long-term care;

"(B) vision care not included as a basic health service under paragraph (1)(A) or (1)(H);

"(C) dental services not included as a basic health service under paragraph (1)(A) or (1)(H);

"(D) mental health services not included as a basic health service under paragraph (1)(D);

"(E) long-term physical medicine and rehabilitative services (including physical therapy); and

"(F) the provision of prescription drugs prescribed in the course of the provision by the health maintenance organization of a basic health service or a service described in the preceding subparagraphs of this paragraph.

If a service of a physician described in the preceding sentence may also be provided under applicable State law by a dentist, optometrist, or podiatrist, a health maintenance organization may provide such service through an optometrist, dentist, or podiatrist (as the case may be) licensed to provide such service. A health maintenance organization is authorized, in connection with the prescription or provision of prescription drugs, to maintain, review, and evaluate (in accordance with regulations of the Secretary) a drug use profile of its members receiving such services, evaluate patterns of drug utilization to assure optimum drug therapy, and provide for instruction of its members and of health professionals in the use of prescription and non-prescription drugs.

"(3) The term 'member' when used in connection with a health maintenance organization means an individual who has entered into a contractual arrangement, or on whose behalf a contractual arrangement has been entered into, with the organization under which the organization assumes the responsibility for the provision to such individual of basic health services and of such supplemental health services as may be contracted for.

"(4) The term 'medical group' means a partnership, association, or other group—

"(A) which is composed of health professionals licensed to practice medicine or osteopathy and of such other licensed health professionals (including dentists, optometrists, and podiatrists) as are necessary for the provision of health services for which the group is responsible;

"(B) a majority of the members of which are licensed to practice medicine or osteopathy; and

"(C) the members of which (i) as their principal professional activity and as a group responsibility engage in the coordinated practice of their profession for a health maintenance organization; (ii) pool their income from practice as members of the group and distribute it among themselves according to a prearranged salary or drawing account or other plan; (iii) share medical and other records and substantial portions of major equipment and of professional, technical, and administrative staff; (iv) utilize such additional professional personnel, allied health professions personnel, and other health personnel (as specified in regulations of the Secretary) as are available and appropriate for the effective and efficient delivery of the services of the members of the group; and (v) arrange for and encourage continuing education in the field of clinical medicine and related areas for the members of the group.

"(5) The term 'individual practice association' means a partnership, corporation, association, or other legal entity which has entered into a services arrangement (or arrangements) with persons who are licensed to practice medicine, osteopathy, dentistry, podiatry, optome-

try, or other health profession in a State and a majority of whom are licensed to practice medicine or osteopathy. Such an arrangement shall provide—

"(A) that such persons shall provide their professional services in accordance with a compensation arrangement established by the entity; and

"(B) to the extent feasible (i) that such persons shall utilize such additional professional personnel, allied health professions personnel, and other health personnel (as specified in regulations of the Secretary) as are available and appropriate for the effective and efficient delivery of the services of the persons who are parties to the arrangement, (ii) for the sharing by such persons of medical and other records, equipment, and professional, technical, and administrative staff, and (iii) for the arrangement and encouragement of the continuing education of such persons in the field of clinical medicine and related areas.

"(6) The term 'section 314(a) State health planning agency' means the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a) (hereinafter in this title referred to as a 'section 314(a) plan'); and the term 'section 314(b) areawide health planning agency' means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b) (hereinafter in this title referred to as a 'section 314(b) plan').

80 Stat. 1181. 42 USC 246.

"(7) The term 'medically underserved population' means the population of an urban or rural area designated by the Secretary as an area with a shortage of personal health services or a population group designated by the Secretary as having a shortage of such services. Such a designation may be made by the Secretary only after consideration of the comments (if any) of (A) each section 314(a) State health planning agency whose section 314(a) plan covers (in whole or in part) such urban or rural area or the area in which such population group resides, and (B) each section 314(b) areawide health planning agency whose section 314(b) plan covers (in whole or in part) such urban or rural area or the area in which such population group resides.

"(8) The term 'community rating system' means a system of fixing rates of payments for health services. Under such a system rates of payments may be determined on a per-person or per-family basis and may vary with the number of persons in a family, but except as otherwise authorized in the next sentence, such rates must be equivalent for all individuals and for all families of similar composition. The following differentials in rates of payments may be established under such system:

"(A) Nominal differentials in such rates may be established to reflect the different administrative costs of collecting payments from the following categories of members:

"(i) Individual members (including their families).

"(ii) Small groups of members (as determined under regulations of the Secretary).

"(iii) Large groups of members (as determined under regulations of the Secretary).

"(B) Differentials in such rates may be established for members enrolled in a health maintenance organization pursuant to a contract with a governmental authority under section 1079 or 1086 of title 10, United States Code, or under any other governmental program (other than the health benefits program authorized by chapter 89 of title 5, United States Code) or any health

90 Stat. 461. 5 USC 8901.

benefits program for employees of States, political subdivisions of States, and other public entities.

"(9) The term 'non-metropolitan area' means an area no part of which is within an area designated as a standard metropolitan statistical area by the Office of Management and Budget and which does not contain a city whose population exceeds fifty thousand individuals.

"GRANTS AND CONTRACTS FOR FEASIBILITY SURVEYS

"SEC. 1303. (a) The Secretary may make grants to and enter into contracts with public or nonprofit private entities for projects for surveys or other activities to determine the feasibility of developing and operating or expanding the operation of health maintenance organizations.

"(b) An application for a grant or contract under this section shall contain—

"(1) assurances satisfactory to the Secretary that, in conducting surveys or other activities with assistance under a grant or contract under this section, the applicant will (A) cooperate with the section 314(b) areawide health planning agency (if any) whose section 314(b) plan covers (in whole or in part) the area for which the survey or other activity will be conducted, and (B) notify the medical society serving such area of such surveys or other activities; and 80 Stat. 1191; 84 Stat. 1304. 42 USC 246.

"(2) such other information as the Secretary may by regulation prescribe.

"(c) In considering applications for grants and contracts under this section, the Secretary shall give priority to an application which contains or is supported by assurances satisfactory to the Secretary that at the time the health maintenance organization for which such application or proposal is submitted first becomes operational not less than 30 per centum of its members will be members of a medically underserved population.

"(d)(1) Except as provided in paragraph (2), the following limitations apply with respect to grants and contracts made under this section: Limitations.

"(A) If a project has been assisted with a grant or contract under subsection (a), the Secretary may not make any other grant or enter into any other contract under this section for such project.

"(B) Any project for which a grant is made or contract entered into must be completed within twelve months from the date the grant is made or contract entered into.

"(2) The Secretary may make not more than one additional grant or enter into not more than one additional contract for a project for which a grant has previously been made or a contract previously entered into, and he may permit additional time (up to twelve months) for completion of the project if he determines that the additional grant or contract (as the case may be), or additional time, or both, is needed to adequately complete the project.

"(e) The amount to be paid by the United States under a grant made, or contract entered into, under subsection (a) shall be determined by the Secretary, except that (1) the amount to be paid by the United States under any single grant or contract for any project may not exceed $500,000, and (2) the aggregate of the amounts to be paid by the United States for any project under such subsection under grants or contracts, or both, may not exceed the greater of (A) 90 per centum of the cost of such project (as determined under regulations of the Secretary), or (B) in the case of a project for a health maintenance organization which will serve a medically underserved

population, such greater percentage (up to 100 per centum) of such cost as the Secretary may prescribe if he determines that the ceiling on the grants and contracts for such project should be determined by such greater percentage.

"(f) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary.

"(g) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(h) Payments under grants and contracts under this section shall be made from appropriations made under section 1309(a).

Post, p. 930.

"(i) Of the sums appropriated for any fiscal year under section 1309(a) for grants and contracts under this section, not less than 20 per centum shall be set aside and obligated in such fiscal year for projects (1) to determine the feasibility of developing and operating or expanding the operation of health maintenance organizations which the Secretary determines may reasonably be expected to have after their development or expansion not less than 65 per centum of their membership drawn from residents of non-metropolitan areas, and (2) the applications for which meet the requirements of this title for approval. Sums set aside in the fiscal year ending June 30, 1974, or June 30, 1975, for projects described in the preceding sentence but not obligated in such fiscal year for grants and contracts under this section because of a lack of applicants for projects meeting the requirements of such sentence shall remain available for obligation under this section in the succeeding fiscal year for projects other than those described in clause (1) of such sentence.

"GRANTS, CONTRACTS, AND LOAN GUARANTEES FOR PLANNING AND FOR INITIAL DEVELOPMENT COSTS

"SEC. 1301. (a) The Secretary may—

"(1) make grants to and enter into contracts with public or nonprofit private entities for planning projects for the establishment of health maintenance organizations or for the significant expansion of the membership of, or areas served by, health maintenance organizations; and

"(2) guarantee to non-Federal lenders payment of the principal of and the interest on loans made to private entities (other than nonprofit private entities) for planning projects for the establishment or expansion of health maintenance organizations to serve medically underserved populations.

Planning projects assisted under this subsection shall include development of plans for the marketing of the services of the health maintenance organization.

"(b)(1) The Secretary may—

"(A) make grants to and enter into contracts with public or nonprofit private entities for projects for the initial development of health maintenance organizations; and

"(B) guarantee to non-Federal lenders payment of the principal of and the interest on loans made to any private entity (other than a nonprofit private entity) for a project for the initial development of a health maintenance organization which will serve a medically underserved population.

"Initial development."

"(2) For purposes of this section, the term 'initial development' when used to describe a project for which assistance is authorized by this subsection includes significant expansion of the membership of, or the area served by, a health maintenance organization. Funds under

grants and contracts under this subsection and under loans guaranteed under this subsection may only be utilized for such purposes as the Secretary may prescribe in regulations. Such purposes may include (A) the implementation of an enrollment campaign for such an organization, (B) the detailed design of and arrangements for the health services to be provided by such an organization, (C) the development of administrative and internal organizational arrangements, including fiscal control and fund accounting procedures, and the development of a capital financing program, (D) the recruitment of personnel for such an organization and the conduct of training activities for such personnel, and (E) the payment of architects' and engineers' fees.

"(3) A grant or contract under this subsection may only be made or entered into for initial development costs in the one-year period beginning on the first day of the first month in which such grant or contract is made or entered into. The number of grants made for any initial development project under this subsection when added to the number of contracts entered into for such project under this subsection may not exceed three. A loan guarantee under this subsection may only be made for a loan (or loans) for such costs incurred in a period not to exceed three years.

"(c)(1) An application for a grant, contract, or loan guarantee under subsection (a) for a planning project shall contain assurances satisfactory to the Secretary that in carrying out the planning project for which the grant, contract, or loan guarantee is sought, the applicant will (A) cooperate with the section 314(b) areawide health planning agency (if any) whose section 314(b) plan covers (in whole or in part) the area proposed to be served by the health maintenance organization for which the planning project will be conducted, and (B) notify the medical society serving such area of the planning project. 80 Stat. 1181; 84 Stat. 1304. 42 USC 246.

"(2) If the Secretary makes a grant or loan guarantee or enters into a contract under subsection (a) for a planning project for a health maintenance organization, he may, within the period in which the planning project must be completed, make a grant or loan guarantee or enter into a contract under subsection (b) for the initial development of that health maintenance organization; but no grant or loan guarantee may be made or contract entered into under subsection (b) for initial development of a health maintenance organization unless the Secretary determines that (A) sufficient planning for its establishment or expansion (as the case may be) has been conducted by the applicant for the grant, contract, or loan guarantee, and (B) the feasibility of establishing and operating, or of expanding, the health maintenance organization has been established by the applicant.

"(d) In considering applications for grants and contracts under this section, the Secretary shall give priority to an application which contains or is supported by assurances satisfactory to the Secretary that at the time the health maintenance organization for which such application is submitted first becomes operational not less than 30 per centum of its members will be members of a medically underserved population.

"(e)(1) Except as provided in paragraph (2), the following limitations apply with respect to grants, loan guarantees, and contracts made under subsection (a) of this section: Limitations.

"(A) If a planning project has been assisted with grant, loan guarantee, or contract under subsection (a), the Secretary may not make any other planning grant or loan guarantee or enter into any other planning contract for such project under this section.

"(B) Any project for which a grant or loan guarantee is made or contract entered into must be completed within twelve months

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from the date the grant or loan guarantee is made or contract entered into.

"(2) The Secretary may not make more than one additional grant or loan guarantee or enter into not more than one additional contract for a planning project for which a grant or loan guarantee has previously been made or a contract previously entered into, and he may permit additional time (up to twelve months) for completion of the project if he determines that the additional grant, loan guarantee, or contract (as the case may be), or additional time, or both, is needed to adequately complete the project.

"(f)(1) The amount to be paid by the United States under a grant made, or contract entered into, under subsection (a) for a planning project, and (except as provided in paragraph (3) of this subsection) the amount of principal of a loan for a planning project which may be guaranteed under such subsection, shall be determined by the Secretary, except that (A) the amount to be paid by the United States under any single grant or contract, and the amount of principal of any single loan guaranteed under such subsection, may not exceed $125,000, and (B) the aggregate of the amounts to be paid for any project by the United States under grants or contracts, or both, under such subsection, and the aggregate amount of principal of loans guaranteed under such subsection for any project, may not exceed the greater of (i) 50 per centum of the cost of such project (as determined under regulations of the Secretary), or (ii) in the case of a project for a health maintenance organization which will serve a medically underserved population, such greater percentage (up to 100 per centum) of such cost as the Secretary may prescribe if he determines that the ceiling on the grants, contracts, and loan guarantees (or any combination thereof) for such project should be determined by such greater percentage.

"(2) The amount to be paid by the United States under a grant made, or contract entered into, under subsection (b) for an initial development project, and (except as provided in paragraph (3) of this subsection) the amount of principal of a loan for an initial development project which may be guaranteed under such subsection, shall be determined by the Secretary; except that the amounts to be paid by the United States for any initial development project under grants or contracts, or both, under such subsection, and the aggregate amount of principal of loans guaranteed under such subsection for any project, may not exceed the lesser of—

"(A) $1,000,000, or

"(B) an amount equal to the greater of (i) 90 per centum of the cost of such project (as determined under regulations of the Secretary), or (ii) in the case of a project for a health maintenance organization which will serve a medically underserved population, such greater percentage (up to 100 per centum) of such cost as the Secretary may prescribe if he determines that the ceiling on the grants, contracts, and loan guarantees (or any combination thereof) for such project should be determined by such greater percentage.

"(3) The cumulative total of the principal of the loans outstanding at any time with respect to which guarantees have been issued under this section may not exceed such limitations as may be specified in appropriation Acts.

"(g) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary finds necessary.

"(h) Contracts may be entered into under this section without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(i) Payments under grants and contracts under this section shall be made from appropriations under section 1309(a). Post, p. 930.

"(j) Loan guarantees under subsection (a)(2) for planning projects may be made through the fiscal yeaf ending June 30, 1976; and loan guarantees under subsection (b)(1)(B) for initial development projects may be made through the fiscal year ending June 30, 1977.

"(k)(1) Of the sums appropriated for any fiscal year under section 1309(a) for grants and contracts under subsection (a) of this section, not less than 20 per centum shall be set aside and obligated in such fiscal year for projects (A) to plan the establishment or expansion of health maintenance organizations which the Secretary determines may reasonably be expected to have after their establishment or expansion not less than 66 per centum of their membership drawn from residents of non-metropolitan areas, and (B) the applications for which meet the requirements of this title for approval. Sums set aside in the fiscal year ending June 30, 1974, or June 30, 1975, for projects described in the preceding sentence but not obligated in such fiscal year for grants and contracts under subsection (a) of this section because of a lack of applicants for projects meeting the requirements of such sentence shall remain available for obligation under such subsection in the succeeding fiscal year for projects other than those described in clause (A) of such sentence.

"(2) Of the sums appropriated for any fiscal year under section 1309(a) for grants and contracts under subsection (b) of this section, not less than 20 per centum shall be set aside and obligated in such fiscal year for projects (A) for the initial development of health maintenance organizations which the Secretary determines may reasonably be expected to have after their initial development not less than 66 per centum of their membership drawn from residents of non-metropolitan areas, and (B) the applications for which meet the requirements of this title for approval. Sums set aside in the fiscal year ending June 30, 1974, or in either of the next two fiscal years for projects described in the preceding sentence but not obligated in such fiscal year for grants and contracts under subsection (b) of this section because of a lack of applicants for projects meeting the requirements of such sentence shall remain available for obligation under such subsection in the succeeding fiscal year for projects other than those described in clause (A) of such sentence.

"LOANS AND LOAN GUARANTIES FOR INITIAL OPERATION COSTS

"SEC. 1305. (a) The Secretary may—

"(1) make loans to public or nonprofit private health maintenance organizations to assist them in meeting the amount by which their operating costs in the period of the first thirty-six months of their operation exceed their revenues in that period;

"(2) make loans to public or nonprofit private health maintenance organizations to assist them in meeting the amount by which their operating costs, which the Secretary determines are attributable to significant expansion in their membership or area served and which are incurred in the period of the first thirty-six months of their operation after such expansion, exceed their revenues in that period which the Secretary determines are attributable to such expansion; and

"(3) guarantee to non-Federal lenders payment of the principal of and the interest on loans made to any private health maintenance organization (other than a private nonprofit health maintenance organization) for the amounts referred to in paragraph (1) or (2), but only if such health maintenance organization will serve a medically underserved population. Non-Federal lenders, guaranteed payment, condition.

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No loan or loan guarantee may be made under this subsection for the operating costs of a health maintenance organization unless the Secretary determines that the organization has made all reasonable attempts to meet such costs.

Limitations.

"(b)(1) Except as provided in paragraph (2), the principal amount of any loan made or guaranteed under subsection (a) in any fiscal year for a health maintenance organization may not exceed $1,000,000 and the aggregate amount of principal of loans made or guaranteed, or both, under this section for a health maintenance organization may not exceed $2,500,000.

"(2) The cumulative total of the principal of the loans outstanding at any time which have been directly made, or with respect to which guarantees have been issued, under subsection (a) may not exceed such limitations as may be specified in appropriation Acts.

"(c) Loans under this section shall be made from the fund established under section 1303(e).

Post, p. 930.

"(d) A loan or loan guarantee may be made under this section through the fiscal year ending June 30, 1978.

"(e) Of the sums used for loans under this section in any fiscal year from the loan fund established under section 1308(e), not less than 20 per centum shall be used for loans for projects (1) for the initial operation of health maintenance organizations which the Secretary determines have not less than 66 per centum of their membership drawn from residents of nonmetropolitan areas, and (2) the applications for which meet the requirements of this title for approval.

"APPLICATION REQUIREMENTS

"SEC. 1306. (a) No grant, contract, loan, or loan guarantee may be made under this title unless an application therefor has been submitted to, and approved by, the Secretary.

"(b) The Secretary may not approve an application for a grant, contract, loan, or loan guarantee under this title unless—

Ante, pp. 920, 921.

"(1) in the case of an application for assistance under section 1303 or 1304, such application meets the application requirements of such section and in the case of an application for a loan or loan guarantee, such application meets the requirements of section 1308;

"(2) he determines that the applicant making the application would not be able to complete the project or undertaking for which the application is submitted without the assistance applied for;

"(3) the application contains satisfactory specification of the existing or anticipated (A) population group or groups to be served by the proposed or existing health maintenance organization described in the application, (B) membership of such organization, (C) methods, terms, and periods of the enrollment of members of such organization, (D) estimated costs per member of the health and educational services to be provided by such organization and the nature of such costs, (E) sources of professional services for such organization, and organizational arrangements of such organization for providing health and educational services, (F) organizational arrangements of such organization for an ongoing quality assurance program in conformity with the requirements of section 1301(c), (G) sources of prepayment and other forms of payment for the services to be provided by such organization, (H) facilities, and additional capital investments and sources of financing therefor, available to such organization to provide the level and scope of services proposed, (I) administrative, managerial, and financial arrangements and capabilities

Ante, p. 934.

of such organization, (J) role for members in the planning and policymaking for such organization, (K) grievance procedures for members of such organization, and (L) evaluations of the support for and acceptance of such organization by the population to be served, the sources of operating support, and the professional groups to be involved or affected thereby;

"(4) contains or is supported by assurances satisfactory to the Secretary that the applicant making the application will, in accordance with such criteria as the Secretary shall by regulation prescribe, enroll, and maintain an enrollment of the maximum number of members that its available and potential resources (as determined under regulations of the Secretary) will enable it to effectively serve;

"(5) the section 314(b) areawide health planning agency whose section 314(b) plan covers (in whole or in part) the area to be served by the health maintenance organization for which such application is submitted, or if there is no such agency, the section 314(a) State health planning agency whose section 314(a) plan covers (in whole or in part) such area, has, in accordance with regulations of the Secretary under subsection (c) of this section, been provided an opportunity to review the application and to submit to the Secretary for his consideration its recommendations respecting approval of the application or if under applicable State law such an application may not be submitted without the approval of the section 314(b) areawide health planning agency or the section 314(a) State health planning agency, the required approval has been obtained; 80 Stat. 1181; 84 Stat. 1304. 42 USC 246.

"(6) in the case of an application made for a project which previously received a grant, contract, loan, or loan guarantee under this title, such application contains or is supported by assurances satisfactory to the Secretary that the applicant making the application has the financial capability to adequately carry out the purposes of such project and has developed and operated such project in accordance with the requirements of this title and with the plans contained in previous applications for such assistance; and

"(7) the application is submitted in such form and manner, and contains such additional information, as the Secretary shall prescribe in regulations.

An organization making multiple applications for more than one grant, contract, loan, or loan guarantee under this title, simultaneously or over the course of time, shall not be required to submit duplicate or redundant information but shall be required to update the specifications (required by paragraph (3)) respecting the existing or proposed health maintenance organization in such manner and with such frequency as the Secretary may by regulation prescribe. Multiple applications.

"(c) The Secretary shall by regulation establish standards and procedures for section 314(b) areawide health planning agencies and section 314(a) State health planning agencies to follow in reviewing and commenting on applications for grants, contracts, loans, and loan guarantees under this title.

"ADMINISTRATION OF ASSISTANCE PROGRAMS

"SEC. 1307. (a)(1) Each recipient of a grant, contract, loan, or loan guarantee under this title shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of the grant, contract, or Record-keeping.

loan (directly made or guaranteed), the total cost of the undertaking in connection with which such assistance was given or used, the amount of that portion of the cost of the undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(2) The Secretary, or any of his duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients of a grant, contract, loan, or loan guarantee under this title which relate to such assistance.

Report to Secretary of H.E.W.

"(b) Upon expiration of the period for which a grant, contract, loan, or loan guarantee was provided an entity under this title, such entity shall make a full and complete report to the Secretary in such manner as he may by regulation prescribe. Each such report shall contain, among such other matters as the Secretary may by regulation require, descriptions of plans, developments, and operations

Ante, p. 925.

relating to the matters referred to in section 1306(b)(3).

Post, p. 930.

"(c) If in any fiscal year the funds appropriated under section 1309 are insufficient to fund all applications approved under this title for that fiscal year, the Secretary shall, after applying the applicable priorities under sections 1303 and 1304, give priority to the funding of applications for projects which the Secretary determines are the most likely to be economically viable.

79 Stat. 291; 86 Stat. 1370. 42 USC 1395. 42 USC 1396.

"(d) An entity which provides health services to a defined population on a prepaid basis and which has members who are entitled to insurance benefits under title XVIII of the Social Security Act or to medical assistance under a State plan approved under title XIX of such Act may be considered as a health maintenance organization for purposes of receiving assistance under this title if—

"(1) with respect to its members who are entitled to such insurance benefits or to such medical assistance it (A) provides health services in accordance with section 1301(b), except that (i) it does not furnish to those members the health services (within the basic health services) for which it may not be compensated under such title XVIII or such State plan, and (ii) it does not fix the basic or supplemental health services payment for such members under a community rating system, and (B) is organized and operated in the manner prescribed by section 1301(c), except that it does not assume full financial risk on a prospective basis for the provision to such members of basic or supplemental health services with respect to which it is not required under such title XVIII or such State plan to assume such financial risk; and

"(2) with respect to its other members it provides health services in accordance with section 1301(b) and is organized and operated in the manner prescribed by section 1301(c).

"(e) In any fiscal year no loan guarantee may be made under this title if the making of such guarantee would cause the cumulative total of the principal of the loans guaranteed under this title in such fiscal year to exceed the amount of grant and contract funds obligated under this title in such fiscal year; except that this subsection shall not apply if the amount of grant and contract funds obligated under this title in such fiscal year equals the sums appropriated under section 1309 for grants and contracts for such fiscal year.

"GENERAL PROVISIONS RELATING TO LOAN GUARANTEES AND LOANS

"SEC. 1308. (a)(1) The Secretary may not approve an application for a loan guarantee under this title unless he determines that (A) the terms, conditions, security (if any), and schedule and amount of repayments with respect to the loan are sufficient to protect the finan-

cial interests of the United States and are otherwise reasonable, including a determination that the rate of interest does not exceed such per centum per annum on the principal obligation outstanding as the Secretary determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the United States, and (B) the loan would not be available on reasonable terms and conditions without the guarantee under this title.

"(2)(A) The United States shall be entitled to recover from the applicant for a loan guarantee under this title the amount of any payment made pursuant to such guarantee, unless the Secretary for good cause waives such right of recovery; and, upon making any such payment, the United States shall be subrogated to all of the rights of the recipient of the payments with respect to which the guarantee was made.

"(B) To the extent permitted by subparagraph (C), any terms and conditions applicable to a loan guarantee under this title (including terms and conditions imposed under subparagraph (D)) may be modified by the Secretary to the extent he determines it to be consistent with the financial interest of the United States.

"(C) Any loan guarantee made by the Secretary under this title shall be incontestable (i) in the hands of an applicant on whose behalf such guarantee is made unless the applicant engaged in fraud or misrepresentation in securing such guarantee, and (ii) as to any person (or his successor in interest) who makes or contracts to make a loan to such applicant in reliance thereon unless such person (or his successor in interest) engaged in fraud or misrepresentation in making or contracting to make such loan.

"(D) Guarantees of loans under this title shall be subject to such further terms and conditions as the Secretary determines to be necessary to assure that the purposes of this title will be achieved.

"(b)(1) The Secretary may not approve an application for a loan under this title unless— Application requirements.

"(A) the Secretary is reasonably satisfied that the applicant therefor will be able to make payments of principal and interest thereon when due, and

"(B) the applicant provides the Secretary with reasonable assurances that there will be available to it such additional funds as may be necessary to complete the project or undertaking with respect to which such loan is requested.

"(2) Any loan made under this title shall (A) have such security, (B) have such maturity date, (C) be repayable in such installments, (D) bear interest at a rate comparable to the current rate of interest prevailing, on the date the loan is made, with respect to loans guaranteed under this title, and (E) be subject to such other terms and conditions (including provisions for recovery in case of default), as the Secretary determines to be necessary to carry out the purposes of this title while adequately protecting the financial interests of the United States.

"(3) The Secretary may, for good cause but with due regard to the financial interests of the United States, waive any right of recovery which he has by reason of the failure of a borrower to make payments of principal of and interest on a loan made under this title, except that if such loan is sold and guaranteed, any such waiver shall have no effect upon the Secretary's guarantee of timely payment of principal and interest. Right of recovery, waiver.

"(c)(1) The Secretary may from time to time, but with due regard to the financial interests of the United States, sell loans made by him under this title. Sale of loans.

"(2) The Secretary may agree, prior to his sale of any such loan, to guarantee to the purchaser (and any successor in interest of the purchaser) compliance by the borrower with the terms and conditions of such loan. Any such agreement shall contain such terms and conditions as the Secretary considers necessary to protect the financial interests of the United States or as otherwise appropriate. Any such agreement may (A) provide that the Secretary shall act as agent of any such purchaser for the purpose of collecting from the borrower to which such loan was made and paying over to such purchaser, any payments of principal and interest payable by such organization under such loan; and (B) provide for the repurchase by the Secretary of any such loan on such terms and conditions as may be specified in the agreement. The full faith and credit of the United States is pledged to the payment of all amounts which may be required to be paid under any guarantee under this paragraph.

"(3) After any loan under this title to a public health maintenance organization has been sold and guaranteed under this subsection, interest paid on such loan which is received by the purchaser thereof (or his successor in interest) shall be included in the gross income of the purchaser of the loan (or his successor in interest) for the purpose of chapter 1 of the Internal Revenue Code of 1954.

68A Stat. 3. 26 USC 1 et seq.

"(4) Amounts received by the Secretary as proceeds from the sale of loans under this subsection shall be deposited in the loan fund established under subsection (e).

Loan guarantee fund, establishment.

"(d)(1) There is established in the Treasury a loan guarantee fund (hereinafter in this subsection referred to as the 'fund') which shall be available to the Secretary without fiscal year limitation, in such amounts as may be specified from time to time in appropriation Acts, to enable him to discharge his responsibilities under loan guarantees issued by him under this title. There are authorized to be appropriated from time to time such amounts as may be necessary to provide the sums required for the fund. To the extent authorized in appropriation Acts, there shall also be deposited in the fund amounts received by the Secretary in connection with loan guarantees under this title and other property or assets derived by him from his operations respecting such loan guarantees, including any money derived from the sale of assets.

"(2) If at any time the sums in the funds are insufficient to enable the Secretary to discharge his responsibilities under guarantees issued by him under this title, he is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions, as may be prescribed by the Secretary with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury shall purchase any notes and other obligations issued under this paragraph and for that purpose he may use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which the securities may be issued under that Act are extended to include any purchase of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this paragraph. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. Sums borrowed under this paragraph shall be deposited in the fund

40 Stat. 288. 31 USC 774.

and redemption of such notes and obligations shall be made by the Secretary from the fund.

"(e) There is established in the Treasury a loan fund (hereinafter in this subsection referred to as the 'fund') which shall be available to the Secretary without fiscal year limitation, in such amounts as may be specified from time to time in appropriation Acts, to enable him to make loans under this title. There shall also be deposited in the fund amounts received by the Secretary as interest payments and repayment of principal on loans made under this title and other property or assets derived by him from his operations respecting such loans, from the sale of loans under subsection (c) of this section, or from the sale of assets. Loan fund. Establishment.

"AUTHORIZATIONS OF APPROPRIATIONS

"SEC. 1309. (a) For the purpose of making payments under grants and contracts under sections 1303, 1304(a), and 1304(b), there are authorized to be appropriated $25,000,000 for the fiscal year ending June 30, 1974, $55,000,000 for the fiscal year ending June 30, 1975, and $85,000,000 for the fiscal year ending June 30, 1976; and for the purpose of making payments under grants and contracts under section 1304(b) for the fiscal year ending June 30, 1977, there is authorized to be appropriated $85,000,000.

"(b) There is authorized to be appropriated to the loan fund established under section 1308(c) $75,000,000 in the aggregate for the fiscal years ending June 30, 1974, and June 30, 1975.

"EMPLOYERS' HEALTH BENEFITS PLANS

"SEC. 1310. (a) Each employer which is required during any calendar quarter to pay its employees the minimum wage specified by section 6 of the Fair Labor Standards Act of 1938 (or would be required to pay his employees such wage but for section 13(a) of such Act), and which during such calendar quarter employed an average number of employees of not less than twenty-five, shall, in accordance with regulations which the Secretary shall prescribe, include in any health benefits plan offered to its employees in the calendar year beginning after such calendar quarter the option of membership in qualified health maintenance organizations which are engaged in the provision of basic and supplemental health services in the areas in which such employees reside. 52 Stat. 1062; 77 Stat. 56; 80 Stat. 838. 29 USC 201. 75 Stat. 71; 80 Stat. 833; 86 Stat. 375. 29 USC 213.

"(b) If there is more than one qualified health maintenance organization which is engaged in the provision of basic and supplemental health services in the area in which the employees of an employer subject to subsection (a) reside and if—

"(1) one or more of such organizations provides basic health services through professionals who are members of the staff of the organization or a medical group (or groups), and

"(2) one or more of such organizations provides such services through an individual practice association (or associations),

then of the qualified health maintenance organizations included in a health benefits plan of such employer pursuant to subsection (a) at least one shall be an organization which provides basic health services as described in clause (1) and at least one shall be an organization which provides basic health services as described in clause (2).

"(c) No employer shall be required to pay more for health benefits as a result of the application of this section than would otherwise be required by any prevailing collective bargaining agreement or other legally enforceable contract for the provision of health benefits between the employer and its employees. Failure of any employer to

comply with the requirements of subsection (a) shall be considered a willful violation of section 15 of the Fair Labor Standards Act of 1938.

52 Stat. 1068; 63 Stat. 919. 29 USC 215.

"Qualified health maintenance organization."

"(d) For purposes of this section, the term 'qualified health maintenance organization' means (1) a health maintenance organization which has provided assurances satisfactory to the Secretary that it provides basic and supplemental health services to its members in the manner prescribed by section 1301(b) and that it is organized and operated in the manner prescribed by section 1301(c), and (2) an entity which proposes to become a health maintenance organization and which the Secretary determines will when it becomes operational provide basic and supplemental health services to its members in the manner prescribed by section 1301(b) and will be organized and operated in the manner prescribed by section 1301(c).

"RESTRICTIVE STATE LAWS AND PRACTICES

"SEC. 1311. (a) In the case of any entity—

"(1) which cannot do business as a health maintenance organization in a State in which it proposes to furnish basic and supplemental health services because that State by law, regulation, or otherwise—

"(A) requires as a condition to doing business in that State that a medical society approve the furnishing of services by the entity,

"(B) requires that physicians constitute all or a percentage of its governing body,

"(C) requires that all physicians or a percentage of physicians in the locale participate or be permitted to participate in the provision of services for the entity, or

"(D) requires that the entity meet requirements for insurers of health care services doing business in that State respecting initial capitalization and establishment of financial reserves against insolvency, and

"(2) for which a grant, contract, loan, or loan guarantee was made under this title or which is a qualified health maintenance organization for purposes of section 1310 (relating to employees' health benefits plans),

such requirements shall not apply to that entity so as to prevent it from operating as a health maintenance organization in accordance with section 1301.

"(b) No State may establish or enforce any law which prevents a health maintenance organization for which a grant, contract, loan, or loan guarantee was made under this title or which is a qualified health maintenance organization for purposes of section 1310 (relating to employees' health benefits plans), from soliciting members through advertising its services, charges, or other nonprofessional aspects of its operation. This subsection does not authorize any advertising which identifies, refers to, or makes any qualitative judgment concerning, any health professional who provides services for a health maintenance organization.

"CONTINUED REGULATION OF HEALTH MAINTENANCE ORGANIZATIONS

"SEC. 1312. (a) If the Secretary determines that an entity which received a grant, contract, loan, or loan guarantee under this title as a health maintenance organization or which was included in a health benefits plan offered to employees pursuant to section 1310—

"(1) fails to provide basic and supplemental services to its members,

Study.

"(b) The Comptroller General shall also conduct a study of the economic effects on employers resulting from their compliance with the requirements of section 1310. The Comptroller General shall report to the Congress the results of such study not later than thirty-six months after the date of the enactment of this title.

"(c) The Comptroller General shall evaluate (1) the operations of distinct categories of health maintenance organizations in comparison with each other, (2) health maintenance organizations as a group in comparison with alternative forms of health care delivery, and (3) the impact that health maintenance organizations, individually, by category, and as a group, have on the health of the public. The Comptroller General shall report to the Congress the results of such evaluation not later than thirty-six months after the date of the enactment of this title.

Report to Congress.

"ANNUAL REPORT

Review, report to Congress.

"SEC. 1315. (a) The Secretary shall periodically review the programs of assistance authorized by this title and make an annual report to the Congress of a summary of the activities under each program. The Secretary shall include in such summary—

"(1) a summary of each grant, contract, loan, or loan guarantee made under this title in the period covered by the report and a list of the health maintenance organizations which during such period became qualified health maintenance organizations for purposes of section 1310;

"(2) the statistics and other information reported in such period to the Secretary in accordance with section 1301(c)(11);

"(3) findings with respect to the ability of the health maintenance organizations assisted under this title—

"(A) to operate on a fiscally sound basis without continued Federal financial assistance,

"(B) to meet the requirements of section 1301(c) respecting their organization and operation,

"(C) to provide basic and supplemental health services in the manner prescribed by section 1301(b),

"(D) to include indigent and high-risk individuals in their membership, and

"(E) to provide services to medically underserved populations; and

"(4) findings with respect to—

"(A) the operation of distinct categories of health maintenance organizations in comparison with each other,

"(B) health maintenance organizations as a group in comparison with alternative forms of health care delivery, and

"(C) the impact that health maintenance organizations, individually, by category, and as a group, have on the health of the public.

Review.

"(b) The Office of Management and Budget may review the Secretary's report under subsection (a) before its submission to the Congress, but the Office may not revise the report or delay its submission, and it may submit to the Congress its comments (and those of other departments or agencies of the Government) respecting such report."

Comments, submittal to Congress.

QUALITY ASSURANCE

58 Stat. 691; 85 Stat. 65. 42 USC 241.

SEC. 3. Title III of the Public Health Service Act is amended by adding at the end thereof the following new part:

"PART K—QUALITY ASSURANCE

"QUALITY ASSURANCE

"SEC. 399c. (a)(1) The Secretary, through the Assistant Secretary for Health, shall conduct research and evaluation programs respecting the effectiveness, administration, and enforcement of quality assurance programs. Such research and evaluation programs shall be carried out in cooperation with the entity within the Department which administers the programs of assistance under section 304. Research and evaluation programs.

81 Stat. 534. 42 USC 242b.

"(2) For the purpose of carrying out paragraph (1), there are authorized to be appropriated $4,000,000 for the fiscal year ending June 30, 1974, $8,000,000 for the fiscal year ending June 30, 1975, $9,000,000 for the fiscal year ending June 30, 1976, $9,000,000 for the fiscal year ending June 30, 1977, and $10,000,000 for the fiscal year ending June 30, 1978. Appropriation.

"(b) The Secretary shall make an annual report to the Congress and the President on (1) the quality of health care in the United States, (2) the operation of quality assurance programs, and (3) advances made through research and evaluation of the effectiveness, administration, and enforcement of quality assurance programs. The first annual report under this subsection shall be made with respect to calendar year 1974 and shall be submitted not later than March 1, 1975. The Office of Management and Budget may review the Secretary's report under this subsection before its submission to the Congress, but the Office may not revise the report or delay its submission to the Congress, and it may submit to the Secretary and the Congress its comments (and those of other departments and agencies of the Government) with respect to such report." Annual report to President and Congress.

HEALTH CARE QUALITY ASSURANCE PROGRAMS STUDY

SEC. 4. (a) The Secretary of Health, Education, and Welfare shall contract, in accordance with subsection (b), for the conduct of a study to—

(1) analyze past and present mechanisms (both required by law and voluntary) to assure the quality of health care, identify the strengths and weaknesses of current major prototypes of health care quality assurance systems, and identify on a comparable basis the costs of such prototypes;

(2) provide a set of basic principles to be followed by any effective health care quality assurance system, including principles affecting the scope of the system, methods for assessing care, data requirements, specifications for the development of criteria and standards which relate to desired outcomes of care, and means for assessing the responsiveness of such care to the needs and perceptions of the consumers of such care;

(3) provide an assessment of programs for improving the performance of health practitioners and institutions in providing high-quality health care, including a study of the effectiveness of sanctions and educational programs;

(4) define the specific needs for a program of research and evaluation in health care quality assurance methods, including the design of prospective evaluations protocols for health care quality assurance systems; and

(5) provide methods for assessing the quality of health care from the point of view of consumers of such care.

(b) The Secretary shall contract for the conduct of the study required by subsection (a) with a nonprofit private organization which— Contract with private organization.

87 STAT. 935

(1) has a national reputation for objectivity in the conduct of studies for the Federal Government;

(2) has the capacity to readily marshall the widest possible range of expertise and advice relevant to the conduct of such study;

(3) has a membership and competent staff which have backgrounds in government, the health sciences, and the social sciences;

(4) has a history of interest and activity in health policy issues related to such study; and

(5) has extensive existing contracts with interested public and private agencies and organizations.

The Secretary shall enter into such contract within 90 days of the date of the enactment of the first Act making an appropriation under subsection (d).

Reports to congressional committees.

(c) An interim report providing a plan for the study required by subsection (a) shall be submitted by the organization conducting the study to the Committee on Interstate and Foreign Commerce of the House of Representatives and the Committee on Labor and Public Welfare of the Senate by June 30, 1974; and a final report giving the results of the study and providing specifications for an effective quality assurance system shall be submitted by such organization to the Committee on Interstate and Foreign Commerce of the House of Representatives and the Committee on Labor and Public Welfare of the Senate by January 31, 1976.

Appropriation.

(d) There is authorized to be appropriated $10,000,000, which shall be available without fiscal year limitation, for the conduct of the study required by subsection (a).

REPORTS RESPECTING MEDICALLY UNDERSERVED AREAS AND POPULATION GROUPS AND NON-METROPOLITAN AREAS

Reports to Congress.

SEC. 5. Within three months of the date of the enactment of this Act, the Secretary of Health, Education, and Welfare shall report to the Congress the criteria used by him in the designation of medically underserved areas and population groups for the purposes of section 1302(7) of the Public Health Service Act. Within one year of such date, the Secretary shall report to the Congress (1) the areas and population groups designated by him under such section 1302(7) as having a shortage of personal health services, (2) the comments (if any) submitted by State and areawide comprehensive health planning agencies under such section with respect to any such designation, and (3) the areas which meet the definitional standards under section 1302(9) of such Act for non-metropolitan areas. The Office of Management and Budget may review the Secretary's report under this section before its submission to the Congress, but the Office may not revise the report or delay its submission beyond the date prescribed for its submission, and it may submit to Congress its comments (and those of other departments and agencies of the Government) respecting such report.

Ante, p. 917.

Review.

Comments, submittal to Congress.

HEALTH SERVICES FOR INDIANS AND DOMESTIC AGRICULTURAL MIGRATORY AND SEASONAL WORKERS

68 Stat. 674.

SEC. 6. (a) The first section of the Act of August 5, 1954 (42 U.S.C. 2001), is amended by inserting "(a)" after "That" and by adding at the end thereof the following new subsection:

"(b) In carrying out his functions, responsibilities, authorities, and duties under this Act, the Secretary is authorized, with the consent of the Indian people served, to contract with private or other non

Federal health agencies or organizations for the provision of health services to such people on a fee-for-service basis or on a prepayment or other similar basis.".

(b) The Secretary of Health, Education, and Welfare, in connection with existing authority (except section 310 of the Public Health Service Act) for the provision of health services to domestic agricultural migratory workers, to persons who perform seasonal agricultural services similar to the services performed by such workers, and to the families of such workers and persons, is authorized to arrange for the provision of health services to such workers and persons and their families through health maintenance organizations. In carrying out this subsection the Secretary may only use sums appropriated after the date of the enactment of this Act. 76 Stat. 592. 42 USC 247h.

CONFORMING AMENDMENTS

SEC. 7. (a) Section 1 of the Public Health Service Act is amended to read as follows: 58 Stat. 682; 86 Stat. 137. 42 USC 201 note.

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Public Health Service Act'."

(b) Title XIII of the Act of July 1, 1944 (58 Stat. 682) (as so designated by section 2(b) of the Emergency Medical Services Systems Act of 1973 (Public Law 93-154)) is repealed. Repeal. Ante, p. 604.

(c) Section 306(g) of the Federal National Mortgage Association Act (12 U.S.C. 1721(g)) is amended by inserting "; or which are guaranteed under title XIII of the Public Health Service Act" after "chapter 37 of title 38, United States Code". 82 Stat. 542. 38 USC 1801.

Approved December 29, 1973.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 93-451 accompanying H. R. 7974 (Comm. on Interstate and Foreign Commerce) and No. 93-714 (Comm. of Conference).
SENATE REPORTS: No. 93-129 (Comm. on Labor and Public Welfare) and No. 93-621 (Comm. of Conference).
CONGRESSIONAL RECORD, Vol. 119 (1973):
May 14, 15, considered and passed Senate.
Sept. 12, considered and passed House, amended, in lieu of H. R. 7974.
Dec. 18, House agreed to conference report.
Dec. 19, Senate agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 10, No. 1 (1974):
Dec. 29, 1973, Presidential statement.

O

file HB 491

Health Maintenance Organizations

Calif. Health & Safety Code 11-75 et seq
Colorado Rev Code 1963 72-37-1
Florida Statutes 1971 641.17
Kentucky Revised Statutes 1971 304.38-010
Minnesota Statutes 1971 62D.01
Nevada Rev Statutes 1973 reprint 695c 010
New Jersey Rev. Statute 1937 26:2J-1
Tennessee Code Annotated 1955 56-4101
South Dakota Laws 1974 Chap 321
Utah Code Annotated 1953 31-4-1

state

Place in Title 21
Age/Health considerations should not be prohibited
Inadequate capitalization
HMO's should be regulated like other similar programs.
Do we really need it?

Who is testifying Wed night? (St Pats day.)

HB
487

"An Act relating to foster home care; and providing for an effective date,"

COMMITTEE REPORT

5/7/75 HOUSE FINANCE

Mr. Speaker: Date 5/7/75

The Committee on HESS has had HB 487 under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends: NO REC

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HB 487

HESS COMMITTEE MEETING

May 8, 1975

Members Present:

Beirne	Ostrosky
Davis	Sullivan
Hackney	Swanson
Osterback	

Chairman Sullivan called the meeting to order at 3:30pm. The first order of business was HB 415 &419.

HB ~~414~~ 415 & HB 419

Dr. Price: These measures are urgently needed. The 1972 Council considered the number one need to be School Health Education. A survey was taken in 1973, on the elementary level it was taught by individual teachers as they see fit, the administration is not aware of the carricula. In Junior High and High School there is some carricula taught by the physical education teachers but they rarely have training in Health Education specifically to teach the subject. 90% of the PE teachers have never taken first aid courses. We presently have 12 candidates for the position of School Health Educator, the money is not available after July 1, the funds will be lost. Funded through Federal D14 monies. SB66 (Congressional Bill) if passed, would be taking new monies into consideration.

Swanson Line 18, is this just seed money or would this take care of the entire program?

Price This will take care of the program for the first year. We would like to see this as a collaberation between the two departments, H&SS and Education.

Jeffers ONe professional employee and one clerical, there will be contractural methods to do other things.

Swanson What to you class and Health Education in grades K-12?

Jeffers The intent is to structure so that the younger kids could benefit as well as the others. The more safisticated problems are handled at a later age. These programs will be introduced when the students are old enough to benefit from them.

Hackney Couldn't we Legislate something to insure that the individual school districts will hire trained Health Educational staff on the local level?

Jeffers We would provide some sort of training program so that they would get training as well. A Health Education Carriculum would be added for use on the local level.

Hackney Any Health Ed. taught today?

Commissioner Lind Further explanation of the bills. Also expressed the Dept's concern and urged passage of these bills.

There was some discussion at this time as to the word "initial" development added to the bill.

Ostrosky Motion to add "Dept. of H&SS"
Swanson Objection.
Chairman Vote on the amendment, chaning the bill back to its original form.(Unanamous)
Sullivan Move bill out with Individual recommendation.
No Objection , so ordered.

HB 447

Richard Dowling, Ak. Educ. Broadcasting Commission
Handed out material, here to answer questions. The reason for this legislation is that KAKM will serve to the areas on the map, Kenai Pen., Turnigan Arm, Talkeetna, Palmer etc.

Parr Who would do this, the State or a privately funded operation?

Dowling The Television Station itself would contract with some individual to do the work.

Parr Question, the pay of the project coordinator?

Dowling Explained what the position was to do, prepare spec. for equipment; hire two man crew for installation; performace tests; system tests, and document the system so that it can be maintained, this has to all be completed in four months of work.
PBS, locally produced, KYUK-Bethel, KYAK-Fairbanks, Educational Programming coordinated with these stations. Most of these areas do not have commercial programming. 1/3 to 1/2 currently do not recieve regular commercial television.

Sullivan Would like to hear Rep. Beirne's views on this bill before we take up a vote.
Ostrosky In favor of the program. Public television is an asset and quality of programs are quite beneficial in comparison with commercial television.

HB 487

Parr Motion to move bill out with 'do pass'
Chairman No obejction, so ordered.

Adjourned at 5:00pm.

HB

500

"An Act making a special appropriation to the Department of Health and Social Services, division of corrections, to provide halfway house facilities for female prisonsers; and providing for an effective date."

COMMITTEE REPORT

5/13/75 HOUSE FINANCE

Mr. Speaker: Date 5/19/75

The Committee on HESS has had HB 500 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

Kathryn Ostrosky _____ _____

Members NOT concurring in the Majority report:

Edwards H. recommends: No recommendation

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

MAY 19, 1975

Members Present:

Bierne
Osterback
Ostrosky
Parr
Sullivan

Testifying Guests:

Norris Johnson, Juneau Wastewater Operator
Jerry Reinwand, Dep. Commissioner, Dept. of Envoronmental Conservation
Gonald G. Hansen, Dept. of Environmental Conservation
Don Clocksin, Alaska Legal Services
Bob Cooksey, National Education Association
Alphie Newell, Legislative Staff member

HB 407 Certification of Wastewater Operators

Reinwand: The purpose of this bill is to make certain that once a facility is build, it will be possible to find a competent person to operate it. Our department supports this bill as it is.

Hansen: The bill would set up the requirement that all wastewater operators are certified. As public health is in the hands of these operators, we want to be sure that they are adequately trained. Last year, 170 million dollars was spent on sewerage treatment facilities in the State. 40 million of this was State funds. With so much spent on the facilities, we want them to be run properly. The hiring is presently done at the municipal level. (presents fiscal note) There is a large initial expense which would drop off.

Johnson: I am in charge of the Juneau Borough Wastewater Operators and would like to speak about how this bill would benefit operators. Presently, Alaska has no certification program for waterwater operators, and I believe we are the last state without one. Certification requirements would support the establishment of training programs within the State, and would assist in application for EPA (federal) grants.

The majority signed to pass the bill out with a "do pass" recommendation. As Mr Parr had arrived late, he chose not to sign until he had heard some testimony, so a quorum was not formed.

CSHB 402 Emancipation of Minors

Clocksin: I support this bill as it is. It provides procedures for a minor to petition the court and become emancipated if he is self-supporting. It is presently not permitted for a minor to petition the court in his or her own name. Age restriction for voting, consumption of alcohol, and constitutional stipulations, however, cannot be waived by a court.

The bill was passed out with a "do pass" recommendation, with no objection.

CSSB 128am Transfer of Federal Agency Schools

Cooksey: This bill was drawn up to assist in the transfer of BIA schools to the State system. It provides for the transfer of BIA teachers so that they may receive the benefits currently enjoyed by State teachers, including the same pay scale, accumulated sick leave, tenure, and retirement. The original bill mandated the transfer; this one does not.

Bierne: What would happen in a case where a BIA teacher was not certified?

Cooksey: The bill specified Alaskan certification as a requirement in order to be transferred.

The bill was passed out with a "do pass" recommendation without objection.

HB 500 Halfway House for Female Prisoners

Newell: The 6th Avenue Annex, where female prisoners are presently kept in Anchorage, puts all women, pre-sentenced or post-sentenced into one big cell. This not only allows no privacy, but is not conducive to any rehabilitation program. There are constant interruptions as persons are brought in for such problems as drunk and disorderly conduct. This bill would provide funds to move sentenced prisoners to a half-way house operated by the Salvation Army.

Parr: In accordance with equal rights, why aren't the women sent to Eagle River? There should be no distinction made.

Adams: The present conditions are not equal. For men, there are separate facilities for sentenced and unsentenced persons. Facilities must be maintained for women in five places in the State, while they are awaiting trial, and there are not that many wome.

Osterback: How many women could you take care of for this sum?

Adams: This would provide five beds in Anchorage.

Parr: You still have not answered why the women could not be sent to Eagle River.

Adams: Eagle River was designed specifically as a facility for men. There are no separate units for women, and so physical alterations would be required.

Parr: What does the Salvation Army charge?

Adams: $22 per day.

Parr: What would be the legal responsibility of the Salvation Army under this set-up as they are not legal officials?

Adams: Under statute, we can furlough an individual, so we would be furloughing these individuals to the Salvation Army. If a problem should arise, the Salvation Army would notify us. We don't hold them legally liable.

Sullivan: There would be some sort of program provided for the inmates, is that right?

Adams: They would provide some counseling. Most of these women would be involved in outside activities.

Parr: Why couldn't we have on State facility for all sentenced women instead of having them in five places?

Adams: Particularly with short sentences, it would be a disservice to ship a woman far away from her community.

Bierne: I make a motion to pass the bill out.

The bill was passed out with a "do pass" recommendation, four signing in the majority, and one in the minority.

HB 501 Prisoner Relocation to Anchorage

Adams: This bill would provide for half-way house operations to be moved out of the 3rd Avenue Building so that we can use this as a maximum security facility. The estimated cost is $167,700. This would allow more persons to be housed in the maximum security facility, and would allow some others to get into half-way houses.

Parr: We are not anticipating an increase in the number of prisoners, but will need five more positions. Is that right?

The bill was passed out with a "do pass" recommendation. Four signed in the majority, and one in the minority.

Sullivan: I would like to put together a calendar for the first two weeks of next session before we close. If any of you have any bills you would like to be included, please let me know.

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

JAY S. HAMMOND, Governor

Document# HHESS8

DIVISION OF CORRECTIONS

Pouch H-03
Juneau, Alaska 99811

April 25, 1975

The Honorable Susan Sullivan, Chairwoman
House HESS Committee

Dear Ms. Sullivan:

Re: Prisoner Facilities; response to your memo of April 18, 1975

To move the security prisoners from the Eagle River Center back to the Anchorage State Jail would require removing the Halfway House activity from the Anchorage State Jail and placing it back in the community. This cost estimate is based on the following shift in beds ---

Eagle River	-	18 Security
ASJ	-	30 Halfway House
	+	30 Security
Halfway House	+	30 Halfway House
Net increase	+	12 security beds

--- and the following shift in positions:

Eagle River	-	2 C.O. I's security
ASJ	+	5 C.O. I's security
	-	1 C.O. I Halfway House
Halfway House	+	1 C.O. I Halfway House
	+	1 Assoc. Halfway House
	+	1 P.O. II Halfway House
Net	+	5 positions

3 C.O. I's @ $19,200	=	$ 57,600
1 Associate @ $21,200	=	21,200
1 P.O. II @ $18,300	=	18,300
Net personnel cost at FY76 Budget Rates		$ 78,800

--- and the following shift in bed maintenance costs:

Eagle River - 18 beds @ $4,000	$ 72,000
ASJ - net change	Ø
Halfway House + 30 beds @ $8,030	240,900
	$169,900
Less: Possible Recovery from Work Releasees (1/3 wages)	80,000
Net maintenance cost	$ 89,900

Therefore, the net cost of the total shift would be:

Personal Services	$ 78,800
Non-Personal Service	89,900
	$168,700

To provide adequate facilities for female prisoners would mean establishing halfway house capabilities for women, particularly in the Anchorage Area. We would like to contract for five beds @ $22 per day, requiring $40,150, with a possible recovery of 1/4 from work release wages. The net cost would, therefore, be $30,000.

These estimates are based on a baseline of staffing and costs contained in the Division's FY76 Budget Request. The estimates provided here are incremental costs to that budget.

I am very sorry we could not respond to your memorandum sooner, however, we did not receive it until April 24th.

Sincerely,

Thomas R. Brandstetter for

Charles G. Adams, Jr.
Director

CGA:dl

Attn: Mr. Charles Adams -

We are sending you another copy of the April 18 Amendment.

Alaska State Legislature

House

JUNEAU ALASKA

MEMORANDUM

TO: Mr. Charles Adams, Director
Division of Corrections

DATE: April 18, 1975

FROM: Susan Sullivan, Chairwoman
House HESS Committee

SUBJECT: Prisoner Facilities

Please provide my office with your best estimate of the facilities and expense required to provide the following:

a) adequate facilities for maximum security prisoners so that they will not have to be housed at the South Central Correctional Center at Eagle River, and

b) adequate facilities for female prisoners in Alaska.

I would appreciate it if your response to (a) includes, but is not necessarily limited to, the re-creation of a halfway house in Anchorage and the refurnishing, as necessary, of the Anchorage Third Avenue jail.

Your expeditious response would be greatly appreciated.

cc: Rep. Sam Cotten

HB
501

"An Act making a special appropriation to the Department of Health and Social Services, division of corrections, for relocating security prisoners to the Anchorage state jail; and providing for an effective date."

COMMITTEE REPORT

5/13/75 HOUSE FINANCE

Mr. Speaker: Date 5/19/75

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( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

Gavin Thomas _____ _____

Helen Beirne _____ _____

Kathryn Doogan _____ _____

Members NOT concurring in the Majority report:

Edward Fan recommends: No recommendation

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

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MAY 19, 1975

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HB
509

Sue Sullivan
333-6412

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE AFFAIRS AGENCY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99801
(907) 465-3800

HB 509

M E M O R A N D U M November 20, 1975

SUBJECT: Meeting of Mortuary Science Subcommittee

TO: Interested Parties

FROM: Billy G. Berrier, Staff Attorney BGB

Senator Edward C. Willis, the Chairman of the Subcommittee on Mortuary Science, has announced a meeting of the subcommittee in Anchorage at the Legislative Information Office, Suite 701, 310 K Street, to be held December 2, 1975, commencing at 10:00 a.m. A further meeting will be held in Juneau at a date to be announced.

A copy of the revised CSHB 509 and a transcript of the previous workshop held on this bill is enclosed.

BGB:cb

Enclosures

cc: Sen. Willis
Rep. Beirne
Anchorage Legislative Information Office

MORTUARY SCIENCE SUBCOMMITTEE

MEETING

Anchorage, Alaska - September 27, 1975

Senator Willis: Well it's 2:00 p.m. We'll kick off this work session. I was appointed by the Legislative Council to start conducting work sessions and what other type of public information sessions that are needed on mortuary sciences. As you know, during the first session of the Legislature H.B. 509 was introduced by Representative Beirne at the request of a number of concerned people in the mortuary business. It was felt by the Legislative Council that some interim committee work should be done, and therefore I was assigned to handle it. Today we have just got to schedule it as a work session. There are a number of folks here, I guess quite candidly more than I expected that would be here. We will take the remarks of those of you that are prepared to let the committee share the benefit of your knowledge and experience and comments. So we will handle it more or less like we would a public hearing -- we'll let each and every one of you that want to testify, testify. Give us your name, perhaps a thumbnail sketch of your background, and whatever information that you feel would be beneficial to the Legislature. Now these testimonies from the work session will be transposed in the form of minutes. It will be made available to the other committee members. Representative Beirne in particular. She regrets she couldn't be here, she was detained outside. It will be made available to such of the legislative committees in the House and Senate that will probably conduct the formal hearings, if indeed we procede to that particular point. Now this is an assignment that was made by the council. I'm not sitting here in a position of advocacy. I'm here to listen, take your testimony, and transmit it to the appropriate legislative committees for review. And with Mr. Berrier here, who is the attorney for the Legislative Council, together we will make our recommendations. Are there any questions before we proceed?

Bill Berrier: Could I make one procedural comment? Since this is being taped, each time you speak, not just the first time, if you could identify yourself so that the person transcribing will be able to tell who's talking. It makes things enormously easier.

Senator Willis: Okay, with that background, who would like to

be first? Shall we just start and proceed right around the table?

Lee Moeglein: My name is Lee Moeglein. I'm a graduate of the University of Minnesota in Minneapolis, Minnesota, class of 1964. I have a degree to practice mortuary science. I've been licensed to practice cremasorics in Minnesota since 1965, after one year of internship there. I moved to Alaska in 1970 after five years of practice with my father, who is also licensed and has two funeral homes in Minnesota. I've been at Evergreen Memorial Chapel since that time, for the past five and a half years. I'm the son of a funeral director, and I've spent all of my life living in or near a funeral home, and I think I'm accutely aware of some of the problems that exist in funeral service today.

My reason for being here this afternoon is that I'm here to answer questions and to testify to the best of my ability on H.B. 509. Since Richard Rome and I are largely responsible for its content, along with counsel. I'd like to confine my remarks to the licensing and the practice of mortuary science since I don't want to be redundant, and since Mr. Rome, who is on my left, is going to comment on some other aspects such as the pre-need trust agreements and disclosure of funeral costs. Since coming to Alaska in 1970 I've been aware of some of the shortcomings of the laws and the rules and the regulations that exist here because of some of the problems that come up here.

Such as the current law in embalming legislation which is on the books here in the state enables the Department of Health and Social Services to provide rules and regulations for the licensing of embalmers only. And there is a whole (inaudible) of funeral service which is left unregulated. The current law in the state enables the Department of Health and Social Services to provide rules and regulations. There is a Department of Revenue which issues the licenses, and there are no provisions for suspension or revocation of a license, only issueing them. The current law in the books establishes the lowest qualifications in the United States, even though the Alaska administrative codes sets other standards, 844.010 which is the current enabling legislation has a reciprocity cause which enables anyone from any other state in the union to receive an Alaskan license. While we in no way want to restrict competition, I think Alaskans deserve better than the lowest standards in the nation. And finally, there are currently no penalties for unethical practice in the current statutes.

The goals that we set when we sat down and began to work on this material were several. The first was that it be a single license. That it would be issued by the Department of Labor and administered and enforced by the Department of Health and Social Services, and that it cover all phases of funeral service and not just embalming. After some discussion with people in the Department of Health and Social Services and other people in the state government, since we wrote this I've beocome con-

vinced that perhaps the Department of Commerce, Division of Occupational Licensing would be the proper department to handle this sort of thing, since they are set up to do this sort of thing and they administer licenses in many other occupations.

Another of our goals was the issuance of that license to all current valid holders of Alaskan Embalmers Licenses and to others who can qualify under new regulations.

Our third goal was to protect the public interest and in no way attempt to restrain trade or restrict competition by qualified practicioners.

Another goal was the issuance of a funeral establishment permit by the state to qualified parties so that not only the people who are working in the establishment, but also the people who own the establishment, should come under regulation from the state.

And a final provision was for permits to handle human remains in those areas of the state not served by a funeral service practicioner excluding the practice of embalming. Many are doing so for hire or pay.

What we came up with is based on model legislation which is proposed by the National Funeral Director's Association and is patterned after laws in the states of Oregon and Minnesota, where the track record for such legislation is excellent, and it's tailored to meet some of Alaska's very unique problems. I think it's a good law, I think it's the best we could write with the limited experience that we have with such matters, and with the help of counsel. We had hoped a bill would be forthcoming from the administration and we were told last year that it would be. But as time went on we began to realize that nothing was going to happen in the last session of the legislature and probably would not in the next. We decided that if it was going to happen that we would have to do it ourselves. I'd like to thank you for your time this afternoon and for considering our proposal, and I'd be glad to try to answer any of your questions concerning it. Thank you.

Senator Willis: Thank you. I'd like to introduce Representative Susan Sullivan who is chairing the House Health, Education, and Welfare committee, and very likely a bill such as this would arise in her committee. Okay Mr. Moeglein, the bill then 509, as we probably have it, you support that bill pretty much as it's written then?

Lee Moeglein: Yes. There are a couple of small exceptions. It was rewritten slightly and there are a couple of small exceptions, but generally, yes.

Senator Willis: Susan do you have any questions at this time?

Representative Sullivan: I wondered if there was anyone here representing an (inaudible) who might explain why the Governor failed to introduce this legislation.

Lee Moeglein: I wasn't aware that the Governor would do it.

But we were told by the Department of Health and Social Services that they were working on it, and that they were going to do it -- and I don't know why it wasn't done.

Representative Sullivan: I had one other question. As far as regulation of the owners of establishments, what kind of regulations did you envision?

Lee Moeglein: Only that the establishment that they own be placed under regulations so that if there were violations of the ethical practices which led directly to the ownership of the establishment that the permit could be evoked.

Representative Sullivan: And so then it would just require that they abide by the ethics of the business. Not have any particular expertise other than that.

Senator Willis: Okay. Thank you very much Mr. Moeglein. Okay, would you in turn go?

Richard Rome: I'm Richard Rome. I'm a licensed embalmer in the State of Alaska, holding license number 117. I'm a graduate of the University of Minnesota, College of Mortuary Science, class of 1955. I received a license to practice mortuary science in the State of Minnesota in 1956 after serving a year of internship in that state. I currently hold a license to practice in Minnesota and in Alaska. I have been actively involved on a full time basis in the funeral profession in Alaska since March of 1959.

I wish to speak to section 3 of the Alaska Statute 455471, paragraph 22 of House Bill 509 as it relates to pre-need and pre-financed funerals. This section of House Bill 509 was a redraft of legislation that was proposed to me by the legislature. It comes from statutes currently in use in the State of Minnesota and is very similar to that in use in several other states throughout the country. Forty-three of our fifty-one (which includes the District of Columbia) states have seen the need to place control of some type on the sale of pre-need and pre-financed funerals. That alone says something about its need to be controlled. In December of 1974 at a general meeting of the Alaska Funeral Director's Association we were advi ed by the Consumer Protection Department of the Attorney General's Office that the state has concerns in this area and that they would be drafting legislation concerning pre-need funeral contracts. The State of Alaska is in boom times as you are all well aware. Many promoters of various and sundry scemes are in Alaska to try to glean some of the pipeline money. The uncontrolled sale of pre-need and pre-financed funerals is fraught with the possibilities of fraud by unethical promoters. Even those trying to provide a legitimate service could find that through mismanagement due to inexperience or for whatever reason, when they have the use of substantial sums of money over a period of several years with no requirements for entrusting that money, could find themselves unable to perform, and the public thereby the loser. Another reason for enactment of this type of legislation is economical also. It is only reasonable that any contract sold by a salesman on a commission basis would add to the cost of

providing the merchandise and services. The salesperson injects just another middle man into the traditional funeral director - client relationship. Any arguement referencing restraint of trade by the enactment of this type of legislation is unfounded. The sale of pre-financed funerals cannot increase the number of funeral sales. As is obvious, funerals are directly controlled by the mortality rates, something no one has any control over. It is only a matter of when the public will pay for the funeral, no new business is available to be restrained.

Section 3 of this House Bill, the same section I am speaking of, is inadequate as written for the following reasons in my estimation. Number one: there is no clear specification as to what percentage of the money that must be entrusted. Secondly, there is no specification as to who receives the benefit of the accrued interest on that entrusted money. Thirdly, there is no specification on the availability of funds to the buyer wishing to terminate the plan, or as to what amount of the payments made and interest accrued may be returned to the buyer or retained by the seller. My fourth point is that nowhere does this section come under the suspension and revocation of licenses as set out in section 84290 of H.B. 509. If convicted under A.S. 455471 for breaking the law it is not a felony, so those in the funeral profession would not jeopardize their license by participating in any illegal acts covered by A.S. 455471. Revocation or suspension of a license to practice mortuary science must be jeopardized by the breaking of the law regarding pre-need and pre-financed funerals in my estimation. I will read the law as I feel it should be enacted with the admonition that it somehow fall under the jurisdiction of Chapter 42 Morticians. I'll title this "Pre-need Funeral Plans", and it reads as follows: "When prior to the death of any person, he or someone in his behalf makes or enters into a contract with any other person relating to the disposition of his body upon death whereby certain personal property will be furnished or the professional services of a mortician will be furnished, the person receiving money under such contract shall deposit all of such money within fifteen days after its receipt in a banking institution, the deposits of which are insured by an agency of the United States of America, as a separate trust account in the name of the person depositing such money as trustee for the person who will receive the benefit of the personal property and services upon his death. Such money and any interest accrued thereon shall be held in trust until such contract is performed according to its terms, or until such money is refunded to the person who will receive the benefit of the personal property and services upon his demand, and any portion of such money not used in the performance of such contract shall be paid to and become part of his estate." I'd like to give you a copy of that Senator. At this point I would be willing to answer any questions or clarify any statements made regarding my position on this. And I should indicate too that this is not only my own personal desire to see this law enacted, but it is that of about seven or eight funeral directors in the state who have read it and agree with it.

Senator Willis: I understand that Alaska is one of the few states that doesn't have a law governing this pre-need.....

Richard Rome: That is correct. I think one of seven states. Is that the correct figure? It is one of seven states in the United States that has no law with reference to pre-need control.

Joseph Ireton: Wouldn't the Securities and Exchange Commission have something to do with this?

Richard Rome: I don't believe that the Securities and Exchange Commission would be involved. I can't give you a positive answer on that.

Representative Sullivan: I'm sort of one step behind on some things I think, but when you were talking about there's always a finite amount of funerals, I'll agree with that, but in quanity you'd be finite, but in quality it might not. If a person had the foresight to purchase pre-need funeral services they might be able to afford more than the....

Richard Rome: Susan, I think that might be a fallacy in thinking. I don't know how anyone in the funeral business could pay a salesman a 15 or 20 or 30% commission, whatever it may be, out of the money that is paid for a funeral at a lesser rate than a funeral home that does not have to pay that 15 or 20 or 30% commission.

Representative Sullivan: I wasn't proposing that they might be able to get it cheaper, but just that there's obviously a great variety in the kinds of funerals that you can have. You can have a simple one or a quite elaborate one. If you had some foresight you might be able to afford an elaborate one.

Richard Rome: I think this would clarify that for you. This law does not eliminate or does not get rid of the possibilities of families pre-arranging or pre-financing funerals. We have in our files at our mortuary many pre-arranged funerals. Families who have come in and told us this is what they want, this is how they want it done. Some have given us money. That money is in trust in their names in local banking institutions. When they want to back out of that, if they move and go to the south 48 states, they come to us and say "We want to go." We say "Fine, let's go down to the bank and get your money and interest," and you go. They have paid for absolutely no service. I have provided no service for them other than sitting down for maybe thirty to forty-five minutes with them and talking about the funeral. And I think any funeral home or funeral director in the United States would be more than willing to spend an hour of his time with any family at no obligation to them to discuss future funeral needs. This does not eliminate that at all. Minnesota has a law almost exactly the same as this one is written. Pre-need or pre-arranged funerals are very common in that state. Most every funeral director in that state has a file of many pre-arranged funerals. So it does not eliminate the person who

wants to pre-arrange a funeral from going into a funeral home, sitting down and pre-arrangeing that funeral, saying "This is what I want."

Representative Sullivan: (Inaudible) incentives to a funeral home in offering this service.

Richard Rome: Well I think it's a matter of the funeral director is in a, I don't know how to exactly word this, but you're there serving people and the only thing that you have to offer those people is service. If you are willing to take time and talk to people and arrange funerals, pre-need or otherwise, the hope is of course that anyone who would pre-arrange a funeral with you would sometime at a later date, at the time of need, come in and make their funeral arrangements with you. Thereby you would have a funeral for which you could make a profit. Now I don't think there is anyone in this room that would say that pre-need sales or the funeral industry as such is not a profit making business, nor is it a business that's not -- that the incentive is profit, a portion of the incentive. That has really nothing to do with that law.

The gentleman there, did you have a question?

Bill Berrier: One of the points you raised Mr. Rome I think creates a definite technical problem with the bill. Let me point out that this section is put in 455471 because this is a consumer protection statute. The title 0842 would effect only persons who are licensed. It would appear that there's a possibility that such plans could be sold by persons other than licensed morticians if this were only in a mortician's licensing statute. And it would also appear that if you'll look at page five, line twenty-one, Violation of the state law, regulation or municipal ordinance or regulation effecting the disposition of dead bodies. A violation of 455471 would be grounds for revocation of a license. Do you feel that it's safe to have this pre-need thing apply only to morticians or should it be under consumer protection so that you could apply it against other people?

Richard Rome: Bill I think that this needs to apply outside of the funeral profession, but I am concerned that it apply also inside the funeral profession to say, to those of us who are in the funeral business, the funeral industry, the funeral profession. That if we are going to violate that statute, we are not only going to get a 90 day jail sentence and a $5,000.00 fine, we are going to lose our license to practice, and that's what I want.

Bill Berrier: This is the case as the law is written. Look at 084209012. It is grounds for revocation of a license.

Richard Rome: Bill would that, that says, the concluding five or six words is "effecting the disposition of dead bodies" does

that relate on a pre-need basis?

Bill Berrier: I would read it as relating -- I can draft that that section stronger. But the basic point is, you had suggested moving it entirely back, and I feel that you might be losing a great gap if you did.

Richard Rome: My real concern, maybe I was not correct in the way I worded it, but my concern was that those in the funeral industry if they violate that statute A.S. 455471, are not only going to get the consumer protection sentence, so to speak, but they are also placing their license to practice in jeopardy. And that's what I'm concerned about, that it be somehow connected.

Senator Willis: Does anyone else have questions for Mr. Rome so we can...? Thank you very much. Okay, would you care to testify sir?

Tom Gregoire: My name is Tom Gregoire, and I was licensed in the State of California after attending California College of Moruary Science in 1971. Since that time I've returned to Alaska which is my home state. I was born and raised here and I have currently an Alaska State License. I am in partnership with another gentleman in this city and we operate Gregoire-Neill Funeral Home. And at this time I'll reserve any further comment until a later time as we have many...

Senator Willis: All right sir, thank you very much. Yes?

Fred Witzleben: I'm Fred Witzleben, graduate of the Indiana College of Mortuary Science. Licensed in the State of Indiana, and associated with the funeral business since 1962. Today I'm going to be speaking as president of the Division of Funeral Directors, the Alaska Allied Funeral Services Association. The chairman of our association, Mr. Fred Kehl, is out of town and unable to attend today, and he asked me to bring this letter to Senator Willis.

Senator Willis: Thank you.

Fred Witzleben: It has been discussed and rediscussed many times with the members of our association regarding H.B.509 as it presently is written. Now we would like to make a statement to the effect that none of the members of our association, of which several are former members of the Alaska Funeral Director's Associatio were given the opportunity to review any proposed legislation which was submitted by Mr. Rome, which does affect every funeral director or embalmer in this state, or ultimately might. It is for this reason that the majority of all of our members, with the exception of Mr. Kehl, have come from great distances, from Juneau and Fairbanks, to be present today for this hearing. Our primary objection to H.B. 509 is the term "mortuary science". We feel that mortuary science suggests that one must be scientific, example: have a clinical background to function in funeral service. You do

not have to have a license to be a pharmacist to own or run a pharmacy, or to talk to the people. The skills required to be an embalmer and a funeral director vary greatly. And there are many embalmers who are excellent embalmers only, have no personality or capability of talking to a family and making arrangements. The same is true with funeral directors who are very capable of making arrangements and functioning in an administrative capacity but are lousy embalmers, and could care less if they ever embalmed. If this bill is enacted the way it is presently written, the cost to the consumer will be prohibitive if only school trained licensed embalmers from an accredited college of mortuary science will be allowed to practice in this field. At the present time, with the excention of one or two firms, we all find great difficulty in obtaining help in Alaska. We agree that the requirements need to be updated. There need to be some improvements, but we don't need to put ourselves out of the employment market by requiring what is presently written in H.B. 509. That primarily is in section 084220.

Also in going through H.B. 509 in section 40, where it's the applicant for license to practice mortuary science, in line 9 it had "by at least two reputable residents", at this particular point it is asking for a judgemnt by the legislature or by the department who is going to be administering this.

In section 50 where it goes on for qualifications to practice mortuary science, the legal age in Alaska was lowered to 19 years several years ago. If somebody has the educational background, and has completed the prescribed courses to meet the requirements by age 19 we feel they should be entitled to be licensed or to take the examination.

Also under section 50, subsection 6. This says "have completed at least one year apprenticeship as a resident trainee under a mortician licensed to practice mortuary science in this state." This is the only place in this bill that it brings out the word "apprenticeship". There is no place else in there setting up any requirements for apprenticeship, training agency for apprenticeship requirements, or anything having to do with apprenticeship, whether it be through embalming or a funeral director. This would be like walking on eggs, and there'd be nothing underneath you.

Under section 70 in here, reciprocity, it goes on to list the requirements for reciprocity. Subsection 2 "to prove satisfactorily to the department that he is over 21 years of age, of good moral character, and that he is licensed in another state, and that he has practiced mortuary science in another state for one year preceding the date of application." This again is going to restrict the funeral homes in this state from receiving help. If somebody has taken it upon themselves to take a leave of absence from practicing in the business and they hold a license in another state, or if they come up here to work on the pipeline as an example and they decide from the previous twelve months they have not worked in the state they can not be license under a reciprocal agreement. I don't know of any state that has an agreement like this, unless it would be Minnesota.

On section 90 "Grounds for refusal to issue or renew licenses and suspend or revoke revocation of licenses". It says "When the department has reason to believe that an applicant or licensee has

has been guilty of any of the following acts or ommissions is filed with the department." This is leaving too much to the department to take it upon themselves at the complaint of one firm who might have sour grapes to close somebody down without the process of trying to hear what the complaint might be or to defend yourself. Additionally, in the same section you go to item number 8 where it says "solicitation of the dead human body by the licensee, his agents, servants, or employees when a solicitation occurs before or after death." There needsto be a more defined definition of "before death" than what there is here. Before death is any time. We're all before death at the present time.

The funeral establishment permit. It's our opinion, and the consensus of our group, that the funeral establishment permit is going to be another fee to increase the cost to the consumer. We would like to see this dropped because you do have a permit, you do have regulations covering grounds for revocation and suspension of a license.

We feel that under subsection 110 the definitions which they have are only four. We find this quite deficient in defining what presently might be. There is no definition of what a casket is. There is no definition of embalmer, embalming, funeral director, funeral directing, solicitation, or any other number of items which do need to be defined by a state to be able to appropriately enforce any regulations that would be adopted.

Going to the cost disclosure section. We find this totally lacking because it does not disclose anything to the consuming public. Additionally, it says "Every person performing services or providing merchandise relating to the disposition of a dead human body shall give to the arranging for the disposition at the time the arrangements are completed and before the time of rendering the service or providing the merchandise a written statement showing the extent then reasonably ascertainable the price of the services and what is included, the price of each supplemental item, the amount for each item, etc." The area here "at the time the arrangements are completed and before rendering service" -- the minute we answer our telephone we are rendering a service. Under this law it would make it illegal for us to even go out and make a removal of remains before we had a complete funeral arrangement for the family. It says "the price of the service nad what is included" -- this is totally left up to the funeral home they are dealing with. It can be a unit price, it can be a bi-unit price, it can be a function or an itemized pricing system, there's no criteria set out. The only thing that's set out is supplemental items that would be done. Any cash advancements would be listed, and the method of payment. The association has tried to work to establish, and to write new sections if we could, to help bill 509 as it presently exists. We found the changes to be in such a multitude that we have drafted a proposed substitute to H.B. 509 which we would like to give to the chairman.

Senator Willis: Thank you.

Fred Witzleben: We feel that at the present time to avoid putting alaskan funeral homes out of the employment market for

outside help, where we all have to look for our resources for employment at the present time, we feel that dual licensing system in this state is a necessity. To license embalmers and to license funeral directors.

Additionally in our bill we have set up along the guidelines of H.B. 509 as it is presently written, requirements for practicing mortuary science and for practicing embalming, the educational requirements to apply for an apprenticeship program or practicum training in either funeral directing or embalmment, the scope and examination of the licenses, and the exam or the test that would be given.

Reciprocity to be expanded and not to discriminate on a twelve month not working before the fact basis.

We have set up proposals for an apprenticeship training agency, for licensing permits, that will follow along the lines of the refusal to issue or renew licenses or permits.

We've adopted quite a few of the sections of the present administrative code to cover the re[illegible]ts of the funeral establishment, the care of the remains, transportation of the dead, the requiremnts for the funeral establishment and what it must have. We went into quite length of defining definitions as to what there would be. To try to avoid any conflict or use of semantics. To spell it out as entirely as we could. There are a few areas in the proposed bills that there have been amendments and additions made this morning that we did not have time to totally incorporate into the body of the bill. And there is a section of the amendments listed on the back and it's notated where they would be. We have also put on a suggested amendment to the cost disclosure which would make it mandatory that there be some form of itemization breaking it down to three or four areas. One -- the professional services, second -- the use of the mortuary facilities and equipment, third -- the casket manufacturer's description, and the retail price listing all supplemental items, listing all cash advancements that you know at the present time, and the terms and methods of payment, and requirements for the contract which would be signed by the purchaser and the person providing the services, and for the amount of time that this would be retained in a file for state inspection.

If you have any questions I'll be glad to try to answer them.

Senator Willis: Bill do you have any questions from the legal or..

Bill Berrier: Yes, if I might. A couple questions, these are procedural. You realize I've just gotten this and I haven't had a chance to examine them. The one thing that I wondered, I noticed that in certain areas, I was thinking specifically of your 0842130 transportation of the dead...Would you feel, and this goes from time to time, would you feel that this should be statuatory law or regulation? The difficulty that I'm thinking with putting these kind of detai·s in the statutes is that you have great practical difficulty keeping up wit the state of (inaudible) advances. So I'm not sure really if it doesn't, really I don't follow the idea of course, I just skimmed them,

but is this a matter of property, should this be in the statutes, a permanent law that you actually have to amend the statutes rather than just have the department issue regulations changing...

Fred Witzleben: These are pretty much standard, and they have been standard for quite a number of years.

Bill Berrier: This is not the kind of thing that's going to change drastically as the state of (inaudible) changes?

Fred Witzleben: No, it's not.

Not Identified: For those of us who are laymen, what procedures now involve a person to be able to practice mortuary science, if maybe that's a misnomer but to be an embalmer or...

Fred Witzleben: To be an embalmer you have to be a graduate of an accredited college of mortuary science and be licensed by the State of Alaska or practices (inaudible).

Representative Sullivan: And to be a funeral director?

Fred Witzleben: There are no requirements set forth at the present time for funeral directors.

Representative Sullivan: Do you feel that there should be?

Fred Witzleben: Yes I do.

Representative Sullivan: And they should be different from that of an embalmer?

Fred Witzleben: Correct they are two entirely different skills.

Representative Sullivan: Are embalmers bonded or anything like that?

Fred Witzleben: No they're not.

Representative Sullivan: Do you think funeral directors should be?

Fred Witzleben: Not if they're licensed. They'd be working for an establishment, they wouldn't necessarily be free lance.

Representative Sullivan: The establishments are bonded are they?

Fred Witzleben: They carry their professional liability insurance which would cover them for any wrong doing or omissions.

Senator Willis: Okay, Mr. Rome.

Richard Rome: I have a few comments on what has been said. A lot of what he's said is, we are in complete agreement with as far as I'm concerned. Some of it I think needs some clarification. I think when we look at H.B. 509 I have to say that this is not

the bill that we submitted to Helen Beirne to be drafted and to be placed into the legislature. I have a copy of the bill right here that we submitted. Now many of the things that are in the bill that we submitted to Helen Beirne were removed from H.B. 509 when it was rewritten, or were watered down or taken apart in one way or another, reworded so that our intent, original intent, was altered somewhat.

Speaking first to the statement that the funeral directors in the state did not have a chance to review this, I can only say that that's very true, they did not. But there were several reasons for that. We had decided at the Alaska Funeral Director's Association meeting that we wanted to do something on the licensing laws and we were told at that time by Consumer Protection that the Attorney General's Office will prepare a new licensing law which will incorporate many of the things that we've discussed here today, and that it would be forthcoming to the legislature. After two or three or four months, I've forgotten just the time schedule now, nothing had come from Juneau. I made several telephone calls to Theresa O'Connell, who was working for the Attorney General, who is a member of the Attorney General's staff, trying to find out the progress on the bill. She kept telling me "It's ready to come out, it's ready to come out, any day now, we're going to have it together and it's going to be there." "Well what's in it?" "Well we can't tell you anything, you can't see the bill until the bill's written." So as you know, Alaska's a large state. We stretch from funeral directors as far south as Wrangell and Petersburg to Fairbanks. It's great expense for these people to travel back and forth, to try to get together, to sit down, to put a bill together, the magnitude of which this bill is would have entailed I'm sure seven, eight, ten meetings before we could get down and say "Hey, this is what we finally want, this is what we want to put through." I went to Juneau to talk to Theresa O'Connell, could get no answers whatsoever. I talked to several legislators in Juneau, and the thing that I kept hearing from the legislators was "Look if you want a bill to get into this session, to get it out for the committee, do it yourself or it isn't going to get done." So I came back to Anchorage and I wrestled with this thought of trying to get everybody together and knowing procedures on bills of this magnitude they aren't something that you're going to railroad through the legislature. You're not going to put it in and say "Here it is -- it's in this committee today, tomorrow it's law." It just doesn't happen that way. So after talking with Lee and Dave Frank a little bit about it we decided that we would go to an attorney here in Anchorage at our own expense. We would tell him that these are the things that we feel should be in the law, and these are the things that are presently in the law that we feel are good, these are the things that the consumer protection people have told us we should have in a law if we're going to put out a new law, and we left it to him to draft. Now he took, as I mentioned before, Minnesota statutes, Oregon statutes, Alaska statutes, and the N.F.D.A. (that's the National Funeral Director's Association) model legislation on licensing. He tried to put them altogether into a package that would be a good package.

After working with him for some two or three weeks on this bill we finally came up with this draft of which I believe you have a copy Senator and I believe you also Mr. Berrier do you not? And we took it to Juneau and Helen Beirne. If you've been to Juneau you know what a mad house it is to try to get somebody to sit down and go through an eight or ten or twelve page bill with you step by step and piece by piece it's -- you don't do it, that's all. So I had to leave it to Helen to say, would you, you know, submit this bill for [illegible] I did not say "Submit this bill for the Alaska Funeral Director's Association" I said "Will you submit this bill for me? A funeral director in the State of Alaska." She did that and I believe it was given to Mr. Berrier, if I am not mistaken, and he drafted it into the wording that the State of Alaska uses in drafting their legislation. In that translation, to my estimation, some things were left out and some things were improved. But that's the story on how the bill got to Juneau. So this is how H.B. 509 is not the house bill that I submitted to Juneau. That's number one.

Secondly, I have a couple of things that I would like to comment on. As far as section 40---applicant having two reputable persons sign the license, or sign for you. This is currently in the administrative code, in the State of Alaska it's fairly common practice throughout the United States to have two reputable people stand up and say "Hey, this guy is morally all right, I've known him, he's not a bad guy, and I think that he's well qualified." I would not be terribly upset if that were removed from the law. It's just something that we felt we felt was there and had some good points to it, so let's leave it in.

As far as the legal age is concerned I have drafted a letter to Billy Berrier some time ago in which I mentioned that the legal age had been changed in Alaska, and that as far as we were concerned if people could meet those qualifications set out in the licensing statutes by the time that they have reached the age of 18 or 19, whichever the legal age is, I'm not sure now, fine --Give them a license. So I have no qualms about that whatsoever.

Resident training is a portion of the law in which translating it from what we submitted to what Billy Berrier finally wrote was completely left out. We had an entire section there as far as resident trainee which simply was an apprenticeship program that could be served following your schooling, come to Alaska right out of school, serve a year internship, get your license. And it was left that those rules and regulations concerning that license be promulgated by the Department of Health and Social Services or in this basically what we're concerned, what we've changed our tune to, is that it be done by the Department of Commerce, the Division of Occupational Licensing which has the staff, the attorneys, the investigators, the people to handle that type of thing.

Reciprocity -- Section 70, subsection 2 -- one year of work. The thinking on that was basically that rather than having a man come directly out of, no this I'm sorry, reciprocity was a licensed man. I have no qualms about having them come to work for funeral homes in Alaska if they hold a license in another state. I, to be very honest with you, I don't recall what our thinking was at

the time we put that into the law along with talking to our attorney.

Suspension and revocation, some comments made on that.... In Alaska we have no one except the State of Alaska, right now the Department of Health and Social Services, that can control in any way, shape or form, the people in the funeral industry. We felt that the state was too small to go to Juneau and ask that we have a board for morticians, funeral directors and embalmers who would establish and take under advisement certain problems within the funeral profession and make decisions on it. We're just too small a group to do that. We felt it would be best to leave it in the hands of the state who do not, you know, who can look at it objectively without saying "Hey, if I get this guy, there goes my competition." So we said "No, let's do it away from a board, let's leave it in the hands of the licensing people, who have investigators to look into things and take care of the problems that come about."

As far as solicitation before or after death from N.F.D.A., that particular item came from model legislation from the National Funeral Director's Association. I agree with Mr. Witzleben 100% --it should be defined, and that was one of the things in the translation again that was on definitions. There are just not enough definitions within the current H.B. 509 to keep us honest. And I think that there is a lot of room for definitions, and in my letter to Bill Berrier I said "Let's not worry about wasting a little paper defining things. Let's get the definitions down, let's get it down in black and white, and make sure that we know what we're doing."

The cost disclosure law, that's another ball of wax. As you all know, we're under great scrutiny by the Federal Trade Commission, a lot of it unjust, some of it just. I think for the most part funeral directors throughout the United States are honest and concerned people who are there to serve the public and take care of the needs that are required by them. I don't think we're there to get the last dollar that we can for the funeral, sell the big bronze casket in the corner, get the last buck, whatever way we can. And I doubt if there's anybody in this room that's a high pressure salesman, who would back a family into a corner and try to move them into something better. I just don't believe it. The cost disclosure law that is in this, again was given to us by the General Council of the National Funeral Director's Association recommending to us that this was a good itemization law---it leaves it open to the funeral director, leaves it open to the point that he can use some discretion in itemization.

Now itemization can be a real headache, not only for the funeral director, but for the person you're serving. And when you have to sit down and go through sixty-five items, one by one, and say "Do you want it? Don't you want it? Do you want it? Don't you want it? Do you want it? Don't you want it?" You're going to find that after about thirty minutes that person is going to go right through the roof. The people are in the minority who are extremely concerned when they walk through the door that they say "How much for that? How much for that? How much for that?" Most people that come in want to know what the casket costs, how much are your services, and what are the casket outlays, and how do

I have to pay for it, and, you know, put it down on paper. We believe that that disclosure law does that. And it doesn't tie us down to itemizing each and every, you know, I used four flower racks rather than three, so that's fifty cents off, you know. It's just-- that's a bit far out, and I'm sorry for taking your time saying things like that, but that's the type of thing that itemization can lead to, and another thing itemization leads to is higher cost. Funeral directors have to cover their overhead costs one way or another. So if you're finding an item that isn't being used, you're going to have to charge much more for an item that is being used. Thereby those people who most generally use that item are going to pay more for it. I think that's all the comments I have. Thank you.

Senator Willis: Mr. Witzleben, would you care to...?

Fred Witzleben: Yes. I'd like to go back to the section 90 again, which covers the grounds for refusal to issue. The area there was leading up to the department of reason to believe, we believe is a violation of our due process. Before it goes to the administration to the (inaudible) procedures act and back to the cost disclosure bill, I have to disagree with Mr. Rome that it's going to cause higher prices. Possibly it might cause higher prices to an extent that what you're not using. But why should that family be charged for what they're not receiving under an itemization cost disclosure type of bill. If a family does not want to use a family car, they should not be charged for a family car. If they want to come to pick the remains up in their own station wagon or pickup truck, they should be entitled to do that, and not be charged for the use of a first call car or service car. The same way with chapel service, and number of things. Granted we have to meet our overhead, but if we have to hide our costs in meeting them then that's why we do need legislation to disclose the costs, to prevent families from being over charged.

Richard Rome: A point of information there, the law still reads that it has to go through the administrative procedures acts on the refusal to (inaudible), it's just that...

(Unidentified Person): Okay Mr. Witzleben did you have any...?

Fred Witzleben: Yes, again on that, on the administrative procedures act, that's correct it does utilize it. It's only after that the department can put a complaint by just anybody without having to prove that there has been some act, or gone through the due process to go into the administrative procedures act.

Representative Sullivan: What was your alternative to that?

Fred Witzleben: We deleted the area on the 0842090 where it says "plan the department has" to line 19 where it says "department column". We just deleted that section. And started out "It is the duty of the department to conduct an investigation."

Bill Berrier: I have a technical question. I looked at these because I was interested in the distinction you're making, and I think the distinction you're making -- I also think it's important drafting -- you have no precondition on the duty. It would seem that the problem which you are directing to is the language starting on lines 17, page four, starting with "or" and ending with a comma. Your sentence doesn't have an effect, a conditioning clause and it appears that the deletion of that is what you're, is the part where you're directing your remarks to, the deletion of that qualification, did I understand you correctly?

Fred Witzleben: Okay, that's right, I see your position on that.

Senator Willis: Okay, the gentleman on the end?

(Unidentified Person): I have a question to direct at Mr. Rome. You stated that after you had drawn your proposed bill you took it to someone in Consumer Protection who told you this was the type of law Alaska needed. Who was that person?

Richard Rome: Jim I don't think I said that I took my law after I drafted it to the consumer protection people, no, I did not take my proposed bill to the Attorney General's office, I did not. What I said was that at our meeting with the Attorney General's office the consumer protection people told us that a pre-need type of legislation is needed in Alaska. Not necessarily the one that I proposed, but this is the one that I did propose, and I did not take it to the consumer protection people, no.

Lee Moeglein: I have a question to ask Mr. Witzleben. Do you have any statistics which indicate that increased educational standards lead to increased cost in the funeral service? You made the statement earlier that it would lead to higher cost, do you have any statistics which would indicate that?

Fred Witzleben: That's one of the common sense factions Mr. Moeglein, in the fact that the more education you have, the more you're going to end up having to pay somebody.

Lee Moeglein: I don't think that's necessarily true, and I think that if that were researched I think that maybe the opposite would be found to be true, because there are other things that go into pricing and cost besides how much education you have. There are (inaudible) morality and ethics, and that sort of thing.

Senator Willis: Okay, are there...? The gentleman...

Ken Burton: My name is Ken Burton and I'm associated with the Bruce Funeral Home, and I'd like to direct a question to Mr. Rome. You mentioned that the bill that has been presented

here today is not exactly the one that you submitted.

Richard Rome: That is correct.

Ken Burton: Would I be right in assuming that you are in favor of the bill the way it is now? How it has been presented?

Richard Rome: You are not entirely correct. There are portions of that bill which we do not see eye to eye with as it is written, that we would not want written that way, and I think that from what Mr. Witzleben has brought out that on the majority of things that he has indicated, that we are very susceptible to working out something that's agreeable to all.

Senator Willis: Okay, are ther any other questions?

Fred Witzleben: I have one. I would like to reiterate the fact that our proposed substitute, this does have the unanimous support of everybody involved in the Division of Funeral Directors and the Division of Memorial Parks of the Alaska Allied Funeral Services Association. Thank you.

Amos Neill: I would like to ask a question of Mr. Rome. You mentioned the seven or eight funeral directors agreed to this proposed legislation, could we have the names...

Richard Rome: Yes, you can. Myself, that's one, Dave Franke, Dale Rosenberg, Lee Moeglein, Bob Britt, Greg Jerrick, and Art Moll from Ketchikan. Is that at least seven? I'm in.

Amos Neill: This represents three funeral homes.

Richard Rome: Yes, it's very much like the Alaska Allied Funeral Services you know. There are what, one, two, three, four, four or five, maybe six or seven totally in the Alaska Allied -- it's kind of a toss up.

Amos Neill: That's seven firms.

Richard Rome: That's one, two, three, four, five.

Amos Neill: No, there are seven. There are two that are not represented.

Richard Rome: Okay. I stand corrected.

Senator Willis: Okay, are there no further questions? Sir, would you like to..?

Art Richmond: Art Richmond is my name, I'm the manager of the Valley Memory Gardens. The people who (inaudible) this particular bill is pre-need funeral sales and primarily cemetary. I've been in this business since approximately 1955. Throughout the country pre-need funeral or pre-need cemetary sales have been recognized since about 1908 starting with Forest Lawn in California.

Many people have benefited considerably by virtue of being able to purchase before need without being under the duress or shall I say the emotion of time. And the National Cemetary Association, of which we are members, and also the pre-arranging (inaudible), of which we also have members, very readily subscribe to what we refer to as the total pre-need concept. (Inaudible) the years when we first started out we sold cemetary lots. People appreciated the fact that they could do this without being under emotional strain, that they could take care of the things before the time to leave. Then there were other things that were necessary also. It was primarily required at the cemetary that some type of container, a vault or a liner or possibly even a (inaudible). We reached the point where we found in our pre-need sales -- now I'd like to exemplify the fact that this is something that has been done nation wide for many many years -- we reached the point where we felt that we, and speaking from the standpoint of our industry, we felt the necessity to provide the family with what I referred to earlier the total pre-need concept. And people appreciated it. As a matter of fact I used to be a salesman in the field, and in selling cemetary lots a lot of people would ask me "My that would be fine if we could take care of the cemetary lots, but what about the outer containment, what about the markers, what about even the funeral service? It would sure be nice if we could sit down today and get the whole thing taken care of, and save ourselves the emotion of going through this thing and exposing ourselves to possible exploitation at the time of emotional stress." Well as a result of that certain associations throughout the company and throughout the country developed the total pre-need concept which includes the sale of pre-need funerals. Now it is true, like Mr. Rome says, certain states have rules by means of certain influence in their state legislatures, a 100% law. Because this 100% law almost precludes the feasibility of selling funeral services before need. Now notwithstanding the comment that was made earlier that we have commissions to pay, we can sell at considerably less amount, and also pay the commissions. That is the person that we present this to. Not only that, but also to satisfy the family that the entire thing is being taken care of before the time of need which we find is one of the greatest desires.

Now our thought is this, and I'm speaking not only from our particular standpoint but from, let me put it this way, the standpoint of the Cemetary Association and the Funeral Association. The Cemetary Association are primarily dedicated to before arranged planning. Because we can provide the facilities when a person is not under emotional stress and we can provide it at a price considerably less, and also if you will, adequately funded. As a matter of fact it was suggested in the State of Hawaii when I worked for the legislature to show whereby a certain proper funding for funeral services even exceed that which is protected by the insurance funds. So we feel that as far as protecting the family is concerned that really is not the issue. I'd like to bring another point out. In 1966 (like I said, I have been in the cemetary business since '55) in 1966 I was approached by a gentleman from Denver who asked me "Look, will you give consideration to possibly approaching some of the local funeral homes and offering them a program whereby they will service pre-need funerals?

The benefit to the thing would be it would put the funeral home on the map by means of pre-need funerals. Because it is very difficult to compete against pre-need salesmen or pre-need door-to-door salesmen." And so it becomes very obvious that it is very difficult for someone to compete. So therefore it wouldseem that if we could eliminate that type of competition, why we could save our position. So if we were to come up with say a 100% law to eliminate pre-arranged funeral sales, so that it is impractical for them to sell it, impractical for them to give it to the people, we would still be able to maintain our coveted position, if I may put it that way, so that at the time of death when people come to us we would be able to offer them the services we have available to them at the time of stress. Our associations are very strong on this and I am very strong on it. As a matter of fact I have in my file letters from persons who have written us that were very very satisfied. Since we've started selling pre-arranged funeral sales, I believe it was in about 1967, the families that we've serviced seem to be very happy with it. No one was ever cheated at anything, there has been adequate amounts of money funded. Not only that, but the amounts of money funded has by far exceeded the requirements to the point where it is not the issue. The point I'd like to bring to you gentlemen is this thought, is that what we're really looking at now, the question that we're looking at now is, is this really a matter of protecting the public, or is this really a matter of competition? Now I'd like to bring a point to bear. There was a court case in Milwaukee whereby there were certain funeral establishments that would price advertise. The Funeral Directors Association in that particular state and also the National Funeral Director's Association felt that they didn't think that it was proper for them to do so. That they professed to be a profession and not an industry. That an industry should by proper means compete with those who may be in competition with them. Well the court ruled, and also the Federal Court ruled, in favor that it was proper for them to advertise, that they were not a profession, but rather that they were an industry. And the fact that they were an industry that they should properly advertise their prices. We come to that point, that respecting the Federal Court decision on this matter we would come to the conclusion that it should be proper, let's say for the individual families to decide for themselves whether they decide before the time of need or whether they decide after after the time of need. The question is, what is the motive? For certain ones attempting the 100% law obviously it's to protect their individual interests. And I would like to say this, it's a case many times in our industry we have found to be the case. We find many times families come to us and they say "Well my goodness -- your prices at the cemetary, my goodness, it was only $500.00 but we paid $3,000.00 down at the funeral home, and we only had three days." And so, and yet we obligate ourselves to take care of them for a funeral on out by virtue of (inaudible). It is one of those things where we find ourselves engaged in shall we say possibly a conflict between the certain interests. And so the Allied Association has drawn ourselves together for the purpose of seeing if we can sit down like gentlemen and properly find out what we need to do in order to

provide the ultimate for all things involved, whether they want a pre-need, whether the cemetary's involved, the funeral home is involved, whatever it is, that these families are properly served without serving any particular interest group or without serving any particular competition. That's my comments.

Senator Willis: Mr. Richmond, so I'll understand. You represent the Valley Memorial Gardens. Is that just the cemetary part of it, or do you have a mortuary that goes with it?

Art Richmond: I have a mortuary. We are primarily a cemetary.

Senator Willis: Primarily a cemetary. Okay, Billy do you have any questions?

Bill Berrier: I don't have any questions.

Bob Britt: I have the Walsh Mortuary in Kenai and the Walsh Mortuary in Seward. In front of me I've got a pamphlet and it's printed by the N.F.D.A. In this pamphlet it has the basic data on the pre-need requirements of each state in the United States. Alaska isn't on here, we haven't gotten anything. This pamphlet I'd be glad to give to Mr. Berrier to take with him. It mentions in conclusion, it goes into explaining about pre-financed funerals etc. etc. But it says "If there are no such laws in the state where the pre-arrangement is made it is recommended that the pre-paid funeral payment or agreement including provision for a trust fund with the person making the payment maintain control of the account. The fund should include all monies paid in advance of need for services and merchandise including burial vaults. The agreement should also entitle the person in control of the trust to the interest earned with the option of applying it to the principle to offset any increase or inflationary cost. Such person making the payment should retain the right ti terminate the contract at any time without forfeitures of any of the monies or interest paid on this account." All the states on the back here, and Senator they're all listed, have a control agency either banking or treasury department insurance in the state, or board of embalming, funeral directing, or none. Either permits required the amount of monies put in the trust, either 100% and the amount of monies, the income on the trust, all these monies in every one of these states are refunded in full to the families that make the arrangements. There's no sales commissions to the salesmen. There's no cemetary or funeral home that makes the pre-arrangements. They don't keep any funds for their paper work, this is something that they do, and the monies entirely go back to the family. They are not used to go out and be used as a working capital for some project or other than that they are intended for.

Senator Willis: Thank you. Mr. Richmond?

Art Richmond: In the states that have the 100% payments put in trust, are you saying that that eliminates your type of activity altogether?

Bob Britt: Yes.

Art Richmond: From the documents that I have seen, and apparently where the possibly six or seven states, this is the case.

Bob Britt: The few states that are not on there, such as New Hampshire, their associations have prohibited it. In Louisiana and Rhode Island participation in financing funeral programs in advance, it's a possible grounds for revocation of a license, on most of the other states around here.

Art Richmond: How about an 85% law state such as Colorado? How...what would happen? Suppose we had laws that allowed that? What position would it leave?

Bob Britt: Colorado and a couple of the other states that have that, the majority of the states all give the family back 100% of their monies, and I feel that's the way it should be.

Representative Sullivan: To get it back under what circumstances...

Bob Britt: Any time the family wants to withdraw those funds, whether they want to move out of the state, or they want to go to another funeral director, they've changed their mind, that money's the families. That's who it belongs to.

Representative Sullivan: And this is...

Bob Britt: And all the interest that's recorded on that and everything 100% to the family.

Representative Sullivan: And this is also true in the 85% states?

Bob Britt: And here's the documentation for you and the data for the states which I will give you to take with you.

Representative Sullivan: Now what is 85%...

Bob Britt: That is one state, Colorado, they say 85% of the moneys put into this account are refunded to the family, the other 15% are kept for making the arrangements, and so forth. But the majority of the states as you'll see on that when you look at the statistics, 100% of the monies are refunded to the family at any time the family requests. It's the family's money and it should be refunded to them.

Senator Willis: Mr. Richmond.

Art Richmond: You know you wonder if the motive...The thing that keeps coming back to me is the motive.

Bob Britt: The interests of the family are...

Art Richmond: Yeah, but if that's really the case, do you really have the family's interests at heart, you know? At the time of need, when they come in here emotionally upset, is it really not

the case that you try to sell them the most expensive service and put them in as cheap a cemetary as you can find? You know, it's not the protection of the family that is the reality. What we're speaking about here is really about economics. And it has been proven in the states that have like you say, and it's not just in that particular state 85% -15% law, but there's states, the state of Hawaii has a 25%-75% law (inaudible) a certain amount funded. No one to my knowledge in my industry has ever been defrauded on anything. The question always comes back to me is what constitutes the motive? If it has not been proven that the families have been defrauded, then what constitutes the motive? If it has not been a matter of competition.

Senator Willis: Okay. Dave Franke would like to respond to that.

Dave Franke: I would like to answer what constitutes the motive. (Inaudible) for the states, and the high percentage of the states as we see here, in all three columns that represent the 100% law, that if they did not see the need for it the law wouldn't be there. Evidently in the wisdom of an awful lot of people, legislatures in other states, also funeral associations, there perhaps have been abuse to create this. Now this isn't a new single idea that we have dreamed up by nine (inaudible). We speak with enough material behind us to support our stand, and the motives I would say would be that there has been evidence of both misuse in some areas, enough to create the laws. Now these laws generally were not created by funeral directors or funeral homes or necessary lobbying groups. The laws are enacted by people in government serving the people and the legislature. And no speacial group I don't believe can effect that many states to adopt the 100% law. Now if there's anything really intelligent that you can say about giving back any person his total amount of money so as not to lose money in any transaction, I don't know what you could say wrong against it.

Senator Willis: Yes?

(Unidentified Person): Along this line I'd like to make a few comments. I'll withhold them until tomorrow on the table here on the topic we're now on. However one thing I think that it's important to know right now, I have with me today a tape recording of the actual news release of the recent Federal Trade Program as it pertains to funeral practice. And I'll leave it here to be played as it was recorded at the time it was made. Although it has been pointed out, many states have laws that have been illustrated here today, by far the majority of the primary concerns of the recent Federal Trade probe was to prevent efforts to restrict memorial societies or to discourage the making of pre-need arrangements. Both of these techniques allow customers to save a substantial amount of money. The staff found a number of industry efforts within the funeral and some (inaudible) to prevent the use of these methods simply because they don't create that much profit for the industry. And I'd like to comment more

on that and the recording from the Federal Trade Bureau that (inaudible). One additional comment, they are going to extend this Federal Trade probe to (inaudible) override the various state laws that in any way would prohibit or prevent the (inaudible) o discourage making pre-need arrangements.

Representative Sullivan: Mr. Richmond could you tell me, you know down to the nitty gritty, how it is that the 100% law would not allow you to (inaudible) continue sucessfully in business, but I presume some alteration of that would be sucessful. Can you tell me how it handicaps you?

Art Richmond: We have salesmen in the field approaching families with the total pre-need concept that they (inaudible). They take care of the cemetary lots, the vaults, the markers, the funerals, the whole thing. And if we had to fund 100% of that money it would be impossible for us to say pay sales commissions for one thing, or to let's say to maintain, or we should be entitled to a certain amount of overhead, to pay an office girl and to operate. But the 100% law is primarily designed to put the pre-need funeral sales out of business.

Representative Sullivan: So you would be able to continue in your at-need services, but not if...

Art Richmond: If we were to depend upon our at-need business we would have to wait considerably to say, paying our overhead and maintaining everything that we have to maintain until someone comes to us at the time of need. Because obviously we have found over a number of years we do not receive the type of support that we might expect from certain funeral establishments because naturally our prices are a little more expensive than let's say putting them in the city graveyard. We have a memorial park, we maintain it, we have a lot of money in it. So naturally it would be cheaper to let's say find an easier place, or let's say a more convenient place or less expensive place for the disposition of the remains.

Representative Sullivan: Mr. Richmond when you sell the cemetary services at pre-need do you also contract at that time for the other parts of the funeral services?

Art Richmond: Yes, if it is the families desire to do so.

Representative Sullivan: You make those arrangements too? And through any local...?

Art Richmond: Like I explained earlier, when we first started out in this, I mean our, and I'm speaking from an association standpoint, way back in 1918 we started selling cemetary lots, Forest Lawn started selling cemetary lots, we reached the point, okay we found it was necessary also that there had to be some kind of outer containment in order to keep the remains from crushing in the casket. Then also a memorial. The families thought "Well that would be nice if we could take care of the entire cemetary part of it." Then we finally reached the point where we said "My it would be nice if we could take care of the entire thing. It could all be taken care of." And so then a plan has been designed

and devised whereby it's possible by means of this trust fund. Some states have other means of which has not been brought out, I don't think I want to get on to that at this particular point. I might also bring out now, however, that these states that do require 100% trust have other provisions to provide pre-arranged funeral services.

Representative Sullivan: How is it you provide the funeral services aspect? Do you contract with funeral directors?

Art Richmond: Yes we contract with the funeral homes to service the funerals for a set amount.

Representative Sullivan: Selling pre-need?

Art Richmond: Yes. And so it leaves us a certain amount of leeway to cover overhead and expense, and also to pay sales commissions for the salesman to sell it. Now what it does in reality, it really supports a funeral home. Like I explained a little earlier I was approached here by a firm in 1966 which represents I think several hundred funeral homes in various parts of the west that has succeeded in doing....

End of tape.

Original sponsor: H. Beirne by request

IN THE HOUSE BY THE COMMERCE COMMITTEE

CS FOR HOUSE BILL NO. 509

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to funerals and the practice of mortuary science; and providing for an effective date."

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

* Section 1. AS 08 is amended by adding a new chapter to read:

CHAPTER 42. MORTICIANS.

Sec. 08.42.010. AUTHORITY OF DEPARTMENT. The department has jurisdiction over the practice of mortuary science under this chapter. The department may adopt and enforce regulations relating to the practice of mortuary science.

Sec. 08.42.020. LICENSE REQUIRED FOR THE PRACTICE OF MORTUARY SCIENCE. (a) No person may engage in the practice of mortuary science or hold himself out as engaging in the practice unless licensed as an embalmer or funeral director by the department. A person holding a license as a funeral director may not embalm a dead human body, take charge of the remains of a person dead of a communicable disease or prepare for transportation by common carrier a human body dead of a contagious disease.

(b) A person holding a valid embalmer's license issued in this state before the effective date of this chapter shall be granted a license to practice mortuary science and may renew the license annually.

(c) In areas of the state not served by a licensed mortician, the Department of Commerce may issue a permit to an unlicensed person, on an annual basis, for the care and disposition of dead human bodies for compensation. This permit otherwise in no way licenses the holder to

practice mortuary science.

Sec. 08.42.030. EXAMINATION OF APPLICANTS FOR LICENSE TO PRACTICE MORTUARY SCIENCE. The department is granted authority to examine all applicants for a license to practice mortuary science and to determine whether an applicant possesses the necessary qualifications. The department shall hold an examination at least once each year at the place and time the department may determine.

Sec. 08.42.040. APPLICATION FOR LICENSE TO PRACTICE MORTUARY SCIENCE. The applicant for an examination for a license to practice as an embalmer or as a funeral director shall make application to the department in writing on a form provided by the department. The application shall be supported by affidavits from at least two residents of the judicial district in which the applicant resides or proposes to carry on the practice of mortuary science certifying that the applicant is of good moral character.

Sec. 08.42.050. QUALIFICATIONS FOR LICENSE TO PRACTICE MORTUARY SCIENCE. (a) In order to qualify for a license to practice embalming, the applicant shall

(1) be at least 18 years of age;

(2) be of good moral character;

(3) have satisfactorily completed at least two years at an accredited college or university in such subjects as the department may prescribe by regulation as suitable and desirable preparation for the study of mortuary science;

(4) have graduated from an accredited school or college of mortuary science;

(5) have taken and passed the examination for a license to practice mortuary science conducted by the department;

(6) have completed at least one year of apprenticeship as a

resident trainee under a mortician licensed to practice mortuary science in this state.

(b) In order to qualify for a license to practice funeral directing the applicant shall:

(1) be at least 18 years of age;

(2) be of good moral character;

(3) have successfully completed at least 30 semester credit hours at an accredited college or university.

Sec. 08.42.060. SCOPE AND CONDUCT OF EXAMINATION FOR A LICENSE TO PRACTICE MORTUARY SCIENCE. (a) The department shall examine applicants for an embalmer's license on the following subjects: (1) theory and practice of embalming, (2) anatomy, (3) pathology, (4) bacteriology, (5) hygiene (including sanitation and public health), (6) chemistry (including toxicology), (7) restorative arts (including plastic surgery and demi-surgery), (8) funeral service arts and sciences, and funeral service administration (including accounting, funeral law, psychology, funeral principles, directing and management), (9) Alaska vital statistics law, (10) the provisions of this chapter, and the regulations promulgated by the department under this chapter. The department shall examine applicants for a funeral director's license on the subjects included in (8), (9) and (10) of this subsection. The department may use the examination provided by the Conference of Funeral Service Examining Boards of the United States, Inc. where it is applicable to the subjects in this section.

(b) A passing grade in the examination is an average grade of at least 75 per cent with no individual subject grade of less than 70 per cent.

(c) If an applicant receives an average grade of at least 75 per cent, but receives a grade of less than 70 per cent in three or fewer

individual subjects, he may be reexamined only in those subjects. He is entitled to reexamination on individual subjects only once. A grade of at least 70 per cent in each of the subjects in which the applicant is reexamined is sufficient to constitute a passing grade.

(d) Except as provided in (b) of this section, an applicant shall be reexamined in all subjects if he reapplies for examination.

Sec. 08.42.070. RECIPROCITY. (a) The department may recognize the license issued to an embalmer or funeral director from another state if the applicant for recognition of his license

(1) furnishes proof satisfactory to the department that he has complied, in the state in which he is licensed, with requirements substantially equal to the requirements of this chapter;

(2) furnishes proof satisfactory to the department that he is over 18 years of age, of good moral character, that he is licensed in another state, and that he has practiced mortuary science in another state for at least one year prior to the date of application; ?

(3) takes and passes the examination provided for in (b) of this section.

(b) The department shall examine each applicant under this section on the following subjects: Alaska vital statistics law, the provisions of this chapter, and the regulations promulgated by the department under this chapter.

Sec. 08.42.080. LICENSE. A license issued under the provisions of this chapter is effective for the calendar year and may be renewed for successive one-year periods.

Sec. 08.42.090. GROUNDS FOR REFUSAL TO ISSUE OR RENEW LICENSES AND SUSPENSION OR REVOCATION OF LICENSES. When the department has reason to believe that an applicant or licensee has been guilty of any of the following acts or omissions, it is the duty of the department to

conduct an investigation, and the department may, after proper hearing and notice in accordance with the Administrative Procedure Act (AS 44.-62), refuse to issue, refuse to renew, or may suspend or revoke, a license upon a finding by the department of any of the following acts or omissions:

(1) fraud or misrepresentation in obtaining a license;

(2) misrepresentation or fraud in the practice of mortuary science;

(3) false or misleading advertising;

(4) aiding or abetting an unlicensed person to practice mortuary science;

(5) using a casket or part of a casket which has previously been used as a receptacle for, or in connection with, the burial or other disposition of a dead human body;

(6) refusing to promptly surrender the custody of a dead human body upon the order of the person lawfully entitled to custody;

(7) using profane, indecent or obscene language within the immediate hearing of relatives of a deceased whose body has not yet been interred or otherwise disposed of;

(8) solicitation of a dead human body by the licensee, his agents, servants or employees, <u>whether solicitation occurs before or after death;</u> but this does not prohibit general advertising;

(9) employment by the licensee of any person for the purpose of calling upon individuals or institutions to influence them to turn over a dead human body to a particular mortician;

(10) the direct or indirect payment or offer of payment for the purpose of securing business;

(11) solicitation or acceptance by a licensee of any payment for recommending or causing a dead human body to be disposed of in a

specific crematory, mausoleum or cemetery;

(12) violation of a state law or regulation or municipal ordinance or regulation affecting the disposition of a dead human body, or contracts relating to the disposition of a dead human body;

(13) violation of any of the provisions of this chapter;

(14) conviction of a felony involving moral turpitude.

Sec. 08.42.100. FUNERAL ESTABLISHMENT PERMIT. After the effective date of this chapter, no person may conduct, maintain, manage, or operate a funeral establishment unless a permit for each establishment has been issued by the department and is conspicuously displayed in the funeral establishment. Each permit shall be valid only for one specific location, and separate permits shall be required of two or more firms operating from the same funeral establishment. A permit to operate a funeral establishment shall be issued by the department upon application for the permit on a form provided by the department. All permits shall expire on the 31st day of December of each year and may be renewed for successive one-year terms. Violation of a provision of sec. 90 of this chapter by a person operating a funeral establishment or with his knowledge or consent by an employee shall be considered sufficient cause for suspension or revocation of the funeral establishment permit.

Sec. 08.42.110. DEFINITIONS. In this chapter

(1) "department" means the Department of Commerce;

(2) "funeral establishment" means every place devoted to or used in the care and preparation for the funeral and burial of dead human bodies, or as the office or place for carrying on the profession of mortuary science, or for any combination of these;

(3) "mortuary science" means embalming dead human bodies, taking charge of the remains of those dead of a communicable disease,

or preparing dead human bodies for shipment, directing or supervising funerals, preparing dead human bodies for burial by means other than embalming, disposing of dead human bodies, or operating a place for the care or disposition of dead human bodies.

(4) "resident trainee" means a person who has met the qualifications set out in sec. 50(a)(1) - (5) of this chapter and is engaged in learning the practice of embalming under the direction and control of a person properly licensed to practice embalming.

Sec. 08.42.120. VIOLATIONS; PENALTIES. A person who violates or aids a person in a violation of this chapter is guilty of a misdemeanor and upon conviction is punishable by imprisonment for not more than one year or by a fine of not more than $500.

Sec. 08.42.130. ENFORCEMENT BY ATTORNEY GENERAL. The attorney general may bring an action in the superior court to enjoin a person from violating the provisions of this chapter.

* Sec. 2. AS 45.45 is amended by adding a new section to read:

ARTICLE 4. FUNERALS.

Sec. 45.45.120. DISCLOSURE OF COSTS. Every person performing services or providing merchandise relating to the disposition of a dead human body shall give to the person arranging for the disposition at the time the arrangements are completed and before the time of rendering the service or providing the merchandise a written statement showing, to the extent then reasonably ascertainable,

(1) the price of the service and what is included;

(2) the price of each supplemental item of service or merchandise;

(3) the amount involved for each of the items for which money will be advanced; an item for which money is advanced shall be charged in the same amount as the cost to the person making the advance;

(4) the method of payment.

* Sec. 3. AS 45.50.471 is amended by adding a new paragraph to read:

(22) making or entering into a contract relating to the disposition of a body upon death whereby certain personal property will be furnished or the professional services of a funeral director or embalmer will be furnished, unless the person receiving money under the contract deposits the money, within 15 days of its receipt, in a trust account in a financial institution whose deposits are insured by an instrumentality of the federal government as a separate account in the name of the person benefited with a provision that should the money deposited and any accrued interest not be used for the purposes intended on the death of the person for whose benefit the contract was made all money in the account shall become part of his estate. Upon demand by the person for whose benefit the contract was made, all money in the trust account, including accrued interest, shall be paid to him and the contract shall be canceled.

* Sec. 4. AS 08.44.010 is repealed.

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HB

524

"An Act relating to the practice of podiatry; and providing for an effective date."

COMMITTEE REPORT

HOUSE

5/26/75

Mr. Speaker: Date Jan 26, 1976

The Committee on HESS has had HB 524 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other" Recommend repeal to Commerce

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

JAN 26, 1976

Present: Osterback Ostrosky Ose
Parr Davis
Hackney Beirne

Testifying: Sharon Andrews, Director, Occupational Licensing
Dept. of Commerce HB 524

HB 524 - Practice of Podiatry Hackney

Hackney - explanation of why there is a need for the bill in Alaska states that there are about six practicing podiatrists, feels they endorse this bill.

Sharon Andrews - opposes this bill because licensing needs to be looked at in total, which the gov. has been doing, reviewing and proposing new legislation.

Another problem she is is that you must be licensed to prescribe medicines, under federal law (DEA#) Right now the six practicing podiatrists are not licensed but would be so under the grandfather clause of most bills. There is a bill right now that should be in effect in July, if it passes the legislature which would be a credentially bill for podiatrists.

Committee decided to pass it out with a do pass and recommendation that it go to House Commerce, because they are having a meeting on Thur. to discuss other licensing bills. Committee members plan to attend.

HB 190 will be taken up at a later date. Mr. Duncan needs to locate his information on it.

HB

541

"An Act relating to the visitation privileges of prisoners; and providing for an effective date."

COMMITTEE REPORT

1/13/76 JUDICIARY

HOUSE

Mr. Speaker: Date _____

The Committee on HESS has had HB 541 under consideration. A Majority of the members of the Committee

(X) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: Kelley

To: _____ HOUSE BILL No. 541

SENATE BILL No. _____

PAGE: 1 LINE: 12

After the word "with", reinsert the language, "his family", and add the word "or". Continue as is.

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

Jan. 19, 1976

Members Present:

Bierne
Osterback
Parr
Ose
Sullivan
Swanson
Hackney

Testifying Guests:

Charles Adams, D.O.C.
Carolyn Burg
Bradley
McKinnon
Kelley

HCR 74 HEALTH CARE DELIVERY - Bradley

Bardley introduced this bill giving the reasons why health care delivery services should not be stopped. At times life and death can hinge on delivery of services, the public has not options in that they cannot become efficient at the medical profession overnight.

Parr suggested that the bill include other personnel such as nurses and other individuals employed by hospitals.

Discussion continued regarding inclusion of other professions.

Testimony by Caroline Burg- She feels the bill is good and that most doctors would be in agreement with it.

Parr moved for amendment that would change health care providers to physicians and surgeons, because nurses and other hospital employees so underpaid that they need the leverage to strike.

Discussion regarding amendment.

Sullivan - Vote on amendment, 1 in favor, 3 against, amendment voted down.

Hackney suggested amendment which would include firemen and law enforcement personnel.

Discussion regarding this,.

Sullivan - Vote on amendment, voted dowr

Sullivan - Vote on resolution - passed 4 to 3

HB 563 HOUSING FOR ELDERLY PEOPLE IN THE NEW CAPITOL

Bradley presented his bill remarking on the many reasons why there should be housing made available for elderly people at the new site of the capitol. He included the enrichment that is received from older people.

Caroline Burg testified that the bill was irrelevant since the capitol as yet had not moved and would not. She felt the publishing of the bill would be detrimental to the citizens of Juneau.

McKinnon, who sponsored the bill with Bradley testified.

Discussion by the committee regarding the possibilities of having a fiscal note drawn up; putting the car before the horse, by passing this bill.

Bierne amendment, to include "if" on line 10, to include a reasonable. xxxxxxx line 13; and include handicapped to reside and be employed , line 14.

Discussion regarding the amendment.

Sullivan: Vote on amendment, passed 6

Discussion

Sullivan: Vote on H.B. 563, do pass 6

Decided to make this a committee substitue bill

H.B. 541 Visitation priviledges for honor prisoners who are about to re-enter society, Kelley

Kelley stated her reasons for wanting this bill and related that it only changes the fact that other people besides family members can be allowed to have prisoners released on passes to them. It would still be virtually the same as far as other rules relating to this.

Charles Adams testified. He feels that anextended family for many Alaskans is needed because of the distance that many prisoners are from their homes.

Committee members questioned Mr. Adams regarding the past performance of prisoners on passes, how the change would affect this.

Ose- amendment to read his family or any persons. This would be "His family" back in.

Sullivan - Vote on amendment pass 3 to one

Sullivan - Vote on HB 541, do pass 5

HB

547

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

JAN. 29, 1976

Present:

Osterback	Sullivan
Hackney	Beirne
Parr	Swanson

Testifying:

Marshall Lind, Commissioner of Ed.
Mr. Greaser, Dept. Div. of Law, Management & Finance
Nat Cole - Deputy Comm. of Ed.

HB 547 - Extension & Modification of school bus routes- Swanson

Swanson explained reasons for the bill, asked no action to be taken on it at this time.

Greaser, D.O.E. , quotes from regulations which change wording on line 11, from shall to may. State has ascertained that cost would be in excess of $2,000 /child and is beyond the responsibility of the schools.

Discussion by committee members, regarding cost and other factors.

Nat Cole, handed out packet to members of committee.

Dr. Lind, stated 300 people have filed for school board seats, decentralization of S.O.S. progressing according to schedule.

Sullivan - How many school districts are there?

Lind - 21

Osterback - wanted to know how the school boards would operate
Discussion ensued about rights of school districts to hire and fire teachers.

Lind - D.O.E. will conduct orientation for members of new school boards

Parr - inquired about safe water and A.V.E.C
Cole, D.O.E. feels fiscal responsibility should be handled by more approp. agency.

CHARLIE

ALASKA LEGISL

S.R. BOX 50599
6½ Mile Chena Hot Springs Road
Fairbanks, Alaska 99701
488-2555

Pouch V
Juneau, Alaska 99801
465-3730

...ber 22, 1975

Honorable Susan Sullivan
7330 Marge Court
Anchorage, Alaska 99504

Dear Susan:

There are a number of things which have come up during the time since we adjourned in Juneau in June. I'd like to suggest that Marshall Lind brief the HESS Committee on what's happened, including the following of concern to me:

1. Progress in the decentralization of SOS.

a. Could we get a good map showing the REAA boundaries and the place where the REAA Board will meet in each one?

b. I understand that the Unorganized Borough School Board refused to negotiate a contract with District One teachers, that NEA-Alaska took it to court, and that the court upheld the Board. Yet it appears that the new boards may not be organized in time to do the individual negotiations, and further that tenured teachers must have a notice by March 15 of retention or non-retention. How is this being handled?

c. There are reports that the cost of AVEC power and water under the safe water act are to be charged against the REAA's in villages having them, and that this will eat up the REAA budget. As I recall, we were told in HESS Committee last year during our discussion of HB 24 not to attempt to tinker with these items--what is the situation and how is the cost to be charged?

d. I understand that there may be a problem in funding the travel costs of getting some school boards together, e.g., in the Aleutians. Perhaps we should get details on this.

2. There were several problems in the Fairbanks area in connection with the transfer of on-base schools to the local district. All seem to have been worked out now except one dealing with the salaries of supervisors, who claim to have had a two-year contract with SOS. What is the status of this?

3. All of the talk about the satellite and the earth stations seems to deal with the hardware. I'd like some information about the software, specifically about that which will be beamed to the Bush.

3. (Continued)

a. How many educational channels will there be?

b. What is to be the division of time between K-12 and post-secondary education?

c. Who will be in charge of programming?

d. Who will decide whether to use canned Outside programs or to create new ones designed especially for rural Alaska? What criteria will be used in making this decision?

e. If we are to create any of our own programs, who will do it, where will it be done, what will be the evaluation process?

4. What is the status of development of school board policies dealing with students' rights and responsibilities?

5. There was a grey area between Education and H&SS on pre-schools/day care centers. Has this been worked out and if so what is the present division of responsibility?

I am sure that there are other topics of interest to the Committee, but these should be enough for a start. Look forward to seeing you in Juneau.

Sincerely,

Charles H. Parr

cc: Commissioner Lind

HB

560

"An Act relating to day care facilities; and providing for an effective date."

COMMITTEE REPORT

1/14/76

HOUSE

Mr. Speaker: Date Jan. 28 1976

The Committee on HESS has d HB 560 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE

JAN 28, 1976

Present: All present except Osterback

Testifying: Eric Lee CRA
Harvey Pitts, CRA
Bob Gregovitch, H&SS

HB 560 - Day care facilities - Rules/Gov

Eric Lee stated that this bill intended to clear up problems of statutes so that the bill conforms to legislative intent.

Committee wanted to know how much of 1.2 million was committed and to whom.

Harvey Pitts - to date $900,000 all over state, read list of locations.

Committee wanted to know the relationship that the municipalities would play in day care program. What areas and problems particular to rural areas, how can rural facilities meet requirements.

Sullivan - move to pass out , no objection, do pass

HB 645 - Guardians for incapacitated persons - Rules/Gov

Bob Gregovitch H&SS, This bill reinforces partial guardianship

Committee would like someone from the Dept. of Law to testify, also would like Clark Gr. to testify because he worked in this area during interim.

Sullivan - would like dept of law to testify before Judiciary on bill and would like to hear Clark.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

JAN. 21, 1976

Present:

Parr	Osterback	Ostrosky
Sullivan	Ose	
Beirne	Hackney	

Testifying:

Charles Adams, D.O.C.
Patricias Monroe H &SS

Sullivan- Legislative affairs asked committee to reword CSHB 563

HB 560 Day Care Facilities - Rules/Gov

Patricia Monroe, read position paper from health and social services, general discussion. Questions centered around the input needed by Community and Regional Affairs. Decided to table until more testimony could arranged.

HB 562 Interstate Corrections Compact - Rules/Gov

Adams testified how the compact would work. That so far 18 states had accepted it and 5 more were in the process. Compact was developed by the council on state governments. It would enable DOC to send offenders from one jurisdiction to another.

Sullivan, Vote, do pass 7, no rec. 2

HB 592 Correctional industries - Gov/Rules

Adams presented the position paper for the state. Many benefits from having trades outside of prison. Rehabilitation, productivity, help defer cost.

Committee debated the economics of project. Considering about 120 persons would be eligivle and cost of care at $29 per day. Minimum wage would not cover. Also discussed areas of industry that prisoners could be involved in without competing with other businesses.

Hackney wants amendment to ensure that prisoners receive some restitution.

Sullivan wants to see fiscal note on this, also to include effect on unemployment rate in Ak.

POSITION PAPER / Department of Health and Social Services

POSITION PAPER
ON
HOUSE BILL NO. 560

An act relating to day care facilities; and providing for an effective date.

The bill appears to provide authority for the Department of Community and Regional Affairs to contract with municipalities and, directly, with day care facilities outside of municipalities for day care services under the "Day Care Assistance" program. In addition, the bill clarifies the definition of a "child" by specifying age in years, rather than the qualifying statement of "up to mandatory school age".

The bill will have no direct impact on the Department of Health and Social Services and its programs, except to possibly facilitate the development of day care resources which may be utlized for children of social service clients.

The Department supports the Bill without change.

Recommended By: _____ 1-20-76
Division Director (Date)

Approved By: _____ 1-21-76
Commissioner (Date)

Comments by Governor's Office:

By: _____
(Date)

HB
562

"An Act adopting the Interstate Corrections Compact and repealing the Western Interstate Corrections Compact."

COMMITTEE REPORT

1/14/76 HOUSE JUDICIARY

Mr. Speaker: Date _____

The Committee on HESS has had HB 562 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

JAN. 21, 1976

Present:

Parr	Osterback	Ostrosky
Sullivan	Ose	
Beirne	Hackney	

Testifying:

Charles Adams, D.O.C.
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Adams testified how the compact would work. That so far 18 states had accepted it and 5 more were in the process. Compact was developed by the council on state governments. It would enable DOC to send offenders from one jurisdiction to another.

Sullivan, Vote, do pass 7, no rec. 2

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Committee debated the economics of project. Considering about 120 persons would be eligivle and cost of care at $29 per day. Minimum wage would not cover. Also discussed areas of industry that prisoners could be involved in without competing with other businesses.

Hackney wants amendment to ensure that prisoners receive some restitution.

Sullivan wants to see fiscal note on this, also to include effect on unemployment rate in Ak.

HB
563

"An Act authorizing the construction of housing for senior citizens at the new capital site; and providing for an effective date."

COMMITTEE REPORT

1/14/76 FINANCE

HOUSE

Mr. Speaker: Date _____

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( ) recommends it DO PASS

( ) recommends it DO NOT PASS

(X) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(✓) recommends it BE REPLACED WITH CS FOR HB 563 AND THAT CS FOR HB 563 DO PASS

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Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

Jan. 19, 1976

Members Present:

Bierne
Osterback
Parr
Ose
Sullivan
Swanson
Hackney

Testifying Guests:

Charles Adams, D.O.C.
Carolyn Burg
Bradley
McKinnon
Kelley

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Parr suggested that the bill include other personnel such as nurses and other individuals employed by hospitals.

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Sullivan - Vote on amendment pass 3 to one

Sullivan - Vote on HB 541, do pass 5

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99801

MEMORANDUM January 22, 1976

SUBJECT: HB 563

TO: Susan Sullivan, Chairman
House Health, Education & Social Services

FROM: Billy G. Berrier, Director
Legal Services Division

I have prepared a committee substitute for HB 563 with the changes as recommended by the committee except for a provision relating to employment.

This particular bill addresses itself to Alaska State Housing Authority and to specific sections relating to housing development by the Authority. In this context, I can find no way to create a meaningful requirement for employment of senior citizens and handicapped persons. Obviously, housing will, if constructed under these sections, contribute to employment of senior citizens and handicapped persons by providing dwelling places at affordable costs in an area where, presumably, employment would be available. However, a direct provision, which would have the effect of creating employment or requiring employment of senior citizens and handicapped persons, would require a different approach.

BCB:bh

HB
592

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 7, 1976

Present: Sullivan, Parr, Beirne, Ostrosky, Swanson, Hackney

Testifying: Sam Grenato, Dept. H&SS
Bob Cole, Office of Alcoholism
Art Peterson, Dept. of Law

HB 602 Treatment of Intoxicated Persons

Bob Cole, explained the Dept. of Laws ammendment., then Peterson from the dept. answered questions. (amendment copy in file 602)

Houston responded to questions from the committee about the bill and the fiscal implications of it.

Ose, move to table till we get correction on the fiscal note. motion failed

Bill held over for fiscal note.

HB 866 - Supplemental appropriation to H&SS

Grenato, explained need for the Div. supplement.

Bob Cole, feels supplemental caused by certain federal monies which weren't available.

Held over till Sat. in hopes of a better explanation from the dept.

HB 592 - Correctional Industries

Hackney , moves to amend, this was adopted unanimously
page 4, line 4, after "Part", delete rest of language on line 4 and substitute "Any amount awarded under A.S. 18.67. as a result of the crime for which the prisoner was convicted."

Ose, moves to hold bill in abeyance and try to set up a group for the Committee substitute, unanimous.

Subcommittee, to put together C.S. - Ose, Beirne, Hackney

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE

Statement of Intent

It is the intent of the Committee that, even though the capital funding requirements for a seven year amortization period are required the first year, a pilot program for only one year with 15 long term inmates involved be created. A plan for the program operations should be presented to the legislature prior to February 10, 1977. The decision on whether the program shall continue and the level of subsequent funding, if any, is to be determined only after review of the program in operations during this fiscal year and the program operations plan for succeeding fiscal years.

HB. 592

FISCAL ANALYSIS OF
"CORRECTION INDUSTRIES 12-75"

The cost of the "correctional industries" legislation was calculated on the following assumptions:

1. The inmate trustee program would remain as presently constituted.

2. The lower threshold of industries participation is 2.5% of the total inmate population. i.e. 15 inmates (600 x .025)

3. The upper threshold of industries participation is 10% of the total inmate population, with this threshold being achieved in the fourth year of operation. i.e. 70 inmates (700 x .10)

4. A one-time working capital requirement of $2,000 per participant year of work station amortization should be deposited as a permenant asset to the revolving fund which would then be replaced from inmate earnings.

5. The average workstation amortization is seven years.

6. New working capital cost will inflate at 10% compounded.

The working capital funding requirements would therefore be:

1st year	15 participant x 2,000 x 1.00 x 7 years	=	210,000
2nd year	15 more x 2,000 x 1.10 x 7 years	=	231,000
3rd year	20 more x 2,000 x 1.21 x 7 years	=	338,800
4th year	20 more x 2,000 x 1.33 x 7 years	=	372,400
	70 participants		1,152,200

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

JAN. 21, 1976

Present:

Parr	Osterback	Ostrosky
Sullivan	Ose	
Beirne	Hackney	

Testifying:

Charles Adams, D.O.C.
Patricias Monroe H &SS

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Sullivan, Vote, do pass 7, no rec. 2

HB 592 Correctional industries - Gov/Rules

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Committee debated the economics of project. Considering about 120 persons would be eligivle and cost of care at $29 per day. Minimum wage would not cover. Also discussed areas of industry that prisoners could be involved in without competing with other businesses.

Hackney wants amendment to ensure that prisoners ~~receive~~ make some restitution.

Sullivan wants to see fiscal note on this, also to include effect on unemployment rate in Ak.

HOUSE BILL No. 592

"An Act to provide for correctional industries"

PROBLEM

Under the new mandatory 1/3 sentencing law passed by the State Legislature during the 1974 session and the 1/3 mandatory requirement for parole eligibility, offenders will be serving more time in custody.

NEED

The need to develop a Correctional Industries Program with necessary legislative support within the State of Alaska has never been more pressing than at the present time. Programs within correctional institutions are limited and of short-term duration and rarely run for more than a year. Therefore, what does the offender do who is serving a 3 or 4 year mandatory sentence? He is usually assigned to a meaningless custodial or general labor task which never really motivates or stimulates his interests or provides any incentive for self-improvement.

THE MISSION

The Alaska Constitution states in part that "Penal Administration shall be based on the principal of reformation and the need to protect the public."

Since the offender is obviously in secure custody, half of the mandate is satisfied. By developing an Industries Work Program with long-range operational aspects and built-in incentives the State as well as the offender will benefit. This will further reinforce the reformation portion of the constitution in meeting our responsibilities to the offender and the citizens of Alaska.

GOAL

A continual development of work incentives vocational type program opportunities that will provide job skills and limited self-sufficiency within the correctional system, thereby, all offenders will be paid a going wage for which they will be required to pay their room and board plus personal living expenses; such as clothing, limited dental and medical care, commissary and family support.

OBJECTIVE

Many states have experienced difficulties with the Correctional Industries programs. I would assume that most of the difficulties originate from the exceptionally low salary structure or gratuity, as it is referred to in the Alaska system, that is paid to the offender for his services.

This project would be unique if approved because the salary structure would be on parr with related salaries being paid for similar services within the State Government and local community. The scale would be graduated with built-in incentive increments depending on qualifications and particular job assignment.

For Example: An individual serving a lengthy sentence within the system would first appear before the institutional Classification Committee for custody assignment. If he meets the criteria for medium or intermediate or minimum custody status he would make application for participation in the Industry program. Since most worthwhile jobs in the community require a high school education, the salary structure and vocational training possibilities in a respected trade would be incentive for an individual to obtain his diploma prior to employment in the program. There would of course, be a number of labor positions that could be assigned to those offenders who are unable to achieve the required academic level of a high school graduate. The offender would fill out an application which would be processed through the Industry Board of Directors made up of the Program Director, Shop Manager, and selected institutional staff who would be responsible to hire, promote or terminate offender employees.

From his salary the offender would be required to pay room and board, provide for his own needs, such as clothing, minor dental and medical services, and other personal items authorized as commissary for his own personal grooming and comfort. He would also be responsible to pay support to his family in whatever amount deemed necessary which is presently a requirement under existing state law for offenders on work release.

The object of such a program would serve several worthwhile purposes such as:

1. The offender would have a genuine opportunity, even though he is within a closed prison type community to make application for employment, be selected, receive job training in a respective trade, develop good work habits, be paid a regular living wage, and taxes, supporting himself and family like people in the free world society must do.

2. The product will be purchased by the State Government at a lesser overall cost to the Alaskan taxpayers. At the present time it costs $50.00 per day to hold one (1) offender in the Juneau Correctional Center and we are getting little if any return for our money except for a minor degree of public protection. This program could eventually reduce daily offender cost and at the same time provide the major supply requirements for a particular product for the state. It can also be assumed

that the state would recognize some saving effect from the offender whose family is on welfare, since he would then be in a position financially to assume in part or all of this responsibility himself.

The necessary legislations that would authorize the development and implementation of a working Industry program would have to be constructed in such a manner as to place a mandatory legal responsibility on the offender to pay from his earnings certain fees and services to the state, otherwise, the interest and effect of the program would be lost and the offender would be banking large amounts of money while the State Government continued to pay his cost of care.

HISTORY

The following information was extracted from the Presidents Commission on Law Enforcement and Administration of Justice Task Force Report on Corrections that was accomplished in 1967.

Work Houses for "Sturdy Beggers" were established in Europe during the 16th century. Instilling habits of industry was also one of the major arguments during the 19th century for the establishment in America of "Houses of Refuge" for juvenile delinquents, the "Reformatory Movement" for youthful offenders, and Auburn-type penitentiaries for adult felons.

Many impediments have prevented the realization of this objective in correctional institutions. When labor is forced and unrewarded either in money or in pride of accomplishment, there is little motivation to strive for deligence or skill. These features have characterized most of the drudgery to which prisoners have been subjected. When the period in which assigned work is expected to be done is several times the period really needed to complete it, there is little motivation to work deligently. When "Work" involves only the most menial tasks or is carried out with antiquated equipment and methods, it is of little help in training offenders for later employment.

RESTRICTIONS ON PRISON INDUSTRIES:

The amount and type of work available for prisoners has always been influenced greatly by the labor market in the free community. When labor was scarce, prisoners often were leased out for custody and employment by private employers, with the prison itself contracted to perform work for private concerns, utilizing innate labor. Following complaints about harsh conditions and corruption under these arrangements, the prisons established factories within their confines, where they manufactured goods for sale on the public market.

Whenever unemployment has been extensive or private businesses could not sell their goods, political pressure has mounted to prevent prisons from engaging in enterprises which might otherwise be conducted by private business and free labor.

The Hawes-Cooper Act, which became effective in 1934, devested prisoner-made goods of their interstate character on their arrival at the destination point, thus facilitating state restrictions on their sale. The 1935 Ashurst-Sumners Act prohibited, and required the labeling of all prison-made products in interstate transportation of convict-made goods for any purpose, excepting commodities manufactured in Federal or District of Columbia correctional institutions for use by Federal or District Governments, and commodities manufactured in State Correctional institutions for use by the states or their political subdivisions. The three acts were consolidated in the revisions of the Criminal Code (18 U.S.C. 1761, 1762.) In addition, Executive Order 325-A, dated May 18, 1905, prohibited Federal agencies from contracting with the states for the use of state prison labor. A clause barring the purchase of prison-made goods still is routinely added to most Federal appropriations acts.

Several factors have limited access of prisons to state use market. Political pressure brought to bear by private industry and by labor organizations still remains one of the basic impediments to the development of prison industries. These pressures are effective despite a model law enacted in many states which makes it an offense punishable by fine or incarceration for a state purchasing official to procure goods from the private market without first assuring that it cannot be provided by prison industries.

The principals of traditional prison management have also discouraged growth of industries that would foster deligence. Assigning to maintenance and service tasks, including housekeeping and food preparation, several times the number of inmates that would be required to perform these tasks in a private business, has been thought to be the best way to minimize discontent. Further, there are usually no provisions to pay these inmates anything for their work and where they are paid, the rates and conditions of payment do not suffice to evoke high productivity. Yet it has been demonstrated, notably in Federal prison industries, that inmates can be motivated to achieve the highest standards.

REQUIREMENTS FOR EFFECTIVE PRISON INDUSTRIES

The most basic requirement for promtion of more industrious correctional industries is recognition on the part of the public and leaders in government of the undesirability of idleness in prisons, not only from a correctional standpoint but in terms of the loss to society at large. In todays economy prison labor is no longer a substantial threat to free labor and industry, if indeed it ever really was. Correctional industries are capable of being operated in a manner that makes the work experience they provide comparable

to that required for employment in private industry. The products of these industries can gain sufficient access even to presently available markets to make them economically fesasible.

These goals will not be attained easily. To achieve them will require understanding of the problems of prison industry and participation in the solution on the part of both private industry and labor. These two groups have immense amounts of expertise and experience which is seldom been available to corrections.

At the present time, the absence of long-range programs in Corrections, such as industry would provide, and the 1/3 mandatory sentence requirement passed by the 1974 Legislature which became law on May 16 of that year, could very well be the ingredients for future unrest and difficulties created by idleness and inactivity of long-term offenders.

Development, planning and the implementation of an Industry Program for Alaska Corrections between now and 1977 would certainly appear to be in the states best interest. It would be a forward step in our continuing effort to minimize unrest and inactivity for long-term offenders, while at the same time, provide the work experience and financial responsibility that the offender will be confronted with when released back into the free community.

The Legislature of the State of Alaska
FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST
Bill No. _____
Title: Correctional Industries
Requested by: Fran Ulmer Date: 12-24-75
Return Date Requested: _____
Agency: Division of Corrections Program: Adult Confinement

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Adult Confinement
A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.		210.0	231.0	338.8	372.4	
	TOTAL		210.0	231.0	338.8	372.4	

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0	210.0	231.0	338.8	372.4	
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

SEE ATTACHED ANALYSIS
"CORRECTIONAL INDUSTRIES 12-75"

IV. ATTACHMENTS

V. DATE: 12-24-75 PREPARED BY: Ed Mitchell

HB597

AMENDMENT:

PAGE 4, LINE 4 AFTER "PART" DELETE REST OF LANGUAGE ON LINE 4 AND SUBSTITUTE: ANY AMOUNT AWARDED UNDER AS 18.67 AS A RESULT OF THE CRIME FOR WHICH THE PRISONER WAS CONVICTED.

POSITION PAPER / Department of Health and Social Services

POSITION PAPER

HB 592

"An act to provide correctional industries."

The Division of Corrections strongly supports House Bill #592.

The section of the bill that addresses prisoners wages can make or break an industries program in corrections. It is well that the section on wages states that under no circumstances may an offender make less than the minimum wage. Caution comes from proposed disbursement of the offender's wages. The Commissioner of the Department of Health and Social Services shall set up disbursement of the wages in such a manner as to provide the prisoners with an amount of money to purchase what items are allowable and available to them in the institutions and to provide funds for the prisoner's dependents. If sufficient funds are available from the prisoner's wages, pre-existing debts will be paid upon consent of the prisoner and whatever money is left over will be saved to be paid to the prisoner at the time of his release. The incentive brought about by these measures will be mutually beneficial to both the industry and the offender.

Administration of a corrections' industry that expresses definite concern for the self-gratification of the offender will undoubtedly reflect positively and proportionately on the success of the industry.

Recommended: _____ _____
Charles G. Adams, Jr., Director — Date
Division of Corrections

Approved: for Catherine M. Lloyd 1-21-76
Francis S. L. Williamson, Commissioner — Date
Department of Health and Social Services

POSITION PAPER/Department of Health and Social Services

POSITION PAPER
HB 592

"An act to provide correctional industires."

The Division of Corrections strongly supports House Bill # 592.

The Division of Corrections has taken the position that passage of this bill is essential in developing programs for long term offenders within the State of Alaska.

RECOMMENDED: _____ 4-7-76
Willian H. Huston
Acting Director
Division of Corrections
Date

APPROVED : _____ 4 7 76
for Francis S. J. Williamson
Commissioner
Department of Health and
Social Services
Date

HB

596

"An Act relating to local health services."

COMMITTEE REPORT

1/16/76 FINANCE

HOUSE

Mr. Speaker: Date May 7, 1976

The Committee on HESS has had HB 596 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR HB596 AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan Do Pass

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99801

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM May 7, 1976

SUBJECT: Draft of CSHB 596 (public health services)

TO: Doug Schoenberg, AA
House HESS

FROM: Greg Machyowsky, Legislative Counsel

The committee may wish to consider the following proposed alternative wording of the purpose clause of the bill:

> Page 1, lines 11-14, delete all material after "PURPOSE." and substitute the following: The purpose of this chapter is to promote and safeguard the health of the general public by orderly discharge of state authority and responsibility for providing public health functions through public health districts and authorizing of (1) grants for comprehensive public health services to local governments as health districts and (2) contractual arrangements with private health corporations for selected public health services in areas not served by local governments with public health powers."

Two additional minor amendments are also suggested, as follows:

> Page 1, line 24: After "boroughs", insert a comma
>
> Page 2, line 6: After "corporations", insert a comma

The committee may also wish to consider further the health district designation under Sec. 18.10.020(7) (page 2, lines 8-10). Its applicability would appear to be limited to unorganized borough areas not opting to become a local public health service area through petition and election under secs. 21-31. It would presumably permit all, or a part, of a regional educational attendance area which does not establish itself by petition and election as the local public health service area, to be designated as a health district if it is served by a private health corporation.

GM:bh

cc: Dr. Frank Pauls, Acting Director
Division of Public Health

Greg Machyowsky

PROPOSED REVISIONS

TO: CSHB 596 (public health services)

(1) Page 1, line 16: Delete "are" and substitute "may be"

(2) Page 2, line 1: Delete "29.63.020" and substitute "29.03.020"

(3) Page 2, line 25: After "borough" insert the following:
"within the boundaries of regional educational attendance areas established under AS 14.03.031, if the population, including military population, of an attendance area, or two or more contiguous attendance areas combining to form a single service area, numbers at least 6,000 persons,"

(4) Page 3, line 8: After "area" insert "or two or more contiguous regional educational attendance areas,"

(5) Page 3, lines 17 - 21: Delete the first sentence following "(d)" and substitute the following:
"To assure that the population served in each local public health service area remains at a minimum of 6,000 persons, including military population, two or more contiguous regional educational attendance areas established as local public health service areas under this section may combine as a single service area."

(6) Page 4, line 23: After "area" insert a comma

(7) Page 4, line 24: Delete "by the department of two or more" and substitute "of two or more contiguous"

(8) Page 6, line 23: After "children" insert a comma

(9) Page 9, line 17: Delete "professional"

(10) Page 9, line 26: After "a" insert "nonprofit"

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99801

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M April 5, 1976

SUBJECT: HB 596

TO: House HESS

FROM: Billy G. Berrier BGB
Director, Legal Services Division

I have been requested to give a preliminary opinion on whether the provisions of HB 596 appear to raise substantial constitutional questions. On its face there are substantial constitutional problems.

The basic approach appears to revolve around creating independent districts called health districts.

This immediately raises questions under Article X, Section 2 of the Constitution of the State of Alaska which provides in relevant part:

> "Section 2. LOCAL GOVERNMENT POWERS. All local government powers shall be vested in boroughs and cities..."

It would require substantial analysis to determine precisely what under this bill "public health districts" are. There seems to be further questions in organized boroughs since there is at least an implication that service areas in an organized borough which is not acquired health powers can be created through the Department of Health and Social Services. This would appear to create problems under Article X, Section 5 which provides:

> "Section 5. SERVICES AREAS. Services areas to provide special services within an organized borough may be established, altered, or abolished by the assembly, subject to the provisions of law or charter..."

And may further be in conflict with the powers of the local boundry commission under Article X, Section 12.

The bill further creates problems in the unorganized borough with its creation of public health service areas there. Presumably, this is a proper function of the legislature acting as the assembly for the unorganized borough.

This analysis is based upon a quick examination of the bill and can be definitive only to the extent that even a preliminary examiration discloses the existence of substantial legal questions that should be thoroughly considered.

BGB:smh

(2)

Dept. position

least [1500] 6,000, as defined by the total population in the area. A city excluded from a [REGIONAL ~~EDEC~~ EDUCATIONAL] service area may be included in a ~~established~~ local health service area established by the ~~department~~ department ------

18.10.051 LOCAL HEALTH SERVICE AREA BOARDS OF THE UNORGANIZED BOROUGH

(c) (1). the qualified voters in each local health service area shall elect a local health service area board of at least seven members, of whom at least four or 51% are otherwise involved with health services only as consumers;

18.10.071 GRANTS, (a) The commissioner may make grants to health districts as defined in sec. 21(a) 1-3 of this chapter to assist in meeting costs of providing comprehensive public health

Substitution

(c) In making his determination the commissioner shall consider the relationship of the health district plan to the annual implementation plan of the appropriate Health Systems Agency established under P.L. 93-641. In each fiscal year the department shall, in accordance with the plan of service provided and approved, and under regulations adopted for the purpose, take into consideration the following

weighting factors:

(1) 50 per cent shall be distributed on the basis of program need taking into consideration such factors as the number of infant deaths per 1,000 live births, pre-school children, morbidity and mortality rates, the number of establishments or institutions requiring sanitary inspections and administrative costs.

(2) 30 per cent shall be distributed on the basis of the population of the area to be served,

(3) 10 per cent of the allocation shall be reserved for adjustments of grant or contract bases provided by sec. 91 of this chapter;

(4) 10 per cent shall be distributed on the basis of local tax effort for support of public health services in governmental units or in-kind contributions in support of public health services in non-governmental units.

~~(d)~~ - - -

~~(e)~~ The ~~minimum health district~~ 1

Sec. 18.10.071 Delete all of (e)(1-5).

Sec 18.10.071 ~~(f)~~ (e) The mimimum health district [SHARE] match is 10 per cent of the requested state grant. Health district matching funds must be local money which is not derived from state or federal sources. In lieu of matching funds, in-kind contributions (bases at hearing to be developed)

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

JAN. 22, 1976

Present: Ose, Ostrosky, Osterback, Parr, Swanson, Beirne, Sullivan

Testifying: Francis Fleek, Public Health H&SS
Lois Jund, H & SS
Tim Grieser, D.O.E.
Nat Cole D.O.E.

HB 601 State aid for public schools - Rules/Gov

Cole & Grieser, spoke about the states need to raise the basic support from 93% to 95%. This is due to increased costs, inflation, unit value, etc.

Committee discussion about the quality of ed. in Alaska, kids can't even read when they get out of school. Fiscal note was reviewed by committee.

Sullivan - vote - due pass 6

HB 596 Local Health Services -Rules/Gov

Jund related purpose and reasons for the bill, how it is necessary to start contracting health services to areas.

Committee concerns related around whether communities really wanted contract services of the state or whether they would rather do it themselves.. Is there an actual need to provide this service. Swanson very concerned about communities right to provide their own health care. Discussion continued regarding the cost breakdown, as provided in the policy statement. Alot of additional staff, travel, etc.

How this bill would effect the lack of medical services on the chain was discussed, basically it will not change that, they will still have their itinerant nurses and health aids. This will not establish doctors.

Committee decided to hold and have more input into this because of the cost factor and controversial discussion regarding communities self-determination.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HEARINGS ON HB 665 & HB 596

FEB. 12, 1976

Association of Regional Health Directors made presentation to House HESS with recommendations for changes in these two bills. Position papers supplied with specific changes in HB 596. (self-explanatory) All changes, additions, etc. underlined in their papers.

Lois Jund - Dept. H&SS states depts. position very similar to the feelings of the Regional Directors. Has two legal questions regarding these changes though. 1. Can the Health Corp., which are next to adjacent boroughs, which have chosen not to exercise health authorities, in fact, exercise rights to give away health authority? 2. By constitution and statutes we must use existing service areas (unless legislature modifies). The Native Health Directors recommended using the boundaries of the corporations rather than the education boundaries allready established.

Lois also spoke to the issue of the directors recommendation for a larger board than 7. She said Dept. would finance 7 only, but they certainly could have a larger board of directors.

Also problem with (e) page 6 of Directors bill, Lois recommends reading to be "in lue of matching funds, in-kind contributions would be applicable to the health districts in unorganized boroughs.

HB 665

Directors felt that HB 596 speaks to the de-centralization of the departments control over health facilities however, HB 665 did just the oposite and re-centralized, giving back control to the Dept.

The Directors did not have specific recommendations for changes in HB 665, but would have them available at next weeks hearings.

They did list reorder of priorities in bill

1-8	5-3
2/6	6-2
3-5	7-1
4-7	[illegible]-4

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 31, 1976

Present: Hackney Ostrosky Davis Ose
Parr Beirne Sullivan

Testifying: Lois Jund, Dep. Comm. Health & Soc. Service

HB 596 - Local Health Service - Gov.

This bill has been heard before this committee

Lois Jund - proposes several small amendments, goes over them with the committee. Also presents new revised fiscal note. This bill now parallels the bare bones bill that Carl Jack and the native corporations presented prior to this.

Motion on amendments which Lois presented, passed

Amendment 1in 14, page 2, delete "dept. will combine" add "2 or more service areas"

Amendment passed

also amendment to change all wording which refers to Health Service areas to local public health service areas.

Passed

Charlie Parr- proposed amendment p.2 .046
Formation of local public health service areas.
a. Upon receipt of a petition signed by at least 10% of the registered voters of the regional education attendance area, the lieutenant governor shall place a question substantially in the following form, on the ballot in the next general election held in that R.E.A.A.

Shall a public health service area be formed in the boundaries of the _____R.E.A.A.?

Upon certification by the lieutenant governor that
b. a majority of the voters in the R.E.A.A. voted YES, on the question, local public health service area is established.
c. Election of local public health service board, as in sec. .061 of this chapter, may be accomplished on the same ballot as that used in a above.

Amendment passed, but wants the entire amendment to be incorporated in C.S. and possibly be reworded. Concept accepted totally.

Committee is now concerned with the fiscal implications. Compared to S.O.S. that budget was the same after decentralization, why can't dept. fiscal implication just switch over to the public health service areas? Because some areas might not opt to have their own , thus the state must still give them public health service

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 6, 1976

Present: Ostrosku Parr Beirne
Hackney Sullivan

Testifying: Rod Betit

HJR 72 - Food Stamp

Rod is in favor of it, explained problems in the Alaskan food stamp system. New Dept. of Agriculture regulations create greater problems.

Don Clockson, Legal Services, explained other fronts of action on this issue, congress etc.

Committee decided to move out with individual recommendations.

HCR 139 Food Stamp

Rod explained problems regarding food stamps and the people in the rural areas and the need for this resolution.

Motion to move out carries

HB 596 - Local Health Service

Lois Jund, explains changes in the proposed CS and discussed the problems that committee members have with the bill
bill held over till tomorrow.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 7, 1976

Present: Ostrosky Sullivan Hackney
Osterback Ose Swanson

Testifying: Lois Jund, H&SS

HB 596 - Local Health Services

Lois went through all the proposed amendments that the department had on the committee substitute, committee passes amendments.

Page 2, number 7 is totally deleted.

Motion to move bill out with individual recommendations, passes.

THE FOLLOWING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

LETTER OF INTRODUCTION

The Aleut League is a non-profit organization incorporated in 1972 to assist the residents of the Aleutian Chain in their endeavors towards the improvement of their communities and livelihoods. We provide assistance to these communities through grants and contracts with federal and state agencies.

The Aleut League is directed by a policy making Board of 11 members who are represented by geographic location.

An Executive Director, Vera M. Skaflestad, directs the administration of The League. At present there are five departments within the League:

Health
Mental Health
Education
Manpower
Village Affairs

The Health Department was begun in 1972 because of the great need to improve the health care delivery system to residents of the Aleutian Chain. The Health Department has a Director and a Community Health Aide Coordinator. The Mental Health Department works in coordination with their activities.

The Aleutian area covers approximately 7,500,000 acres stretched over 1500 miles. The population of this area is approximately 8057 of which 1,971[1] are Natives. The people residing in these areas are, for the most part isolated. Travel between villages is expensive, difficult,

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[1] Socio-Economic Characteristics of Natives Living In The Aleut Corporation Area, BIA Planning Support Group, January, 1974.

and often impossible due to weather conditions. Communications are very poor.

The old methods of caring for one another have been lost. The pressures of adaptation and rapid cultural change have increased greatly. No longer can a person survive by subsistence due to the decline in natural resources such as fish, sea otters, etc. and the greater dependence on a cash economy. This area is one of the poverty areas designated by the Alaska Division of Mental Health. It is now necessary for the people to rapidly become sophisticated and gain business knowledge even to the point of professionalism in many areas not only for mere survival in a cash economy but in order to retain the land and money received in exchange for their aboriginal rights under the Alaska Native Claims Settlement Act (ANCSA). Children of many villages must still leave home to complete their high school education. The problems created by such mental stress are manifold although at this time they have not been documented. A reasonable assumption would be that these residents are encountering the same mental problems as are Native people in other rural areas of Alaska. The problem becomes acute, however, in view of their isolation and the fact that there are no mental health resources for them to call upon as evidenced by the Alaska Division of Mental Health Survey attached. The community aides now working in the area of general health in six villages have little or no training in mental health and are greatly overworked. An Alcoholism counseling program and a Family & Children's Service have been started in Unalaska but they do not have

enough trained personnel to assist other villages. Nor are there facilities for rehabilitive care for people making a return to their communities after treatment in Anchorage.

If a resident of this area is very fortunate, he will receive some counselling while at the ANS hospital in Anchorage or, if he is less fortunate, he will receive no care until he must be committed to Alaska Psychiatric Institute. Receiving care in Anchorage is also traumatic as the people must come to a big strange, noisy city with no family or friends nearby. On return to the village there is no one trained to assist in the return to the community. The education of the community in mental health has been neglible so the returnee must face the stigma of having had a problem.

It is believed that all residents of this area, except for military personnel who are provided with care, will benefit from this program at least indirectly through the improvement of the communities and the availability of resources nearby.

GOALS

It is the intention of the Aleut League Mental Health Department to assist these people in overcoming these vast problems. This will be achieved in the following manner:

1. Continue the Mental Health Department of the Aleut League which will work closely with the Aleut League Health Department, the Mental Health Advisory Board, PHS, Alaska Division of Mental Health, and the communities to:

a. Assess needs, priorities and resources in the Aleutian communities. The programs would develop according to the community's desires and the availability of resources.

b. Provide training in the mental health area for community health aides and others who can act as counselors.

c. Establish a referral and follow up system in conjunction with PHS and the State Division of Mental Health.

d. Work with the communities and schools to better educate the public in regards to mental health.

e. Assist communities in providing a means for prevention of mental health problems, i.e., community centers, libraries, training, etc. This would be done in coordination with the other departments of The Aleut League.

f. Provide technical assistance to communities, liasion with agencies and personnel whenever a community expresses a concern and it is within the capabilities and resources of the Aleut League to do so.

g. Attempt to provide at least one professional and one Native resident counsellor in at least one village. These people would also be available to travel to other villages and provide assistance. It is felt that in order to provide good care the counsellors must have a professional nearby who can advise and assist them. If possible, we would like either the State or PHS to have a professional based in one of the villages of the Aleutian Chain to serve in this capacity.

The Mental Health Department was begun in December, 1975 with a contract with PHS for $19,992.26. This contract expires on 6/30/76. We are applying for renewal of this contract and at this time believe that it will be refunded at least at the previous level. The new contract year does not begin until 10/1/76, however, which leaves 3 months without funds. Last year's contract covered only 7 months; the new one must cover 12 months so if funding is at the same level, the degree of assistance will be greatly curtailed. Although we've been informed that present funds are not available for new programs under the Alaska Division of Mental Health and that grants submitted this year will not be funded until July 1, 1977, it is our hope that some means could be found to help the residents in this area receive at least some basic care in this area. The Aleut League would like to work in coordination with the State and the Public Health Service in this endeavor.

We are asking that you as legislators and as members of the Health and Social Services Committee assist us in this endeavor. We would like to know if there is some means whereby the State could assist us with financial assistance to at least continue the program at its present level. We will soon be furnishing you with a copy of our grant application for funding during FY '77. We understand that the funds for FY '76 are already obligated to the maintenance of existing programs and we do not dispute their receiving funds. We do feel, however, that new programs should also have a chance for funding so that areas which have been neglected could begin to get at least a minimum of service. We would appreciate any suggestions you may have.

Respectfully submitted,
Peggy Peabaugh
Director, Mental Health
The Aleut League

DISTRICT 16 - Cold Bay

Villages:

Adak	Cold Bay	Port Moller
Akutan	Driftwood Bay	Sand Point
Amchitka	Dutch Harbor	Shemya
Atka	Flase Pass	Squaw Harbor
Attu	Ivanof Bay	St. George
Belkofsky	King Cove	St. Paul
Cape Sarichef	Nelson Lagoon	Unmak
Chignik	Nikolski	Unalaska
Chignik Lagoon	Paulcff Harbor	Unimak Island
Chignak Lake	Perryville	

This district, except for a small section of the Alaska Peninsula, is made up of the Aleutian "Chain" of islands. With the Bering Sea on the north, they extend westerly out into the North Pacific Ocean to the longitude of New Zealand and 300 miles east of the Commander Islands of Russia. Transportation is by air and sea and dependent on weather conditions. Distance between communities is great.

The population of the district is 8,057 or only 2.67% of the total state population. The population of District 16 is 36.1% Alaska Native. Of the population, 38.7% is under 20 and only 1.2% (the least percent in the state) is 65 years of age or older. A large portion of the population, 20.8%, is in the age group of 25-34 years old. The district has the highest concentration of males, at 62.4% of the population.

The average size of families is 3.9 and size of households is 4.1 people per dwelling unit.

COLD BAY DISTRICT XVI

DISTRICT # 16 - Cold Bay

INVENTORY OF RESOURCES

I. - Direct Mental Health Services By Base Location of Services

Key: P = Psychiatrist
Psy = Psychologist
SW = Social Worker
C = Counselor

a. Inpatient Services: -0-

b. Outpatient Services: -0-

c. Partial Hospitalization: -0-

d. 24 Hour Emergency Care: PHS Hospital (Cold Bay)

e. MH Services Specifically for Elderly: -0-

f. MH Services Specifically for Children: -0-

g. Consultation and Education: -0-

i. Assistance to Courts and Other Public Agencies: -0-

j. Transitional Services: -0-

k. Training Programs: -0-

l. Research and Evaluation: -0-

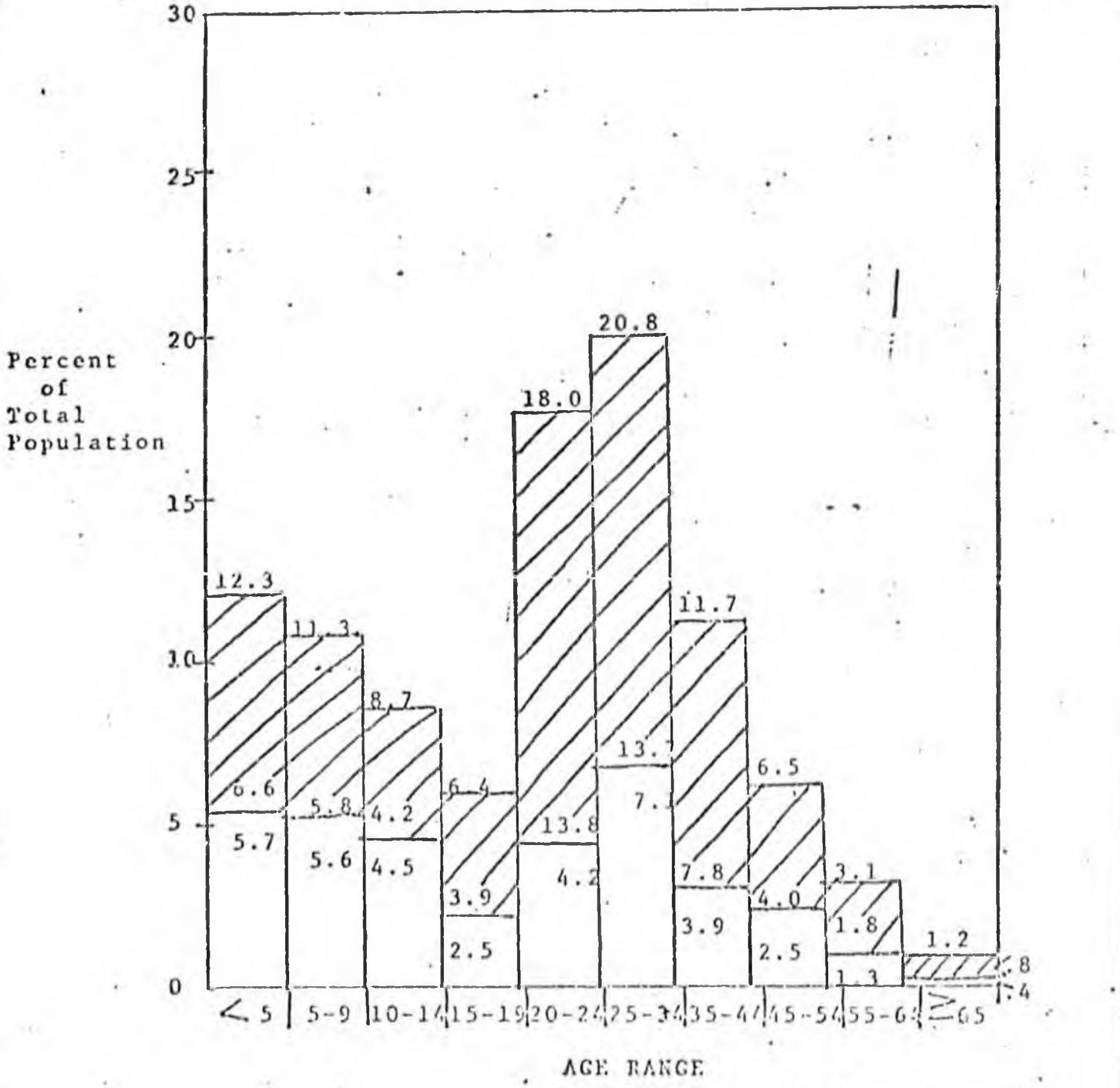
m. Rehabilitative Services (social, vocational, etc.): -0-

n. Diagnostic Services: -0-

o. Follow-up/After-care: -0-

DISTRICT 16 COLD BAY

AGE AND SEX DISTRIBUTION



Total District Population: 8,057

62.4 % Male
37.6 % Female

38.7 % less than 20 years of age
1.2 % 65 years of age or more

36.1 % Native

KEY

= Total % in Age Group

= % of Males

II. - Alaska Alcohol Abuse Programs

a. Name of Program; Purpose/Service:

Unalaska Alcoholism Project (Unalaska); Counseling, referral, outpatient treatment.

III. - Alaska Drug Abuse Programs

a. Name of Program; Purpose/Service: -0-

IV. - Programs for the Aging

a. Program(s) (Services which include counseling, information/referral, transportation, arts & crafts, health education & meal programs.): -0-

V. - Vocational Rehabilitation

a. Main Offices: -0-

b. Regularly Scheduled Itinerant Services: -0-

VI. - Alaska Court System

a. Auxiliary Court Servicesfor Emotional and Social Concerns: 1 Marriage Counselor; 3 Juvenile Intake Officers

VII. - Manpower

a. Psychiatrists: -0-

b. Other M.D.'s: 5

c. Psychologists: -0-

d. University Counselors: -0-

e. School Counselors: -0-

f. Vocational Rehabilitation Counselors: -0-

g. Counselors in Alcohol Abuse: -0-

h. Counselors in Drug Abuse: -0-

i. #1 Social Workers: Nat'l. Assoc.: -0-

j. #2 Social Workers: State Div. Family & Children Services: -0-

k. Mil Paraprofessionals (Known): -0-

l. Special Education Teachers (For Emotionally Disturbed): 3 (0)

m. Mil Educators: -0-

VII. - Manpower cont.

n. Corrections Counselors: -0-

o. Probation/Parole Officers: -0-

p. Occupational Therapists: -0-

q. Physical Therapists: 1

r. State Public Hlth. Nurses: 1

s. Community Health Aides: 12

t. Registered Nurses: 6

u. Licensed Practical Nurses: 2

v. Physician Assistants: -0-

w. Audiologists: -0-

x. Homemaker-Home Health Aides: -0-

VIII. - Health Facilities

a. General Hospitals (bed capacity): -0-

b. Number Psychiatric Beds: -0-

c. Number Security Rooms: -0-

d. PHS Hospitals (bed capacity): St. George (6), St. Paul (4)

e. State Public Health Centers (I=itinerant nurse): Cold Bay (I)

f. Long-term Care Facilities (bed capacity): -0-

g. Nursing Homes (bed capacity): -0-

h. Military Hospitals (bed capacity): 1 Adak (26)

i. Pioneer Homes (bed capacity): -0-

j. Diagnostic Facilities: -0-

k. Communicative Disorders Clinics: -0-

VIII. - Health Facilities cont.

1. Rehabilitation Facilities: -0-

m. P.H.S. Village-Built Clinics (Total): Nikolski, Atka, Perryville, Unalaska (4)

IX. - Residential Transitional Facilities

a. Name of Facility; (Clients Served); Purpose/Services Offered: -0-

X. - Institutions for Children

a. Name of Institution; Purpose; Capacity; Age Range: -0-

XI. - Correctior l Facilities

a. Probation/Parole Offices: -0-

b. Bush Jails (Short Term Confinement): -0-

c. Correctional Centers (Emergency Capacity):

1. Adult Male: -0-

2. Adult Female: -0-

3. Juveniles (Age 12 - 18): -0-

d. Detention (Women & Youth): -0-

e. Temporary Holding Facilities: Sand Point

XII. - Mental Health Education and Training

a. Training Institution/Program; Level of Training: -0-

XIII. - Existing Health Plans Which Include Mental Health

a. Community & Native Regional Corporation: -0-

b. U.S. HEW - PHS - Indian Health Service Operating Plans, FY 76 PHS Service Units: Anchorage

PROVIDER SURVEY:

INDIVIDUAL DISTRICT MENTAL HEALTH NEEDS

DISTRICT # 16 - Cold Bay :

a. psychiatric and psychological outpatient treatment

b. 24-hour emergency services

c. paraprofessional training

d. after-care and follow-up services

e. diagnostic services

f. transitional facilities

g. consultation and education

ESTIMATE OF PERSONS IN NEED OF MENTAL HEALTH SERVICES

AND SERVED BY DISTRICT IN FY 75

DISTRICTS	PERSONS IN NEED		NUMBER OF PERSONS SERVED					
	(2% of pop.) Low Estimate	(10% of pop.) High Estimate	State-Operated MH Clinics[1]	Community MH Centers[1]	Private Psych.[2]	[1]API	Gen. Hosp.[3]	TOTAL
1 Barrow	56.28	281.4	2	0	0	1	0	3
2 Kotzebue	88.68	443.4	0	0	0	4	0	4
3 Bettles	9.22	46.1	[illegible]	0	0	1	0	2
4 Ft. Yukon	18.68	93.4	[illegible]	0	0	1	0	2
5 Nome	114.98	574.9	0	0	150	15	0	165
6 Galena	37.24	186.2	5	0	0	2	0	7
7 Fairbanks	1,041.48	5,207.4	3 7	0	422	31	0	700
8 Tok	12.98	64.9	1	0	0	4	0	5
9 Bethel	233.68	1,168.4	0	0	0	12	0	12
10 Aniak	37.62	118.1	0	0	0	4	0	4
11 McGrath	11.7	58.5	0	0	0	0	0	0
12 Anchorage	2,656.84	13,284.2	319	0	1,580	322	200	2,979
13 Glennallen	24.08	120.4	1	0	0	3	55	59
14 Dillingham	92.64	463.2	0	0	0	11	0	11
15 Kodiak	186.18	940.9	0	156	0	12	156	324
16 Cold Bay	161.14	805.7	0	0	0	5	0	5
17 Homer	285.0	1,425.0	1	0	0	15	78	94
18 Seward	46.72	233.6	4	0	0	16	0	20
19 Valdez	78.06	390.3	2	0	0	6	0	8
20 Juneau	354.40	1,772.0	321	0	300	15	0	637
21 Sitka	220.38	1,101.9	31	69	26	3	47	176
22 Ketchikan	279.46	1,332.3	10	305	0	5	95	415

1 Based on FY 74 figures

2 Known number treated by private psychiatrists and psychologists

3 Known number admitted to general hospitals and nursing homes for MH reasons

4,722

6,2644 30,1622

87

ESTIMATE OF PERSONS IN NEED OF MENTAL HEALTH SERVICES AND SERVED IN ALASKA IN FY 75

Number of Persons in Need*		Number of Persons Served**	
Low Estimates		- State-Operated Regional Mental Health Clinics	1,143
Adults (2% of population)	3,630	- Community Mental Health Centers	367
Children & Adolescents (3% of population)	3,595	- Estimated number treated by private psychiatrists and psychologists***	6,400
TOTAL	7,225	- Alaska Psychiatric Institute	606
High Estimates		- Alaska Native Medical Center - Psychiatry Service (U.S.P.H.S.)	196
Adults (10% of population)	18,052		
Children & Adolescents (11% of population)	13,184		
TOTAL	31,236	TOTAL	8,712

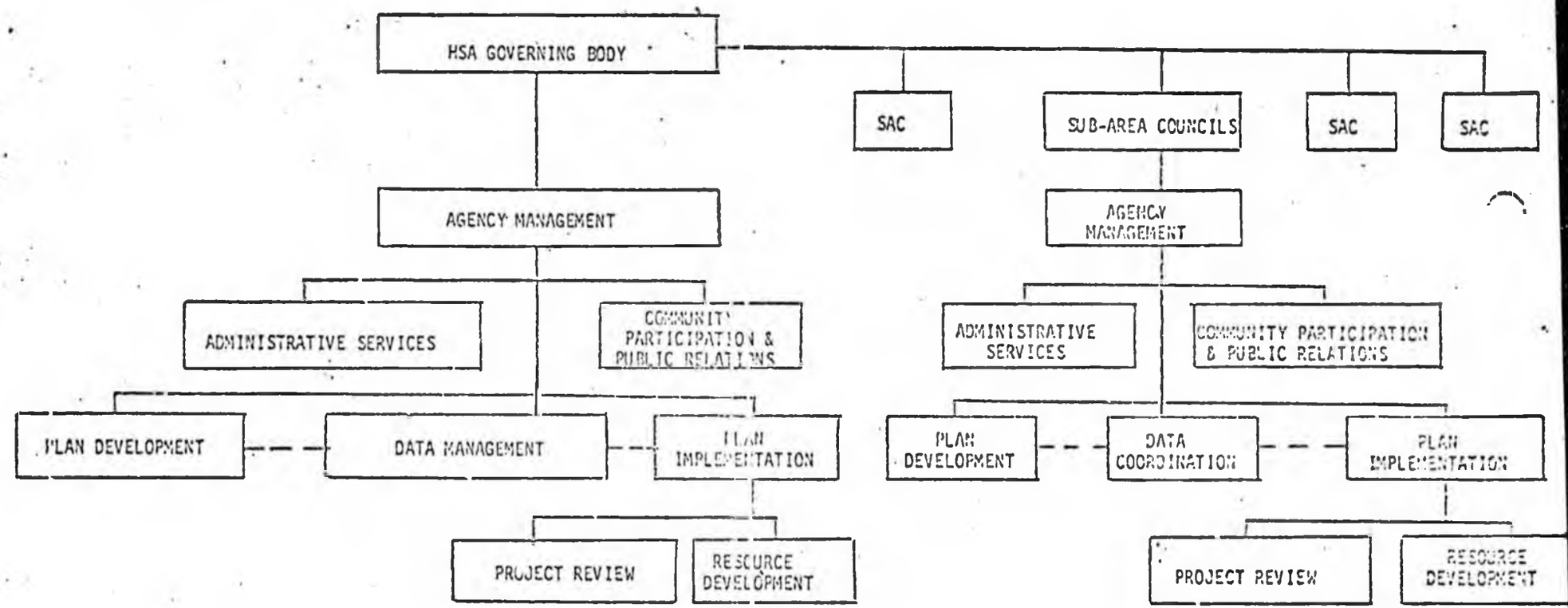
* Both low and high estimates of persons in need of mental health services are given because various NIMH studies indicate that the prevalence of mental disorders in the United States varies from 2% to 10%. Studies also show that a slightly higher percentage of the population under 18 years of age require psychiatric services than do adults. (1970 Census population figures were used.)

** These numbers of persons being served include duplications (the same person may have received treatment from various sources).

*** It is estimated that the number of clients per psychiatrist in private practice is about 100 per year (based on a 1965 study by Bahn, Conwell and Harley in Archives of General Psychiatry). This figure was used for psychologists, too. There are about 36 psychiatrists and 28 psychologists in Alaska.

#12

FIGURE 12 LOCAL AGENCY ORGANIZATION: FULLY STAFFED HSAs AND SACs



THE PRECEDING PAGES WERE TRE[illegible]D AS
A UNIT IN THE ORIGINAL FILE.

3/17/76

Health Affairs Division
Testimony

Thank you Madam Chairman for this privilege to testify before this Committee. My name is Carl Jack, Director, Health Affairs Division. My testimony will be on those issues that are Statewide in nature, in terms of target population and secondly, those programs that are in need of support in the rural areas.

Having been involved in trying to improve the rural Health Care Delivery System through the establishment and promotion of Regional Health Corporations - locally controlled Health Entities designed to be most responsive to the Regions. During the last six years - we have mobilized Regionally, controlled Health Corporations and for FY 1977, we will mobilize all of the 12 Regional Health Corporations. Therefore, I feel that I can speak with authority about the general needs of the Regional Health Corporations in health and health-related programs.

To date, almost 100% of the funds secured to support the Regional Health Corporations have been from the Federal sources, with very little participation from the State at their discretion.

Although I don't have a Fiscal Note of H.B. 596, I would, again, request this Committee to give high consideration for passage of H.B. 596 as amended by the Association of Regional Health Directors and appropriate adequate funds toward the decentralization of some of the functions of the State Department of Health and Social Services.

The second point I would like to bring to your attention is the Emergency Medical Services. Last year, the State was granted $450,000 under P.L. 93-154 for Basic Life Support System. However, subsequent to the award of the grant, the funds were put into the General Account -

WITH MANDATORY REQUIREMENTS FOR THE STATE BUDGET AND AUDIT COMMITTEE TO TAKE ACTION FOR EXPENDING THESE FUNDS PURSUANT TO THE PROVISIONS OF THE GRANT. THE STATE BUDGET AND AUDIT COMMITTEE DID NOT TAKE ANY ACTION UNTIL SEPTEMBER 1975 - ONE QUARTER ELAPSE.

CURRENTLY, THE STATE IS PREPARING FOR SUBMITTAL TO THE FEDERAL GOVERNMENT, A STATE EMS PLAN FOR FY 1977 BY APRIL 1, 1976. I WOULD, THEREFORE, STRONGLY RECOMMEND FOR THIS COMMITTEE TO TAKE EXPEDITIOUS ACTION UPON THE AWARD OF FY 1977 PLAN TO GET THE GRANT FUNDS OUT OF THE GENERAL FUNDS to THE OFFICE OF EMERGENCY MEDICAL SERVICES.

THIRDLY, I WOULD LIKE TO MAKE IS IN RELATION TO GRM AND TITLE XV, OF THE SOCIAL SECURITY ACT. THERE ARE TWO POINTS THAT I WOULD LIKE TO MAKE.

1. FIRST, ONE IS IN RELATION TO ELIGIBILITY CRITERIA UNDER GRM. THE CURREN. DEFINITION, IF NOT CHANGED, LEAVE THE STATEWIDE OPEN TO CLASS ACTION SUIT UNDER TITLE VI OF THE CIVIL RIGHTS ACT. I WOULD, THEREFORE, RECOMMEND FOR THE HESS COMMITTEE TO GET A CLEAR-CUT OPINION FROM THE ATTORNEY GENERAL ON THIS MATTER AS WELL AS THE GENERAL COUNCIL IN REGION X, AND THEN TO ADJUST THE ANNUAL APPROPRIATION ACCORDINGLY AT THE STATE LEVEL.
2. IN RELATION TO TITLE 19 OF SOCIAL SECURITY ACT - MEDICAID ELIGIBLES, I FORESEE A SUBSTANTIAL UTILIZATION OF MEDICAID SERVICES IN THE FUTURE FROM THE NATIVE COMMUNITY, BASED ON THE FOLLOWING REASONS:
   A. THERE WAS SOMEWHERE AROUND 13% TURNOVER FROM THE NATIVE COMMUNITY TO MEDICAID IN 1975 AND THE GENERAL INDICATIONS ARE THE PERCENTAGE OF TURNOVER WILL PROGRESSIVELY INCREASE IN DIRECT PROPORTION TO NUMBER OF PROVIDERS

HIRED BY THE REGIONAL HEALTH CORPORATIONS.

B. H.R. 2525, ENTITLED "INDIAN HEALTH CARE IMPROVEMENT ACT" NOW UNDER CONSIDERATION BY CONGRESS UNDER TITLE IV, SECTION 402, WILL MANDATORY REQUIRE REIMBURSEMENT TO PHS FOR MEDICAID ELIGIBLE TREATED BY IHS FACILITIES.

THESE PROVISIONS WILL DEFINITELY REQUIRE INCREASED APPROPRIATION BY THE STATE LEGISLATURE FOR MEDICAID PROGRAM. THEREFORE, I WOULD RECOMMEND TO THIS COMMITTEE TO MAKE A STUDY OF FINANCIAL REQUIREMENTS TO ADEQUATELY MEET THE STATE RESPONSIBILITY FOR MEDICAID ELIGIBLES IN THE FUTURE.

FORTH, I WOULD LIKE TO GO ON RECORD SUPPORTING THE TESTIMONY MADE BY MR. DAN SLABY ON THE PROPOSAL FOR A MORE RESPONSIVE MENTAL HEALTH DELIVERY SYSTEM.

From AG office

A M E N D M E N T

To: HOUSE BILL NO. 596

AMENDMENT: PAGE 1 LINE 26

Delete period after "chapter" and insert a comma in its place and insert the following after the comma:

"and the entire area of an organized borough which has not acquired areawide health powers but is served by a private health corporation."

Page 6, Line 11:

After "cities" insert the following:

"and borough"

02-001B

STATE
of ALASKA

MEMORANDUM

HSS

TO: Fran Ulmer
Legislative Assistant
to the Governor
Office of the Governor

DATE : January 23, 1976

FROM: Patty Ann Polley
Director
Division of Elections
Office of the Lt. Governor

SUBJECT: Fiscal Note - "An Act relating to local health services."

The initial health service board members election during FY 77 would cost $75,500. This would include election boards for 200 precincts (the member of precincts within the Regional Educational Attendance Regions according to the following schedule:

200 Election Board Chairmen at $5.00 an hour for 15 hours	$15,000
600 Judges and Clerks at $4.50 an hour for 15 hours	40,500
Total	$55,500

The printing of ballots, the advertising for the elections and election supplies are estimated at $20,000.

The total request for the initial elections would be $75,500.

The regular elections held on the first Tuesday in October would require little additional money as the REAA School Board Elections would be held at the same time. Election board expenses would increase by $4,700. assuming that 200 Chairmen and 600 Judges and Clerks worked 2 additional hours.

Ballot printing costs for the additional names and length of the ballot would increase by $2,000.

The total additional money requested for FY 78 would be $6,700.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. HB 596
Title: "An Act relating to local health services."
Requested by: Rules Committee - Request of Governor Date: 1-23-76
Return Date Requested:
Agency: Division of Elections Program: Elections

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Elections

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL		75.5	6.7	7.0	7.3	7.6
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		75.5	6.7	7.0	7.3	7.6

B. FUNDING: (Thousands of dollars)

GENERAL FUND		75.5	6.7	7.0	7.3	7.6
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

V. DATE: 1-23-76 PREPARED BY: Patty Ann Polley, Director
Division of Elections
Office of the Lt. Governor

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

POSITION PAPER / Department of Health and Social Services

POSITION PAPER
ON
HOUSE BILL 596

"An Act relating to local health services."

This bill provides basic enabling legislation to permit delegation of mandated health responsibilities of the State to interested local health districts. The present health district statute is no longer applicable to present day political subdivisions.

The bill authorizes the Department of Health & Social Services to make grants to or enter into contracts with local health districts for the purpose of providing specific public health services. Funds are to be allocated on the basis of a formula described in the bill. The bill also provides for the election of local health service area boards in unorganized boroughs and requires that the Department develop and promulgate regulations covering the establishment of standards, administration, review and evaluation of health district programs initiated under this Act.

This bill will have great impact upon the Department of Health and Social Services. It represents a giant step forward in attempting to place under local jurisdiction, certain public health functions now handled by the Department. This is not a new concept. Throughout most of the states, cities and counties have assumed responsibility for health with the State Department of Health serving in an advisory capacity. In Alaska, the Municipality of Anchorage is presently the only local governmental unit having assumed full health powers with an established health department. Other cities or boroughs have adopted limited powers through specific ordinances. With the exception of a few other major communities within Alaska, the concept of local health service areas represents a number of monumental tasks and problems in terms of attempting to establish effective local health programs. There is little or no tax base, very low population density, as well as communication and transportation problems. These factors have all served to work against the concept of effective provision of locally sponsored health services. It is for this reason that Alaska has maintained centralized public health services through regional offices which are typically handled in the other states by the cities and counties.

An increase in population, a larger tax base and high consumer interest indicates the need for authority to promote participation of local health districts in public health programs. In the area of consumer interest alone, it is becoming more and more obvious that individuals in local communities wish to be involved in health programs and decisions which affect local health care. This extends beyond curative programs into traditional preventive public health programs as well.

Suitable controls will be required to guarantee the maintenance of the present quantity and quality of services provided and there must be community willingness to assume the responsibility with the additional tax burden. Further, the community must be able to recruit and keep qualified staff. The ultimate effect upon the Department of Health & Social Services

will be to place the Department in an advisory and evaluation role in those areas assumed by the local health districts rather than the present position of actually providing those services. This is particularly true in the traditional fields of Public Health Nursing and Environmental Health. The State will continue to provide direct basic public health services to areas not assuming local health responsiblities. The State will also continue to provide specialized statewide services such as crippled children's services, laboratory services, tuberculosis control, etc. which would not be cost effective to provide on a local level.

The boundaries to be established in the unorganized borough under this Act will be consistent with the Regional Educational Attendance Areas, the three Health Service Areas established under PL 93-641, and the Native Regional Health Corporations.

Since applications for grant awards and contracts under this Act must be submitted through HSA's (the planning and resource development agencies) and since the Commissioner shall consider the relationship of the health district plan to the Annual Implementation Plan for the appropriate Health Service Area, there will be no duplication.

Passage of House Bill 596 will have extensive fiscal impact upon the Department of Health & Social Services. A Fiscal Note has been prepared and is attached. Implementation of this bill will require establishment of a separate local health service unit within the Division of Public Health with sufficient staff to prepare standards and regulations, provide consultation and training, review grant and contract applications and carry out program followup and evaluation. Development of local participation will require extensive monitoring of the local effort for a number of years, resulting in additional state administrative costs. Ultimately, with development of effective local health programs, the state may realize a reduction in costs for health services. However, it is more realistic to anticipate no reduction in cost but more effective and better delivery of public health programs.

The following changes are needed:

Page 4, line 8, Sec. 18. 10.071. GRANTS. After "Sec. 21(a)" add the following: (1)-(3). Note: without this specific designation, it appears that grants can be awarded to all health districts, 1 through 5, and this is not the case.

Page 5, line 20, Sec. 18.10.071. GRANTS. Delete the word "share" and substitute the word "match" so that the sentence reads "The minimum health district match is 10 per cent of the requested state grant."

Page 6, line 18, Sec. 18.10.081. CONTRACTS. Delete (c) and substitute (d).

Page 6, line 20, delete (d) and substitute (e).

Page 7, line 1, delete (d) and substitute (e).

The Department supports the Bill with changes indicated above.

Recommended BY: _____ 1-21-76
for (Acting Director, Division of Public Health) (Date)

Approved By: _____ 1-21-76
for (Commissioner) (Date)

THE LEGISLATURE OF THE STATE OF ALASKA

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. House Bill

Title: Local Health Services

Requested by: Office of the Governor Date: 1/12/76

Return Date Requested:

Agency: Health and Social Services Program: Public Health

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Public Health Administration

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		180.4	256.6	272.0		
200	TRAVEL		10.0	15.0	17.0		
300	CONTRACTUAL		47.0	37.0	37.0		
400	COMMODITIES		6.0	6.0	6.0		
500	EQUIPMENT		6.5	3.0	3.0		
600	LAND & STRUCTURES		-0-	-0-	-0-		
700	GRANTS, CLAIMS, ETC.		-0-	5,050.0	5,600.0		
	TOTAL	-0-	249.9	5,367.6	5,935.0		

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-0-	249.9	5,367.6	5,935.0		
FEDERAL FUNDS	-0-	-0-	-0-	-0-		
OTHER	-0-	-0-	-0-	-0-		

C. POSITIONS:

PERMANENT/TEMPORARY	0 / 0	8 / 2	9 / 3	9 / 1	/	/
MAN MONTHS (P./T.)	0 / 0	72 / 18	96 / 18	96 / 9	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

A. Assumptions:

1. Implementation of the bill will require establishment of a separate Local Health Service Unit with required staff within the Office of the Director, Division of Public Health.
2. Establishment of unit, recruitment of staff, preparation of regulations to be accomplished in FY 77. Staff consultants for training, local assistance, review and monitoring (4) to be assigned last half of FY 77. Grant and contract applications accepted last half of FY 77.
3. Grants and contracts reviewed and funds allocated in FY 78 & FY 79.
4. Level of funding beyond FY 79 dependent on number of applications.

IV. ATTACHMENTS

V. DATE: 1/16/76 PREPARED BY: Frank P. Pauls, Dr. P.H.

Frank P. Pauls, Dr. P.H.
Acting Director
Division of Public Health

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

100 - Personnel

FY 77		180.4
Coordinator, Local Health Services (23)	37,984	
Assistant Coordinator (21)	32,786	
Clerk V (11)	16,698	
Clerk Typist III (8)	13,838	
General Nursing Consultants (2) 6 months (20	31,131	
Environmental Health Consultants (2) 6 months (20)	31,131	
Temporary Hire - Clerk Typist III's 18 months equivalents	16,877	
FY 78		256.6
Same positions except consultant positions increased to 12 months each Temporary hire-Clerk Typist III's decreased to 12 months equivalents		
FY 79		272.0
Same personnel as in FY 78. Projected salary increases at 6%		

200 - Travel

FY 77	10.0	
Travel costs for hearings on regulations and consultation with local health service areas.		
FY 78	15.0	
Site visits by staff, training local staff, consultants travel.		
FY 79	17.0	
Site visits, auditing, consultant assistance to newly established local health service units.		

300 - Contractural

FY 77		47.0
1. Special consultant services for preparation of regulations, standards and training materials.	30.0	
2. Publishing of regulations	5.0	
3. Telephone & communications	12.0	
FY 78 & FY 79 - Same for each FY		37.0
1. Special consultant services for preparation of service guidelines and audit system.	25.0	
2. Telephone & communications	12.0	

400 - Commodities - Printing and Office Supplies per FY 6.0

500 - Equipment

FY 77 — 6.5

Office equipment to establish unit and for staff. (desks, chairs, typewriters).

FY 78 & FY 79 per FY — 3.0

700 - Grants, Claims

FY 77 — -0-

FY 78

Projection of a ticipated applications for grants and contracts by local health districts — 5,050.0

FY 79 — 5,600.0

FPP/mh

THE LEGISLATURE OF THE STATE OF ALASKA

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. House Bill

Title: Local Health Services

Requested by: Office of the Governor Date: 1/12/76

Return Date Requested:

Agency: Health and Social Services Program: Public Health

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Public Health Administration

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		180.4	256.6	272.0		
200	TRAVEL		10.0	15.0	17.0		
300	CONTRACTUAL		47.0	37.0	37.0		
400	COMMODITIES		6.0	6.0	6.0		
500	EQUIPMENT		6.5	3.0	3.0		
600	LAND & STRUCTURES		-0-	-0-	-0-		
700	GRANTS, CLAIMS, ETC.		-0-	5.050.0	5.600.0		
	TOTAL	-0-	249.9	5,367.6	5,935.0		

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-0-	249.9	5,367.6	5,935.0		
FEDERAL FUNDS	-0-	-0-	-0-	-0-		
OTHER	-0-	-0-	-0-	-0-		

C. POSITIONS:

PERMANENT/TEMPORARY	0 / 0	8 / 3	9 / 3	9 / 1	/	/
MAN MONTHS (P./T.)	0 / 0	72 / 18	96 / 18	96 / 9	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

A. Assumptions:

1. Implementation of the bill will require establishment of a separate Local Health Service Unit with required staff within the Office of the Director, Division of Public Health.
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3. Grants and contracts reviewed and funds allocated in FY 78 & FY 79.
4. Level of funding beyond FY 79 dependent on number of applications.

IV. ATTACHMENTS

V. DATE: 1/16/76 PREPARED BY: Frances Fleck

for Frank P. Pauls, Dr. P.H.
Acting Director
Division of Public Health

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

100 - Personnel

FY 77		180.4
Coordinator, Local Health Services (23)	37,984	
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FY 78		256.6
Same positions except consultant positions increased to 12 months each Temporary hire-Clerk Typist III's decreased to 12 months equivalents		
FY 79		272.0
Same personnel as in FY 78. Projected salary increases at 6%		

200 - Travel

FY 77	10.0	
Travel costs for hearings on regulations and consultation with local health service areas.		
FY 78	15.0	
Site visits by staff, training local staff, consultants travel.		
FY 79	17.0	
Site visits, auditing, consultant assistance to newly established local health service units.		

300 - Contractural

FY 77		47.0
1. Special consultant services for preparation of regulations, standards and training materials.	30.0	
2. Publishing of regulations	5.0	
3. Telephone & communications	12.0	
FY 78 & FY 79 - Same for each FY		37.0
1. Special consultant services for preparation of service guidelines and audit system.	25.0	
2. Telephone & communications	12.0	

400 - Commodities - Printing and Office Supplies per FY 6.0

500 - Equipment

FY 77		6.5
Office equipment to establish unit and for staff. (desks, chairs, typewriters).		
FY 78 & FY 79 per FY		3.0

700 - Grants, Claims

FY 77	-0-
FY 78	
Projection of anticipated applications for grants and contracts by local health districts	5,050.0
FY 79	5,600.0

FPP/mh

HB

601

"An Act relating to the public school foundation program; and providing for an effective date."

COMMITTEE REPORT

1/16/76

FINANCE

HOUSE

Mr. Speaker: Date Jan 21, 1976

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HB 601 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

D Sullivan		

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

D Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

JAN. 22, 1976

Present: Ose, Ostrosky, Osterback, Parr, Swanson, Beirne, Sullivan

Testifying: Francis Fleek, Public Health H&SS
Lois Jund, H & SS
Tim Grieser, D.O.E.
Nat Cole D.O.E.

HB 601 State aid for public schools - Rules/Gov

Cole & Grieser, spoke about the states need to raise the basic support from 93% to 95%. This is due to increased costs, inflation, unit value, etc.

Committee discussion about the quality of ed. in Alaska, kids can't even read when they get out of school. Fiscal note was reviewed by committee.

Sullivan - vote - due pass 6

HB 596 Local Health Services -Rules/Gov

Jund related purpose and reasons for the bill, how it is necessary to start contracting health services to areas.

Committee concerns related around whether communities really wanted contract services of the state or whether they would rather do it themselves.. Is there an actual need to provide this service. Swanson very concerned about communities right to provide their own health care. Discussion continued regarding the cost breakdown, as provided in the policy statement. Alot of additional staff, travel, etc.

How this bill would effect the lack of medical services on the chain was discussed, basically it will not change that, they will still have their itinerant nurses and health aids. This will not establish doctors.

Committee decided to hold and have more input into this because of the cost factor and controversial discussion regarding communities self-determination.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST

Bill No. Proposed Legislation
Title: An Act relating to the public school foundation program.
Requested by: Governor's Office Date: 1-12-76
Return Date Requested: 1-19-76
Agency: Education Program: Foundation Support

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Financial Support

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.	-0-	2,157.1	19,082.1	19,653.6	20,242.3	20,849.4
	TOTAL	-0-	2,157.1	19,082.1	19,653.6	20,242.3	20,849.4

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-0-	2,157.1	19,082.1	19,653.6	20,242.3	20,849.4
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

1. Increase of instructional unit value in FY-78 from $25,000 to $27,500.
2. Increase basic support from 93% to 95% in FY-77, which results in a 1.79% increase.
3. Projections are based on a 3% increase in ADM per year.

IV. ATTACHMENTS

HB
602

"An Act relating to treatment and services for intoxicated persons and persons incapacitated by alcohol."

1/16/76

COMMITTEE REPORT

JUDICIARY

HOUSE

Mr. Speaker: Date _____

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had HB 502 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

A M E N D M E N T

Offered in the HOUSE By

To: _____ HOUSE BILL NO. 602

_____ SENATE BILL NO. ____

AMENDMENT: Page 2 Line 10-20

Delete all material and insert the following in its place:

Sec. 3. AS 47.37 is amended by adding a new section to read:

Sec. 47.37.105 DEFINITION OF "INCAPACITATED BY ALCOHOL" FOR SECS. 130 and 140. In sec. 130 and 140 of this chapter, "incapacitated by alcohol" means [illegible]

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTTEE MEETING

APRIL 12, 1976

Present: Beirne Parr Hackney Sullivan
Ostrosky Osterback Davis Ose

Testifying: Dove Kull, Ak. Homemakers Service
Jack Chenowith, A.A., Pat Rodey
Bob Cole, Alcohol, Dept H&SS

SB 640 am Appropriation for Foster Grandparents Rodey

Dove Kull spoke in favor of bill and her own experiences with foster grandparents. Also the fact that many of these foster grandparents work with no salary. This bill would give them a small income.

Jack Chenowith, previous program in state only in Anchorage, funded federally

Motion to move bill - do pass - unanimous

SB 586 Alcoholic Treatment Facilities

Bob Cole, here to answer questions on this bill. This bill has been heard before and was waiting for a new fiscal note. The bill is the vehicle for the bond CSSB 585, which was passed by the legislature, if the bond issue passes the voters, this bill would help to implement it.

Committee decided to pass out with a do pass.

HB 602 - Intoxicated persons treatment - Gov.

This bill has been heard before, needed new fiscal note, which is now here. It was $300,000 now is $112,000.

Committee discussion on the amendment which Art Peterson, Dept. of Law recommended. Definition of intoxicated persons, Committee decided to put in "extreme" where it was deleted.
Motion to accept amendment, passed
Motion to move the bill out, passed - do pass.

Meeting adjourned

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 7, 1976

Present: Sullivan Parr Beirne
Ostrosky Swanson Hackney

Testifying: Sam Grenato, Dept. H&SS
Bob Cole, Office of Alcoholism
Art Peterson, Dept. of Law

HB 602 Treatment of Intoxicated Persons

Bob Cole, explained the Dept. of Laws ammendment., then Peterson from the dept. answered questions. (amendment copy in file 602)

Houston responded to questions from the committee about the.bill and the fiscal implications of it.

Ose, move to table till we get correction on the fiscal note.- motion failed

Bill held over for fiscal note.

HB 866 - Supplemental appropriation to H&SS

Grenato, explained need for the Div. supplement.

Bob Cole, feels supplemental caused by certain federal monies which weren't available.

Held over till Sat. in hopes of a better explanation from the dept.

HB 592 - Correctional Industries

Hackney , moves to amend, this was adopted unanimously
Page 4, line 4, after "Part", delete rest of language on line 4 and substitute "Any amount awarded under A.S. 13.67. as a result of the crime for which the prisoner was convicted."

Ose, moves to hold bill in abeyance and try to set up a group for the Committee substitute, unanimous.

Subcommittee, to put together C.S. - Ose, Beirne, Hackney

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE

FEB 2, 1976

Present: Parr Ose
Swanson Osterback
Hackney Beirne Sullivan

Testifying: Robert Cole , Office of Alcoholism
James Hanley, District Attorneys Office, Juneau
Bill Houston, Director, Div. of Corrections

HB 602 Treatment of Intoxicated Persons Rules/Gov

Houston - feels this bill does not speak to all the needs, what about segregating these people from others in custody, impossible because of limited facilities. Also problems with liability if individual is hurt or unconscous.

Cole - no increase in cost to DFCS, but would affect corrections budget, need to get ahold of fiscal note for corrections on this.

Committee - are individuals read their rights when picked up, no. because they are not under arrest. Does this bill also relate to those individuals incapacitated by drugs??? need more testimony will ask law enforcement people to testify.

Hanley - This bill is a police oriented bill directed at rural areas, does not speak to the needs of all areas.

Committee - Does this mean just correctional facilities, what about including all health facilities and make it mandatory for them to take alcoholics temporarily. Incidences related where drunks had no place to be taken. Look at section 1A of bill, that basically covers this question, doesn't it?

Hanley - Involuntary committment, has a diferent concept and definition of incapacitated person. Section 3 of this bill defines incap. person. This definition would make it impossible to have a involuntary committment. Needs revision.

Sullivan Need more input into this bill - problems of this bill includes the fact that it does not address large urban areas and their problems. Need more research into this.

Second Session - Ninth Legislature

I. REQUEST

Bill No. H.B. 602 Title: Treatment and Services for intoxicated persons and persons incapacitated by alcohol

Requested by: House HESS Date: April 9, 1976

Return Date Requested:

Agency: Health & Social Services Program: Corrections

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Adult Confinement

A. EXPENDITURES: (Thousands of dollars)

	OBJECT:	FY '76	FY '77	FY '78	FY '79	FY '80
100	PERSONAL SERVICES					
200	TRAVEL					
300	CONTRACTUAL					
400	COMMODITIES					
500	EQUIPMENT					
600	LAND & STRUCTURES					
700	GRANTS, CLAIMS, ETC.					
	TOTAL	-Ø-	112,000	123,200	135,500	149,000

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-Ø-	112,000	123,200	135,500	149,000
FEDERAL FUNDS					
OTHER					

C. POSITIONS:

PERMANENT/TEMPORARY (none)	/	/	/	/	/
MAN MONTHS (P./ T.)	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

We estimate a 20% increase in total annual bookings which are presently running at approximately 13,000.

16,000 x 20% = 3,200 mandays x $35.00 which is the average daily cost of care.

3200 x $35.00 = $112,000

10% cost increase annually which is reflected in FY'78 through FY'80.

IV. ATTACHMENTS:

V. DATE: 4/9/76 PREPARED BY:

Reviewed by Financial Management:

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. H.B. 602 Title: Treatment and Services for intoxicated persons and persons incapacitated by alcohol

Requested by: House HESS Date: April 9, 1976

Return Date Requested:

Agency: Health & Social Services Program: Corrections

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Adult Confinement

A. EXPENDITURES: (Thousands of dollars)

	OBJECT:	FY '76	FY '77	FY '78	FY '79	FY '80
100	PERSONAL SERVICES					
200	TRAVEL					
300	CONTRACTUAL					
400	COMMODITIES					
500	EQUIPMENT					
600	LAND & STRUCTURES					
700	GRANTS, CLAIMS, ETC.					
	TOTAL	-0-	112,000	123,200	135,500	149,000

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-0-	112,000	123,200	135,500	149,000
FEDERAL FUNDS					
OTHER					

C. POSITIONS:

PERMANENT/TEMPORARY (none)	/	/	/	/	/
MAN MONTHS (P./ T.)	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

We estimate a 20% increase in total annual bookings which are presently running at approximately 16,000.

16,000 x 20% = 3,200 mandays x $35.00 which is the average daily cost of care.

3200 x $35.00 = $112,000

10% cost increase annually which is reflected in FY'78 through FY'80.

IV. ATTACHMENTS:

V. DATE: 4/9/76 PREPARED BY:

Reviewed by Financial Management:

EUGENE A. SMITH, HSS FINANCE OFFICER

MUNICIPALITY OF ANCHORAGE

POUCH 6-650 ANCHORAGE, ALASKA 99502

February 12, 1976

Representative Susan Sullivan
Pouch "V"
Juneau, Alaska 99801

RE: Senate Bill No. 346

Dear Mrs. Sullivan,

During our telephone conversation a few days ago concerning House Bill 602, you asked me for additional comments concerning Senate Bill No. 346, sponsored by Senator Ray, which you said would shortly be considered by your committee. I have therefore obtained a copy of that bill and have had a chance to look it over.

SB 346 amends the present AS 47.37.250 (a), apparently in response to the Alaska Supreme Court's opinion in Peter v. State, 531 P.2d 1263 (Alaska 1975). In that case, our Supreme Court held that the Uniform Alcoholism and Intoxication Treatment Act repealed by implication the state administrative regulation forbidding drunkeness upon a public highway. Senator Ray's proposed amendment to the Uniform Act makes it clear that the act is not intended to affect statutes, ordinances or regulations prohibiting "drinking intoxicating beverages in specified public places, or . . . being upon the traveled portion of a highway while intoxicated, so as to be a hazard to the motoring public."

I have spoken to the Anchorage Police Department concerning this bill, and it is their opinion, as it is mine, that the enactment of such a measure would be a good idea, since a staggering drunk in the traveled portion of a roadway is a danger not only to himself, but to other pedestrians and motorists as well. However, like HB 602, this measure would not solve the basic problems occasioned by public drunkeness in Anchorage.

This morning, Municipal Assemblyman Dickson requested me to do some work for him in connection with several proposals which he intends to present to the Assembly on a number of alcohol-related problems, including driving while

intoxicated, public drunkeness, etc. In addition to the enactment of municipal ordinances, one of the things which may result from Mr. Dickson's efforts is the making of recommendations on the subject by the Assembly to the State Legislature. I think some constructive ideas may very well come out of this, and I will try to keep you posted as we work on it.

Sincerely yours,

Stephen G. Dunning
Assistant Municipal Attorney

SD/ejt

STATE OF ALASKA
DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONER / POUCH N – JUNEAU 99811
JAY S. HAMMOND, GOVERNOR

February 6, 1976

The Honorable Susan Sullivan
Chairman
Health, Education &
Social Services Committee
House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Sullivan:

This department has reviewed HB 602 "An Act relating to treatment and services for intoxicated persons and persons incapacitated by alcohol". Our comments are as follows.

This bill is an attempt to overcome objections by the various disciplines, particularly police, in that it offers no protection for the individuals.

Reading the bill causes us to believe that alcohol underlies the intent. While alcohol IS a drug, the drug offender should not be included in this bill because even in areas with treatment centers, qualified persons to provide drug-related treatment are not necessarily available.

A concern for use of detention facilities without criminal charge is the possible liability for false imprisonment. If legally possible, the bill should contain a clause exempting the agency from liability.

Sincerely yours,

Richard L. Burton

Richard L. Burton
Commissioner

Municipality of Anchorage

POUCH 6-650
ANCHORAGE, ALASKA 99502
(907) 274-2525

GEORGE M. SULLIVAN, MAYOR

OFFICE OF THE MUNICIPAL ATTORNEY

Denny
Did I
ever get
a reply to
this letter?

March 25, 1976

Representative Susan Sullivan
State of Alaska
Pouch V - State Capitol
Juneau, Alaska 99811

Re: Detention of Alcoholics

Dear Representative Sullivan:

I am sorry for the delay in responding to your request for our reaction to various proposals before the Legislature dealing with treatment of alcoholics. Steve Dunning, the attorney who has been assigned this project has done considerabl. research, but unfortunately has become ill before putting such research to use.

I cannot pretend to be an expert myself, but to fill the gap I would suggest certain concerns of the Municipality which may aid you in shaping a final bill. We feel it is very important that there be some provision in the law permitting short term detention of persons found drunk on public streets, sidewalks, and other places. The problem in certain parts of Anchorage is acute, as you well know. The detoxification centers available at this time are completely inadequate for dealing with the current volume of intoxicated persons.

As a matter of policy, we feel it would be extremely useful for the police to be able to lodge publicly intoxicated persons in detention facilities for approximately twelve hours in order to give such persons time to "dry out".

As I understand it, current proposals before the Legislature would permit lodging alcoholics in detention facilities only if a treatment facility were not "available". We feel this condition should be eliminated. First, it is unclear whether a treatment facility is "available" when it is overcrowded. Second, the time and distance involved in transporting alcoholics to available treatment centers is excessive, given the volume of cases.

I understand that there may be legal concerns with even very short detention in a jail facility without provision for a criminal charge. However, I believe these objections can be overcome in a carefully drafted provision.

I will have Steve Dunning communicate with you in more detail, especially on the legal aspects, when he is back on his feet.

Thank you for your consideration.

Yours very truly,

Rich Garnett

Richard W. Garnett III,
Municipal Attorney

RWG:gml

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. UNASSIGEND
Title: An Act relating to treatment & services for intoxicated persons and person incapacitated by alcohol.
Requested by: Office of the Governor Date: 12/31/75
Return Date Requested: 1/9/76
Agency: Health & Social Services Program: Alcoholism

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Alcoholism

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		0				
200	TRAVEL		0				
300	CONTRACTUAL		0				
400	COMMODITIES		0				
500	EQUIPMENT		0				
600	LAND & STRUCTURES		0				
700	GRANTS, CLAIMS, ETC.		0				
	TOTAL		0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		0				
FEDERAL FUNDS		0				
OTHER		0				

C. POSITIONS:

PERMANENT/TEMPORARY	/	0 / 0	/	/	/	/
MAN MONTHS (P./T.)	/	0 / 0	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The adoption of the changes indicated in this bill will have no known financial impact or consequence on the Office of Alcoholism during FY 76, 77, 78, etc. The only possible exception might be that the Federal government might take exception to the changes and withdraw formulagrant support. We do not anticipate this, however, and are seeking clarification from them.

IV. ATTACHMENTS

V. DATE: 1/9/76 PREPARED BY: Robert L. Cole

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

FISCAL ANALYSIS OF
"CORRECTION INDUSTRIES 12-75"

The cost of the "correctional industries" legislation was calculated on the following assumptions:

1. The inmate trustee program would remain as presently constituted.

2. The lower threshold of industries participation is 2.5% of the total inmate population. i.e. 15 inmates (600 x .025)

3. The upper threshold of industries p rticipation is 10% of the total inmate population, with this threshold being achieved in the fourth year of operation. i.e. 70 inmates (700 x .10)

4. A one-time working capital requirement of $2,000 per participant year of work station amortization should be deposited as a permenant asset to the revolving fund which would then be replaced from inmate earnings.

5. The average workstation amortization is seven years.

6. New working capital cost will inflate at 10% compounded.

The working capital funding requirements would therefore be:

1st year	15 participant x 2,000 x 1.00 x 7 years	=	210,000
2nd year	15 more x 2,000 x 1.10 x 7 years	=	231,000
3rd year	20 more x 2,000 x 1.21 x 7 years	=	338,800
4th year	20 more x 2,000 x 1.33 x 7 years	=	372,400
	70 participants		1,152,200

HB
612

"An Act providing for the issuance of general obligation bonds in the amount of $4,1000,000 for the purpose of paying the cost of capital improvements to health care facilities; and providing for an effective date."

COMMITTEE REPORT

1/19/76 HOUSE FINANCE

Mr. Speaker: Date _____

The Committee on HESS has had HB 612

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

APRIL 3, 1976

Present: Ostrosky, Parr, Swanson, Sullivan, Beirne, Osterbakack, Hackney

HB 660 - Transportation of exceptional children - Gov.

Tom Brown, Dept. of Ed. philosophy of educating exceptional children is changing. Many exceptional children benefit from association with normal children. This bill would leave the decision to the local districts.

Committee - vote to move out - do pass, unanimous

HB 618 - GOB, Correctional Facilities - Gov.

Bill Houston, D.O.C. - Ketchikan facility - need projected 36 beds, 20 average present population, 6 beds for women, need room for growth and "?

Glenn - moved to delete # 2, amend item #2 changed to $2,160,000 , no action taken on amendment.

Barbara Wolstad concerned citizen, ask that community input be considered.

Constance Griffith, Chairman League of Women Voters, Justice Comm. See a lack of program planning and feel more study necessary to justify great expenditure on Ketchikan facility. Would prefer to have minors in private facilities that already exist with state reimbursement rather than in maximum security facility.

Lois Jund , ask committee to vote for bond issues and she pledges that the dept will carry on planning with the community.

Chairlie, amend Glenn's motion (no obj.) to read "facilities" instead of "centers" amendment passes.

Beirne, suggest letter of intent, item #6 added "$100,000 for housing and remodeling juvenile unit Ketchikan, no obj.

Parr, move to amend #3, add" and juvenile facility" after correctional, delete "center and $4.5 million"

Beirne, move item #1 , acccepted as is.

Hackney move item #4 to $10.8 million.

Parr , amend #5 to be 6 juvenile Fbks. $1.8; 5 Housing and remodeling, Fbks. 1.8

Beirne, move to move #4 back up to $16.5 million.

Sullivan, juvenile for Ketchikan, Juhneau & Fbks.

Red, moved that local architects be used, included in letter of intent, motion failed.

Parr, move out CSHB 618, no objection, motion passes

HB 612 - GOB Health Care Facilities Gov.

Lois Jund, Reccommend delete Kenai from bond because the need there isn't that pressing.

Red, move to amend, add #6 "Nenana , $200,000, health center"
no objection to amendment, adopted

Beirne, move to remove #2 Kenai
no objection

Red, move out CSHB 612, unanimous

HB 665 - Statewide Coordination of Health Plan - Legis. Council

Jan Gates, Dept. ~ 'SS started to testify regarding this.

Committee decided to adjourn because of teachers meeting

POSITION PAPER/Department of Health and Social Services

POSITION PAPER
HB 612

"An Act providing for the issuance of general obligation bonds in the amount of $4,100,000 for the purpose of paying the cost of capital improvements to health care facilities; and providing for an effective date."

The Department supports those changes as recently suggested by the Governor's Budget Review Committee including reduction of total issuance to $3,950,000 through elimination of the Kenai project.

Recommended by: Richard Rearden
Acting Coordinator
Office of Planning & Research

Approved: Lois M. Lund
for Commissioner

HB
618

"An Act providing for the issuance of general obligation bonds in the amount of $30,000,000 for the purpose of paying the cost of constructing and remodeling of correctional facilities; and providing for an effective date."

COMMITTEE REPORT

1/19/76 HOUSE FINANCE

Mr. Speaker: Date April 2, 1976

The Committee on HESS has had HB 618

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Karen Sullivan, Chairman

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Karen Sullivan Chairman

"An act providing for the issuance of general obligation bonds in the amount of $3,000,000 for the purpose of paying the cost of constructing and remodeling of correctional facilities; and providing for an effective date."

COMMITTEE REPORT

HOUSE

4/9/75

Mr. Speaker: Date April 2 1976

The Committee on HESS has had HB 518 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR HB 518 AND THAT CS FOR HB 518 DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

FEB. 9, 1976

Present: Osterback Parr
Hackney Sullivan
Ose

Testifying: Comm. Williamson, Health & Social Services
Director Huston, D.O. C.
Mr. Mitchell, D.O.C.

HB 618 Bond Obligation for Correctional Facilities Gov.

Committee questioned all testifying regarding the sq. footage of the project in Anchorage, for short term detention center.

Explanation given of functions of each area by Mitchell.

Parr: What about the 1980 projected completion date for facilities?

Williamson: Pre sentence det. center in Anch. is first priority, but strong need for new facility in Ketchikan present facility in deplorable situation.

Parr: Understand that the population in facility in Ketchikan is very small.

Mitchell gave figures for average daily inmate population in facility.

Susan Sullivan - adjourn meeting until future date because Susan & Williamson had to attend meeting on Glenmore.

March 12, 1976

DIVISION OF CORRECTIONS, RECOMMENDED ALTERNATIVE USE OF PROPOSED CAPITAL CONSTRUCTION FUNDS IN H.B. 618

Remove juvenile and female offenders from the Juneau Correctional Center by constructing a separate detention facility in Juneau. The Juneau Correctional Center has recently been designated as the State's maximum security facility. As such its continued use for juvenile detention is undesirable.

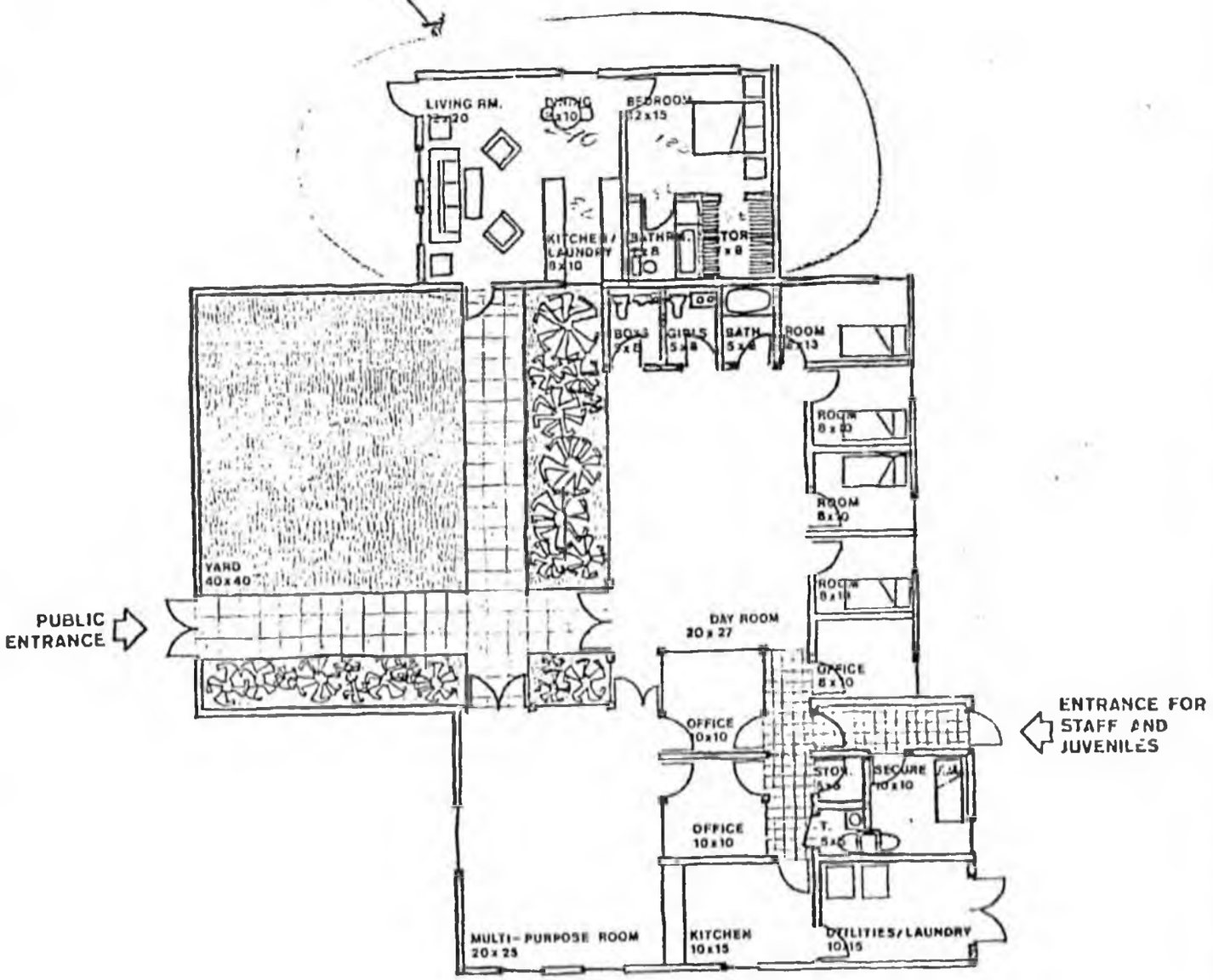
Remodel the existing detention facility in Ketchikan for the exclusive use of juveniles once the new adult facility in that community is constructed.

Transfer the funds currently proposed for the construction of new juvenile facilities in Ketchikan to Juneau. The amount of this transfer would be $797,400.00.

This proposal will provide juvenile resources to both communities with the same capital construction dollars.

The new juvenile facility for Juneau will create an annual operating cost of $100,000.00 for the addition of four staff.

700 SQFT. TO BE CONVERTED TO ADULT FEMALE QUARTERS WITH ONE SECURE UNIT AND TWO LIVING UNITS



TOTAL SQ FT = 3230

JUVENILE DETENTION CENTER
KETCHIKAN, ALASKA

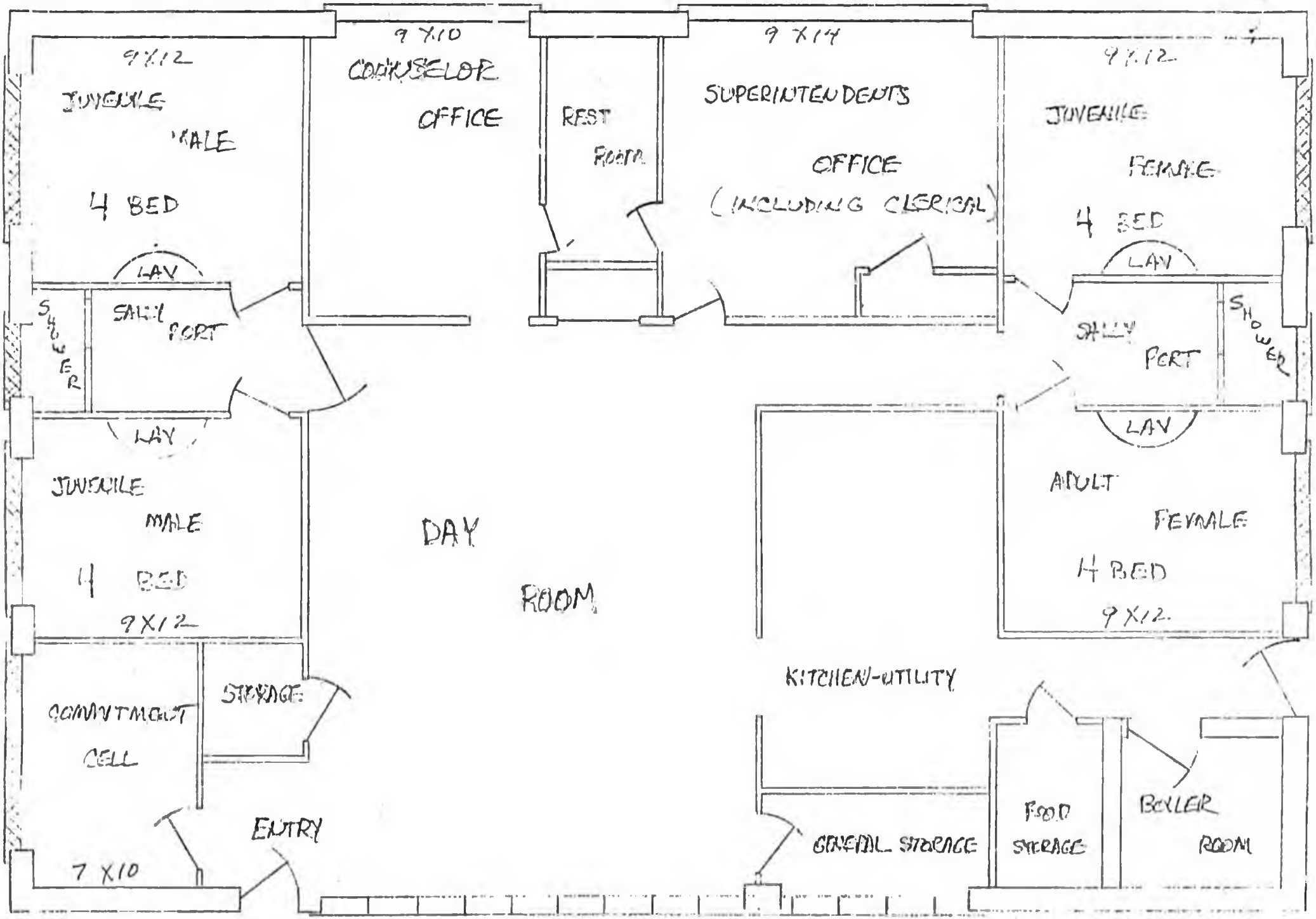
CCC/HOK

DECEMBER 1974

SCALE 1/16 = 1'-0"

ONE FLOOR - FLAT ROOF
CONCRETE BLOCK CONSTRUCTION

← 55' →



Scale 3/16" = 1'

STATE DETENTION KETCHIKAN

HOME

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 10, 1976

EVENING

Present: Beirne, Ostrosky, Parr, Ose, Ostroback, Hackney, Swanson, Sullivan

Testifying: Bob Cole, Office of Alcoholism
Barbara Wolstad, concerned citizen
Bill Houston, Corrections
Ed Mitchell, Corrections

HB 618 Bonds for Correctional Institutes - Gov.

Houston & Mitchell, discussion centered around the proposed building for Ketchikan. Stating the need for it. About 20 to 22 prisoners on the average. About 45% of these are pre-sentence.

Committee - very concerned about the costruction costs, $4.5 million for only 22 prisoners. Long discussion on cost per sq. foot. Also discussed possibility of flying them to Juneau to use Lemon Crreek. Not very feasible.

Parr would like to change the amounts for facilities listed. Feels there should be other priorities.

Barbara Wolstad - spoke as a citizen of Juneau concerning the increase in juvenile delinquency 80% over the past year in the area. Also about the lack of a facility for young people. Now housed in Lemon Creek, according to state law they should be seperate from criminals.

Committee understand the need. More discussion around the possibility of altering some of the funds in this bond package. Swanson make proposal to have another bill drafteed to speak to the juvenile needs.

Committee decided to postpone any action on the bill for one week, yes 5

HB 745 - Alcohol Detox Center - Pt. Woronzof Hess

Bob Cole & Eric Lee - The office of alcoholism presented their position paper. They are for the center allthough realize the $ is not in the Gov. budget.

Discussion by the committee concerning the need, also who will then own the building if the state pays to have it completed. What the program is doing and how effective it is.

Decided to get more testimony on this regarding the rate of returnees etc.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETINGS

MARCH 30, 1976

Present: Ostrosky Davis Ose Osterback
Sullivan Parr Swanson Beirne

Testifying: Maria Hernendez Peck, Soc. Worker, Juneau
Judge Stewart, self
Lois Jund, Bill Huston, Ed Mitchell, Div. of Corrections

HB 618 - GOB, Correctional Facilities - Gov.

Terry Gardner, stated position of the interest groups in Ketchikan. They do not feel they want another facility at this time, they think what is needed is community based alternative programs for juveniles and adults. Possibly remodeling of the childrens home for juveniles.

Committee wanted to know exactly how much $ Ketchikan would like to do what ever it is they want? Terry had no idea. Swanson suggested dept of Public come up with figures on what Ketchikan relly wants.

Judge Stewart - asked to speak on juvenile issues in Juneau and Ketchikan. Agree with Terry, there has to be a thorough needs assessment before they start building anything. Need to establish a decent program first and then build to suit it. Right now there are agencies doing planning, Criminal Justice is establishing a juvenile board, L.E.A.A. has a juvenile justice planner, better to coordinate with them than to start building. Plan...

Judge Stewart recommends that for the present time they buy an old house, remodel it, have a couple run it and use it for emergency shelter as well as temporary shelter for young people in trouble. This would not be a treatment facility. Only temp. shelter.

Vivian Lovas- concerned citizen, would also like to see an alternative program for the young people.

Ramona Kelley - had a committee on corrections during the interim, and feels that this bill does not speak to the need for temp. housing which many youngsters need. That includes kids whose parents cannot or will not provide housing for them. Also recommends that the regulations of Dept. be completely revamped, some much too stringest for the rural areas of Alaska.

Lois Jund - H&SS Dep. Commissioner, they are now in the process of setting up 10 task force groups to review all the licensing for placement facilities. Presents alternative plan to the Ketchikan proposal, each member given a copy. This is mainly for remodeling of the present facility and then some money can be spent in Juneau for the teen problem.
Houston-Defends depts. position on the Ketchikan problem, Many of the people who are now stating they do not want a facility, worked on the task force to draw up these recommendations.
Meeting adjourned without any motion on the bill, more work needs to be done.

Alaska State Legislature

House

JUNEAU ALASKA

Fil
HB 618

LETTER OF INTENT

It is the intent of the Health, Education and Social Services Committee that before implementing the bond issues authorizing construction of new facilities, the Department must meet with the respective communities to develop mutually acceptable plan for program and physical structures.

It is also the intent of the Committee, that the money apportioned to Juneau for correctional facilities be distributed as follows:

Juvenile facilities	$797,400
Adult facilities	3,702,600

Susan Sullivan
Chairperson
Health, Education &
Social Services

Alaska State Legislature

House

JUNEAU ALASKA

April 7, 1976

Rep. Hugh Malone
Chairperson
House Finance Committee

Dear Hugh:

It was the intentions of the Houses, Health, Education & Social Services Committee that the appropriations for correctional facilities in Juneau be divided a follows:

Juvenile facilities	$797,400
Correctional Center	3,702,600

These figures should be revised in CSHB 618, COB for Correctional Facilities.

Sincerely

Susan Sullivan

Susan Sullivan
Chairperson
Health, Education &
Social Services

SS:slm

Superior Court
State of Alaska
FIRST JUDICIAL DISTRICT
415 MAIN STREET, ROOM 402
KETCHIKAN, ALASKA 99901

Chambers of
THOMAS E. SCHULZ, Judge

March 26, 1976

Hon. Terry Gardiner
Chairman, House Judiciary Committee
Pouch V
Juneau, Alaska 99801

Dear Representative Gardiner:

I received a call some time ago from your assistant requesting some information on traffic through the detention facility here in Ketchikan. Enclosed with the letter you will find a copy of a report that I got from Walt Jones, Chief, Probation/Parole Services in the Division of Corrections regarding statewide activity. Also enclosed is a statistical summary prepared by Barton Penny, Chief Probation Officer in Ketchikan for the years 1975, 1974 and 1973. Those reports give fairly accurate summary of activity regarding juveniles in Ketchikan and they also cover the use of the detention facility during those years. I am also enclosing a copy of a letter I wrote to Mr. Sam Granato regarding emergency child care for dependent and neglected children as status offenders and a copy of a letter written to Mr. Granato by Marian Swain that compares costs for emergency care as opposed to detention for those types of offenders. I hope that information is of some assistance to you, and if you have any questions regarding it, I would appreciate a phone call or a letter. I will try to respond more quickly in the future, but I found it necessary to block out a substantial amount of time to work on a case I had under advisement and my correspondence suffered accordingly.

I would like to make a couple of comments regarding the jail proposed for Ketchikan. I realize that it is politically expedient these days to speak in terms of a maximum security facility whenever one discusses the needs for a new jail facility in Ketchikan or any other part of the State.

There have, of course, been a couple of very unfortunate incidents in the Anchorage area in the past year which do tend to point up some inadequacies in the current program in the Division of Corrections, particularly as it regards security in those cases where security is really necessary. In any event, I am convinced that a review of the information which I am enclosing with this letter which bears particularly on juvenile offenders will indicate to you that a maximum security facility is not necessary for Ketchikan. A review of the kinds of criminal defendants that are being processed to our system on a statewide basis will probably convince you as it has convinced me that a maximum security facility for Alaska is a waste of money. I am convinced that we can continue to handle the offenders that require maximum security detention through a contract with the Federal system much more economically than we could ever hope to do by providing such a facility in the State. The need for such a facility is there, certainly, but the number of offenders that are processed through our courts that require that kind of detention is simply very low, and will continue to be low until our population base increases substantially. The cost per bed for providing such a facility is exorbitant and staffing such a facility is also very expensive.

Given the kind of offender that is handled in the courts in the First District as a general rule, I believe that a medium security facility designed to incorporate a community-based corrections or re-habilitation program would best suit our needs. Such a facility should, of course, provide a minimum number of secure holding cells for those offenders who create problems in the institution or those offenders who require secure custody prior to trial and after sentence, pending transfer to a maximum security institution.

I am equally convinced that we need a new detention facility in Ketchikan provided it is designed with some appreciation of the real world as it exists here. The number of juvenile offenders that are processed through the Superior Court in Ketchikan that require close custody either pending proceedings or after disposition is very few. However, we do need a medium security detention facility to hold those few youngsters who are institutionalized out of the court here, and do require some sort of custody and supervision pending final placement. Again, such a facility should be designed and constructed to provide not only medium security when it is needed, but some sort of evaluation and diagnostic program that can be of some assistance to the court in disposition. We are not infrequently confronted with a situation where a youngster with a proceeding pending in Ketchikan must be sent to some

other part of the State because we do not have an appropriate facility here that provides sufficient supervision together with appropriate trained staff to provide this assistance to the court. Thus, we are confronted with the alternative of leaving them in a detention facility here that in essence provides no service and sometimes leaves us in the position of not even being able to send the youngster to school, leaving them out on the street, which is sometimes a poor alternative or sending them off to Anchorage for interim placement. I do not believe that the detention facility here should be constructed on the basis of simply being a maximum security holding facility. One or two, three at most secure cells in such an institution would be more than adequate for our needs in the foreseeable future.

I am quite interested in the plans to construct new correctional facilities in Ketchikan and would be happy to discuss this project with you or your assistant at your convenience.

Very truly yours,

Thomas E. Schulz

Thomas E. Schulz
Superior Court Judge

TES:ri

Enclosures

March 22, 1976

Honorable Susan Sullivan
Chairwoman
HOUSE COMMITTEE ON HEALTH,
EDUCATION AND SOCIAL SERVICES
Pouch V
Juneau, Alaska 99801

Re: Ketchikan Jail Needs

Dear Representative Sullivan:

We are writing you in regard to the proposed new jail in Ketchikan. The undersigned are individuals who are listed as having been consulted during the preparation of the Ketchikan Corrections Study. We are uncomfortable with the study and encourage the legislature to refrain from funding a facility at this time.

In addition to the projection of space needs, the report's major point was the development of a community-based corrections program for Ketchikan. We are in agreement with the community-based corrections concept, however, we do not feel that the idea has been properly explored in Ketchikan. We feel that the only way a jail or correctional facility can be designed is after there has been an opportunity to put together such a community-based program, and community needs and resources have been identified. Further, the facilities which are suggested in the study do not seem appropriate to the concept of community-based corrections as it is presented in the narrative portion of the study.

It is the feeling of the undersigned that certain matters need to be investigated and certain ideas developed prior to the time we are able to say that Ketchikan is ready to talk about the design of a facility. These questions are as follows:

1) The policies of diversion need to be defined, debated and specifically set forth before decisions can be made as to the size and type of facility. For example, the need for a half-way house or work facility and the use of the hospital need exploration. The study implied that community-based correction's results in less people being locked up. If this premise is true (and we believe it to be) the schematic drawings in the study indicate a much larger facility than would be needed.

2) Since the initiation of the study, the use of the detention home has dropped by 2/3 with the elimination of status offenders and this new statistical situation needs to be reflected in the program.

3) The development of a more clearly defined treatment plan needs to be done by establishing the program and correcting it by trial and error until it is functional. As the program is set forth in the study, it is simply not a sophisticated plan. The roles of the agencies which would respond and participate in the community-based correction program need to be defined prior to there being any decisions made as to how these agencies can or would participate.

4) The Alaska State Criminal Justice Planning Agency's proposed Standards and Goals for Criminal Justice has just been published and should be evaluated and understood before any additional funds are spent in the Ketchikan community.

In summary, we note that major national study groups have called for a moratorium on the building of new prisons and this thinking needs to be evaluated.

The National Advisory Committee on Criminal Justice Standards and Goals sums up:

"The American correctional system today appears to offer minimum protection for the public and maximum harm to the offender. There is substantial evidence that probation, fines, public service requirements and restitution are less costly than incarceration and consistently produce lower rates of recidivism." and:

"There are compelling reasons to continue the move away from institutions. First, state institutions consume more that three-fourths of all expenditures for corrections while dealing with less than one-third of all offenders. Second, the deterrent potentiality of the prison is grossly exaggerated...Third, prisons heighten offenders' weakness and erode inmates' capacity for responsibility and self-government. Confinement can be even less effective for children and youth."

Sincerely yours,

Gene Mangiardi

Marian Swain

Patricia Coyne

Wende Nelson

Richard Whittaker

Stephen Reeve

Jack Osteen

cc: Bart Penny
Representative Oral Freeman
Representative Terry Gardner
Senator Robert Ziegler

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF ADMINISTRATION

OFFICE OF THE COMMISSIONER / POUCH C – JUNEAU 99811

March 12, 1976

Honorable Susan Sullivan
Chairman, House HESS Committee
Alaska State Legislature
State Capitol - Pouch V
Juneau, Alaska 99811

Dear Representative Sullivan:

Please amend House Bill 618 (Corrections GO Bond Proposal) by adding a new project "(6) Construct Juvenile Detention Facility - Juneau - $797,400" and decreasing the allocation to the Ketchikan Correctional facility by a like amount. The description of the Ketchikan project (item 2) should be amended by adding the words, "construct or remodel juvenile facility".

The effect of this request is to provide juvenile facilities in both communities.

Sincerely,

Richard Greer
for Andrew S. Warwick
Chairman
Budget Review Committee

ASW/MS/lw

March 12, 1976

DIVISION OF CORRECTIONS, RECOMMENDED ALTERNATIVE USE OF PROPOSED CAPITAL CONSTRUCTION FUNDS IN H.B. 618

Remove juvenile and female offenders from the Juneau Correctional Center by constructing a separate detention facility in Juneau. The Juneau Correctional Center has recently been designated as the State's maximum security facility. As such its continued use for juvenile detention is undesirable.

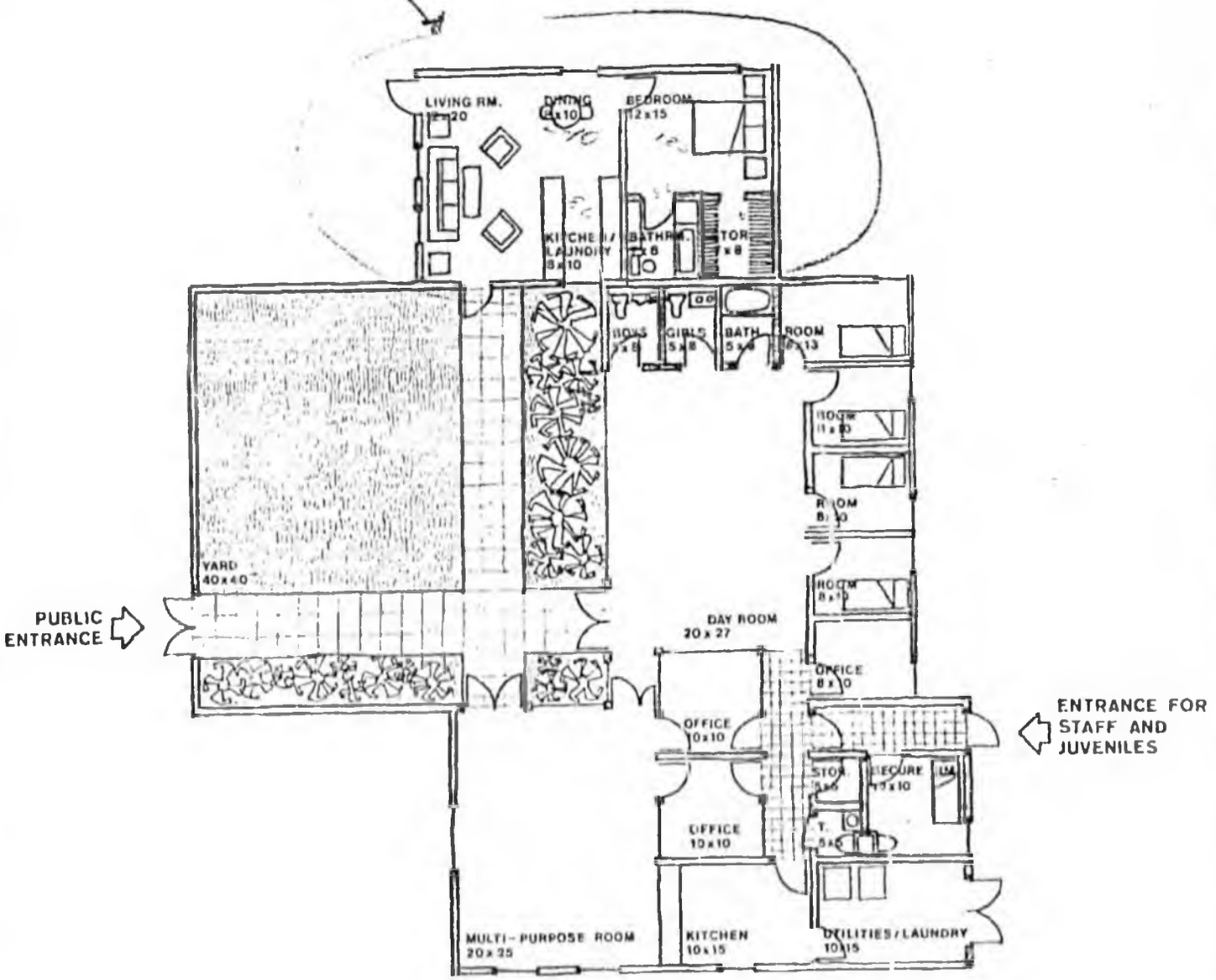
Remodel the existing detention facility in Ketchikan for the exclusive use of juveniles once the new adult facility in that community is constructed.

Transfer the funds currently proposed for the construction of new juvenile facilities in Ketchikan to Juneau. The amount of this transfer would be $797,400.00.

This proposal will provide juvenile resources to both communities with the same capital construction dollars.

The new juvenile facility for Juneau will create an annual operating cost of $100,000.00 for the addition of four staff.

700 SQFT. TO BE CONVERTED TO ADULT FEMALE QUARTERS WITH ONE SECURE UNIT AND TWO LIVING UNITS



TOTAL SQ FT = 3230

JUVENILE DETENTION CENTER
KETCHIKAN, ALASKA

CCC/HOK

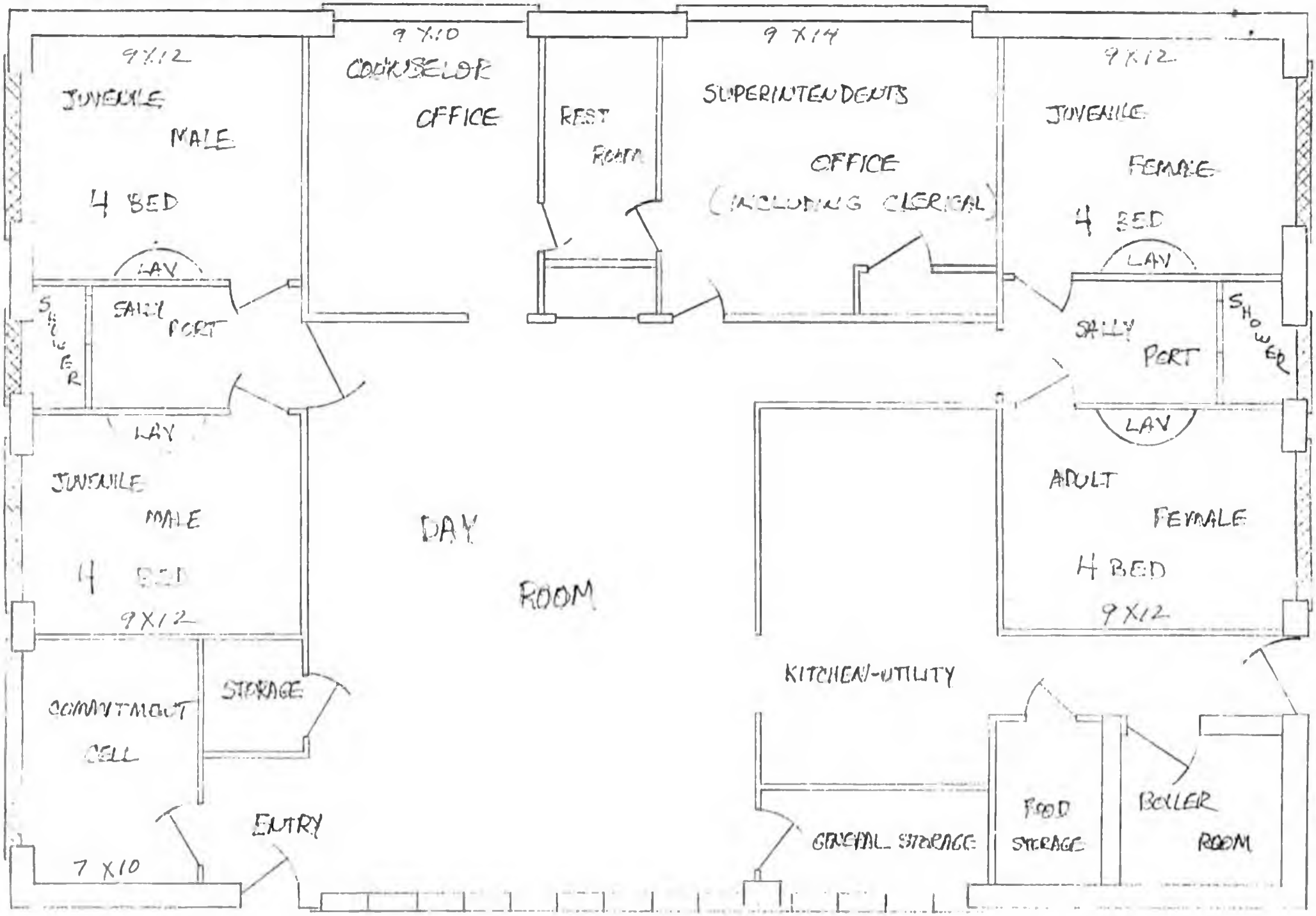
DECEMBER 1974

SCALE 1/16"=1'-0"

GOOD + SAFE
ONE FLOOR - FLAT ROOF
CONCRETE BLOCK CONSTRUCTION

← 55' →

↑ 35' ↓



Scale 3/16" = 1'

STATE DETENTION KETCHIKAN

HOME

HB
635

"An Act relating to licensing of speech pathologists and audiologists."

COMMITTEE REPORT

1/21/76 FINANCE

HOUSE

Mr. Speaker: Date March 25 1976

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had CSHB 635 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

COMMITTEE MEETING HOUSE HESS

MARCH 26, 1976

Present: Sullivan Ostrosky
Parr Beirne Osterback

Testifying:
Elizabeth Shaw, NASW
Janis Price, NASW
Sister Andrea

HCR 111 - Boundary Change in Health Service Area - Rules

Sister Andrea - opposed to the bill- wants three HSA

Renninger, Dept. H&SS, also supports three HSA conceptually and fiscally

Bill not moved or,

HB 367 -Social Workers Licensing - Beirne

Beirne spoke on revised version of the bill, revised with assistance of Sharon Andrews, director of licensing. Went over provisions of the bill with committee Some changes made on the draft

Mr. Price , Dept. H&SS, discussed minor points of bill
Stated that the bill requires all new employees to have MSW or change their title or requirements of certain jobs to hire people. Dept. does not have to fire any S.W. who are employed now or don't have MSW

Discussion around fiscal implications of all these new licensing bills. Probably will add one more full time person to the licensing division.

Motion passed for individual recommendations on the work draft copy to be a Committee Substitute.

HB 744 - Freedom of choice, medical procedures - Beirne

Mr. Heidersdorf, representing Alaskans for Life, not for the entire concept of the bill, feels there are some problems with it.

Committee discussion regarding suicide, also liability regarding disconnecting life sustaining measures, example Quinlan case.

Heidersdorf feels that people have the right to make this decision, but not 20 or 30 years before, people might change their ideas and minds. Also definition of extraordinary means , might change

Beirne would like a chance to rework the bottom of p. 1 , severe distress, etc. too dificult til revoke now. Will let Pat Rodey and Clark Grueing look at the proposed chances.

Committee points out various areas of concern for Helen to take alook at. P. 1. line 19, how about renewal every five years
P. 3 line 27, need rewording, more specific
Alvin suggests time frame, 1 year or so till individual can have a chance to recover.

Hold till middle or end of nexy week, when Helen has it reworked.

HB 772 - Licensure of counselors - HESS

Tabled - dead

SB 554 - Licensing of Phy. & Osteopaths - Croft

Beirne - Croft wanted to work this over with others, make amendments, Helen feels there wasn't enought time, want to make 1 change now
Line 20, Add "the Department shall employ"
Delete "The board shall employ"

Amendments passed

This bill belongs in malpractice, wants it to go to Jud. Recommend it is included in Malpractice package.

Bill - passed

HB 392 - Rehabilitation Counselor - Beirne

Beirne, explanation of bill and discussion
proposed amendment - decided to make a committee substitute of this bill, see draft. Also all reference to counselors should read Vocational Rehabilitation counselor

Delete line 4 - 11 page 4

Helen moved to have this bill moved out.
as a committee substitute

HB 635 - Licensing of Speech Pathologists & Audiologists - Gov.

Beirne, alot of fraud by people coming into Ak. and selling hearing aids and then leaving state.

Committee went over work draft and made changes, P.2, line 25 delete "practice speech path. or audio". line 27, 28 & 29 P4 delete, P. 5 line 1 thru 19 delete. P. 5 line 19, change "social worker" to Speech pathologist & audiologist

Committee recommends Committee Substitute move out, individual recommendations passed out.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETINGS

FEB 25, 1976

Present: Osterback, Hackney, Ose, Parr, Beirne, Sullivan

Testifying:
Joan Leonard, Ak. Speech & Hearing Assoc. HB 635
Deborah Crow, Ak. Speech & Hearing Assoc. HB 635
David Canterbury Chief , Communicative Disorders Program
Sharon Andrew, Director, Occupational Licensing
Frank Pauls, Director, Public Health

HB 635 Licensing of speech pathologists & audiologists , Beirne

Beirne - opening remarks on the bill, why it is needed, etc. Approximately 80 speech path. and audiologists in state now.

Sharon Andrews - Dept. is opposed because they want to wait till HB 578 Credentialing Review Board, is heard and moved on. Dept. of Commerce has no evidence that there is presently any problems with not having pathologist and audiologists licensed.

Deborah Crow spoke in favor of the bill. At least 37 states license their speech path. and audio.

David Canterbury,feels that there is a need for licensing, especially because abuse can be done in the rural areas where there is a definite need for more profressional pathologists and audiologists.

Main concensus of opinion and concern is that there might be misues of not having path. and audio licensed in the future. Right now Alaska does not seem to have any problems.

Joan Leonard - As a student, who is being supervised under H. Beirne, for her practical experience, she feels this bill is very necessary because of the possible misuse.

Parr would like to see some documentation as to the problems which have arisen in other states concerning this area of licensing. He does not feel that all professions require licensing.

SB 554 will not be heard today for lack of time. HB 635 will be continued in the future, not moved on today.

POSITION PAPER/Department of Health and Social Service

POSITION PAPER
ON
HOUSE BILL 635

"An Act relating to licensing of speech pathologists and audiologists."

This bill has been introduced by Dr. Helen Beirne and has received the unanimous support of the Alaska Speech and Hearing Association. This group also authored the bill. The intent of this proposed legislation is to license individuals who practice these professions and thus protect the public against incompetent and unscrupulous practitioners. Licensure in these areas has become the trend nationally and in excess of 37 other States now have such laws. Legislation is pending in other States.

The Speech Pathology and Audiology fields have rather rigorous training and certification requirements at the national level through the dictates of the American Speech and Hearing Association, nowever this is a voluntary association which has no legal basis for enforcement at the State level. Unqualified persons who are not members of the American Speech and Hearing Association are free to practice within Alaska and present themselves to the public as Speech Pathologists or Audiologists even though they may have little or no training in these professions and adhere to no formalized code of ethics.

House Bill 635 establishes a masters degree as the minimum standard for practice of Speech Pathology and/or Audiology but has liberal provisions for the "grandfathering" of individuals presently practicing.

Speech Pathologists and Audiologists are perhaps the only professionals providing therapeutic health care services, often in medical settings, that are not generally regulated by licensing laws. This may indeed be a problem area in the future since Federal legislation such as that establishing Professional Standards Review Organizations and the Health Services Agency legislation often ask the States to identify qualified providers by referring to those licensed by the State. With no existing statutes the State may be put in the position of having to resort to a more arbitrary procedure for identifying these health care providers.

Although I urge that Health and Social Services support this bill there is need for larger membership on the Board of Examiners. This board should have at least five (5) members to insure adequate representation of the professions. Attached are other specific amendments to the bill which are recommended.

The Department supports the Bill with changes in[illegible]d above.

Recommended By: Frank P. Pauls, Dr. P. H. — 2/27/76
(Acting Director, Division of Public Health) (Date)

Approved By: Lois M. Frank for (Commissioner) — 3/2/1976 (Date)

SUGGESTED REVISIONS AND ADDITIONS TO HOUSE BILL 635, AN ACT RELATING TO LICENSING OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS.

Amend Section 08.74.040.(1) to read "adopt regulations necessary to make this chapter effective to include but not limited to adoption of ethical standards of practice;"

Amend Section 08.74.040.(3) to read "conduct hearings, issue subpoenas for witnesses, administer oaths to persons giving testimony at hearings, and keep records and minutes necessary to an orderly dispatch of business; and "

Amend Section 08.74.120(1) to read "on the effective.....(as printed)....speech pathology or audiology, providing that the applicant files an application on or before one (1) year from the effective date of this chapter; or "

(2) add the word or after "this chapter;" on page 4, line 5.

Omit the word "unprofessional" from line 12, Section 08.74.130. page 4.

Substitute the word unethical for the word"unprofessional" in line 17, page 4.

Amend Section 08.74.150.page 5 to read " "The board shall determine appropriate continuing professional education for persons licenced under this act."

Amend Section 08.74.160.(a).line 16 to read "which leads to a degree in speech pathology or audiology and/or who has..."

line 18 to read "any other title appropriate to his level of training may provide supportive speech..."

Add to section 08.74.160.page 5. paragraph (d) Each person licenced under this chapter who supervises a speech pathology or audiology aide shall register with the Board in a manner prescribed by the Board.

Add (e) Every licensee who supervises aides is responsible for the extent, type and quality of services provided to the clients and is liable to suspension, revocation, or any other appropriate penalty for failure to exercise his responsibilities in the supervision of such aides.

Amend Section 08.74.170.(5) line 12 to read "and his services are performed under the supervision of a speech pathologist"

Add to Section 08.74.170. paragraph (6) The activities and services of a speech pathologist or audiologist who is obtaining his year of paid professional experience as required by Sec. 08.74.110.(2).

Add to Sec. 08.74.220.(3) line 8, page 7 "for the purposes of this subsection the words 'habilitation' and'rehabilitation' include, but are not limited to, hearing aid evaluation, recommendation, and fitting."

SUGGESTED REVISIONS OF HOUSE BILL 635 (continued)

Add to Sec.08.74.220. paragraph (7) "Association" means the Alaska Speech and Hearing Association.

and paragraph (8) "ASHA" means the American Speech and Hearing Association.

Alaska Occupational Therapy Association

2900 Providence Drive, Anchorage, Alaska 99503

January 7,1976

To Whom it may concern,

, , the speech pathologists and audiologists and discussed with the therapists present at our monthly meeting. It was agreed upon that we, the Alaska Occupational Therapy Association would support the speech pathologists and audiologists bill for licensure. If any futher assistance is required, feel free to contact us.

Sincerely,

Secretary of AkOTA

ALASKA TREATMENT CENTER

for

Crippled Children & Adults, Inc.

3710 E. 20th Ave., Anchorage, Alaska 99504 Phone (907) 272-0586

February 25, 1976

Susan Sullivan
Legislative Affairs Committee
Juneau, Alaska

Dear Ms. Sullivan,

The Communicative Disorders Department of the Alaska Treatment Center supports the proposed licensure bill for Speech Therapists and Audiologists. We strongly urge your endorsement of Bill 635 with its recommended ammendments. We feel that lisencure is an effective method of protecting our professional standards as well as protecting the people we serve.

Do not hesitate to contact us for further information. Thank-you.

sincerely,

Linda Schiffler
Audiologist

Laurie Somes
Supervisor

Barbara Loutrel
Speech Patholcgist

Julie Zahniser
Speech Therapist

ALASKA TREATMENT CENTER

for

Crippled Children & Adults, Inc.

3710 E. 20th Ave., Anchorage, Alaska 99504 Phone (907) 272-0586

February 24, 1976

Alaska State Legislature
Health, Education, and Social Service Committee
Juneau, Alaska 99701

Dear Committee Members:

I have reviewed HB 635, an act relating to licensure of speech pathologists and audiologists.

Having employed speech pathologists and audiologists as part of our total rehabilitation services to Alaskans, I have long supported issues which would benefit those patients as well as promote higher quality rehabilitation services.

Upon study of this bill, I feel that it is consistent with the concerns outlined above and urge the committee's support and passage of this act.

Sincerely yours,

Keith W. Tolzin

KEITH W. TOLZIN
Executive Director

jck

7/74 - 12/74

PRESCHOOLS AND HEAD START - SERO

Tympanometry:	Normal	*Type B	**Type C	***P. E. Tubes
Haines	5	1	3	
Skagway	6	4	4	
Yakutat	6	13	4	
Petersburg	20	7	7	
Hoonah	9	1	5	
Kake	10	3	6	
Ketchikan Day Care	7	8	8	
Ketchikan Totemland	19	12	5	
Juneau Coop	20	2	4	1
Auke Bay	36	6	14	3
Lilliput	9	2	2	
St. Ann's	26	9	27	1
	173	66	89	
%		20%	27%	

TOTAL TO DATE: 328

* Type "B" - indicates middle ear effusion or tympanic membrane perforations.

** Type "C" - indicates substantial negative middle ear pressure. This is often a prelude to middle ear pathology.

*** P. E. Tubes - refers to a minor surgical procedure performed by an otologist to correct abnormalities in middle ear pressure. A small polyethylene tube is placed through the tympanic membrane.

7/74 - 12/74

AUDIOLOGICAL EVALUATION OF NEW STUDENTS

BIA High School, Mt. Edgecumbe

Total Student Body: 479

- 364 Eskimo 76%
- 43 Athabascon 9%
- 34 Aleut 7%
- 29 Tlinget
- 5 Tsimpsean
- 4 Haida

Total Seen: 256 or 54% of the student body

Total Hearing Losses: (Criteria; Conductive: air-bone gap, 10db or more at 3 or more frequencies.
Sensorineural: greater than 25db at 2 or more frequencies between 1000 and 4k.

97 or 38% of those seen had hearing loss according to the above criteria.

Type of losses:

Conductive	63%
Sensorineural	30%
Mixed	7%

Degree:	Conductive	Sensorineural	Mixed
Bilaterally			
Mild: 24-40	24	7	3
Moderate 40-55	8	1	1
Mod. Severe 55-70	4	6	1
Severe greater 70	1	4	1
Total	37	18	6
Unilateral			
Mild to Mod. Severe	24	8	1
Severe		3	
		11	1

Total Seen for ENT Surgery: 30 or 49%

Not all referred have been seen,
Some are revised surgery.
Some are on-going medical therapy.
Some have not elected to have surgery.

Quarterly Report
1st & 2nd Quarters
FY 76

The following is a summary of the program statistics for the first half of Fiscal Year 1976 which indicates that the regional programs have been extremely active.

Threshold tests by Communicative Disorders Program	2,904
Number of thresholds performed by Public Health Nurses, Alaska Native Medical Center - Audiology Unit, and Alaska Treatment Center	1,773
Impedance evaluations by Communicative Disorders Program	2,093
Audiometric screenings performed by Communicative Disorders Program staff and Public Health Nurses	6,481*
Hearing Aid Evaluations	165
Hearing Aid Fittings	75
Medical Referrals	1,015
Villages and Communities Served	70

* - Incomplete reporting

David R. Canterbury, Ed.D., Chief
Communicative Disorders Program

January 28, 1976

02-001B

STATE
of ALASKA

MEMORANDUM

TO: Tom Brown, Coordinator
Office for Exceptional
Children

DATE: February 20, 1976

FROM: Judi Hayden
Education Specialist

SUBJECT: House Bill 635: "An Act Relating to Licensing of Speech Pathologists & Audiologists."

I feel that our office should support this licensure bill in an effort to upgrade the services being rendered to the public in this state. I also feel that this state licensing will give more local control (that is state control) over professional competence in speech pathology and audiology vs. the present national control being exercised by the American Speech and Hearing Association in its conference of the CCC (Certificate of Clinical Competence).

This bill does not impinge upon the Department of Education's certification requirements concerning persons employed by a school district. Nor does this bill require persons performing services for a school district who hold a valid certificate issued by the Department of Education to obtain a license.

Concerning Sec. 08.74.010 of this bill (pg. 1), I do not think a three-member board is at all adequate to provide the wide range of duties and services and to make the numerous binding decisions that the bill authorizes them to make. This bill gives a great deal of authority to the three-member board, consisting of 2 speech pathologists and one audiologist. I feel that a five-member board, consisting of 3 speech pathologists and 2 audiologists would be more representative of various view points and experiences that such a board should have.

Therefore, Tom, I urge your support of this bill if not on specific items, at least on the whole of it.

cc: David Canterbury
Mike Mosher
Ed Obie
Sherman Welch

JH:es

Alaska Occupational Therapy Association

2900 Providence Drive, Anchorage, Alaska 99503

January 7,1976

To Whom it may concern,

On December 3,1975, a bill on lincensure from the speech pathologists and audiologists was read and discussed with the therapists present at our monthly meeting. It was agreed upon that we, the Alaska Occupational Therapy Association would support the speech pathologists and audiologists bill for licensure. If any futher assistance is required, feel free to contact us.

sincerely,

Henrietta Callwood OTR

secretary of AkOTA

SUGGESTED REVISIONS AND ADDITIONS TO HOUSE BILL 635, AN ACT RELATING TO LICENSING OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS.

Amend Section 08.74.040.(1) to read "adopt regulations necessary to make this chapter effective to include but not limited to adoption of ethical standards of practice;"

Amend Section 08.74.040.(3) to read "conduct hearings, issue subpoenas for witnesses, administer oaths to persons giving testimony at hearings, and keep records and minutes necessary to an orderly dispatch of business; and "

Amend Section 08.74.120(1) to read "on the effective.....(as printed)....speech pathology or audiology, providing that the applicant files an application on or before one (1) year from the effective date of this chapter; or "

(2) add the word or after "this chapter;" on page 4, line 5.

Omit the word "unprofessional" from line 12, Section 08.74.130. page 4.

Substitute the word unethical for the word"unprofessional" in line 17, page 4.

Amend Section 08.74.150.page 5 to read " "The board shall determine appropriate continuing professional education for persons licenced under this act."

Amend Section 08.74.160.(a).line 16 to read "which leads to a degree in speech pathology or audiology and/or who has..."

line 18 to read 'any other title appropriate to his level of training may provide supportive speech..."

Add to section 08.74.160.page 5. paragraph (d) Each person licenced under this chapter who supervises a speech pathology or audiology aide shall register with the Board in a manner prescribed by the Board.

Add (e) Every licensee who supervises aides is responsible for the extent, type and quality of services provided to the clients and is liable to suspension, revocation, or any other appropriate penalty for failure to exercise his responsibilities in the supervision of such aides.

Amend Section 08.74.170.(5) line 12 to read "and his services are performed under the supervision of a speech pathologist"

Add to Section 08.74.170. paragraph (6) The activities and services of a speech pathologist or audiologist who is obtaining his year of paid professional experience as required by Sec. 08.74.110.(2).

Add to Sec. 08.74.220.(3) line 8, page 7 "for the purposes of this subsection the words 'habilitation' and'rehabilitation' include, but are not limited to, hearing aid evaluation, recommendation, and fitting."

SUGGESTED REVISIONS OF HOUSE BILL 635 (continued)

Add to Sec.08.74.220. paragraph (7) "Association" means the Alaska Speech and Hearing Association.

and paragraph (8) "ASHA" means the American Speech and Hearing Association, the national administrative office of which is located in the District of Columbia, 9030 Old Georgetown Road, 20014.

The preceding recommendations are made by the Licensure committee of the Alaska Speech and Hearing Association with the unanimous approval of the association.

HB
645

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE

JAN 28, 1976

Present: All present except Osterback

Testifying: Eric Lee CRA
Harvey Pitts, CRA
Bob Gregovitch, H&SS

HB 560 - Day care facilities - Rules/Gov

Eric Lee stated that this bill intended to clear up problems of statutes so that the bill conforms to legislative intent.

Committee wanted to know how much of 1.2 million was committed and to whom.

Harvey Pitts - to date $900,000 all over state, read list of locations.

Committee wanted to know the relationship that the municipalities would play in day care program. What areas and problems particular to rural areas, how can rural facilities meet requirements.

Sullivan - move to pass out , no objection, do pass

HB 645 - Guardians for incapacitated persons - Rules/Gov

Bob Gregovitch H&SS, This bill reinforces partial guardianship

Committee would like someone from the Dept. of Law to testify, also would like Clark Gr. to testify because he worked in this area during interim.

Sullivan - would like dept of law to testify before Judiciary on bill and would like to hear Clark.

MEMORANDUM State of Alaska

TO: Frances Ulmer
Legislative Assistant
Governor's Office

DATE: March 5, 1976

FILE NO.

TELEPHONE NO:

FROM: Arthur H. Peterson
Assistant Attorney General
Department of Law

SUBJECT: HB 645 (plenary and partial guardians) and HB 734 (developmentally disabled persons, guardians, etc.)

In response to your request for a comparison between these two bills, I am attaching a comparison sheet prepared by Assistant Attorney General Richard Peter. Essentially, his conclusion is that a final bill should combine various aspects of both bills, and he notes that Department of Health and Social Services staff are analyzing these bills in detail and will be presenting that department's position to the appropriate legislative committee. We will no doubt be working with them.

You will recall that, before preparation of the final version of the governor's bill (HB 645), we exchanged correspondence with Professor Richard Wellman who is the person primarily responsible for the development and drafting of the Uniform Probate Code as promulgated by the National Conference of Commissioners on Uniform State Laws. The final ~~bill~~ HB 645 and the governor's transmittal letter reflect our attempt to deal with Professor Wellman's suggestions appropriately. The same approach should be taken when preparing the final bill which combines both HB 645 and HB 734. I believe that you have a copy of that correspondence, but, if you don't, it is readily retrievable from my file.

AHP:md

cc: Ronald Lorensen
Assistant Attorney General

Richard L. Peter
Assistant Attorney General

COMPARISON OF HB 734 WITH HB 645

(Guardianships)

HB 734 (Mental Health Task Force)	HB 645 (Governor's bill)
Sec. 4 defines "full" and"partial" guardians.	Sec. 1 treats of "plenary" and "partial" guardians.
Requires enumeration of partial guardians duties by court order.	Sec. 2 Requires court order enumerating duties of partial guardian.
Sec. 5 .Brings testamentary guardians into "partial" concept.	
Sec. 6 Sets up separate procedure for appointment of "partial" guardian.	
Sec. 7 Strengthens rights of respondent in full guardianship procedure.	
	Sec. 3 Court to examine (with physician and visitor) proposed and alternative living arrangements for ward.
Sec. 8 Specifies "full" guardian.	Requires guardian to notify court if he places ward in mental institution without court order so specifying.
Sec. 9 Defines scope of capacity of ward of partial guardian. THIS IS ONE OF PROF. WELLMAN'S OBJECTIONS.	Sec. 4 Ties term of guardian to court order.
Sec.10 Recognizes modification as well as termination of court order. Removes minimum period in which petition to terminate finding of incapacity may be filed without special leave.	Sec. 5. Recognizes modification.
	Sec. 6 Recognizes modification.
Sec.11 In proceeding for appointment or removal of full or partial guardian requires notice to additional persons.	
Sec.12 Requires powers of temporary guardian to be specified in court order.	
Sec.13. Court may not customarily appoint custodial agency as guardian.	Sec.7 Adds agencies to possible guardians. Court may not customarily appoint custodial agency as guardian.

Sec. 14. Permits consolidation of guardian and conservator actions.

Sec. 8 Details minimum requirements of report of condition of ward by guardian.

Sec.9 Requires court to advise ward of right to request later dismissal or modification of guardianship order.

S U M M A R Y

The task force bill contains only one of the things Professor Wellman objected to: the scope of rights remaining in ward of a partial guardian. (Sec. 9)

With this exception, provisions of task force bill are not objectionable, but may be inadequate.

It adds some good features but I think the governor's bill has some other good points which should be in any legislation adopted, such as sections 3 and 9 of HB 645.

I would favor consolidation of the two measures in the form that is politically more viable -- probably the task force bill because it has had wider input.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session – Ninth Legislature

I. REQUEST
Bill No. HB 734
Title: Developmental Disabilities Act
Requested by: _____ Date: _____
Return Date Requested: _____
Agency: Health & Social Services Program: Mental Health & Developmental Disabilities

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Harborview, Contracts, Admin. & Support

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		3452.4	3935.7	4486.7	5114.8	5830.9
200	TRAVEL		82.1	89.5		106.4	116.0
300	CONTRACTUAL		4596.1	5009.7	5460.6	5952.1	6487.8
400	COMMODITIES		401.2	437.3	476.7	519.6	566.4
500	EQUIPMENT		33.9	37.0	40.3	43.9	47.9
600	LAND & STRUCTURES		27.0	29.4	32.0	34.9	38.0
700	GRANTS, CLAIMS, ETC.		201.0	219.1	238.8	260.3	283.7
	TOTAL		8,793.7	9,757.7	10,832.7	12,032.0	13,370.7

B. FUNDING: (Thousands of dollars)

GENERAL FUND		4321.9	4803.9	5341.4	5941.0	6610.4
FEDERAL FUNDS		4471.8	4953.8	5491.3	6091.0	6760.3
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	174 /	174 /	174 /	174 /	174 /
MAN MONTHS (P./T.)	/	2205 /	2205 /	2205 /	2205 /	2205 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

(SEE ATTACHED)

IV. ATTACHMENTS

V. DATE: _____ PREPARED BY: _____

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

FISCAL NOTE

HB 734

III ANALYSIS

(B)

1.

No. of Position	Position	Salary & Benefits
1	Director	52.5
1	Clinician IV	40.1
3	Clinician III	119.5
1	Attorney II	32.7
1	Admin. Officer II	29.9
1	Research Analyst II	26.2
1	Secretary	17.4
5	Clerk Typist III	78.9

2. Rental Office 55.0

Supporting Services, Phones, Etc. 44.0

Equipment 19.0

3. This program should be all Medicaid 50/50 Fed./State.

(C) The fiscal computations are strickly maintenance level, adding community programs. Personal services computed @ 14% C.O.L.A. Other @ 9% C.O.L.A.

HB
660

"An Act relating to the transportation of exceptional children; and providing for an effective date."

COMMITTEE REPORT

1/27/76 HOUSE FINANCE

Mr. Speaker: Date _____

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HB 660 under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

APRIL 3, 1976

Present: Ostrosky, Parr, Swanson, Sullivan, Beirne, Osterbakack, Hackney

HB 660 - Transportation of exceptional children - Gov.

Tom Brown, Dept. of Ed. philosophy of educating exceptional children is changing. Many exceptional children benefit from association with normal children. This bill would leave the decision to the local districts.

Committee - vote to move out - do pass, unanimous

HB 618 - GOB, Correctional Facilities - Gov.

Bill Houston, D.O.C. - Ketchikan facility - need projected 36 beds, 20 average present population, 6 beds for women, need room for growth and "?

Glenn - moved to delete # 2, amend item #2 changed to $2,160,000 , no action taken on amendment.

Barbara Wolstad concerned citizen, ask that community input be considered.

Constance Griffith, Chairman League of Women Voters, Justice Comm. See a lack of program planning and feel more study necessary to justify great expenditure on Ketchikan facility. Would prefer to have minors in private facilities that already exist with state reimbursement rather than in maximum security facility.

Lois Jund , ask committee to vote for bond issues and she pledges that the dept. will carry on planning with the community.

Chairlie, amend Glenn's motion (no obj.) to read "facilities" instead of "centers" amendment passes.

Beirne, suggest letter of intent, item #6 added "$100,000 for housing and remodeling juvenile unit Ketchikan, no obj.

Parr, move to amend #3, add" and juvenile facility" after correctional, delete "center and $4.5 million"

Beirne, move item #1 , acccepted as is.

Hackney move item #4 to $10.8 million.

Parr , amend #5 to be 6 juvenile Fbks. $1.8; 5 Housing and remodeling, Fbks. 1.8

Beirne, move to move #4 back up to $16.5 million.

Sullivan, juvenile for Ketchikan, Juhneau & Fbks.

Red, moved that local architects be used, included in letter of intent, motion failed.

Parr, move out CSHB 618, no objection, motion passes

HB 612 - GOB Health Care Facilities Gov.

Lois Jund, Reccommend delete Kenai from bond because the need there isn't that pressing.

Red, move to amend, add #6 "Nenana , $200,000, health center"
no objection to amendment, adopted

Beirne, move to remove #2 Kenai
no objection

Red, move out CSHB 612, unanimous

HB 665 - Statewide Coordination of Health Plan - Legis. Council

Jan Gates, Dept. of H&SS started to testify regarding this.

Committee decided to adjourn because of teachers meeting

HB
665

"An Act relating to statewide coordination of health planning."

COMMITTEE REPORT

HOUSE

1/28/76 FINANCE

Mr. Speaker: Date April 14, 1976

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had CS HB 665 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Suzan Sullivan, Do Pass

Members NOT concurring in the Majority report:

_____ recommends: Do not pass

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Suzan Sullivan Chairman

THANK YOU, MADAM CHAIRMAN, MEMBERS OF THE COMMITTEE, AND GUESTS. MY NAME IS CARL JACK, DIRECTOR, HEALTH AFFAIRS DIVISION, AFN, INC. THE ALASKA FEDERATION OF NATIVES, INC., OPPOSES THE PASSAGE OF H.B. 665 IN ITS CURRENT FORM. THE FEDERATION'S POSISTION IS, H.B. 665 IS IN DIRECT OPPOSITION TO THE POLICY WHICH AFN, INC., HAS BEEN ADVOCATING AND THAT IS THE ISSUE OF LOCAL CONTROL. THIS POSITION IS BASED ON THE FOLLOWING FACTS:

SUBSEQUENT TO THE ENACTMENT OF P.L. 93-641, ENTITLED "NATIONAL HEALTH PLANNING AND RESOURCES DEVELOPMENT ACT" BY THE 93RD CONGRESS, MANY OF THE STATE GOVERNMENTS WITHIN THESE UNITED STATES STRONGLY OBJECTED TO THE PROVISIONS OF THE ACT TO THE EFFECT THAT THE FEDERAL GOVERNMENT WAS USURPING STATES RIGHTS. THEY MAINTAINED THAT THE FEDERAL BUREAUCRACY WAS AQUIRING POWERFUL, CENTRALIZED AUTHORITY OVER LOCAL HEALTH ISSUES. SOME STATES EVEN FILED LAWSUITS TO REPEAL THE ACT.

ON JULY 11, 1975, GOVERNOR JAY HAMMOND SUBMITTED TO REGION X, DHEW A PLAN FOR DESIGNATION OF HEALTH SERVICE AREAS SIGNALING THE STATES ADMINISTRATION INTENT TO SERIOUSLY IMPLEMENT P.L. 93-641. ALTHOUGH THE GOVERNORS PLAN WAS REVISED AT A LATER DATE THE DESIGNATION OF THREE HSA'S COMPATABLE WITH THE NEED AND RESOURCES OF ALASKA WAS DETERMINED AS IMPARATIVE BY THE ADMINISTRATION AND THE CITIZENRY OF THE STATE OF ALASKA.

ALASKA, IT SEEMS, HAS TAKEN A SOMEWHAT DIFFERENT COURSE. THROUGH H.B. 665, ALASKA IS PROPOSING TO FURTHER CENTRALIZE P.L. 93-641 BY CREATING AN ALL-POWERFOL, STATEWIDE BUREACRACY. THIS, IN EFFECT, CREATES AN EXTREMELY UNRESPONSIVE SITUATION WHEREBY VERY LITTLE DECISION-MAKING AUTHORITY IS LEFT AT THE REGIONAL OR LOCAL LEVEL.

THE STATE-OPERATED SCHOOL SYSTEM WAS DISMANTLED BECAUSE IT WAS TREMENDOUSLY UNRESPONSIVE TO LOCAL NEEDS. S.B. 35 DECENTRALIZED THAT AUTHORITY.

THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, IN THE PAST, HAS BEEN SHARPLY CRITICIZED FOR ITS UNRESPONSIVENESS TO REGIONAL AND LOCAL NEEDS. DHSS HAS FINALLY RESPONDED WITH A PROPOSAL TO DECENTRALIZE ITS PUBLIC HEALTH POWERS THROUGH H.B. 596. AND YET, AT THE SAME TIME, H.B. 665 IS NOW INTRODUCED WHICH, IF PASSED, WOULD RESULT IN A FURTHER CENTRALIZATION OF AUTHORITY AT THE DEPARTMENT LEVEL. THERE SEEMS TO BE A STRONG CONTRADICTION HERE.

THE KEY TO THE BILL IS THE DEFINITION OF HEALTH SERVICES AND THE DEFINITION OF MEDICAL FACILITY. THESE TWO DEFINITIONS ENCOMPASS THE WHOLE RANGE OF HEALTH SERVICES RATHER THAN FOCUSING ON THE MAJOR INSTITUTIONAL HEALTH SERVICES THAT CERTIFICATE OF NEED IS MEANT TO ADDRESS.

THESE TWO DEFINITIONS, AS WRITTEN, WILL SEVERELY PENALIZE THE SMALLER, CONSUMER-ORIENTED HEALTH ORGANIZATIONS. FOR EXAMPLE, THERE ARE SOME 107 VILLAGE BUILT CLINICS THROUGHOUT RURAL ALASKA, OWNED AND MAINTAINED BY THE VILLAGES. THESE CLINICS ARE THE FRONT LINE HEALTH STATIONS WHICH ARE STAFFED BY COMMUNITY HEALTH AIDES. H.B. 665, AS WRITTEN, WOULD PUT THE REGIONAL NON-PROFIT CORPORATIONS THAT OVERSEE THE OPERATION OF THESE CLINICS, IN THE ABSURD POSITION OF HAVING TO PREPARE CERTIFICATE OF NEED APPLICATIONS FOR ALL THE CLINICS THAT HAVE BEEN CONSTRUCTED AND CLINICS

PLANNED FOR CONSTRUCTION IN THE FUTURE.

FURTHER THIS WOULD CREATE AN ADMINISTRATIVE NIGHTMARE FOR THE HEALTH SERVICE AGENCIES, THE STATE OF ALASKA, AND THE REGIONAL ORGANIZATIONS WHICH WOULD HAVE TO PREPARE AND REVIEW EACH OF THESE APPLICATIONS.

WE SUBMIT THAT 1) H.B. 665 USURPS LOCAL INITIATIVE AND 2) THE EFFECT OF THIS BILL PROTECTS PROVIDER INTERESTS AT THE EXPENSE OF THE CONSUMER. THE BILL IF PASSED IN ITS CURRENT FORM WILL PENALIZE CONSUMER-CONTROLLED NON-PROFIT ORGANIZATIONS WHO ARE ATTEMPTING TO PROVIDE PRIMARY HEALTH CARE WHEN THE LEGISLATION SHOULD CONCENTRATE ON THE REGULATION OF MAJOR INSTITUTIONAL HEALTH SERVICES. CERTIFICATE OF NEED PROVISIONS WERE IMPLEMENTED IN THE OTHER STATES IN AN ATTEMPT TO CONTROL THE UNCHECKED OVER-CONSTRUCTION OF HOSPITALS AND OTHER INSTITUTIONAL HEALTH SERVICES BY THOSE WHO MAKE HUGE PROFITS OFF THE ILLNESS OF OTHERS.

RECOMMENDATIONS:

1) THAT ARTICLE 3, NEED CERTIFICATION FOR HEALTH CARE, BE ELIMINATED COMPLETELY AND THAT S.B. 133 BE SUBSTITUTED OR THE MINIMUM REQUIREMENTS UNDER P.L. 93-641.
2) THAT THE DEFINITION OF HEALTH SERVICES ON PAGE 19 BE CHANGED TO THE DEFINITION OF SERVICES IN S.B. 133.
3) THAT THE DEFINITION OF MEDICAL FACILITY ON PAGE 21 BE CHANGED TO THE DEFINITION OF HEALTH CARE INSTITUTION AS DEFINED IN S.B. 133.

ANOTHER INDICATION THAT H.B. 665 IS A PROVIDER-ORIENTED BILL IS THE DEFINITION OF INDIRECT PROVIDER ON PAGE 22. THIS STATES THAT A PERSON,

SUCH AS A FISHERMAN, LIVING IN A REMOTE VILLAGE WHO SITS AS A CONSUMER ON A CONSUMBER-CONTROLLED HEALTH ORGANIZATION IS NOW CLASSIFIED AS A PROVIDER OF HEALTH SERVICES.

THIS CLEARLY IS ONE OF THE MAJOR INEQUITIES IN P.L. 93-641.

WE DO NOT NEED TO ACCEPT P.L. 93-641 AS CAST IN STONE. MANY STATES HAVE ENACTED WELFARE LAWS WHICH DEVIATE CONSIDERABLY FROM THE FEDERAL LEGISLATION.

RECOMMENDATION:

THAT THE DEFINITION OF INDIRECT PROVIDER BE CHANGED IN H.B. 665 TO ALLOW A CONSUMER REPRESENTATIVE SITTING ON A CONSUMBER-CONTROLLED HEALTH BOARD TO BE DEFINED AS A CONSUMBER OF HEALTH CARE, RATHER THAN AS A PROVIDER.

IN CLOSING, WE MAINTAIN THAT H.B. 665, AS WRITTEN, IS IN DIRECT OPPOSITION TO THE PRINCIPLE OF LOCAL CONTROL. IT STANDS IN CONTRADICTION TO 1) H.B. 596; 2) P.L. 93-638, THE INDIAN SELF-DETERMINATION AND EDUCATIONAL ASSICTANCE ACT: AND 3) THE ALASKAN HEALTH CARE CONSUMER.

WE ASK THAT YOU SERIOUSLY CONSIDER OUR AMENDMENTS.

ASSOCIATION OF REGIONAL HEALTH DIRECTORS

TESTIMONY ON

H.B. 596 AND H.B. 665

596 665

THANK YOU, MADAM CHAIRMAN, MEMBERS OF THE COMMITTEE AND GUESTS. MY NAME IS ROBERT J CLARK, TO MY RIGHT IS MR. KORD ROOSEN-RUNG. WE HAVE BEEN ASKED TO REPRESENT THE ASSOCIATION OF REGIONAL HEALTH DIRECTORS, FORMAL HEALTH COMMITTEE OF THE HUMAN RESOURCES BOARD OF DIRECTOR, AFN, INC., BYTESTIFYING ON H.B. 596 AND H.B. 665. ON BEHALF OF THE ASSOCIATION OF REGIONAL HEALTH DIRECTORS, I WOULD LIKE TO THANK THE HESS COMMITTEE FOR MAKING THIS SPECIAL ARRANGEMENT TO MEET WITH US INSPITE OF YOUR BUSY SCHEDULE.

BEFORE SPEAKING SPECIFICALLY ON H.B. 596 AND H.B. 665,I WOULD LIKE FOR EACH MEMBER OF THE DELEGATION TO INTRODUCE THEMSELVES, THEIR POSITION AND THE REGION THEY REPRESENT.

LADIES AND GENTLEMEN, OUR STATEMENTS ON H.B. 596 ARE CONCLUSIVE, WHEREAS OUR STATEMENTS ON H.B. 665 IS A PRELIMINARY POSITION TO BE FOLLOWED WITH FORMAL RECOMMENDATIONS NEXT WEEK BY INDIVIDUAL HEALTH CORPORATIONS.

SPEAKING MORE SPECIFICALLY ON H.B. 596, WE ARE, HEREWITH, SUBMITTING FOR RECORD A REVISED BILL FOR YOUR CONSIDERATION. THE MAJOR PROVISIONS OF THE SUBSTITUTE BILL ARE AS FOLLOWS:

HOUSE BILL NO. 596

For an Act entitled: "An Act relating to local health services."

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

* Section 1. AS 18.05.040(a)(4), 18.10.010 -- 18.10.050, and 18.10.260(b) are repealed.

* Sec. 2. AS 18.10 is amended by adding new sections to read:

CHAPTER 10. LOCAL HEALTH SERVICES

Sec. 18.10.011. PURPOSE. The purpose of this chapter is to promote and safeguard the health of the general public by orderly delegation of authority and responsibility for providing selected public health functions to local health entities.

Sec. 18.10.021. HEALTH DISTRICTS. (a) The health districts of the state, for purposes of administration of this chapter, are:

(1) municipalities unified under AS 29.68.240 -- 29.68.440;

(2) organized boroughs which have acquired areawide health powers under AS 29.33.290;

(3) cities, and local health service areas in an organized borough which has not acquired areawide health powers;

(4) cities or local health service areas in the unorganized borough;

(5) areas served by private health corporations as defined in sec. 131 of this chapter.

(b) A city in the unorganized borough may be included in a larger health district if its governing body, by a resolution adopted by a majority of the membership, consents to the inclusion of the city in a local health service area or area served by a private health corporation and files the resolution with the commissioner.

(c) Nothing in this chapter prohibits two or more districts combing to be treated as a single district for the purposes of this chapter.

Sec. 18.10.031. LOCAL HEALTH SERVICE AREAS IN AN ORGANIZED BOROUGH. Standards for the organization and administration of local health service areas in a borough which has not acquired health powers shall be established by the department by regulation.

Sec. 18.10.041. LOCAL HEALTH SERVICE AREAS IN THE UNORGANIZED BOROUGH. To provide local health services, the department shall divide the unorganized borough into local health service areas by using the boundaries of the Native Corporations created by the Alaska Native Land Claims Act except when people opt to use service unit boundaries. However, the department may combine two or more service areas to assure that the minimum population served in each local health service area will be at least 6,000, as defined by the total population in the area. A city excluded from service

area may be included in a local health service area established by the department only upon the adoption of a resolution by its council as provided in sec. 21(b) of this chapter.

Sec. 18.10.051. LOCAL HEALTH SERVICE AREA BOARDS OF THE UNORGANIZED BOROUGH. (a) Each local health service area of the unorganized borough shall have an elected local board of health broadly representative of the population of the entire area served.

(b) The powers and duties of the boards shall be prescribed by regulations adopted under this chapter.

(c) Foramtion of the boards and terms of office of the members shall be as follows:

(1) The qualified voters in each local health service area shall elect a local health service area board of <u>at least</u> seven members, of whom at least four or 51% are otherwise involved with health services only as consumers;

(2) local health service area board members shall be elected at large by the qualified voters of the area receiving health services; however, each seat on the health board shall be designated by letter or number, and a candidate for the board shall indicate the seat for which he is a candidate on his declaration of candidacy or other nomination document when he files for office;

(3) a vacancy on a local health service area board shall be filled as provided by AS 14.12.070 for school boards;

(4) the term of office of members elected to a local health service area board is three years;

(5) for the first health board elected in each area the term of office of each member shall be determined by lot with two members serving a one-year term, two members a two-year term, and three members a three-year term;

(6) nothing in this section prohibits the re-election of a board member.

Sec. 18.10.061. ELECTIONS. (a) In each local health service area in the unorganized borough, the lieutenant governor, not less than 60 nor more than 90 days after the establishment of the local health service area, shall provide for the election of a local health service area board.

(b) Except for the first election of local health service area board members under (a) of this section, elections shall be held annually on the first Tuesday of October. Elections shall be administered by the director of elections in the office of the lieutenant governor. The lieutenant governor shall adopt regulations for the conduct of election of local health service area board members.

(c) The members of a local health service area are subject to recall as provided by AS 29.28.130 -- 29.28.250.

(d) The cost of each local health service area board election, or recall election under (c) of this section, shall be borne by the state.

Sec. 18.10.07 . GRANTS. (a) The commissioner may make grants to health districts as defined in sec. 21(a, 1-3) of this chapter to assist in meeting costs of providing comprehensive public health

services under one or more plans of service as required in regulations adopted under this chapter.

(b) No grant may be made under this section to be heatlh district unless an application is made on a fiscal year basis and has been submitted through the appropriate Health Systems Agency established under P. L. 93-641 and approved by the commissioner and unless

(1) the governing body of the health district has submitted to the commissioner a plan for the provision of comprehensive health services and has had the plan initially approved by him; or

(2) in those instances where a plan of services has been initially approved, the commissioner upon his annual review of the plan, determine that it, and the activities undertaken under it, continue to meet requirements established for such plans.

(c) In making his determination the commissioner shall consider the relationship of the heatlh district plan to the annual implementation plan of the appropriate Health Systems Agency established under P. L. 93-638. In each fiscal year the department shall, in accordance with the plan of service provided and approved, and under regulations adopted for the purpose, take into consideration the following factors:

(1) 50 per cent shall be distributed on the basis of program need taking into consideration such factors as the number of deaths per live births, pre-school children, morbidity and

mortality votes the number of establishments or institutions requiring sanitary inspections, and administrative costs.

(2) 30 per cent shall be distributed on the basis of the population of the area to be served;

(3) 10 per cent of the allocation shall be reserved for adjustments of grant or contract bases provided by sec. 91 of this chapter;

(4) 10 per cent shall be distributed on the basis of local tax effort.

(d) An application for a grant under this section shall be submitted in the form, and shall contain the information the commissioner may require, by regulation.

(e) The minimum health district match is 10 per cent of the requested state grant. Health districts matching funds must be local money which is not derived from state or federal sources, or in-kind contributions. Maintenance of effort must be at not less than the level of support provided by the ocal governments within the health district before July 1, 197[illegible]

Sec. 18.10.081. CONTRACTS. (a) The commissioner may enter into contracts with the health districts described in sec. 21 (a)(4) of this chapter for the provision of specific health services:

(1) in the case of a city located in the unorganized borough, if the city has a population of 2,000 persons or more; and

(2) the commissioner determines that the health services cannot be provided more efficiently through a local health service area which is contiguous to the city.

(b) The commissioner may enter into contracts with the health districts described in sec. 21(a)(5) of this chapter for the provision of specific health services if the private health corporation meets all of the following requirements:

(1) it is broadly representative of the population of the area served;

(2) its representation is endorsed by the governing bodies of the cities within the area it serves; and

(3) it serves equally all state residents presenting themselves for assistance or services.

(c) Financial support provided under contract with health districts in accordance with this section shall be paid in the amounts and under the criteria set out in sec. 71(c) and (d) of this chapter and application is made in accordance with regulations adopted under sec. 71(d).

Sec. 18.10.091. ADJUSTMENTS OF GRANT OR CONTRACT BASE. (a) The allocation determined by the formual prescribed by sec. 71(d) of this chapter shall reflect cost-of-services differentials. The area cost-of-service differential shall be determined annually in the manner provided in AS 39.27.030; however, the area cost-of-service differential to be applied may not be an amount less than the base allocation.

(b) As used in (a) of this section, "election district" means an election district designated by the governor's proclamation of reapportionment and redistricting of December 7, 1961, and retained for the House of Representatives by the proclamation of the governor

issued September 3, 1965.

(c) Allocation calculated under sec. 71(d) of this chapter shall be further increased by 10 per cent if:

(1) in the unorganized borough the largest community within the health district, or area served by a private health corporation, is not connected to Anchorage, Fairbanks, Juneau, or Ketchikan by road, railroad, or ferry; or

(2) in the unorganized borough, more than one-half of the population of the health district lives outside of the largest city in the area served.

Sec. 18.10.101 EXPENDITURE OF FUNDS. Funds received by a health district under this chapter shall be spent only for the purposes described in the plan of service which has been approved by the commissioner.

Sec. 18.10.111. PRORATION. If amount appropriated by the legislature are insufficient to meet the cost of grants calculated under this chapter, the funds that are available shall be allocated pro rata among eligible health districts.

Sec. 18.10.121. REGUALTIONS. (a) The commissioner shall adopt regulations necessary to implement this chapter.

(b) Regualtions shall cover, but need not be limited to

(1) formation of local health service areas in an organized borough which has not acquired health powers;

(2) the powers and duties of the boards of local health service areas in the unorganized borough;

(3) requirements for the development of a plan of service by the health district;

(4) minimal standards of service;

(5) procedures for the application, revision and approval of grants to or contracts with health districts which include a detailed allocation formula;

(6) health district program evaluation;

(7) qualifications of health personnel.

Sec. 18.10.131. DEFINITIONS. In this chapter

(1) "commissioner" means the commissioner of the Department of Health and Social Services;

(2) "department" means the Department of Health and Social Services;

(3) "private health corporation" means a non-governmental organization incorporated under the laws of Alaska and which delivers health services to a particular area of the state; it includes but is not limited to the health instrumentalities of the Alaska Native regional corporations established under the Alaska Native Claims Settlement Act (P. L. 92-203).

STATE OF ALASKA

JAY S. HAMMOND, Governor

DEPARTMENT OF ADMINISTRATION

Division of Pioneers' Benefits

POUCH C — JUNEAU 99801

February 19, 1976

The Honorable Susan Sullivan, Chairman
Health, Education, Social Services Committee
House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Ms. Sullivan:

I would like to express my personal appreciation and the thanks of the Pioneers' Homes Advisory Board for allowing us to participate in the hearings on HB 665 February 17. In addition to our verbal objections, I would like to reinforce them in writing as suggested by Mr. Swanson. I am attaching a copy of the aforementioned bill, redlining the sections we feel would have a detrimental effect on the operations of the Pioneers' Homes. Specifically, these are Sections 15, 16 and 17, page 29, lines 2 through 29, Section 3, page 23, lines 19 through 25 and Section 10, page 27, lines 13 through 15.

Section 15, page 29, removes responsibility for site selection from the Legislature and the Commissioner of Administration and places the authority in the Office of Planning and Development. This section also gives that office authority to establish new institutions and plan their services. The Department of Administration would be limited to formulating general policies relating to administrative or executive matters and making disbursement of available funds.

It appears this section of the bill would ultimately jeopardize the uniqueness of the Pioneers' Home system. This bill would give the proposed Planning and Development Office and the Commissioner of the Department of Health and Social Services many of the decisions now made by the Legislature and the Commissioner of the Department of Administration. This would, in fact, place the Pioneers' Homes under two Departments, Administration and Health and Social Services. The biblical injunction againt serving two masters is as appropriate here as in the spiritual realm.

The Pioneers' Homes were under the direction of the Department of Health and Social Services during the period from January 1972 through June 1975. The original intent of the transfer was to receive federal funds and thereby enhance the program and reduce State expenditures.

The Department of Health, Education and Welfare ultimately determined the Pioneers' Homes were discriminatory in that they restricted residency to elderly Alaskans with 15 years prior residency in the State. To remain in the Department of Health and Social Services would have endangered continuing to receive federal funds for all phases of the Department. To return the Pioneers' Homes to Social Services would, no doubt, cause a re-occurrence of this objection. Therefore, Sections 15, 16 and 17, page 29, should be deleted in their entirety, leaving Pioneers' Homes planning, construction, development and administration in the Department of Administration as it is now.

The first thought was to request complete exemption of the Pioneers' Homes from this act. However, it has been pointed out this could be construed as discriminatory and unfair to other health agencies, both public and private. It would seem to be unwise to require other agencies to secure a Certificate of Need to construct a facility while exempting the State's operated facilities. To circumvent this possibility, there would seem to be no problem if the Pioneers' Homes were included in the requirements for a Certificate of Need as stated in Section 18.07.150, page 6 through Section 18.07.300, page 23.

However, Section 3, amending AS 18.15.120, lines 19 through 25, page 23, should be deleted in its entirety. This section allows the Office of Planning and Development to "plan the establishment of facilities and the delivery of services". Very few establishments, whether public or private, would allow a State agency to completely plan its structure and dictate its manner of services. Section 10, amending AS 18.25.020, page 27, lines 13 through 15, should also be deleted. Not only does this allow planning the facility and delivery of services but also "plans the purchase, construction and repair of facilities and the acquisition of equipment". This seems to place too great and unwarranted authority in the hands of this proposed office and would be unacceptable to the Pioneers' Homes.

We would have no objection to the remainder of this bill. Thank you again for your consideration and the opportunity to register our thoughts in this matter.

Sincerely yours,

Frank C. Sisson

Frank C. Sisson
Administrative Officer

cc: H,E&SS Committee Members
Richard Freer
Robert Gore

FCS/vor

Attachment

POSITION PAPER/Department of Health and Social Servic

POSITION PAPER

ON

COMMITTEE SUBSTITUTE FOR HOUSE BILL 665

"An Act relating to statewide coordination of health planning."

CSHB 665 represents a significant departure from the original bill relating to the planning for and delivery of health services in Alaska. The objective of the Committee Substitute seems to be to bring the state into conformity with the provisions of P.L. 93-641, the National Health Planning and Resources Development Act. Because the Department feels that any more than a strict conformance to the mandated provisions of the federal law would be premature and possibly impractical for the state to undertake at this time, it supports the minimum compliance approach taken in CSHB 665.

The Committee Substitute establishes a Statewide Health Coordinating Council, its composition and its functions by reference to P.L. 93-641. In addition, reference is made to the federal and state community mental health legislation so that requirements of those laws may be met when the SHCC Council assumes the functions of the mental health advisory council, as specified in section 605 of the Alaska Community Mental Health services Act passed last year.

CSHB 665 establishes a Certificate of Need program as called for in P.L. 93-641. The program is designed to cover only those facilities, and the services provided thereby, as mandated in P.L. 93-641. The certification program does not, however, apply to health maintenance organizations, as required in the federal act. While the Department feels that HMO's should be included among those facilities requiring a Certificate of Need, it recognizes that there are no facilities meeting the federal definition of an HMO currently operating in Alaska. Further, it is the Department's understanding that the Legislature intends to discuss including health maintainance organizations when HMO statutory authority is enacted in Alaska, perhaps during the next Session.

The Department is pleased to note that the factors activating the Certificate of Need program in CSHB 665 are much the same as the activators for the 1122 Program currently administered by the Department. The inclusion of the sanction of injunctive relief, to be applied in cases in which the certification process is violated, is also endorsed by the Department. Without such a sanction, the state program would not only be out of compliance with the federal regulations, but the time-consuming review process could be for nought, to the frustration of the many health-consumers, planners and providers involved in the program.

POSITION PAPER/Department of Health and Social Services

CSHB 665 establishes a grant program for Health Systems Agencies responsible for health planning and development activities in Alaska, a provision the Department strongly supports. The grants would provide "seed" money from the state to each agency, beginning with $100,000 the first year, and declining each year thereafter by $25,000, so that in the fifth year of operation no additional funds will be granted by the state. In addition, the state would offer an incentive to the regional areas concerned to contribute to the costs of health planning and development activities. Local contributions would be matched on a progressive scale, beginning with $25,000 and increasing each year thereafter by $25,000 to a maximum of $100,000 in the fifth and succeeding years of operation. The Department feels that the incentive provision could encourage all entities engaged in health planning within a region to cooperate in the planning activities of its respective Health Systems Agency.

The cost of the grant program is reflected within line item 700 of the attached Fiscal Note, whereas the other costs indicated reflect the administrative costs related to the Certificate of Needs Program. The Department of Health and Social Services supports the Committee Substitute for House Bill 665 and urges its enactment.

pp Lois M Juund
Francis S.L. Williamson, Commissioner Date: 4/20/1996

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. CSHB 665
Title: An act relating to statewide coordination of health planning
Requested by: Date: April 19, 1976
Return Date Requested:
Agency: Health & Social Services Program: Planning and Research

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Planning and Research

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		105.0	93.9	103.2	113.5	124.8
200	TRAVEL		10.5	9.4	10.3	11.4	12.5
300	CONTRACTUAL		10.5	9.4	10.3	11.4	12.5
400	COMMODITIES		1.0	.9	1.0	1.1	1.2
500	EQUIPMENT		3.0	-0-	-0-	-0-	-0-
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.		375.0	375.0	375.0	375.0	300.0
	TOTAL	-0-	505.0	488.6	499.8	512.4	451.0

B. FUNDING: (Thousands of dollars)

	GENERAL FUND	-0-	505.0	488.6	499.8	512.4	451.0
	FEDERAL FUNDS						
	OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	4 / 1	4 /	4 /	4 /	4 /	4 /
MAN MONTHS (P./T.)	48 / 9	48 /	48 /	48 /	48 /	48 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

See attachment 1 and 2

V. DATE: April 19, 1976 PREPARED BY: Richard Remington

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

REVIEWED BY FINANCIAL MANAGEMENT:
For EUGENE A. SMITH
HSS FINANCE OFFICER

H/S 50

Attachment 1

PROPOSED HEALTH SYSTEMS AGENCY FUNDING MECHANISM (Sec. 3, CSHB 665):

Funding for One Health Systems Agency

	1977	1978	1979	1980	1981
Federal (direct)	115,000	115,000	175,000	175,000	175,000
Local Match to State Incentive	25,000	50,000	75,000	100,000	100,000
State Incentive	25,000	50,000	75,000	100,000	100,000
State "Seed" Money	100,000	75,000	50,000	25,000	- 0 -
Total Funding for each HSA	265,000	290,000	375,000	400,000	375,000
Total State Funding for each HSA	125,000	125,000	125,000	125,000	100,000
Total State Funding for three HSA's	375,000	375,000	375,000	375,000	300,000

The proposed grants are determined by a specific formula relating to local contributions to health systems agencies. The expenditures included in the Fiscal Note assume maximum local participation in funding the three health systems agencies. The formula mechanism is designed to permit development of health systems agencies until local funding sources are organized.

Health Systems Agencies are a requirement of PL 93-641, the Health Planning and Resources Development Act of 1974. The function of the agencies is to provide greater local participation in the health planning process and greater involvement in the distribution of health resources provided by the federal government. Plans developed by these agencies are incorporated into an overall state health plan by the designated state agency to ensure consistency at the statewide level. PL 93-641 specifically mentions the inclusion of HSA's in the allocation process for programs funded under the Public Health Service Act, the Community Mental Health Centers Act, and the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970.

Attachment 2

POSITIONS REQUESTED TO ADMINISTER STATE CERTIFICATE OF NEED PROGRAM (Article 2, CSHB 665:

Temp. Attorney II	Range 19	9 months	$19,638*
Senior Economist	Range 18	12 months	27,201
Health Facilities Surveyor	Range 18	12 months	27,201
Statistical Technician	Range 12	12 months	17,726
Clerk Typist II	Range 7	12 months	13,356

* Salaries include benefits figured at 20%.

Inflation factor - 10%

HB 665 2/27/76

Name	Representing	Testifying
Ron Hammett	W/ARMP	NO
Robert Pugsley	CHAC	NO
Marion Barryman	"	NO
[illegible]	[illegible]	[illegible]
Della Waghiegi	"	No
Jean B Cleveland	CHMC-[illegible]	YES
[illegible]	[illegible]	[illegible]
Roy D Burr	Citizen	No
Joyce Hanson	[illegible]	[illegible]
Mabel Johnson	CHAC	YES
Sister Ellen Caldwell	CHAC	No
Thomas C Cole	CHAC	Yes

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HEARINGS ON HB 665 & HB 596

FEB. 12, 1976

Association of Regional Health Directors made presentation to House HESS with recommendations for changes in these two bills. Position papers supplied with specific changes in HB 596. (self-explanatory) All changes, additions, etc. underlined in their papers.

Lois Jund - Dept. H&SS states depts. position very similar to the feelings of the Regional Directors. Has two legal questions regarding these changes though. 1. Can the Health Corp., which are next to adjacent boroughs, which have chosen not to exercise health authorities, in fact, exercise rights to give away health authority? 2. By constitution and statutes we must use existing service areas (unless legislature modifies). The Native Health Directors recommended using the boundaries of the corporations rather than the education boundaries allready established.

Lois also spoke to the issue of the directors recommendation for a larger board than 7. She said Dept. would finance 7 only, but they certainly could have a larger board of directors.

Also problem with (e) page 6 of Directors bill, Lois recommends reading to be "in lue of matching funds, in-kind contributions would be applicable to the health districts in unorganized boroughs.

HB 665

Directors felt that HB 596 speaks to the de-centralization of the departments control over health facilities however, HB 665 did just the oposite and re-centralized, giving back control to the Dept.

The Directors did not have specific recommendations for changes in HB 665, but would have them available at next weeks hearings.

They did list reorder of priorities in bill

1-8	5-3
2/6	6-2
3-5	7-1
4-7	8-4

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

APRIL 3, 1976

Present: Ostrosky, Parr, Swanson, Sullivan, Beirne, Osterbakack, Hackney

HB 660 - Transportation of exceptional children - Gov.

Tom Brown, Dept. of Ed. philosophy of educating exceptional children is changing. Many exceptional children benefit from association with normal children. This bill would leave the decision to the local districts.

Committee - vote to move out - do pass, unanimous

HB 618 - GOB, Correctional Facilities - Gov.

Bill Houston, D.O.C. - Ketchikan facility - need projected 36 beds, 20 average present population, 6 beds for women, need room for growth and "?

Glenn - moved to delete # 2, amend item #2 changed to $2,160,000 , no action taken on amendment.

Barbara Wolstad concerned citizen, ask that community input be considered.

Constance Griffith, Chairman League of Women Voters, Justice Comm. See a lack of program planning and feel more study necessary to justify great expenditure on Ketchikan facility. Would prefer to have minors in private facilities that already exist with state reimbursement rather than in maximum security facility.

Lois Jund , ask committee to vote for bond issues and she pledges that the dept. will carry on planning with the community.

Clairlie, amend Glenn's motion (no obj.) to read "facilities" instead of "centers" amendment passes.

Beirne, suggest letter of intent, item #6 added "$100,000 for housing and remodeling juvenile unit Ketchikan, no obj.

Parr, move to amend #3, add" and juvenile facility" after correctional, delete "center and $4.5 million"

Beirne, move item #1 , acccepted as is.

Hackney move item #4 to $10.8 million.

Parr , amend #5 to be 6 juvenile Fbks. $1.8; 5 Housing and remodeling, Fbks. 1.8

Beirne, move to move #4 back up to $16.5 million.

Sullivan, juvenile for Ketchikan, Juhneau & Fbks.

Red, moved that local architects be used, included in letter of intent, motion failed.

Parr, move out CSHB 618, no objection, motion passes

HB 612 - GOB Health Care Facilities Gov.

Lois Jund, Reccommend delete Kenai from bond because the need there isn't that pressing.

Red, move to amend, add #6 "Nenana , $200,000, health center"
no objection to amendment, adopted

Beirne, move to remove #2 Kenai
no objection

Red, move out CSHB 612, unanimous

HB 665 - Statewide Coordination of Health Plan - Legis. Council

Jan Gates, Dept. of H&SS started to testify regarding this.

Committee decided to adjourn because of teachers meeting

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

APRIL 3, 1976

Present: Ostrosky, Parr, Swanson, Sullivan, Beirne, Osterbakack, Hackney

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Sullivan, juvenile for Ketchikan, Juhneau & Fbks.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETINGS

APRIL 5, 1976

Present: Sullivan, Davis, Osterback, Parr, Hackney, Swanson, Beirne

Testifying: Lois Jund, Dept. H&SS

HB 665 - Statewide Coordination of Health Plan

Continued working on this from Saturday session. Committee went over the workdraft with Jan Gates, Dept. H&SS section by section making changes on the workdraft in order to have the committee substitute drawn up.

Glenn made an amendment which he would had Joe Guthrie help drat up. Committee would like Glenn to hav entire portion of that section redrafted by Joe so that it corresponds. Starts on line 13, page 3.
Amendment passed.

Each section gone over thoroughly by committee.

When finished, Glenn made motion to "do not passs out of committee", seconded discussion by committee.
Decided not to move on this at all till the committee substitute has been drafted and brought down for all to read.

POSITION PAPER/Department of Health and Social Service

POSITION PAPER

ON

COMMITTEE SUBSTITUTE FOR HOUSE BILL 665 B

"An Act relating to statewide coordination of health planning."

CSHB 665 represents a significant departure from the original bill relating to the planning for and delivery of health services in Alaska. The objective of the Committee Substitute seems to be to bring the state into conformity with the provisions of PL 93-641, the National Health Planning and Resources Development Act.

The funding and regulatory provisions related to PL 93-641 are indefinite and the potential sanctions applied to those states which elect to remain out of compliance with the provisions of the law are vague. Because of this, the Department feels that any more than a strict conformance to the mandated provisions would be premature and possibly impractical for the state to undertake at this time.

The Committee Substitute establishes the Statewide Health Coordinating Council, its composition and its functions by reference to PL 93-641. Those provisions are basically the same as those contained in HB 530 as sponsored by the Department. In addition, CSHB 665 creates a Certificate of Need program as called for in PL 93-641. The program is designed to cover only those facilities and services mandated in the federal Act, and those factors activating the application process are identical to the activators for the 1122 Program currently administered by the Department, with the exception of the increased amount for construction (from $100,000 to $150,000), to which the Department has no objection.

CSHB establishes a grant program for Health Systems Agencies responsible for health planning and development activities in Alaska. (Sec. 18.07.031). The Department has prepared legislation to accomplish the same purpose, proposing to grant "seed" money from the state to each agency, beginning with $100,000 the first year, and declining each year thereafter by $25,000, so that in the fifth year of operation no additional funds will be granted by the state. In addition, the state would offer an incentive to the regional areas concerned to contribute to the costs of health planning and development activities. Local contributions would be matched on a progressive scale, beginning with $25,000 and increasing each year thereafter by $25,000 to a maximum of $100,000 in the fifth and succeeding years of operation. The Department feels that this is an important provision in that it encourages all entities engaged in health planning within a region to cooperate in the planning activities of its respective Health Systems Agency. The Department recommends amending Sec. 18.07.031 to include the concept proposed for awarding grants to HSA's. (See attachment).

The Department is pleased to note that CSHB 665 does include a sanction to be applied in cases in which the certification process is violated, even

though these sanctions are not precisely specified by the federal Act. Without any sanctions, the time-consuming process could be for nought, to the frustration of the many health-consumers, planners and providers involved in the review program, and to the ultimate disregard of consumer need as a basis for health facilities and services in Alaska. The inclusion of injunctive relief as a sanction provides court action against non-conforming conduct.

In short, the Department supports CSHB 665 as presented with the amendments cited (see attachment). With the exception of the recommendation altering the section on planning grants to Health Systems Agencies, most of the amendments suggested are nonsubstantive. The Department feels that CSHB 665, as amended, will provide a good foundation from which to build a viable planning system with a realistic enforcement component via the certificate of need program.

Francis S. L. Williamson, Commissioner

Date

POSITION PAPER/Department of Health and Social Servi

POSITION PAPER/Department of Health and Social Service

RECOMMENDED AMENDMENTS TO

COMMITTEE SUBSTITUTE FOR HOUSE BILL 665

1.) Sec. 18.07.031 - The Department recommends replacing the language in this section with the following:

Sec. 18.07.031. PLANNING GRANTS TO HEALTH SYSTEMS AGENCIES. (a) The department shall award grants to health systems agencies established in Alaska pursuant to PL 93-641 in amounts determined in accordance with the following schedule:

(1) $100,000 during the initial year as a designated health systems agency and in declining amounts of $25,000 for each succeeding year as a designated agency such that in the fifth year of operation no additional funds will be forthcoming except that

(2) from the initial year of designation, matching dollars shall be provided equal to the contributions provided to the designated health systems agency by local sources as allowable under PL 93-641, but not exceeding:

$25,000 the first year of operation;

$50,000 the second year of operation;

$75,000 the third year of operation; and

$100,000 each succeeding year of operation.

(b) The department shall promulgate regulations governing the administration of these grants consistent with state accounting procedures.

2.) Sec. 18.07.041 - CERTIFICATE OF NEED REQUIRED. - The Department recommends amending the initial sentence as follows:

Sec. 18.07.041. CERTIFICATE OF NEED REQUIRED. No person may undertake the following without [unless included in the terms of] a certificate of need issued by the office:

3.) Sec. 18.07.071 - The Department recommends simplifying this section by deleting the following:

Sec. 18.07.071. TERMS OF ISSUANCE OF THE CERTIFICATE. Each certificate

POSITION PAPER/Department of Health and Social Service

issued shall specify terms of issuance describing the nature and extent of the activities authorized by the certificate. The sponsor must apply to the office for a modification of his certificate before terminating part of the service authorized by the terms or conditions of issuance. [but the sponsor need not obtain the acquiescence of the office before terminating all the activities authorized by the certificate.] Should a sponsor terminate all of the activities authorized by a certificate, the sponsor must surrender the certificate to the office within 30 days.

4.) Sec. 18.07.110. DEFINITIONS. - In regard to definition (8) "health care facility," the Department suggests the following:

(8) "health care facility" means hospitals, [as] psychiatric hospitals, tuberculosis hospitals, skilled nursing facilities, home health agencies, and providers of [or] outpatient physical therapy services (including speech pathology services), kidney disease treatment centers, including freestanding hemodialysis units; intermediate care facilities, organized ambulatory health care facilities such as health centers, family planning clinics, and facilities providing surgical treatment to patients not requiring hospitalization (ambulatory surgical centers), [surgicenters], which are not part of a hospital but which are organized and operated to provide medical care to outpatients, and health maintenance organization; the term excludes outpatient physical therapy services performed by a physical therapist in his office or in a patient's home;

HB 165

FINAL REPORT OF THE INTERIM SUB-COMMITTEE ON HEALTH PLANNING

The planning and delivery of health services in Alaska is fragmented, efforts are duplicated, and costs of health care are far above national averages. On its formation, the Interim Sub-Committee on Health Planning assumed the responsibility for developing solutions to some of these problems through the completion of five objectives. Those objectives were:

1. The determination of alternative health planning agency structures under Public Law 93-641.
2. The authorization of those structures, and alterations in administrative procedure.
3. The clarification of organizational relationships and the development of legislative intent.
4. The development of revenue packages for the support of new health planning and resource development agencies.
5. The development of state-wide health care policy towards the goal of examining alternative approaches to state-wide health care insurance.

The Committee has completed most of its work. The final drafts of the health planning legislation are in preparation. Revisions of revenue sharing and certificate-of-need legislation are nearing completion. The development of health care policy and alternative approaches to state-wide health insurance still require substantial work.

Each objective will be briefly summarized:

Objective I - The Determination of Alternative Agency Structures

The Committee analyzed the National Health Planning and Resource Act (P.L. 93-641), and developed alternative strategies for implementing this Federal act in the State of Alaska. The preliminary staff discussion paper was entitled: REORGANIZATION

UNDER PUBLIC LAW 93-641, THE NATIONAL HEALTH PLANNING AND RESOURCE DEVELOPMENT ACT. This paper provided the Committee with the basic material necessary for the development of required health planning legislation.

Objective II - The Authorization of Structures

During Committee discussions, a number of alternative health planning structures were selected for further investigation. The final selection by the Committee is presented in the draft health planning legislation currently being developed by Interim Committee and legal staff. Because of the complexity of this legislation, a series of drafts have been reviewed by the Committee members and various consultants employed by the Committee. This legislation is currently in its final revision. The Bill will probably require a few more revisions before it is passed by the Legislature.

Also incorporated into Objective II were required changes in administrative procedure. It was found that very little administrative procedure for the planning and regulation of health services exists in the Alaska Administrative Code. It appears that most of the procedures employed by the State are those recommended in Federal regulation. However, two major changes in administrative licensing and grant awards procedures were required. The first was certificate-of-need; the second was revenue sharing.

CERTIFICATE-OF-NEED

Certificate-of-need is a process of regulating health care services by allowing the growth and development of facilities and services only in response to demonstrated community need. The major administrative impact of certificate-of-need legislation is in the licensure and regulation of various types of health care facilities. National experience of certificate-of-need legislation

has not been encouraging. Therefore, staff efforts at evaluating the problems encountered by other states have been extensive. Certificate-of-need legislation is in its final revision.

REVENUE SHARING

The use of regional agencies (Health Systems Agencies) for the planning and regulation of health services delivery implies a new approach to the dispersement of revenue sharing money. Various alternative methods of dispersing money are being pursued by the Committee. Among them are: (1) allocation on a regional rather than a municipal basis; (2) the traditional method of revenue sharing to those institutions who initially generate the revenue sharing monies, particularly hospitals; and (3) the development of various block grant alternatives to local municipalities. A final determination has not yet been made by the Committee as to which specific alternative to pursue. Staff has been assisting Community and Regional Affairs and the Interim Committee Chairman on this selection process.

Objective III - Clarification of Organization Relationships Among Those Agencies Involved with Health Planning and Resource Development

Most of the changes in organizational relationships are reflected in the health planning legislation to be presented to this session of the Legislature. Legislative intent regarding accountability and scope of duties of health planning agencies at the State and regional levels is also embodied in the draft legislation.

Objective IV - Review Revenue Packages

The three Health Systems Agencies in Alaska have already developed their applications for Federal funds. These applications specify the amount of money required and the work program of the agency for the coming fiscal year. These applications are currently

being reviewed by the Department of Health and Social Services.

Last week Federal appropriations for the financing of Health Systems Agencies was vetoed by the President. The effect of this veto appeared to halt all activities involved in the development of Health Systems Agencies. Without Federal support, it will be difficult for the State to finance these new health planning structures. It is not yet known when any Federal appropriation will be forthcoming.

Fiscal notes have been prepared by the legislative staff, assuming some Federal support.

Objective V - The Development of State-Wide Health Care Policy

The initial thrust of the Committee's work was the development of state-wide health care policy with the intent of assessing alternative methods of financing state-wide health care insurance. Because of the lack of staff and time, only part of this objective has been completed.

A report on the status of long term health care services delivery has been prepared for the Committee. Within the report are twenty-four specific recommendations for changes in the long term care services delivery systems. Currently, these recommendations are being translated into resolutions and amendments to existing law. Additionally, major revision in "full cost of care" legislation should be undertaken this session. It is hoped that these corrective measures will help to solve the long term care health services problems that became evident so dramatically last summer.

The Committee has also developed an approach to solving some of the more crucial problems of manpower availability for primary care services. Most of the efforts center around the development

of regulations for Community Health Aides, Physician's Assistants, Nurse Practitioners, and other types of health manpower essential to effective health services delivery in Alaska.

Other topics pursued by the Committee and staff have been the re-drafting of pending health education legislation, the development of proposals for the development of environmental sanitation measures for rural areas, and the preparation of discussion papers on the history and context of health care services delivery in Alaska.

While most of the responsibilities accepted by the Interim Committee on Health Planning have been completed, there are many topics in the development of health care policy that have not yet been addressed. We hope that before the convening of the Tenth Legislature, proposals for the development of state-wide health care insurance will be available for discussion. It is impossible, however, to develop these proposals prior to the establishment of state-wide health care policy development and to give these policies wide exposure.

It is hoped that the efforts toward the development of health policy will not be stopped. If the Interim Committee work is to be discontinued, it is our hope that funds will be set aside for the completion of this worthy and long-overdue task.

We hope that the work of the Interim Committee will be allowed to continue through this session of the Legislature, and be conducted after the session either by contract or through the Research Division of the Legislative Affairs Agency.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. CSHB 665
Title: "AN ACT RELATING TO STATEWIDE COORDINATION OF HEALTH PLANN'NG"
Requested by: HOUSE HESS Date: FEBRUARY 23, 1976
Return Date Requested:
AFFECTED Agency: DEPT. OF HEALTH & SOCIAL SER. Program: PLANNING & RESEARCH.
COMMUNITY MENTAL HEALTH CENTERS

II. FISCAL DETAIL
Budget Request Unit(s) Affected: PLANNING & RESEARCH, COMMUNITY MENTAL HEALTH CENTERS

A. EXPENDITURES: (Thousands of dollars)

(REQUIRED BEYOND GOVERNOR'S FY 77 BUDGET)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES	0	0	0	0	0	0
200	TRAVEL	0	(16.3)	(17.9)	(19.7)	(21.7)	(23.9)
300	CONTRACTUAL	0	0	0	0	0	0
400	COMMODITIES	0	0	0	0	0	0
500	EQUIPMENT	0	0	0	0	0	0
600	LAND & STRUCTURES	0	0	0	0	0	0
700	GRANTS, CLAIMS, ETC.	193.5	581.0	639.1	703.0	773.3	850.6
	TOTAL	193.5	564.7	621.2	683.3	751.6	826.7

B. FUNDING: (Thousands of dollars)

(REQUIRED BEYOND GOVERNOR'S FY 77 BUDGET)

GENERAL FUND	193.5	564.7	621.2	683.3	751.6	826.7
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0

C. POSITIONS: (REQUIRED BEYOND GOVERNOR'S FY 77 BUDGET)

PERMANENT/TEMPORARY	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
MAN MONTHS (P./T.)	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

FY 76 - ASSUMES HEALTH SYSTEMS AGENCIES OPERATIONAL BY APRIL 1, 1976, REQUIRING FY 76 SUPPLEMENTAL APPROPRIATION.

FY 77 - ASSUMES EFFECTIVE DATE OF JULY 1, 1976. DETAILED DESCRIPTION OF NEEDS, AVAILABLE FUNDS AND POSITIONS FOR TRANSFER, AND ADDITIONAL APPROPRIATION REQUIRED IS INCLUDED IN ATTACHED SHEETS. ASSUMES SHCC, SHPDA, AND HSA'S OPERATIONAL FOR ENTIRE FISCAL YEAR. LAPSE OF TRAVEL FUNDS DUE TO COMMUNITY MENTAL HEALTH ADVISORY BOARD'S FUNCTIONS TRANSFERRED TO SHCC.

FY 78-
FY 81 - TEN PERCENT INFLATION FACTOR BEYOND FY 77 COSTS.

IV. ATTACHMENTS

CHARTS DETAILING NEEDS, AVAILABLE FUNDS AND POSITIONS FOR TRANSFER AND ADDITIONAL APPROPRIATION REQUIRED FOR FY 77 ATTACHED.

V. DATE: FEBRUARY 23, 1976 PREPARED BY: LEGISLATIVE AFFAIRS AGENCY

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

TOTAL NEEDS ANALYSIS

FOR

STATEWIDE COORDINATION OF HEALTH PLANNING

		ADDITIONAL APPROPRIATION REQUIRED
SECTION I -	STATEWIDE HEALTH COORDINATING COUNCIL (SHCC)	$ 0
SECTION II -	STATE HEALTH PLANNING AND DEVELOPMENT AGENCY (SHPDA)	$ 0
SECTION III -	HEALTH SYSTEMS AGENCY (HSA)	$581,000
	TOTAL	$581,000

SECTION I:

TOTAL NEEDS ANALYSIS
FOR
STATEWIDE HEALTH COORDINATING COUNCIL (SHCC) FOR FY'77

A. ESTIMATED EXPENDITURES

OBJECT	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
100 PERSONAL SERVICES	$ -0-	-0-	$ -0-
200 TRAVEL	$25,800.00	($ 25,800)	$ -0-
300 CONTRACTUAL	$ -0-	-0-	$ -0-
400 COMMODITIES	$ -0-	-0-	$ -0-
500 EQUIPMENT	$ -0-	-0-	$ -0-
TOTAL	$25,800.00	($ 25,800)	$ -0-

B. FUNDING

TYPE OF FUNDING	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
GENERAL FUND	$ 6,450.00	($ 6,450.00)	$ -0-
FEDERAL FUND	$ 19,350.00	($ 19,350.00)	$ -0-
OTHER	$ -0-	($ -0-)	$ -0-

C. POSITIONS

POSITIONS	TOTAL NEED	AVAILABLE POSITIONS	ADDITIONAL POSITIONS TO BE ESTABLISHED
PERMANENT/TEMPORARY	0/0	0/0	0/0
MAN MONTHS (P/T)	0/0	0/0	0/0

SECTION II:

TOTAL NEEDS ANALYSIS
FOR
STATE HEALTH PLANNING AND DEVELOPMENT AGENCY (SHPDA) FOR FY'77

A. ESTIMATED EXPENDITURES

OBJECT	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
100 PERSONAL SERVICES	$416,400.00	($416,400.00)	$ 0.00
200 TRAVEL	$ 34,200.00	($ 34,200.00)	$ 0.00
300 CONTRACTUAL	$ 55,700.00	($ 55,700.00)	$ 0.00
400 COMMODITIES	$ 2,700.00	($ 2,700.00)	$ 0.00
500 EQUIPMENT	$ 2,000.00	($ 2,000.00)	$ 0.00
TOTAL	$511,000.00	($511,000.00)	$ 0.00

B. FUNDING

TYPE OF FUNDING	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
GENERAL FUND	$301,300.00	($301,300.00)	$ 0.00
FEDERAL FUND	$196,200.00	($196,200.00)	$ 0.00
OTHER	$ 13,500.00	($ 13,500.00)	$ 0.00

C. POSITIONS

POSITIONS	TOTAL NEED	AVAILABLE POSITIONS	ADDITIONAL POSITIONS TO BE ESTABLISHED
PERMANENT/TEMPORARY	16 /0	(16/0)*	0/0
MAN MONTHS (P/T)	192 /0	(192/0)*	0/0

* INCLUDES TWO (2) NEWLY REQUESTED POSITIONS:

RESEARCH ANALYST II R/16 - PLANNING & RESEARCH BRU
STATISTICAL CLERK I R/8 - PLANNING & RESEARCH BRU

SECTION III:

TOTAL NEEDS ANALYSIS
FOR
HEALTH SYSTEMS AGENCIES (HSA) FOR FY'77

A. ESTIMATED EXPENDITURES

OBJECT	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
100 PERSONAL SERVICES	$ 0.00	($ 0.00)	$ 0.00
200 TRAVEL	$ 0.00	($ 0.00)	$ 0.00
300 CONTRACTUAL	$ 0.00	($ 0.00)	$ 0.00
400 COMMODITIES	$ 0.00	($ 0.00)	$ 0.00
500 EQUIPMENT	$ 0.00	($ 0.00)	$ 0.00
600 LAND & STRUCTURES	$ 0.00	($ 0.00)	$ 0.00
700 GRANTS, CLAIMS	$881,000.00	($ 0.00)	$881,000.00
TOTAL	$881,000.00	($ 0.00)	$881,000.00

B. FUNDING

TYPE OF FUNDING	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
GENERAL FUND	$581,000.00	($ 0.00)	$581,000.00
* FEDERAL FUND	$300,000.00	($ 0.00)	$300,000.00
OTHER	$ 0.00	($ 0.00)	$ 0.00

C. POSITIONS

POSITIONS	TOTAL NEED	AVAILABLE POSITIONS	ADDITIONAL POSITIONS TO BE APPROPRIATED
PERMANENT/TEMPORARY	0/0	(0/0)	0/0
MAN MONTHS (P/T)	0/0	(0/0)	0/0

* THIS IS DIRECT GRANT TO HSA. IT IS NOT FUNNELED THROUGH STATE ACCOUNTING SYSTEM.

ANALYSIS OF AVAILABLE FUNDS

FOR

STATEWIDE COORDINATION OF HEALTH PLANNING

		TOTAL AVAILABLE
SECTION I -	STATEWIDE HEALTH COORDINATING COUNCIL (SHCC)	$ 25,800
SECTION II -	STATE HEALTH PLANNING AND DEVELOPMENT AGENCY (SHPDA)	$ 511,000
SECTION III -	HEALTH SYSTEMS AGENCY (HSA)	$ 0
	TOTAL	$ 536,800

SECTION I

ANALYSIS OF AVAILABLE FUNDS FOR FY'77

BY BUDGET REQUEST UNIT FOR
STATEWIDE HEALTH COORDINATING COUNCIL (SHCC)

A. AVAILABLE FUNDS

OBJECT	OFFICE OF PLANNING & RESEARCH BRU OF PLANNING	ALL OTHER BRU'S	TOTAL
100 PERSONAL SERVICES	$ 0.00	$ 0.00	$ 0.00
200 TRAVEL	$ 25,800.00	$ 0.00	$25,800.00
300 CONTRACTUAL	$ 0.00	$ 0.00	$ 0.00
400 COMMODITIES	$ 0.00	$ 0.00	$ 0.00
500 EQUIPMENT	$ 0.00	$ 0.00	$ 0.00
600 LAND & STRUCTURES	$ 0.00	$ 0.00	$ 0.00
700 GRANTS,CLAIMS,ETC.	$ 0.00	$ 0.00	$ 0.00
TOTAL	$ 25,800.00	$ 0.00	$25,800.00

B. FUNDING

TYPE OF FUNDING	OFFICE OF PLANNING & RESEARCH BRU OF PLANNING	ALL OTHER BRU'S	TOTAL
GENERAL FUND	$ 6,450.00	$ 0.00	$ 6,450.00
FEDERAL FUND	$ 19,350.00	$ 0.00	$ 19,350.00
OTHER	$ 0.00	$ 0.00	$ 0.00

C. AVAILABLE POSITIONS

POSITIONS	OFFICE OF PLANNING & RESEARCH BRU OF PLANNING	ALL OTHER BRU'S	TOTAL
PERMANENT/TEMPORARY	0/0	0/0	0/0
MAN MONTHS (P/T)	0/0	0/0	0/0

SECTION II

ANALYSIS OF AVAILABLE FUNDS FOR FY'77
BY BUDGET REQUEST UNIT FOR
STATE HEALTH PLANNING AND DEVELOPMENT AGENCY (SHPDA) FOR FY'77

A. AVAILABLE FUNDS (in thousands):

	OFFICE OF PLANNING & RESEARCH --- Planning Facilities Development Emergency Medical BRU	TOTAL
100 PERSONAL SERVICES	$ 416.4	$ 416.4
200 TRAVEL	$ 34.2	$ 34.2
300 CONTRACTUAL	$ 55.7	$ 55.7
400 COMMODITIES	$ 2.7	$ 2.7
500 EQUIPMENT	$ 2.0	$ 2.0
600 LAND & STRUCTURES	$ 0.0	$ 0.0
700 GRANTS, CLAIMS	$ 0.0	$ 0.0
TOTAL	$ 511.0	$ 511.0

B. FUNDING (in thousands):

GENERAL FUND	$ 301.3	$ 301.3
FEDERAL FUNDS	$ 196.2	$ 196.2
OTHER	$ 13.5	$ 13.5

C. AVAILABLE POSITIONS*:

PERMANENT/TEMPORARY	16/0	16/0
MAN MONTH (P/T)	192/0	192/0

* INCLUDES FY'77 POSITION REQUESTS

ANALYSIS OF AVAILABLE POSITIONS

for

STATE HEALTH PLANNING and

DEVELOPMENT AGENCY (SHPDA)

ANALYSIS OF AVAILABLE POSITIONS
FOR
STATE HEALTH PLANNING AND DEVELOPMENT AGENCY (SHPDA)

OFFICE OF PLANNING AND RESEARCH

COMP HEALTH PLANNING

Hlth Svc Plan Coor	R/23	0039
Coor Spc Proj	R/22	New
Hlth Planner	R/20	0070
Hlth Planner	R/20	0040
Asst Hlth Planner	R/17	0069
Asst Hlth Planner	R/17	0114
Res Anal II	R/16	Req
Admin Asst I	R/12	0115
Clk Typ III	R/8	0026
Stat Clk I	R/8	Req

FACILITIES DEVELOPMENT

Coor Hlth & Soc Svc Fac	R/21	0051
Architect	R/21	0053
Grant Admin	R/17	0267
Clk Typ II	R/7	0027

EMERGENCY MED PLANNING

Emrg Hlth Svc Planner	R/20	0117
Clk Typ III	R/8	0118

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. HB 665
Title: An act relating to Statewide coordination of health planning
Requested by: _____ Date: _____
Return Date Requested: _____
Agency: Health & Social Services Program: Comprehensive Health Planning

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Comprehensive Health Planning

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		392.9	377.9	329.2	362.1	398.3
200	TRAVEL		39.2	37.7	32.9	36.2	39.8
300	CONTRACTUAL		39.2	37.7	32.9	36.2	39.8
400	COMMODITIES		3.9	3.9	3.2	3.6	3.9
500	EQUIPMENT		11.0				
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.		881.0	969.1	1066.0	1172.6	1289.9
	TOTAL	0.0	1367.2	1426.3	1464.2	1610.7	1771.7

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0.0	1067.2	1126.3	1164.2	1310.7	1471.7
FEDERAL FUNDS	0.0	300.0	300.0	300.0	300.0	300.0
OTHER	0.0	0.0	0.0	0.0	0.0	0.0

C. POSITIONS:

PERMANENT/TEMPORARY	0 /0	11/8	11/ 6	11/0	11 /0	11 /0
MAN MONTHS (P./T.)	0 /0	132 /60	132/36	132/0	132/0	132/0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
Specific assumptions include:
1) the effective date of the Act is July 1, 1976.
2) the bill as enacted is enforcable, not contradictory, and in compliance with PL 93-641.
3) the reorganization of departmental activities results in no change in the efficiency of current activities.
4) Reallocation of resources within the Department of Health and Social Services is not shown since additional costs are assumed not to occur in the reallocation process.
The implementation of a certificate of need program under this Act will require extensive legal services in interpretation of the statute, design and regulations, establishment of administrative procedures and forms, preparation of defense to suits and initiation of legal actions. Program costs are estimated as shown below. Those objects of expenditure other than grants and equipment are projected at a 10% per year increase.

IV. ATTACHMENTS

V. DATE: 2/19/76 PREPARED BY: Richard Renninger, Acting Coordinator
Office of Planning & Research
Health & Social Services

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

Personnel Cost

Permanent Positions	Range	Salary	+ (21%) Benefits	= FY 77 Cost	FY 78 Cost	FY 79 Cost	FY 80 Cost	FY 81 Cost
Attorney III	22	29,808	6,259	36,067	39,673	43,640	48,004	52,804
Attorney II	19	23,928	5,024	28,952	31,847	35,031	38,534	42,387
Architect	21	27,720	5,821	33,541	36,895	40,584	44,642	49,106
Accountant IV	18	22,224	4,667	26,891	29,580	32,538	35,791	39,370
Research Analyst III	18	22,224	4,667	26,891	29,580	32,538	35,791	39,370
Administrative Assistant III	16	19,176	4,026	23,202	25,522	28,074	30,881	33,969
Health Planner	20	25,728	5,402	31,130	34,243	37,667	41,433	45,576
Assistant Health Planner	17	20,640	4,334	24,974	27,471	30,218	33,239	36,562
Clerk Typist III	8	11,256	2,363	13,619	14,980	16,478	18,125	19,937
Clerk Typist III	8	11,256	2,363	13,619	14,980	16,478	18,125	19,937
Clerk Typist II	7	10.920	2,293	13,213	14,534	15,987	17,585	19,343
Temporary positions (full time equivalents) (7%)								
Attorney II	19	23,928	1,674	25,602	28,162			
Attorney II	19	23,928	1,674	25,602				
Accountant IV	18	22,224	1,555	23,779	26,156			
Accountant IV	18	22,224	1,555	23,779				
Assistant Health Planner	17	20,640	1,444	22,084	24,292			
Total Personnel Services		337,824	+ 55,121 =	392,945	377,915	329,233	362,150	398,361

(In thousands)

Personnel Services Cost	392.9	377.9	329.2	362.1	398.3
Travel at 10% of Personnel Services Cost	39.2	37.7	32.9	36.2	39.8
Contractual at 10% of Personnel Service Cost	39.2	37.7	32.9	36.2	39.8
Commodities at 1% of Personnel Services Cost	3.9	3.9	3.2	3.6	3.9
Equipment at $1000/permanent position for the 1st year	11.0				
Grants to HSA's	881.0	969.1	1066.0	1172.6	1289.9
Total	1367.2	1426.3	1464.2	1610.7	1771.7

The following is a sectional breakdown of the fiscal effect of this bill:

Section 1 and 2
Establishment of Statewide Health Coordinating Council: no effect.
Delineation of certain health planning activities: no effect
Planning grants to health systems agencies: Indicate funding requested in application from health systems agencies

Establishment of certificate of need for health care: the itemized additional costs reflect the need for strong legal support in implementing and maintaining the program as proposed.

Section 3
Reallocation of resources required from TB control to Planning and Development; no additional cost to Department.

Section 4 thru 17
No effect.

Section 13 thru 17
Minimal effect; financial impact incorporated under Section 2.

Section 18 thru 21
Reallocation of resources required from Division of Mental Health and Developmental Disabilities to Office of Planning and Developmental; no additional cost to Department.

Section 22
Reallocation of resources required from Office of Alcoholism to Office of Planning and Development; no additional cost to Department.

Section 23 thru 27
Reallocation of resources required from Division of Mental Health and Developmental Disabilities to Office of Planning and Development; no additional cost to Department.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

file HB65

I. REQUEST

Bill No. NOT ASSIGNED

Title: "AN ACT RELATING TO STATEWIDE COORDINATION OF HEALTH PLANNING"

Requested by: HEALTH SUB-COMMITTEE Date: NOT APPLICABLE

Return Date Requested: NOT APPLICABLE

Affected Agency: DEPT. OF HEALTH & SOCIAL SERVICES Program: Affected COMP. PLANNING, HEALTH INFORMATIONS SYSTEMS, DRUG ABUSE, ALCOHOLISM, MENTAL HEALTH, PUBLIC ASSISTANCE

II. FISCAL DETAIL

Budget Request Unit(s) Affected: SEE ATTACHED LIST

A. EXPENDITURES: (Thousands of dollars)

(REQUIRED BEYOND FY77 AGENCY REQUESTS)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES	0	46.5	51.2	56.3	61.9	68.1
200	TRAVEL	0	3.2	3.5	3.8	4.2	4.6
300	CONTRACTUAL	0	87.0	95.7	105.3	115.8	127.4
400	COMMODITIES	0	.8	.9	1.0	1.1	1.2
500	EQUIPMENT	0	1.3	0	0	0	0
600	LAND & STRUCTURES	0	0	0	0	0	0
700	GRANTS, CLAIMS, ETC.	293.7	881.0	969.1	1,066.0	1,172.6	1,289.9
	TOTAL	293.7	1,019.8	1,120.4	1,232.4	1,355.6	1,491.2

B. FUNDING: (Thousands of dollars) (REQUIRED BEYOND FY77 AGENCY REQUESTS)

GENERAL FUND	293.7	719.8	820.4	932.4	1,055.6	1,191.2
FEDERAL FUNDS	0	300.0	300.0	300.0	300.0	300.0
OTHER	0	0	0	0	0	0

C. POSITIONS: (REQUIRED BEYOND FY77 AGENCY REQUESTS)

PERMANENT/TEMPORARY	0 / 0	2 / 0	2 / 0	2 / 0	2 / 0	2 / 0
MAN MONTHS (P./T.)	0 / 0	24 / 0	24 / 0	24 / 0	24 / 0	24 / 0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

FY76 - ASSUMES HEALTH SYSTEMS AGENCIES OPERATIONAL BY APRIL 1, 1975 REQUIRING FY76 SUPPLEMENTAL APPROPRIATION.

FY77 - ASSUMES EFFECTIVE DATE OF JULY 1, 1976. DETAILED DESCRIPTION OF NEEDS, AVAILABLE FUNDS AND POSITIONS FOR TRANSFER, AND ADDITIONAL APPROPRIATION REQUIRED IS INCLUDED IN ATTACHED SHEETS. ASSUMES SHCC, SHPDA, HSA'S AND DEMONSTRATION PROJECT OPERATIONAL FOR ENTIRE FISCAL YEAR.

FY78 - TEN PERCENT INFLATION FACTOR BEYOND FY77 COSTS. ONE TIME ITEMS (EQUIPMENT) WILL BE PURCHASED IN FY77. THEREFORE, NO ADDITIONAL APPROPRIATION FOR FY78-81 FOR EQUIPMENT IS ANTICIPATED.

IV. ATTACHMENTS

CHARTS DETAILING NEEDS, AVAILABLE FUNDS AND POSITIONS FOR TRANSFER, AND ADDITIONAL APPROPRIATION REQUIRED FOR FY77 ATTACHED.

V. DATE: DECEMBER 22, 1975 PREPARED BY: LEGISLATIVE AFFAIRS AGENCY

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

BUDGET REQUEST UNITS

AFFECTED BY BILL

DIVISION OF MENTAL HEALTH

Administration and Support

DIVISION OF PUBLIC ASSISTANCE

Administration and Support

DIVISION OF PUBLIC HEALTH

Health Information Systems

OFFICE OF PLANNING AND RESEARCH

Comp Health Planning

Facilities Development

Emergency Med Planning

OFFICE OF ALCOHOLISM

Administration and Support

OFFICE OF DRUG ABUSE

Administration and Support

TOTAL NEEDS ANALYSIS

FOR

STATEWIDE COORDINATION OF HEALTH PLANNING

		ADDITIONAL APPROPRIATION REQUIRED
SECTION I -	STATEWIDE HEALTH COORDINATING COUNCIL (SHCC)	$ 57,211
SECTION II -	STATE HEALTH PLANNING AND DEVELOPMENT AGENCY (SHPDA)	$ 0
SECTION III-	HEALTH SYSTEMS AGENCY (HSA)	$ 881,000
SECTION IV -	LONG TERM CARE DEMONSTRATION PROJECT	$ 81,593
	TOTAL	$ 1,019,804

SECTION I:

TOTAL NEEDS ANALYSIS
FOR
STATEWIDE HEALTH COORDINATING COUNCIL (SHCC) FOR FY'77

A. ESTIMATED EXPENDITURES

OBJECT	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
100 PERSONAL SERVICES	$ 46,546.00	-0-	$ 46,546.00
200 TRAVEL	$ 29,000.00	($ 25,800)	$ 3,200.00
300 CONTRACTUAL	$ 5,391.00	-0-	$ 5,391.00
400 COMMODITIES	$ 800.00	-0-	$ 800.00
500 EQUIPMENT	$ 1,274.00	-0-	$ 1,274.00
TOTAL	$ 83,011.00	($ 25,800)	$ 57,211.00

B. FUNDING

TYPE OF FUNDING	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
GENERAL FUND	$ 63,661.00	($ 6,450.00)	$ 57,211.00
FEDERAL FUND	$ 19,350.00	($ 19,350.00)	$ 0.00
OTHER	$ 0.00	($ 0.00)	$ 0.00

C. POSITIONS

POSITIONS	TOTAL NEED	AVAILABLE POSITIONS	ADDITIONAL POSITIONS TO BE ESTABLISHED
PERMANENT/TEMPORARY	2/0	0/0	2/0
MAN MONTHS (P/T)	24/0	0/0	24/0

SECTION II:

TOTAL NEEDS ANALYSIS
FOR
STATE HEALTH PLANNING AND DEVELOPMENT AGENCY (SHPDA) FOR FY'77

A. ESTIMATED EXPENDITURES

OBJECT	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
100 PERSONAL SERVICES	$655,700.00	($655,700.00)	$ 0.00
200 TRAVEL	$ 49,900.00	($ 49,900.00)	$ 0.00
300 CONTRACTUAL	$150,300.00	($150,300.00)	$ 0.00
400 COMMODITIES	$ 8,800.00	($ 8,800.00)	$ 0.00
500 EQUIPMENT	$ 4,200.00	($ 4,200.00)	$ 0.00
TOTAL	$868,900.00	($868,900.00)	$ 0.00

B. FUNDING

TYPE OF FUNDING	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
GENERAL FUND	$560,500.00	($560 00)	$ 0.00
FEDERAL FUND	$308,400.00	($308,400.00)	$ 0.00
OTHER	$ 0.00	($ 0.00)	$ 0.00

C. POSITIONS

POSITIONS	TOTAL NEED	AVAILABLE POSITIONS	ADDITIONAL POSITIONS TO BE ESTABLISHED
PERMANENT/TEMPORARY	26/0	(26/0)*	0/0
MAN MONTHS (P/T)	312/0	(312/0)*	0/0

* INCLUDES FOUR (4) NEWLY REQUESTED POSITIONS:

RESEARCH ANALYST III	R/18	-	HIS BRU
RESEARCH ANALYST II	R/16	-	PLANNING & RESEARCH BRU
RECORDS HANDLER	R/12	-	HIS BRU
STATISTICAL CLERK I	R/ 8	-	PLANNING & RESEARCH BRU

SECTION III:

TOTAL NEEDS ANALYSIS
FOR
HEALTH SYSTEMS AGENCIES (HSA) FOR FY'77

A. ESTIMATED EXPENDITURES

OBJECT	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
100 PERSONAL SERVICES	$ 0.00	($ 0.00)	$ 0.00
200 TRAVEL	$ 0.00	($ 0.00)	$ 0.00
300 CONTRACTUAL	$ 0.00	($ 0.00)	$ 0.00
400 COMMODITIES	$ 0.00	($ 0.00)	$ 0.00
500 EQUIPMENT	$ 0.00	($ 0.00)	$ 0.00
600 LAND & STRUCTURES	$ 0.00	($ 0.00)	$ 0.00
700 GRANTS, CLAIMS	$881,000.00	($ 0.00)	$881,000.00
TOTAL	$881,000.00	($ 0.00)	$881,000.00

B. FUNDING

TYPE OF FUNDING	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
GENERAL FUND	$581,000.00	($ 0.00)	$581,000.00
FEDERAL FUND	$300,000.00	($ 0.00)	$300,000.00
OTHER	$ 0.00	($ 0.00)	$ 0.00

C. POSITIONS

POSITIONS	TOTAL NEED	AVAILABLE POSITIONS	ADDITIONAL POSITIONS TO BE APPROPRIATED
PERMANENT/TEMPORARY	0/0	(0/0)	0/0
MAN MONTHS (P/T)	0/0	(0/0)	0/0

SECTION IV:

TOTAL NEEDS ANALYSIS
FOR
LONG TERM CARE DEMONSTRATION PROJECT FOR FY'77

A. ESTIMATED EXPENDITURES

OBJECT	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
100 PERSONAL SERVICES	$ 0.00	($ 0.00)	$ 0.00
200 TRAVEL	$ 0.00	($ 0.00)	$ 0.00
300 CONTRACTUAL	$81,593.00	($ 0.00)	$81,593.00
400 COMMODITIES	$ 0.00	($ 0.00)	$ 0.00
500 EQUIPMENT	$ 0.00	($ 0.00)	$ 0.00
TOTAL	$81,593.00	($ 0.00)	$81,593.00

B. FUNDING

TYPE OF FUNDING	TOTAL NEED	AVAILABLE FUNDS	ADDITIONAL APPROPRIATION REQUIRED
GENERAL FUND	$81,593.00	($ 0.00)	$81,593.00
FEDERAL FUND	$ 0.00	($ 0.00)	$ 0.00
OTHER	$ 0.00	($ 0.00)	$ 0.00

C. POSITIONS

POSITIONS	TOTAL NEED	AVAILABLE POSITIONS	ADDITIONAL POSITIONS TO BE ESTABLISHED
PERMANENT/TEMPORARY	0/0*	(0/0)	0/0
MAN MONTHS (P/T)	0/0	(0/0)	0/0

* WILL BE CONTRACTUAL POSITIONS ONLY

ANALYSIS OF AVAILABLE FUNDS

FOR

STATEWIDE COORDINATION OF HEALTH PLANNING

		TOTAL AVAILABLE
SECTION I -	STATEWIDE HEALTH COORDINATING COUNCIL (SHCC)	$ 25,800
SECTION II -	STATE HEALTH PLANNING AND DEVELOPMENT AGENCY (SHPDA)	$ 868,900
SECTION III -	HEALTH SYSTEMS AGENCY (HSA)	$ 0
SECTION IV -	LONG TERM CARE DEMONSTRATION PROJECT	$ 0
	TOTAL	$ 894,700

SECTION I

ANALYSIS OF AVAILABLE FUNDS FOR FY'77

BY BUDGET REQUEST UNIT FOR
STATEWIDE HEALTH COORDINATING COUNCIL (SHCC)

A. AVAILABLE FUNDS

OBJECT	OFFICE OF PLANNING & RESEARCH BRU OF PLANNING	ALL OTHER BRU'S	TOTAL
100 PERSONAL SERVICES	$ 0.00	$ 0.00	$ 0.00
200 TRAVEL	$ 25,800.00	$ 0.00	$25,800.00
300 CONTRACTUAL	$ 0.00	$ 0.00	$ 0.00
400 COMMODITIES	$ 0.00	$ 0.00	$ 0.00
500 EQUIPMENT	$ 0.00	$ 0.00	$ 0.00
600 LAND & STRUCTURES	$ 0.00	$ 0.00	$ 0.00
700 GRANTS,CLAIMS,ETC.	$ 0.00	$ 0.00	$ 0.00
TOTAL	$ 25,800.00	$ 0.00	$25,800.00

B. FUNDING

TYPE OF FUNDING	OFFICE OF PLANNING & RESEARCH BRU OF PLANNING	ALL OTHER BRU'S	TOTAL
GENERAL FUND	$ 6,450.00	$ 0.00	$ 6,450.00
FEDERAL FUND	$ 19,350.00	$ 0.00	$ 19,350.00
OTHER	$ 0.00	$ 0.00	$ 0.00

C. AVAILABLE POSITIONS

POSITIONS	OFFICE OF PLANNING & RESEARCH BRU OF PLANNING	ALL OTHER BRU'S	TOTAL
PERMANENT/TEMPORARY	0/0	0/0	0/0
MAN MONTHS (P/T)	0/0	0/0	0/0

SECTION II

ANALYSIS OF AVAILABLE FUNDS FOR FY'77
BY BUDGET REQUEST UNIT FOR
STATE HEALTH PLANNING AND DEVELOPMENT AGENCY (SHPDA) FOR FY'77

A. AVAILABLE FUNDS (in thousands)

	OFFICE OF PLANNING & RESEARCH --- Planning Facilities Development Emergency Medical Bru	OFFICE OF ALCOHOLISM --- Administration and Support Bru	OFFICE OF DRUG ABUSE --- Administration Bru	DIVISION OF MENTAL HEALTH --- Administration and Support Bru	DIVISION OF PUBLIC ASSISTANCE --- Administration and Support Bru	DIVISION OF PUBLIC HEALTH --- Health Information Systems Bru	TOTAL
100 PERSONAL SERVICES	$ 426.2	$ 19.3	$ 0.0	$ 23.2	$ 23.2	$ 163.8	$ 655.7
200 TRAVEL	$ 34.2	$ 1.7	$ 0.0	$ .3	$ .3	$ 13.4	$ 49.9
300 CONTRACTUAL	$ 55.7	$ 63.5	$ 14.4	$ .3	$ .3	$ 16.1	$ 150.3
400 COMMODITIES	$ 2.7	$ 0.0	$ 0.0	$ .4	$ .4	$ 5.3	$ 8.8
500 EQUIPMENT	$ 2.0	$ 0.0	$ 0.0	$ 0.0	$ 0.0	$ 2.2	$ 4.2
600 LAND & STRUCTURES	$ 0.0	$ 0.0	$ 0.0	$ 0.0	$ 0.0	$ 0.0	$ 0.0
700 GRANTS, CLAIMS	$ 0.0	$ 0.0	$ 0.0	$ 0.0	$ 0.0	$ 0.0	$ 0.0
TOTAL	$ 520.8	$ 84.5	$ 14.4	$ 24.2	$ 24.2	$ 200.8	$ 868.9

ANALYSIS OF AVAILABLE FUNDS FOR FY'77
BY BUDGET REQUEST UNIT FOR
STATE HEALTH PLANNING AND DEVELOPMENT AGENCY (SHPDA) FOR FY'77 (continued)

B. FUNDING (in thousands)

TYPE OF FUNDING	OFFICE OF PLANNING & RESEARCH	OFFICE OF ALCOHOLISM	OFFICE OF DRUG ABUSE	DIVISION OF MENTAL HEALTH	DIVISION OF PUBLIC ASSISTANCE	DIVISION OF PUBLIC HEALTH	TOTAL
GENERAL FUND	$ 324.6	$ 0.0	$ 0.0	$ 24.2	$ 10.9	$ 200.8	$ 560.5
FEDERAL FUNDS	$ 196.2	$ 84.5	$ 14.4	$ 0.0	$ 13.3	$ 0.0	$ 308.4
OTHER	$ 0.0	$ 0.0	$ 0.0	$ 0.0	$ 0.0	$ 0.0	$ 0.0

C. AVAILABLE POSITIONS*

POSITIONS	OFFICE OF PLANNING & RESEARCH	OFFICE OF ALCOHOLISM	OFFICE OF DRUG ABUSE	DIVISION OF MENTAL HEALTH	DIVISION OF PUBLIC ASSISTANCE	DIVISION OF PUBLIC HEALTH	TOTAL
PERMANENT/ TEMPORARY	16/0	1/0	0/0	1/0	1/0	7/0	26/0
MAN MONTH (P/T)	192/0	12/0	0/0	12/0	12/0	84/0	312/0

* INCLUDES FY'77 POSITION REQUESTS

ANALYSIS OF AVAILABLE POSITIONS

for

STATE HEALTH PLANNING and

DEVELOPMENT AGENCY (SHPDA)

ANALYSIS OF AVAILABLE POSITIONS
for
STATE HEALTH PLANNING and

DEVELOPMENT AGENCY (SHPDA)

OFFICE OF PLANNING AND RESEARCH

COMP HEALTH PLANNING		
Hlth Svc Plan Coor	R/23	0039
Coor Spc Proj	R/22	New
Hlth Planner	R/20	0070
Hlth Planner	R/20	0040
Asst Hlth Planner	R/17	0069
Asst Hlth Planner	R/17	0114
Res Anal II	R/16	Req
Admin Asst I	R/12	0115
Clk Typ III	R/8	0026
Stat Clk I	R/8	Req
FACILITIES DEVELOPMENT		
Coor Hlth & Soc Svc Fac	R/21	0051
Architect	R/21	0053
Grant Admin	R/17	0267
Clk Typ II	R/7	0027
EMERGENCY MED PLANNING		
Emrg Hlth Svc Planner	R/20	0117
Clk Typ III	R/8	0118

DIVISION OF PUBLIC HEALTH

HEALTH INFORMATION SYSTEM		
Hlth Info Sys Coor	R/22	1137
Hlth Svc Spec	R/20	1381
Res Anal III	R/18	Req
Admin Asst III	R/16	1396
Rec Handler	R/12	Req
Clk Typ III	R/8	1278
Clk Typ II	R/7	1457

DIVISION OF MENTAL HEALTH

ADMINISTRATION AND SUPPORT		
Res Anal II	R/16	2003

DIVISION OF PUBLIC ASSISTANCE

ADMINISTRATION AND SUPPORT		
Res Anal II	R/16	8008

OFFICE OF ALCOHOLISM

ADMINISTRATION AND SUPPORT		
Res Anal I	R/13	0284

HB

691

"An Act relating to identification cards for senior citizens."

COMMITTEE REPORT

HOUSE

2/5/76

Mr. Speaker: Date 4-6-1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HB 601 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

FEB. 23, 1976

Present: Beirne, Osterback, Ose, Swanson, Sullivan, Ostrosky, Parr, Davis

Testifying: Vern Williams, Dept. of Ed.
Frank Austin, P.T.A.

HB 691 - Identification cards for senior citizens

Sullivan gave an explanation of the bill and why it would be useful to senior citizens.

Vote - unanimous - do pass

HB 419 - An act relating to health education

Beirne - would like to have input from Diane Laresh, with Dept. Diane is on a trip now and cannot testify. Important to get input from her since she has been providing cities with a health ed. plan. Another concern is how this would be incorporated into an allready heavy curriculum.

Vern Williams - Dept. of Ed in favor of this bill. Feels preventative health education beneficial. in 1973 less than 50% of schools in Ak. taught health ed. Schools need help in providing this. Curriculum priorities in health ed. program would be, the curriculum approach, research materials, elementray grades.

Committee concerned about the cost, fiscal note seems really high. Williams said major cost would be in year of implementration, after that not much, mainly revising curriculum.

Hackney concerned about portion of the bill that speaks to appropriate use of health services. Afraid that means birth control clinics, etc. Some other committee members concerned also about what that means. Exactly what do health services include?

Frank Austin-P.T.A. At the National State level,comprehensive health education was the priority. Feels this very importatn to all areas of Ak.

Hackney - motion , individual recommendations for bill and refer to finance, - motion failed

Parr - motion to delete from "a school" line 17 to line 22

which would take the funding portion out of the bill.
Amendment fails.

Hackney - Amendment, exclude line 16 - 28
Amendment fails.

Beirne - Amendment, omit from line 27 "except" through end of bill. Short discussion on this and Beirne moved her motion off the floor.

Meeting adjourned.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. House Bill 691
Title: An act relating to identification cards for senior citizens
Requested by: Representative Sullivan Date: Feb. 13, 1976
Return Date Requested: A telephone request - no urgency
Agency: AK. Dept. of Public Safety Program: Individual Protection

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Driver License

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL	-0-	-0-	-0-	-0-	-0-	

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER Program receipts	(1.3)	(1.3)	(1.3)	(1.3)	(1.3)	

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The Act would effect the program expenses indirectly in the sense that program receipts would be reduced by $1,250. per year. (250 x $5.) for the next five (5) years. Program receipts for FY75 was $14,408.30. FY76 estimates, $15,000.

Cost Analysis: The actual cost paid to Polaroid for I.D. filming is $0/56. Personal costs, stationery, machine hire and other overhead costs add up to the rest.

The I. D. Cards are issued only to individuals who don't possess drivers licenses as a means of personal identification; moreover, the I.D. cards, once issued, do not require renewal. For these reasons, the Department does not anticipate any substantial yearly fluctuation in the number of I.D. cards.

ASSUMPTION: I.D. cards to be issued to 250 (approx.) senior citizens who do not hold valid driver licenses.

V. DATE: 2/13/76 PREPARED BY: Tryggve Hermann, Director
Administrative Services

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

HB
712

"An Act relating to physical and dental examinations in the schools."

COMMITTEE REPORT

2/10/76 HOUSE FINANCE

Mr. Speaker: Date March 11, 1976

The Committee on HESS has had HB 712 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

Jean Hadley _____ _____

Helen Peters _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 12, 1976

Present: Beirne Hackney
Osterback Ostrosky
Sullivan

HJR 61 - Comprehensive Health Ed. School - HESS

Diane LaResch - Health Ed. Specialist of D.O.E.
Explanation of resolution and the congressional legislation referred to.

Committee discussion

Hackney- motion to move out, no objection - do pass

SSHB 419 Health Education - Sullivan

Diane LaResch, spoke to the importance of health ed. and the lack of it in Alaska

Committee discussion and motion to move out, no objections

HB 712 - Physical and Dental Exams in School - Sullivan

Sullivan explained reason for the bill, it was to add to medical exams for studentens and dental exams.

Diane LaResch responded to questions for the committee.

Hackney - moved to pass out, do pass

HB

714

"An Act making a special appropriation to the Department of Community and Regional Affairs for a senior citizens nutrition and recreation facility in Fairbanks; and providing for an effective date."

COMMITTEE REPORT

2/10/76

HOUSE

FINANCE

Mr. Speaker: Date 2-10-76

The Committee on HESS has had HB 714 under consideration. A Majority of the members of the Committee

(X) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(X) recommends it BE REPLACED WITH CS FOR 714 (new title) AND THAT CS FOR HB 714 DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends: NO REC

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 8, 1976

Present: Ostrosky Hackney
Parr Davis
Beirne Sullivan

Testifying: Eric Lee, C&RA, Community Services
Frank Pauls, H & SS, Public Health
Grace Billings, Office on Aging
Glenn Sachs, Office on Aging
M. Dan Plotnick, Office on Aging
Nat Cole, D.O.E.

HCR 97 - Relating to State Purchases of Drugs - Sullivan

Dr. Pauls, feels bill will create a savings to the state. Drugs usually purchases on a bid or blanket contract with drug houses.

Committee questions how you educate state employees to the advantages of drug purchases. Pauls says you work with purchasing agents.

Ostrosky - Vote do pass, unanimous

HB 714 Sr. Citizens nutrition and recreation facility - Parr

Parr expressed the need that the senior citizens of Fabks have for the facility.

Eric Lee - spoke for Community and REgional affairs concerning this project. Felt that the funds would not be of any trouble, just filtered throuch C&Ra.

Hackney- thinks new facility in FBks, under construction right now could speak to the needs and be utilized by the Sr. citizens.

Mr. Plotnick - Brought two staff people to speak to the needs in the FBKS areas. Billings & Sacks. Fbks area - new ASHA housing area for SR. citiznes now under construction, understands there is a kitchen facility to be used. This would give the sr. citizens a place to make their meals.

Sullivan - Feels there is a possibility of putting this new facility near the ASHA project so it can be utilized more often.

Parr - bad idea, there are many sr. citizens in Fbks, who do not live hear that housing development

Hackney - wants to explore possibility of using other facilities rather than building a new one. Suggested the Alaskaland area.

Parr - Amendment - Section 1, period after FBKS.
Section 2, Dept. shall contract with NSC on Aging for purposes specified in Section 1
Section 3, (same as section 2 on the bill)

Amendment voted on do pass

Sullivan moved to pass out
Beirned - requested reconsideration. wants to know whether she can add a section to include the same appropriation for the Anchorage area and to go through the municipality.

Parr says O.K.

Sullivan - must be a committee substitute for HB 714

Voted on - Do pass,

SB 203 AM School Attendance Hohman

Nat Cole, feels that the dept. O.K.s this concept of education and allready basically does give credit for learning experiences, but feels the legislature can express intent by passing this bill.

Committee, wanted to know whether this time counted towards the full 180 days that is required of students, yes.

Voted Do Pass 5

CSSB 272 Operation of vending machines by blind or handicapped

Sullivan spoke to the need of this legislation because blind have very few options for employment and this is one of them. There seems to be no problems with this.

Vote - do pass unanimous

HB

733

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 22, 1976

Present: Sullivan Beirne, Ostrosky Kelley

HB 734 - Rights and Guardianship for disabled - HESS

Dr. Hotchkiss, Pres. of St. Association for Retarded Citizens, very opposed to HB 734

Robert Mothershed, citizens, wishes to stress rehabilitation rather than treatment. 47.70.100 too limiting, shouldn't be limited only to danger to ourselves or others. Call it "habilitation, rather than treatment plan. Under federal law, council has more than advising powers, membership should reflect consumers as provided for in federal law. REcommends putting council in Gov's office.

47.70.170
Should consider possibility of private non-profit corp. for advocacy function. Should be separate advocacy office for mentally ill and dd. Office of advocacy for the mentally disabled in 1 office and "DD" definition in 734 contrary to federal law. Replace Sec 9 with lang. from HB 645. More comprehensive bill necessary to provide more services for DD.

HB 733 - Commitment procedures, mentally ill -HESS

Payment by parents - incorporate the $50 maximum. If only 733 passes, add 47.70.100 from HB 734

Helen Mothershed, DD council recommends substitute for bill for 734. Council should be more than advisory board reflecting federal law.

Robert Mothershead = composition and duties of council should reflect changing federal requirements

EVENING - same agenda

Oseruk, Supports office for DD , services not available in rural areas though Oseruk, A.F.N. Inc.

Dr. William Moore, St. of Ak. Div. of mental health, worked with task force, problems with diagnostic services only available in Anchorage. 733 would be more agreeable if it provided services for communities.

Bob Swain, President of Local Association for retarded citizens.

Jennie Selides opposed to 733

William Mueller for patient of A.P.I.

Fred Selkregg, HB 733 Ak. Mental Health Ass., is in favor of it.

Helen Beirne, should advocacy office be under Gov's office or public defenders office?

Dr. Aaron Wolfe - Pres. of Ak. branch of American Psy. Ass.

Dr. Joe Bloom, secion chief for psyc. at Providence Hosp. HB 733 would prevent treatment of people who need it. No abuse under present statute.

Dr. F. Whelan, A.S.M.A. Mental Health Committee, chairman, the Committee is opposed, present statute adequate and unabused. Representated testamony of psych. who wouldn't attend. all opposed, he is personally opposed.

Judge Moody, representating himself, opposed, no abuse in present system.

Marjorie Bell- usually conducts hearings on commitment anyway

Dr. Rader, Psy. in Anch. Need to protect rights of minors, but 733 goes to far.

Dr. Langdon,= Total bill bad, unnecessary. Present bill was adopted in 1956 federal model act, reworked by the city attorney, Jim Fitzgerald. Problem with administration not with present statute.

Dr. J. Wregget, Child Psy. Problems of criminal provision for doctors, problems with massive paperwork.

Dr. Barry Mendolsohn, child psy. opposed

Dr. Aaron Wolf - opposed

Carol Craig, Psy. intern at U. of Washington. Feels 733 is much like Washingtons law which they have found from experience is unworkable.

Joan Katz, private psychairtrists were asked to join task force and refused..

Gues list-Testimony on HB 733 & 734 in Anchorage, March 22, 1976

Charles Oxereok	A.F.N. Inc.
Dr. William Moore	Ak., Div. of Mental Health
Helen Mothershead	A.R.C.A.
Bob Mothershead	Alaska St. Retarded Childrens Assoc.
Joan M. Katz	Mental Health Task Force Group
Bob Swain	A.R.C.A.
Francis Whelen	Private psychiatrist, Fairbanks
Aaron Wolfe	Pres. Ak. Psy. Assoc.
Joe Bloom	Priv. Psychiatrist, Anchor.
Pat Mills	A.P. I.
Dr. Langdon	Langdon Clinic
Barry ,emde;spjm	Provate Psy. in Anchorage
William Rader	Psychiatrist
Ralph Moody	Superior court judge
Carol Craig	Langdon clinic, psy.
Dr. Wreggit	private psychiatrist.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

MARCH 16, 1976 7:00 P.M.

Present: Sullivan Ostrosky
Beirne Hackney Parr

Testifying:
Joan Katz, Private Attorney
Richard Peter, Dept. of Law
Carmen Massey, Alaska Legal Services
Joyce Munson, Mental Health Assoc.

HB 733 - Committment procedures/mentally ill HESS

Joan Katz - A.S. 47.30 is poor enough so that it could well lead into sucessful litigation. Biggest problem is that soneone could be held up to 66 days before commitment procedure would go tc court. No right tc council under present statute. Can be indeterminate commitment. Minors have no rights, can be committed at bequest of parents. Justa few problems with present statutes. Task force looked into laws from several other states. Feels that Office of Mental Health Advocate crucial, giving person in commitment process same rights as criminals. Recognize that commitment procedure is complicated and may need simplification, hopefully not at sacrifice of patients rights. New law sets standards for comitment, presently only standards that person can be helped by commitment. Important principle incporporated in bill - least restrictive alternative.

Parr - what could be done with someone who was still dangerous after third 90 day period.

Jim Handy, D.A. Offive, problem with new commitment standard, couldn't commit someone who needed help and wasn't able to judge this.

Joyce Munson, appalled by the present condition of the statutes.

Carmen Massey, presented some technical problems, legal services has had with this bill.

Dick Peters, presented a few practical problems that the A.G.'s office found with the bill.

No motion on bill

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF LAW

Office of the Attorney General

Pouch K - State Capitol
Juneau 99811

April 14, 1976

The Honorable Susan Sullivan
Representative
Chairman
House Committee on Health, Education
and Social Services
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Re: HB 733 (mental health law revision)

Dear Representative Sullivan:

This letter is to inform you of the Department of Law's position on this bill. We support what appears to be the basic motivation behind the effort to revise AS 47.30. As we understand that motivation, it is a desire to protect more fully the rights of individuals confronted with mental health problems, and to resolve various problems present in the existing law.

Sharing that general concern with the members of the Mental Health Task Force, it with reluctance that we would urge the legislature not to enact this bill this session and to continue the study of the matter. We would be pleased to work with a committee or task force of the legislature in developing legislation to be introduced in the Tenth Legislature.

Through an assistant attorney general in Anchorage, the Department of Law has participated with the task force's work on the bill before you. Attorney Joan Katz, in her December 3, 1975 cover memo for what appears to be a final draft of the bill, after mentioning various participants, states "The Attorney General's Office, finally, consistently provided us with sound legal insight." Based on this familiarity with the work product of the task force, it is the recommendation of that assistant attorney general and of this department that more work should go into the bill.

We would like to be able to give you at this time a thorough analysis of constitutional requirements relevant to all issues in the bill, and compare those requirements with various provisions in the bill and with the costs and feasibility of implementing those provisions. However, time does not allow such an extensive analysis. We note the various references in Ms. Katz' December 3 memorandum to the fact that the version covered by that memorandum was a draft for which she was soliciting further comments and refinements; and we hope that our few, brief comments in this letter will be taken in the same spirit of cooperation with which they are offered; we believe that further refinements of the bill are essential.

Here are five representative concerns of a policy nature:

1. The commitment standard in proposed AS 47.30.056 is too restrictive. We have already expressed to you and your committee our concern that this proposed commitment standard would not allow for the commitment of individuals who could be committed under the current law and who, we firmly believe everyone will agree, should be committed for their own benefit.

2. As we have also discussed with you, the involuntary commitment procedure in Article 1B, with its 14-day period and then 90-day periods, with a limitation of three of the latter (proposed AS 47.30.161), appears overly restrictive without assuring that the patient will benefit from those restrictions. The review procedure at the end of each commitment period would necessitate considerable amounts of judicial, attorney, and medical time even when it is apparent that the particular patient must necessarily receive treatment for a longer period. When considering the patient's right not to be simply "stored on a shelf" in a mental hospital, the administrative feasibility of proposals to assure him of that right must be carefully considered. An alternative to the approach presently in the bill, and hopefully an improvement of the present law, might be a provision which would assure judicial review at least annually but allow for it more frequently if the judge orders it in particular cases or if administrative or medical officials believe it is advisable. This would appear to be more appropriately tailored to each individual's problems, while not unduly burdening the administrative and judicial systems.

3. The proposal in AS 47.30.016 for an office of mental health advocate may have merit as an ideal, but is the sort of thing that must be weighed carefully against the financial capabilities of the state.

4. A fundamental change made by the bill is the decentralization of the commitment process. Petitions for evaluation are to be made to district offices. District officials make investigations and initiate 72-hour evaluations at evaluation facilities by mental health professionals. These professionals then petition for judicial commitment. However, practically speaking, there are no district offices and officials, no evaluation facilities, and no treatment facilities in the various districts throughout the state. Alaska is not at this time geared for the type of procedure proposed in the bill.

5. Proposed AS 47.30.321(15), the definition of "mental illness", excludes mental retardation. This would prevent the hospitalization of the severely mentally retarded under this bill. Currently pending House Bill No. 734, however, provides for commitment of the "developmentally disabled" under the terms of this bill. The two bills must be thoughtfully coordinated.

In addition, the assistant attorney general who has worked with the revision task force has mentioned at least two dozen examples of difficulties with the details of the bill. These are problems of internal inconsistency, ambiguity, uncertainty, curiousity (in the sense of not knowing why a particular provision says what it says), and miscellaneous style and language difficulties. He has mentioned these examples of the kinds of difficulties presented by the bill not to denigrate the work of the task force or any of its members, nor to thwart mental health law revision, but in an effort to improve the bill before its eventual enactment. (A listing here of the points he has mentioned would serve no useful purpose, and would merely further lengthen this letter.)

Again, let me emphasize our willingness to work with a legislative task force or committee during the legislative interim in order to further refine the product before you.

Yours truly,

AVRUM M. GROSS
ATTORNEY GENERAL

By: Wilson L. Condon
Deputy Attorney General

WLC:md:AHP

cc: The Honorable Genie Chance
Senator
Alaska State Legislature

The Honorable Clark Gruening
Representative
Alaska State Legislature

March 18, 1976

Senator Kay Poland
State of Alaska
Pouch V
Juneau, AK 99801

Dear Senator Poland:

I have recently become aware of legislation entitled HB 733 which, as far as I am concerned, is a step backward almost into the dark ages with respect to commitment proceedings.

You may recall the difficulty we had committing patients in the past. It required a trial by jury, consumed a lot of time, and sometimes left people who were really dangerous to themselves and/or to others at large for days.

Finally, with the passage of new legislation, we are now able to hospitalize the patients almost at a moment's notice. This only requires a physician's certificate of necessity of hospitalization and is limited to three days at which time the patient can, if they desire, demand a course hearing or a trial by jury to determine if they are "sane" or not.

I know of no violation of human dignity that have resulted from this law in our area. I know of several cases where patients who were rather profound suicide risks where hospitalization possibly prevented them from eliminating themselves from out society as well as several others who were dangerous to others that could be taken off the streets and placed in the hospital. In Kodiak, this sometimes only means a short period of hospitalization with medication and then discharge, or in other cases it means transfer to the Alaska Psychiatric Institute if they do not respond to care locally.

The new system recomplicates the commitment procedure and, as far as I am able to determine, provides employment for more lawyers to get on adjudicating panals, and I think we certainly do not need that in Alaska at this time.

Sincerely,

R. Holmes Johnson, M.D.

RHJ:n

In a meeting of the Mental Health Committee of the Alaska State Medical Association held in Anchorage, March 18, 1976, a position was taken on House Bill 733, and it is as follows:

The Alaska State Medical Association Mental Health Committee is on record as opposing HB 733 and recommends its defeat or withdrawal for the following reasons.

1. The present mental health commitment law has generally worked adequately and contains safeguards for civil rights of committed patients;

2. No significant abuses of civil rights have occurred under this law;

3. Such variances as may have occurred are due to failures of either the court system or department personnel. No law can be more adequate than those administering it;

4. HB 733, although using the term mental illness, tends to deny it as a medical practice by codifying in law methods of diagnosis and treatment;

5. HB 733 would set up still another costly layer of bureaucratic machinery (the mental health advocate) with its own human frailties and inadequacies; especially since the existing legislation already calls for counsel.

6. Although no fiscal note is seen, it is obvious that this bill would enormously increase the costs of public mental illness care in addition to making it much more cumbersome.

7. That we would be willing to work toward further improvement of the already existing statutes (title 47.0).

Francis J. Whelan, M.D.
Chairman

Fairbanks
3-22-76

Dear Dr Whelan

This letter is intended to affirm my opposition to the passage of H B 733, the proposed revision of the mental health code. You may use the letter in any way you see fit.

Because of the pressure of time, I will not be exhaustive in my criticism of the proposed legislation. As indicated in our previous conversation, I am in general agreement with the stand taken by our psychiatric association against this bill.

It has been estimated that the proposed revision would cost at least one million dollars for its implementation in the Northern Region alone, and Alaska could use this money better to increase the resources available for the diagnosis and treatment of mental illness.

I see nothing in this proposed revision which would be of direct benefit to any mentally ill person. Rather than pass this legislation, I would prefer to have the legislature simply rescind any part of the present statutes which they feel are faulty.

Sincerely yours

Harold South

Lib 23

January 9, 1976

Representative Clark Gruening
310 K Street, Suite 701
Anchorage, Alaska 99504

RE: Revised Alaska Mental Health Laws

Dear Representative Gruening,

Our office belatedly received a copy of the working draft revision of Title 47, Chapter 30. I commend you and your Task Force Sub-committee on what appears to be, on first reading, an excellent job on a very formidable task. The obvious effort and manhours that went into the proposed revision is reflected in the quality of your working draft. Joan Katz should be especially commended. Unfortunately the belated receipt (1/6/76) of the working draft allowed little time for review and comment prior to your designated January 8, 1976 request for input. Our office staff is presently reviewing the draft and I will forward our collective commentary approximately January 12 or 13. In the interim however, I wanted to respond to the January 8 deadline with some specific, highly personal concerns of mine referring to your present definition of "Psychologist".

"Psychologist" is presently defined as "a person with a doctoral degree from an accredited university or college in a program that is primary psychological and with no less than two years of supervised experience, one of which is subsequent to the granting of the doctoral degree; or a person licensed or certified as a psychologist for the independent practice of psychology by the State Board of Examiners of Psychology". This definition was obviously offered by the Alaska Psychological Association and/or the Psychology Board of Examiners. It is important to note that licensure in this state is contingent upon a doctoral degree.

I would like to emphatically point out that this state, as others, contains many experienced professional psychologists who do not have a doctoral degree. Indeed, the bulk of psychological services in most states is provided by persons who do not meet your proposed definition of "Psychologist". To confine "Psychologist" to your present definition has many ramifications, some very personal to me and some that relate more broadly to eventual program development capability statewide.

Indeed, if the present definition remains, I, along with others, would be excluded in the standing definitions of "Mental Health Professional", "Treatment Team", "Evaluation Personnel", etc. This seems rather ironic in view of my Masters Degree in Clinical Psychology, serving a one year internship and several subsequent years of

supervision, employment by two state governments for 17 years in a professional Psychologist capacity, and licensure in the state of Illinois for the independent practice of Psychology. It is particularly ironic in view of the fact that I participated in the clinical training and supervision of those persons (PhD candidates and post-doctoral interns) who now propose that I may not call myself a "Psychologist", or even a "Mental Health Professional". I presently have on my staff one of the most capable and competently trained Child Psychologists in the state who also lacks a doctoral degree and would be similarly excluded, as would many other capable existing providers. In this sense, adhering to the present definition would substantially reduce existing statewide resources and make the legislation even more difficult and expensive to implement.

It is important to note that the present state psychologist licensing laws offer no assurance whatsoever of competence in the area of mental illness. <u>There are persons presently licensed for the independent practice of Psychology in the state who have never had professional dealings with an emotionally ill person!</u> Please understand that I am not taking our present psychologist licensing laws to task. I feel that they are somewhat remiss in not requiring more rigid experiential requirements and that they lean too heavily and arbitrarily upon the doctoral degree. I can however give some support to that requirement for the <u>independent</u> practice of psychology where there is no potential for external quality control or professional accountability. Under such circumstances requiring the doctoral degree <u>may</u> assure higher quality services to the public, though this has never been demonstrated. To force that particular requirement on "mental health systems" (MH Clinics, CMHC's, etc) where there is a designated line of professional accountability and quality control appears unrealistic and frankly uneconomical.

The present definition of "Psychologist" requiring the terminal degree is also inconsistent with definitions of other professions. Note that "Psychiatrist" does not require Board Certification, and "Social Worker" does not require ACSW status or licensure. Indeed, "Social Worker" is defined as "a person with a Masters' or further advanced degree from an accredited school of social work". This definition even fails to include experience requirements beyond the Masters' degree, yet this catagory has equal standing as a Mental Health Professional along with psychiatrists and doctoral level psychologists.

In short, I feel that the requirement for a doctoral degree or state licensure (which requires the doctoral degree) for a person to be entitled "Psychologist" under the law is unrealistic, inconsistent with the definitions of the other professional groups, and would deprive the state of a substantial portion of the services that are presently rendered. As an alternative, I offer the following definition:

> "<u>Psychologist</u>": A person with a Masters' or further advanced degree from an accredited university or college in a program that is primary psychological and with no less than three years of supervised experience in the evaluation and treatment of the mentally ill.

Please note that this propose. definition specifies the area of training and experience and allows status under the law for many of

those persons who are presently providing the bulk of psychological services in the state. If anyone objects to a Masters' degree level designation, note that it exceeds significantly the definition of "social worker".

I am confident that my proposed ammendment will meet considerable resistance from the Alaska Psychological Association and the Psychological Board of Examiners, but historically both of these groups have been (at least in this state) quite intent on establishing a closed system and have been largely guided by the profit motive. Adopting their arbitrary, impractical standards imposes a severe penalty on some individuals as well as eventual program development, and frankly has listle application to systems where there is a line of professional clinical accountability.

Some objection may also be anticipated regarding eventual JCAH accreditation standards and designing the law to conform to their eventual definitions for "Qualified" staff. If this holds for psychologists, then it must hold for all professions. To do this however would overnight reduce the state's public psychiatric manpower to approximately two persons who are Board Certified, and the Social Worker force to a mere handfull who have ACSW status. In short, adopting probably JCAH standards is totally unrealistic if the law is to be implemented. In addition, JCAH standards are voluntary for CMHC programs, and though desirable, with the present state of the art, totally unreachable by any program in the state within the next five years.

Thank you for your consideration of this ammendment and our staff will be forwarding a collective, broader commentary as soon as possible.

Sincerely yours,

Jack G. McCombs
Regional Supervisor

JGM:wb

cc: Joan Katz
Jim Price
Bill Moore, PhD

STATE OF ALASKA / WILLIAM A. EGAN, GOVERNOR

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF MENTAL HEALTH / 103 CUSHMAN
FAIRBANKS 99701

January 29, 1975

Representative Clark Gruening
Chairman Mental Health Code Revision
Sub Committee
310 K Street
Suite 701
Anchorage, Alaska 99501

Dear Representative Gruening:

I apologize for the delay in getting this review and comment on the proposed Mental Health Code Revision to your office, but somehow our office was omitted from the original distribution of your draft copy. Unfortunatly, the pressures of providing direct services delayed staff input for an additional period.

First of all, you and your committee are to be commended on the immense amount of work that went into this draft copy. The entire document reflects a thoughtfulness about protecting patient rights which is exceptionally refreshing, especially in light of the present statutes. Our staff had a lengthy list of very specific questions about the proposed legislation, most of which is related to specific operational details of the law or specific definitions. In view of the fact that this is a work draft, I will save you and your committee those questions, many of which will probably be answered in a revised draft.

I sincerely hope that the following comments are not interperted as a criticism of your efforts; rather, as observations about the present draft and its implications. In a very broad sense, the persistent attention to patient rights overides any potential negative comments, and certainly comprises the core of strength of the entire document. At the same time, it poses certain weaknesses.

Unfortunately, the amount of detail necessary to adequately protect patient rights poses a paradox when one considers implementation of the law. In its present form, though I strongly agree in principle with the intent, I feel the law is quite impossible to implement, especially in the rural areas. It appears that many of the provisions that consider rural contingencies are so loose that they many actually provide statewide "loopholes" subject to abuse. An example of this would be the section

allowing detention of the person in a jail or correctional facility until after an emergency has passed or no longer than 7 days, whichever limit is reached first. Though it may be that this provision was included for rural areas that have no medical facilities, it is subject to abuse in urban areas as well. In addition the draft copy provides only superficial client right protection, because many on the "shalls" fundamently reduce down to an individual physicians' judgement, and in these instances, though patient rights are addressed, there is no practical difference from the situation as it now exists. I'm sure that it has been indicated to you by many sources that the actual time frames specified in the law, though I strongly support them in general, may be difficult to achieve with the present capability of both our legal and mental health systems. I would suggest that these circumstances alone would move people to seek every loophole possible in the name of psychiatric and social management which may actually lead to more overt abuses than exist with the present statutes. In short, I guess that's the primary concern;the lack of present capability compounded by cumbersome and expensive legal mechanisms would, in effect, result in more abuse of rights than the present statutes.

An additional factor related to the above is the immense cost that would be involved in gearing up both the legal and mental health systems to allow implementation. The specified personnel are simply absent in most rural areas, as is the legal capability. The present systems, especially the legal, are presently overloaded to the point which precludes ability to accomodate this legislation. Though it is difficult to estimate the cost of implementing this legislation, my rough calculation approximates a minimum of 1 million dollars per annum for the Northern Region alone. This figure would include added costs to the judiciary, transportation, attorneys fees, additional mental health manpower and contractiogal hospital services. It does not include anticipated program start-up costs. I may be way off, but I am confident that I did not underestimate.

Our staff also unanimously felt that the Mental Health Advocate Office should not be attached to the Department of Health and Social Services, rather it should be attached to the Department of Law, most likely responsible directly to the Attorney General.

It would also be very useful at the beginning of the statute itself to state some of the guiding principles, extracting them from the procedural mechanisms, which should be in their own section. I note for example that "Placement

in the closest facility", though certainly a guiding principle in the draft, is somewhat hidden away in one of the procedural mechanisms and easily missed by those persons actually responsible for implementing procedures.

One final comment from our staff addresses the necessity for psychologists to have a Doctoral Degree to be considered a "Mental Health Professional", member of a "treatment team", etc, under the proposed draft. As I pointed out in separate, earlier correspondence with you, this definition eliminates many capable experienced psychologists who are presently providing a broad range of valuable services from consideration under the act. Indeed, this definition was seemly adopted from the State Licencing Act which pertains primarily to the independent practice of psychology where there is no established line of clinical accountability. Applying this particular standard (which I also have some very practical questions about) to a public system with delineated lines of clinical accountability has questionable relevance, and would substantially reduce our already thinnly-stretched mental health manpower. This definition is also inconsistant with that of "Social Worker" who has full status under the law with a Masters Degree without even the requirement of postgraduate training or experience. Our proposed alternative definition, which provides firm experience requirements and is immensly more practical is:

> "Psychologist"; a person with a Masters or further advanced advanced degree from an accredited University or College in a program that is primarily psychological and with no less than three years of supervised experience in the evaluation and treatment of the mentally ill.

Please refer to my earlier correspondence of January 9, 1976 for a more detailed discussion of this issue.

In closing, I would like to thank you and your committee for the work you have done on this legislation. It is obvious that you have made efforts to walk the thin line between adequate protection of civil rights and practical implementation. Unfortunately, I do not beleive you have quite succeeded in this respect. I am looking forward to future drafts and hope that our review and comment has been useful.

Sincerely yours,

Jack McCombs
Regional Supervisor

JC/mc

cc: Joan Katz
James Price

JOAN M. KATZ
ATTORNEY AT LAW
645 G. STREET, SUITE 401
ANCHORAGE, ALASKA 99501
(907) 272-1731

March 25, 1976

Dr. Jerry L. Schrader
Director
Division of Mental Health
Pouch H-04
Juneau, Alaska 99811

Dear Dr. Schrader:

I enjoyed meeting with you in Juneau. As promised there, the following are my item-by-item responses to your Department's comments on HB 733. I hope the psychiatrists' testimony in Anchorage has not rendered this issue entirely moot.

1. Page 1, Line 15 & 16. No objection.

2. Page 4, Line 10. No objection.

3. Page 8, Line 27. The concept of anyone in the State paying for a private attorney may have to be reconsidered. But if the Mental Health Advocate is not involved, I do not think the funds should come out of that agency's budget. This is not a legal concern, however, and others would be more suited to respond. The Task Force did not address this issue in detail.

4. Page 11, Line 11. No objection.

5. Page 13, Line 6. No objection.

6. Page 14, Line 11. No objection.

7. Page 16, Line 24. See number 3, above.

8. Page 28, Line 1. No objection.

9. Page 29, Lines 1 & 2. No objection, but not necessary because authorized absence must be in patient's "best interests" which would include the fact that he would not be likely to cause serious harm to himself.

10. Page 38, Line 17. No objection.

11. Page 41, Line 28. No legal objection, but certain members of the Task Force felt strongly about this matter of confidentiality.

12. Page 42, Lines 21 & 22. If judicial remedies are totally independent of the grievance process, patients would not have to exhaust their administrative remedies prior to going to court. Since many of these rights are in the nature of constitutional guaranties, the judicial system would be the appropriate place of final resort for the grievance process. From a practical standpoint, I would be reluctant to see an additional layer of appeals added by including the Director of the Division after the head of the facility and before the courts. Thus, I would recommend against any change in this area.

13. Page 43, Line 25. This provision was taken without discussion from the existing law; no comment from a legal standpoint.

14. Page 47, Line 1. I would prefer that "amount of money" be left in the bill and the words "or other provision" be added following that phrase to completely protect the patient.

15. Page 48, Line 28. Without the word "all" there would be no way of knowing on which property a lien would attach. Thus, you would either need to devise a more specific provision specifying the kinds of property on which, or circumstances in which, a lien would attach, or live with the fact that the State does not have to execute on any given lien when to do so would be detrimental to the patient's welfare.

16. Page 49, Line 3. No objection to content. Wording might be changed to read: "The department may waive this debt when it finds that such waiver is in the best interest of the State."

17. Page 50, Line 3. No objection.

18. Page 50, Line 25. No objection.

19. Page 51, Line 1. This language refers to the fact that certain facilities will be designated "evaluation facilities" under the terms of the bill, while others may merely be used as places of evaluation by evaluation personnel transported into a community without such a facility.

20. Page 51, Line 2. This was not discussed in detail by the Task Force, and I am not certain of what members' views would be. It is possible that they would prefer transport to another locale if a correctional facility were the only place where an evaluation could take place in the respondent's community.

21. Page 51, Line 14. Agree to delete words "intermediate and long-range" but believe the rest of paragraph (B) to be an essential part of the treatment plan.

22. Page 53, Line 13. No objection.

23. Page 53, Line 23 (16) - "minor" and Line 24(17) "Peace officers". The definition of "minor" was discussed at considerable length. Because the effect of AS 9.65.100 is unclear, it was thought that the age of 16 was necessary to protect the 16 and 17 year old as much as possible. It was recognized that this provision would be inconsistent with the age of minors in other statutes. In light of the fact that the whole treatment of minors in HB 733 will probably be receiving more in-depth examination, any decision as to the appropriate age limit might best be postponed. The definition of "peace officer" was taken directly from the existing statute. No objection to a revision.

24. Page 54, Line 9(20). I am aware of numerous comments on the definition of "psychologist". Bill Moore suggested the definition used. While revision seems necessary, the Department's suggestion is too vague. "[A]dequate experience" should be defined either in the law or in regulations.

25. Page 55, Line 5(26). No objection to content. For clarity, I would suggest that the phrase read "psychiatrist or licensed physiscian designated by the department as a mental health professional".

These are my comments--a mixture of Task Force thinking and legal reasoning. Hope they are of use to you. Please advise if I can be of further assistance.

Sincerely,

Joan M. Katz

JMK/am

cc: Mr. Doug Schoenberg
Ms. Louise Ma

POSITION PAPER

HB 733

Alaska Legal Services Corporation
By: Carmen Massey
Supervising Attorney
Juneau Office

Alaska Legal Services Corporation's interest in HB 733 results from its involvement with persons who are being involuntarily committed and with persons who are already committed but who want to be released or transferred or who have a grievance against the institution or personnel who are involved with their case. Our special concern is with the procedures that are currently authorized under law for involuntary commitments and releases.

Our office is currently involved in litigation regarding the constitutionality of current A.S. 47.30.010-340.

Currently, a person may be involuntarily hospitalized or re-hospitalized without a judicial hearing (A.S. 47.30.020, .030, .210). Or, he may be involuntarily hospitalized after a judicial proceeding (A.S. 47.030.070) which, in our opinion, does not provide procedural safeguards mandated by the Constitution of the United States and the State of Alaska. If a person who is hospitalized wants to be released he may obtain a judicial hearing by filing a petition with the Superior Court (A.S. 47.30.060) or by filing a Complaint for a Writ of Habeas Corpus. These provisions authorize commitment not only of those who are dangerous but also those who are "mentally ill and in need of [immediate] care or treatment in a hospital [and because of illness, lack sufficient capacity to make responsible decisions concerning hospitalization]."[1]

Our interest is in securing for any person who is in danger of being involuntarily committed:

1. Clear and precise standards for involuntary commitment including the provision that no person shall be involuntarily committed unless he is clearly dangerous to others.

2. A judicial hearing with all the procedural protection

1/ The words in brackets reflect the different tests authorized by A.S. 47.30.020, 47.30.030 and 47.30.070. A.S. 47.30.210 authorizes involuntary rehospitalization if there is a "reason to believe that it is to the best interest of the patient to be rehospitalized."

required by the Constitution before the commitment or, in emergency situations, immediately afterward. A constitutionally adequate judicial proceeding includes the provision of appointed counsel from the first stage, a warning of all constitutional rights, including the privilege against self-incrimination, at the first stage, notice with particularity of all alleged facts which form the basis of a commitment proceeding and the names of all witnesses who will testify as to the alleged facts, and a standard of proof that assures that no person will be committed unless the judicial officer is convinced beyond a reasonable doubt that the proposed patient is dangerous. There should not be any relaxation of the rules of evidence.

3. A right to an automatic review or release after a specified period of commitment.

We support HB 733 in that it is a great improvement over existing law. The following comments are mainly concerned with matters of drafting in that we found some of the provisions unclear, especially when read in connection with other provisions. The comments are limited to the areas discussed above. We do not take a position on the other areas covered by HB 733 such as the creation of the Office of Mental Health Advocate and interstate transfers.

--On page 7, line 22 is "less restrictive alternative", the same as "least restrictive alternative" as defined on page 52, lines 20-27? If so, the words used should be reconciled; if not, a definition of "less restrictive alternative" should be included in Sec. 47.30.321.

--Page 11, lines 14-23. This provision should specify that when the district official begins his investigation he has to deliver a copy of the petition and a notice of his rights to the respondent.

--Page 11, line 27- page 12, line 5. We recommend that this section specify that if there is no evaluation facility in the respondent's community, the preferred method of evaluation is to have evaluation personnel brought into the community and only where this is impractical should the respondent be forced to travel.

--Page 12, line 25, the following words should be added: (6)"notice that the respondent has a right to remain silent and he is not required to give information to or answer questions of any person."

--Page 12, lines 25-29. This provision should specify that if a new investigation is made, this fact plus the results of the investigation must be set out in writing and served with the Summons.

--Page 13, lines 1-8. This section should specify the procedures which a district official must follow in order to have a respondent taken into custody by a peace officer. At the very least, an endorsement from a superior court judge should be required.

--Page 13, lines 15-18. Same comment as above.

--Page 14, lines 21-22. See comment above regarding page 11, lines 14-23. It should be made clear that the petition and a notice of his rights regarding commitment procedures should be served on the respondent at the time the investigation is commenced. It may be appropriate to also serve a copy at the time the person is detained as set forth in proposed Section 47.30.071.

--Page 15, lines 7-13. This provision should make clear that if the respondent does not have an attorney, a copy of the investigative report must be served on the respondent.

--Page 15, line 29 - page 16, line 16. Again, it should be made clear that the respondent has a right to receive notice of his rights at the time the investigation is begun.

--Page 19, lines 15-19. See comment above regarding page 7, line 22.

--Page 20, lines 5-7. This provision should specify how long before the probable cause hearing the petition must be sent to the respondent, his attorney and his guardian.

--Page 21, lines 7-14. We believe this section weakens the rights of the proposed mental patient. Evidentiary rules applicable in other judicial proceedings should be applicable. Hearsay statements should not be admissable.

--Page 21, line 17. The words "by a preponderence of the evidence" should be deleted and in their place inserted the words "beyond a reasonable doubt."

--Page 24, lines 7-8. The time in which the petition must be sent should be specified.

--Page 29, lines 3-8. This section is unclear as to what procedures must be followed to cause the respondent to be taken into custody. This should be clarified.

--Page 30, lines 18-25. It is unclear if a person may be committed to 3-90 day periods of outpatient care in addition to 3-90 day periods of institutionalization or if the total number of commitment periods cannot exceed 3-90 day periods. This should be made clear.

--Page 32, lines 12-21. See comment to page 30, lines 18-25.

--Page 38, lines 22-24. The term "in full accord with full rights of due process" is unclear. The rights should be specified.

--Page 39, line 16. Unless "proscribed" is substituted for "prescribed", this section is very unclear.

--Page 53, lines 14-15. The office of the Mental Health Advocate should be furnished with a list of qualifications of all "mental health professionals" involved in commitment proceedings and should be entitled to challenge the designation of physicians and registered nurses as mental health professionals if they do not satisfy the requirements regarding education and training levels in the psychiatric field.

DATED: March 16, 1976.

Carmen Massey
Supervising Attorney

RECOMMENDATIONS OF DEPARTMENT OF LAW ON HOUSE BILL 733 (Mentally ill persons.)

Attorneys in the Department of Law who are involved directly with the commitment of mentally ill persons have made these comments on House Bill 773.

In general they feel that this measure requires some additional work because the task force has been hampered by time limitations and there is need for further revision before enactment.

1. This bill would provide for specific commitment periods rather than the indeterminate term allowed by the present statute. There is certainly a need to insure that the patient's condition is reviewed frequently enough to perceive significant changes, which is not required now, but the Department of Law believes that the proposed 90-day commitments with the necessity of a hearing before an extension is made, may be unduly cumbersome. As an alternative we would suggest that the bill provide for a statutory annual review of commitments, with the court authorized to order more frequent reviews if it sees fit, and then give administrative and medical officials discretion to make additional reviews at any time their judgement dictates. This approach would be tailored more closely to the needs of the individual patient, and the severity of his condition. It is often recognized at the outset that a patient will not be ready for release at the end of 90 days or even 180 days.

2. There is concern that the new commitment standard provided by proposed Sec. 47.30.050 will be so restrictive that it will prevent the

desirable hospitalization of many who are covered by present law. AS 47.30.070(i) now provides these standards for hospitalization by the court:

> . . . the proposed patient is mentally ill and (1) because of his illness is likely to injure himself or others if allowed to remain at liberty; or (2) is in need of immediate care or treatment in a hospital, and because of his illness, lacks sufficient insight or capacity to make reasonable decisions concerning hospitalization.

The proposed Sec. 56 standard is:

> . . . he has a mental illness and as a consequence is likely to cause serious harm to himself or others and if there is reason to believe that immediate inpatient care and treatment could improve his mental condition.

This removes the test of "lack of sufficient insight or capacity to make reasonable decisions concerning hospitalization" and substitutes for it "reason to believe that immediate inpatient care and treatment could improve his mental condition." It also describes the harm as "serious", and replaces "or" with "and". Thus, instead of requiring the likelihood of injury or need of care and lack of capacity; this bill would require the likelihood of serious harm and the belief that care would improve the patient's condition.

Attorneys have cited several instances recently where patients have done minor but actual injury to themselves, or their behavior toward others has fallen short of even a threat of injury, but is not socially acceptable. They see the possibility that if direct commitment is not possible in the latter case, criminal harges may be brought which could result in eventual commitment but only after the stigma of crim-

inality has attached. They say that frequently although a patient has no injurious tendencies, he requires hospitalization to remove him from his usual environment although his mental condition may not be improved by such a change.

3. It is also suggested that the requirements of the proposed Sec. 47.30.141 on jury findings could be modified to facilitate justifiable commitment. Subsection (3) requires that the court or jury find "that the respondent has received adequate care and treatment under the 14-day commitment"; and subsection (4) requires "that there is reason to believe that the respondent's mental condition will be improved by the 90-day commitment." It is claimed that the 14-day commitment is often in a local facility where treatment and care cannot be completely adequate. And there is the frequent situation where the patient's condition is so serious that no improvement can be foreseen during a 90-day commitment, but there is no doubt that hospitalization is indicated.

4. An objection has been raised too, to the elimination of mental retardation alone from the definition of mental illness in proposed Sec. 47.30.321(15). It would provide:

> . . . mental retardation, epilepsy, drug addiction, and alcoholism do not per se constitute mental illness, although persons suffering from these conditions may also be suffering from mental illness;

This change would prevent the hospitalization, under the terms of House Bill 733, of the severely mentally retarded unless they have other mental illness. Another bill under consideration, House Bill 734, makes provision in proposed Sec. 47.70.100 for judicial commitment under House Bill 733 of the developmentally disabled -- which includes mentally retarded -- "who constitute a danger to themselves or to others", but this cross authority is unwieldy and possibly in direct conflict with House

Bill 733. Its effect would also be dependent upon the passage of House Bill 734. The present practice is to commit the severely mentally retarded first to the Alaska Psychiatric Institute, and eventually to such institutions as Harborview Memorial Hospital in Valdez which are equipped to care for the mentally retarded.

These are the chief concerns of the Department of Law with the revision of AS 47.30 proposed by House Bill 733.

#######

POSITION PAPER/Department of Health and Social Services

POSITION PAPER
HB 733

"An Act relating to services and commitment procedures for mentally ill. persons; and providing for an effective date."

Effect: This Act replaces the existing mental health statutes. It substantilly modifies the present commitment procedures, clarifies the basic rights of mentally ill individuals and restricts the care of the mentally retarded to those individuals who are mentally ill. In addition, it creates an Office of the Mental Health Advocate to assume the proper functioning of these laws. The overall effect is to provide that all mental commitments are subject to due process. It mandates the designation of district evaluation facilities and adapts a more restrictive admission criteria. This Act will focus the delivery of mental health services in the community.

Discussion: Following the Report of the Joint Commission on Mental Health in 1961, the trend in the United States has been to stimulate the development of community mental health services and restrict the utilization of state mental institutions. In recent years, numerous states, including Washington, California, and Oregon have revised their commitment laws to assure that these procedures are subject to due process. The basic purpose is to ensure that persons are not unnecessarily deprived of their freedom by commitment to mental institutions and to ensure that those who are committed have their rights protected, including the right to adequate treatment. The right to treatment requires that treatment will be based on a plan provided by qualified practitioners and periodically reviewed. This Act substantially corrects the deficiencies in the present mental health act. We have suggested some minor revisions for the purpose of clarification and administration of the Act. The following is a list of these recommendations by page and line number:

Page 1, Line 15&16 - The referral to the Surgeon General is no longer necessary. This is a holdover from territorial days - Delete "and submit to the Surgeon General of the United States Public Health Service."

Page 4, Line 10 - The reference to "The department" should be deleted and "The Office of the Mental Health Advocate" substituted for the sake of consistency.

Page 8, Line 27 - Delete "department's" expense and add "Office of the Mental Health Advocate's" expense.

Page 11, Line 11 - Delete "all" persons. The addition of "all" might make it impossible to carry out the intent of the Act, since "all" persons who have knowledge of facts may not be remembered under stress by the petitioner and negate the proceedings on a technical basis.

Page 13, Line 6 - Delete "may" take and substitute "shall" take. This should be an obligation of the peace officer and not permissive.

Page 14, Line 11 - Delete "possible" and substitute "practicable".

Page 16, Line 24 - Delete "department's" expense and add "Office of Mental Health Advocate's" expense.

Page 28, Line 1 - Insert "consecutive" to read "three consecutive 90-day" for the sake of clarity.

Page 29, Lines 1&2 - Add "to himself" to read "serious bodily harm to himself or others" for the sake of consistency.

Page 38, Line 17 - A recommended change in language to further clarify the restricted treatment modalities. Delete "electric shock" and substitute and add"electric-convulsive therapy, aversive conditioning, psychosurgery".

Page 41, Line 28 - The necessity to obtain consent from each person would make statistical research practically impossible and historical research impossible. Therefore it is recommended that for the purposes of maintaining health statistics "his consent is given" be deleted and a separate paragraph of provisions of current authorized research be developed.

Page 42, Lines 21&22 - Delete "court" and substitute "Director of the Division of Mental Health and Developmental Disabilities". Add "The decision of the Director is final for the purpose of a grievance." The appeal procedure is already guaranteed in the law and is substantially different from a grievance procedure which is designed to avoid going to a court procedure.

Page 43, Line 25

Sec 47.30.266 - We do not object to this section but as a practical and enforceable provision we have found that U.S. agencies follow the law of the State in which they are located and attempts to maintain jurisdiction have resulted in a refusal to accept transfer.

Page 47, Line 1 - Delete "amount of money" and add "provision". This change is necessary to assist some persons where "in kind" resources would be more in the interest of the patient rather than money.

Page 48, Line 28 - Delete "all" in "against all property". "All" property is too all-inclusive and does not recognize individual circumstances.

Page 49, Line 3 - Add, after "have been paid", "The Department may waive this debt when they find it is in the best interests of the State." This additional language is necessary to expedite accounting procedures to remove uncollectable debts from the account's receivable ledgers without the necessity of seeking legislative approval for every accounting transaction.

Page 50, Line 3 - After "peace officer" add"or other state or local government employees".

Page 50, Line 25 - Add "Likelihood of imminent serious harm to himself or others or an active." - For the purpose of consistency.

Page 51, Line 1 - Delete maybe "or be" used. No meaning.

Page 51, Line 2 - Add "if there is another practicable place of detention providing security." Consistency of language.

Page 51, Line 14 - Delete "statement of intermediate and long range objectives." - Undefinable.

Page 53, Line 13 - Add to "licensed physicians and registered nurses", "and paraprofessionals". The addition of paraprofessionals is required in Alaska where professional personnel are not available nor always desirable. Certified or Licensed paraprofessionals can often provide emergency care and evaluation and are necessary in bush communities.

Page 53, Line 23 (16) - "minor"
Line 24 (17) - "peace officers"
These definitions should be researched for consistency with other Alaska Statutes and probably should not be redefined. A "peace officer" definition including a public health nurse is not acceptable. It is also not necessary to define a minor at age 16 in order to expedite voluntary admission. AS.9.65.100 provides for the admission of minors without parental consent for the purposes of medical care.

Page 54, Line 9 (20) - Defining "psychologist". This definition should be expanded to include Master's degree psychologists. Master's degree psychologists with adequate experience are now providing a great deal of the care and treatment of the mentally ill. Restrictive definitions will not automatically produce the needed personnel to do the job. Add "or a person holding a Master's degree in Psychology with adequate experience".

Page 55, Line 5 (26) - To the definition of "treatment team" add "must include a psychiatrist or a licensed physician". This addition of "a licensed physician" is necessary to make the bush area treatment team practical and available. Psychiatric personnel are rare in the bush but there are a number of physicians who could be trained and supported through consultation by psychiatrists who are willing and able to serve on the treatment team.

Recommendation: The Department supports HB 733 jointly with companion bill, HB 734, with the exceptions discussed and with the knowledge that the maximum implementation allowed by this bill will not be obtained because of budget restrictions.

Recommended: Thomas R. Branton, Asst. Director, Division of Mental Health and Developmental Disabilities — 2/27/76 Date

Approved: Francis S.L. Williamson, Commissioner

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. HB 733

Title: "An Act relating to services & commitment procedures for mentally ill"

Requested by: _____ Date: _____

Return Date Requested: _____

Agency: Health & Social Services Program: Division of Mental Health

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Community Operated Mental Health Centers & State Operated Mental Health Centers

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 8
100	PERSONAL SERVICES	133.8	179.0	303.3	330.6	373.6	442.
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.	1327.8	2349.5	2987.5	3970.1	4883.2	6006
	TOTAL	1461.6	2528.5	3290.8	4300.7	5256.8	6448.

B. FUNDING: (Thousands of dollars)

GENERAL FUND		2528.5	3290.8	4300.7	5256.8	6448.
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	6 /	9 /	9 /	9 /	9 /	10 /
MAN MONTHS (P./T.)	72 /	108 /	108/	108 /	108/	133 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

(SEE ATTACHED)

IV. ATTACHMENTS

V. DATE: _____ PREPARED BY: Thomas R Brandt

Assistant Director, Division of Menta Health and Developmental Disabilities

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

FISCAL NOTE

III ANALYSIS

The major fiscal impact of HB 733 will be the requirement of the state to increase its community mental health programs through the acceleration of the development plan now in effect.

The current operating budget (FY 76) provides 1238.4 to fund community mental health programs. Requested for FY 77 to provide growth under existing statutes is 1580.4. This does not assure funding of community mental health centers at all locations which we deem necessary to adequately carry out the purpose of HB 733.

Costs for accelerated community mental health center development based on the existing practices of match funding assume FY 78 planning must be fully funded for FY 77. Also, existing Federal Title XIX regulations will be unchanged. Community clinic programs will not materially increase their demand for State funds as they increase their services.

The administrative State staff will need strengthening as programs are developed at additional locations. Also provisions for quality control will be necessary. An Administrative Officer II and an Accountant III and a Clerk Typist III are added for these reasons.

It is assumed the basic community frame work will be established by FY 78. Growth is then set at 15% plus a 9% C.O.L.A. factor.

LANGDON PSYCHIATRIC CLINIC, INC.
3401 EAST 42ND AVENUE
ANCHORAGE, ALASKA 99504
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ELIZABETH ROOSEN-RUNGE, M.S.W.
MARIANNE ROBINSON, M.S.W.
READING THERAPY
TROY SULLIVAN, ED.D.

March 4, 1976

Representative Susan Sullivan
Chairman, House Committee on
Health, Education & Welfare
House of Representatives
Juneau, Alaska

Dear Mrs. Sullivan,

It has recently been brought to our attention that House Bill 733 which deals with committment proceedings for mentally ill individuals has been presented to the House and is now in your committee. Our clinic as a whole has very strong feelings against this bill for many deverse reasons. We feel that it was hastily drawn up without any consensus in the psychiatric end or mental health communities, that it represents a response to an unproven abuse, and that it will drastically alter the practice of many of the professionals in this field and expose to extreme danger a number of individuals who are currently being treated. We strongly urge that this bill not be rushed through committee and that ample hearings be held in the major cities of Alaska so that each and every mental health professional desiring to testify can do so. We would like to be informed of the progress of the bill and very much would like to be notified as soon as possible as to when hearings will take place in Anchorage.

Sincerely,

Joseph D. Bloom, M.D.

JDB:seh

Good idea

S. R. Box 60722
Fairbanks, Alaska 99701
February 29, 1976

Senator Genie Chance
Pouch V
Juneau, Alaska 99801

Re: House Bills 733 and 734

Dear Senator Chance,

Thank you for a layman's opportunity to review the drafts of H.B. 733 and H. B. 734 concerning mental health and developmental disabilities as regards rights of patients and commitment proceedings.

H.B.734 Of the two bills I believe H.B. 734 dealing with care and treatment of development disabilities will have the most beneficial and far-reaching impact, if it is adequately funded. I urge its passage. I have no comments on its weak spots, if any do exist. It is a good, broad bill which will include the needs of many incapacitated people in our state. The developmentally disabled are not usually mentally ill, but the mentally ill are almost always developmentally disabled. Both kinds of individuals have great difficulty holding jobs so as to support themselves and both often need occasional or continuous care which their families may be hard pressed to provide alone.

H.B.733 I have mixed feelings regarding H. B. 733 covering mentally ill and insane persons. As I read the present statute, A.S. 30.010-340, it seems adequate in intent. It is broad enough to allow flexibility on the part of the courts but yet lacks the "human factor" which your H.B. 733 includes. I submit the following thoughts on this bill but found myself qualifying each item:

Sec. 47.30.016. Adding the Office of Mental Health Advocate to both bills is good. The variety of agencies which one must deal with is overwhelming, to say the least.

Sec. 47.30.066(c). Not holding people in jail is certainly to be desired but where else can they presently be held where adequate security, if necessary, is available.

Sec. 47.30.076. Good re peace officers wearing plain clothes to pick up respondent but is unrealistic. The police in the normal course of their duties are usually the first contact by people in any kind of trouble.

Sec. 47.30.151. Placement at closest facility is good but there is only A.P.I. at present. Regional facilities in general hospitals and/or smaller facilities in the villages are needed badly. Art. 2, Sec. 40.30.380 in the present statutes is the applicable appropriation bill for construction of mental health hospitals and facilities but has never been adequately funded to my knowledge.

Sec. 47.30.221(3). Good that patients should be able to help formulate their own medical treatment plan, but in the case of the mentally ill, they do not always have the insight nor judgment to do this, so necessarily must rely on what others think is presently best for them. And they often reject medication recommended. More counseling is needed to help them overcome rigid attitudes.

Sec. 47.30. 271. Allowing and financially helping a relative of patient to accompany patient to a treatment facility is most humane. Patient is often very frightened and fearful. Knowing he cannot depend on his own mind or judgment is a scary thing. Accompaniment by a trusted relative, if any, may help to alleviate patient's fears and perhaps ease his transition and help patient's attitude toward institutional help.

Sec. 47.30.271(c). Good to help patient maintain family ties. Better communication is needed between agencies and families of patients. Agencies apparently very seldom elicit "next of kin" upon admitting patient. It is true patients often don't consent to family being notified of their predicament because some families are not interested possibly and also because patient usually knows he is a problem to himself and others and is reluctant to burden his family further. However, by notifying next of adult kin, of any drastic change in patient's status, it gives the family and/or the community a chance to help relieve the State's burden.

In the case of a Title 12 commitment, the patient's right of consent to notify families is generally respected and this is good, to a degree. However, what happens to patient's property if he lives alone; if he is on medication is it available to him; what happens to his mail and/or subsistence checks if he is not at home to receive them? These humane considerations are lacking at present. Upon discharge, often without notification of adult next of kin, patient has no money, no clothes and no place to go. And, without family or community support, patient again becomes a police problem. Sec. 47.30.291 would help alleviate these problems perhaps.

Sec. 47.30.321(25). Under "Definitions", this appears to exclude other types of commitment other than a court commitment. Why put more burden on the judicial process if patient knows he needs a refuge and would, if properly counseled at the time, go voluntarily to another facility if such were available close by patient's home, which is not presently the case. In the case of a Title 12 commitment this, I admit, could present a problem.

To sum up, end result of both bills if passed, will not make any appreciable change in care of developmentally disabled persons unless and until funding for more regional facilities are provided. Funding and staffing at A.P.I. is a problem I understand and morale among the staff must be very low there.

Our overworked state and local police do a tremendous job for our less fortunate citizens especially. I have found them to be humane and cooperative and discreet to a remarkable degree, considering their many duties. Their efforts are negated however, when these same individuals end up back in their home communities with the same problems and no relief in sight.

In the case of the mentally ill, I am glad the trend of treatment is moving away from permanent incarceration to that of the viewpoint that many times minds too heal and become whole again, and such people do become productive, happy and useful citizens. Unfortunately, the social stigma attached to mental illness continues and the general public tend to shy away from them as they would a leper. Incapacitating physical illness and mental illness are no respector of persons -- it could happen to any of us.

If a Developmental Disabilities Advisory Council is created, I would be privileged to serve.

Respectfully yours,

Jeannie Silides

(Mrs.) Jeanne A. Silides

P. S. In a lighter vein, it is a wonder in itself why all legislators do not get crooks in the neck from reading bills stapled in the present fashion!

cc: Gov. Jay Hammond
Sen. Ted Stevens
Sen. Mike Gravel
Rep. Don Young
Attorney General Mellow, Fbx
Chairman Ferguson, Senate HE &SS Comm.
✓ Chairman Sullivan, House HE&SS Comm.
Comm. Francis Williamson
Dir. Jerry Schrader, Mental Health Div.
Judge Hugh Connolly
Commander, local state troopers
Captain, local city police
Mrs. Mary Cochran, Episcopal Vestry Ch'man, Com. Rel.
Dr. Hal South, Fbx Mental Health Div.
Mr. Dave Andrus, Dir., VA Reg. Ofce, Jno
Mr. Gordon Taylor, Mgr., Fbx Soc. Security Ofce.
Mr. Al Finneseth, Fbx Comm. Hosp.

MEMORANDUM

TO: Alaska Mental Health Association

FROM: Joan M. Katz

RE: Initial Formulation of Issues in Title 47, Chapter 30, Alaska Statutes

DATE: July 7, 1975

This memorandum is intended to provide a starting point for discussion of the many philosophical and legal issues raised by Alaska's mental health statutes. It is hoped that after consideration of these issues by persons knowledgeable and interested in this field, appropriate revisions of the law may be agreed upon. Eventually, it is our intention to prepare a comprehensive legislative packet on mental health to be introduced in the Legislature during the next legislative session. The comments that follow simply address the sections of the Code in question in the order in which they appear in the Statutes. The opinions stated are simply my first impression views, and differing viewpoints are welcome.

AS 47.30.010. Powers and duties of department. Subsection (a) provides that the department is to develop and submit to the surgeon general of the United States and administer a complete and comprehensive program for the prevention of mental illness and the care and treatment of the mentally ill, etc. Has this been done, and if not, would a mandamus action be desirable and legally appropriate?

AS 47.30.020. Authority to Receive Patients. This section provides, in part, for voluntary admission to a hospital. A minor needs the consent of his parents. Yet such consent may not be

readily obtainable if the parents are part of the minor's problem or have anachronistic views regarding mental illness. Some provision should be made whereby a minor should be taken in temporarily and if consent is withheld by parents, a medical certification or judicial procedure should be available to allow the child's hospitalization against his parents' wishes.

The second part of this section deals with involuntary admissions and raises several questions. First, and most basic: should Alaska allow involuntary commitment under any circumstances, short of criminal court order? Involuntary commitment is similar to, and really more abhorrent than, preventive detention. In preventive detention there is generally good cause to believe that the individual involved has already committed a crime. In cases of involuntary commitment, a person may be interred not for any past actions, but simply out of fear for what he might do in the future. We do not incarcerate ex-cons simply because their recidivism rate is so high. Similarly, it is questionable whether we should incarcerate anyone in a mental institution out of concern that they might harm someone (including themselves) in the future.

Looking more specifically at the language of this section, it provides, first, that certification may occur, in part, on the grounds that the physician believes that the patient is not necessarily mentally ill, but merely has "symptoms of mental illness." It would seem that if the doctor cannot form a fairly confident opinion that the person involved is mentally ill, (and does not merely show "symptoms" of such illness), then the doctor has no business signing a paper which can result in the individual's institutionalization. Second, the section allows for certification of an individual who is "likely to injure himself or others if

allowed to remain at 'iberty". The kind of injury is not specified, and there is no requirement in this section that the threat of injury be probable and imminent. This provision also raises the basic question of whether society has any business confining someone who poses no threat to anyone but himself. Then, the section includes, as an alternative standard for certification, that the physician may find that the individual is merely " in need of care or treatment in a hospital." This without any showing of danger even to himself. This provision seems both undesirable and unlawful. Finally, the certification can result from a physician's examination conducted two weeks prior to the date of admission. An individual totally psychotic on one date may be back in touch with reality and functioning well another day, not to mention 15 days later. It should be required, thus, that the examination be conducted within the 48 hours immediately preceeding the admission.

AS 47. 30.030. Emergency hospitalization. Many of the comments on the preceding section are applicable here. No indication of the imminency of harm to the patient or others is required prior to emergency hospitalization. No standards are set forth as to why an individual who is not a threat to himself or others might be in need of "immediate" hospitalization. If such a provision has any chance of surviving, it should include standards such as a person's inability, because of his mental illness, to obtain for himself the basic necessities of life. In addition, subsection (b) of this section allows for the hospitalization of an individual who is considered an immediate threat to himself or others, prior to certification or endorsement of the certificate; no time limits are set for the period in which the individual may be held in a

hospital against his will while the legalities surrounding his certification or commitment are pending. Such time limits should be set.

I might note that I am unclear as to the relationship between subsection (a) of AS 47.30. 030, which seems to suggest the necessity for endorsement of the physicians certificate prior to hospitalization, with AS 47.30.020, which seems to provide for involuntary admission on the basis of certification alone.

AS 47.30.040. Newly-admitted patients. Subsection (a) allows for 48 hours to elapse from the close of the date of admission before the hospital must conduct an examination. No mention is made of a purely physical examination, which should also be required. It would seem that both examinations should be made within 24 hours of the patient's admission. There is also the question as to whether the hospital itself should conduct the examination upon which the patient's freedom or lack thereof will turn. A private hospital, at least, could be said to have a vested interest in finding the patient "sick". Again, the standard of being "in need of care or treatment..." seems inadequate, and the added criterion that the patient lack sufficient insight or capacity to make responsible decisions concerning his illness is a frightening one. The standard does not say that the individual has to be truly psychotic, out of his mind, but merely that he lacks "insight" or "capacity"--very subjective criteria.

AS 47.30.050. Application for discharge and emergency detention. This section marks the beginning of the extended time period which may elapse before a patient entitled to release from a mental hospital may actually be discharged. For some reason, it appears that

even the voluntary admittee is required to wait thirty days before release, when in fact he or she may be functional after only a few days. It also appears that a Sec. 30 emergency admittee shall have the right to "immediate" discharge barring the institution of commitment proceedings, while a Sec. 20, involuntary but not "emergency", patient must wait 30 days. No logic appears to support this different treatment.

Minors are again discriminated against. Under Sec. 47.30.050 (a)(2), a minor cannot be discharged regardless of his or her medical condition, without parental consent. Given the fact that negative parental attitudes may have been a causal factor in a minor's illness, this provision seems inadvisable. Given the fact that minors are people with rights, this provision seems unlawful.

In addition, the reference to being "discharged immediately" in subsection (a) seems to be contradicted by (a)(3) which allows the hospital 48 hours to initiate commitment proceedings. While a two-day period for the hospital to make this determination is not unreasonable, the confusing language of "immediate" discharge should be changed in the interest of clarification.

Other questions arise in connection with commitment. No definition of "unsafe" is give. The standard of being in need of treatment, applicable to certification, does not appear to be applied to commitment. While I oppose this standard, there is a question of consistency.

The 15 day postponement of the actual commencement of commitment proceedings also seems excessive—a 10 day maximum should be sufficient in light of the serious deprivation of liberty involved.

Under subsection (b), it should be stated here or elsewhere that patients should be informed, orally and in writing, of their

rights pertaining to discharge, etc. This information should be provided to patients upon their admission to the hospital or as soon thereafter as they are able to comprehend it.

AS 47.30.060. Petition for judicial determination. This section sets time limits which must expire before a new judicial order of hospitalization or discharge may be sought. The six month period may be reasonable, but the one year requirement between Section 60 petitions seems unreasonable. And a voluntary patient who desires to leave and is then held involuntarily should not have to wait 30 days to petition the court for review.

AS 47.30.070. Hospitalization upon court order. This section sets forth the judicial commitment proceedings. In subsection (c), the court is required as soon as practicable to appoint one or more "designated examiners" to examine the proposed patient. Possibly, the court should have no more than 48 hours to appoint the examiners. "Designated examiners" moreover, are defined in Section 47.030.340 (7 as meaning "licensed physician(s)...qualified... in the diagnosis of mental illness, except that for areas in which no licensed physician so qualified is available, any licensed physician may be designated." Thus, a doctor who is not a psychiatrist could be called on to determine an individual's mental state. This should not be allowed. The examiners, moreover, are required to report to the court only "their findings as to the mental condition of the patient and his need for care or treatment in a hospital". Yet the standards for commitment are more specific (see subsection [i]); the examining physicians should be required to address those standards.

It is also provided that "The court may consider the choice

of the patient in appointing the examiner." No standards are established for the court to determine whether or not to heed the request of the patient. Further, no provision is made to insure that a physician with whom the patient has had prior contact -and maybe left in dissatisfaction- is not retained for this purpose, over the patient's objection.

Subsection (e) requires a hearing merely on the basis that the examiners find that the patient may be mentally ill. Again, such a finding would not constitute "probable cause" that he or she is likely to injure himself or herself or others, etc., as would be required for commitment. A fifteen day period is allowed between receipt of the examiner's report and the hearing. Seven days notice should suffice, in light of the fact that the individual is being detained during this period prior to a finding that he or she is committable.

Under subsection (h), the court is required to appoint counsel for patients who have no attorney of their own. Yet no provision is made as to how soon such counsel should be appointed and made available to the patient. And an "advisor" rather than counsel is also permitted. It would appear that to fully protect the patient's rights in a court of law, a lawyer must be present. Other "advisors" such as clergymen or social workers should also be allowed, but not as an alternative to legal counsel.

Subsection (i) authorizes the court to order hospitalization of the patient for "an indeterminate period "if he or she is found "mentally ill" and

> (1) because of his illness is likely to injure himself or others if allowed to remain at liberty; or (2) is in need of immediate care or treatment in a hospital, and because of his illness, lacks sufficient insight or capacity to make responsible decisions concerning hospitalization.

First, some time limit, probably no more than six months, should be placed on the court's order. The burden should not be on the patient to reopen the proceedings under AS.47.30.060. Rather, the hospital or persons interested in continued institutionalization of the patient should be required to reopen the proceedings after 6 months or so. The first standard -injury- is again inadequately defined. No distinction is made between physical as opposed to emotional injury (e.g., the impact of an unbalanced mother upon her young children). And no degree of likelihood or extent of injury or frequency of occurrence are detailed. Perhaps this is a matter for judicial dtermination, but the standard does seem overbroad. Second, the standard of being in need of immediate care or treatment in a hospital again seems inappropriate for an involuntary commitment. Moreover, it is not clear how a finding of "lack of capacity" to make a "responsible" decision (for the patient? his family? society?) about hospitalization would be determined. One can surmise that any patient who was contesting hospitalization that medical personnel deemed advisable would be found to be "incapable" of making a "responsible" decision about hospitalization.

Nowhere in section 47.30.070 is the possibility of appeal from the superior court's decision mentioned. Yet, presumably, such an appeal would lie under the Alaska Rules of Court. Provision should be made in the statutes to inform patients of their rights, to insure expedited proceedings, to establish what should happen to the patient while an appeal is pending. Also, the department is not specifically mentioned as a necessary party to these proceedings. Yet orders of hospitalization are to be directed to the department--it should be a party in each case.

AS 47.30.080. Commitment or transfer to a United States agency.

This section allows a court which commits a patient to place him or her in a United States hospital inside or outside the state. No provision is made for the patient's desires to be considered, for his or her need to be close to a family or friends to be taken into account.

AS 47.30.090. Detention under special circumstances. Subsection (b) requires detention of patients pending judicial hospitalization proceedings when the head of the hospital determines that it would be "unsafe" to the patient or other to release him or her. This is yet another standard, and again, is too vague. Subsection (c) has a wholly arbitrary provision that "No patient held on order of a court in an action or proceeding arising out of a criminal offense may be discharged except after 15 days written notice to the court." If the patient was temporarily insane but has returned to sanity within one or two days, the 15-day limit makes no sense.

AS 47.30.120. Notice of hospitalization. This section requires notification of next of kin when a patient is involuntarily admitted to a hospital. This requirement may not be appropriate in the case of an adult who may not want his parents or other kin notified. The statute also requires notification of superior court and the department whenever a patient-voluntary or involuntary- is discharged. Where a patient has not been involved in commitment proceedings, there would seem to be no justification for notifying superior court that he or she had ever been hospitalized.

AS.47.30.130. Right to humane care and treatment and consent to surgery, certain psychiatric therapies, and autopsies. This section

provides that "when the head of the hospital [believes] that the patient has...capacity to make a responsible decision, the patient's consent shall be obtained before the surgery or psychiatric therapies." There should be no qualification in the case of surgery—a patient's refusal to give consent should be determinative. Even in regard to psychiatric therapies, it is possible that the hospital should have the burden of proving that the patient is not capable of responsible decisions about his or her treatment.

AS 47.30.140 Mechanical restraints. This section could be improved by a provision that mechanical restraints should not be used unless no least restrictive alternative would suffice, and that the least restrictive, effective restraint (of the mechanical types) should be used. Hopefully, limits on specific types of unnecessarily cruel restraints are not necessary in this State.

AS 47.30.150 Rights of Patients. This section leaves out many significant rights that should be included. E.g., right to contact attorney or clergy without restriction; right to be furnished with writing materials; right to be informed of all the procedures for certification and commitment; right to retain personal property while hospitalized; right to consent to medication unless psychotic; right to some form of daily physical exercise; right to treatment, including individualized plans with periodic review and evaluation at least every three months; right to have and be informed of routes through which grievances may be expressed and resolved; and, possibly right to see own medical record and be informed of treatment plan. There should be no exceptions to these rights except "time place, and manner" regulations and findings, subject to hospital and maybe judicial review that restrictions are medically required.

AS 47.30.160. Transfer. No criteria, other than the maintenance of family and other relationships, are given for transfer decisions. Discretion should certainly be governed by patient desires, where preferable treatment could be obtained, cost, and other such factors in addition to the important maintenance of relationships criterion.

AS 47.30.170. Non-resident patients. The same comments apply to this section, as to section 47.30.160, discussed above.

AS 47.30.200. Release on convalescent status. Once a patient is released from in-patient status, it is unclear why he or she should not be discharged. Hospitals should provide out-patient transitional services for their patients, but there appears no reason why such individuals should continue to be hospital patients. (This is to be distinguished from the weekend-home situation where the patient is expected and required to return to the hospital on an in-patient basis prior to discharge.)

Assuming the convalescent status is continued, more definite provisions for review, e.g., every 30 days, should be specified, rather than the existing "intervals consistent with good medical practice and with existing circumstances."

AS 47.30.210. Re-admission. This section allows a hospital to order the reinstitutionalization of a patient on convalescent status "if there is reason to believe it is to the best interest of the patient". With court endorsement of such order, a peace officer may take the patient into custody and to the hospital.

This provision underscores the need to do away with the preceeding section. The threat of involuntary rehospitalization should

not hang over the head of a patient who has left the hospital and is trying to make it like a "normal" citizen. This section is deficient in that it provides no standards for judicial determination, no provision for review of the court order (other than the existing habeas corpus), and makes no distinction between patients who come to the hospital voluntarily or involuntarily at the outset. Certainly, for those patients who have never been certified or judicially committed, the same standards that would have been required to hospitalize them involuntarily to begin with should have to be applied at this juncture.

AS 47.30.220. Discharge upon medical review. This section provides for review of the "condition" of every patient "as often as is consistent with good medical practice". A more specific time period should be set forth. And the treatment program should also be periodically evaluated, not just the patient.

AS 47.30.260. Disclosure of information. This section requires that patient records be kept confidential. Subsection (a)(1) allows a minor's parent or guardian to consent to disclosure; perhaps the minor's consent, if he or she is old enough to comprehend, should also be required. Subsection (a)(3) allows court-ordered disclosure when necessary for judicial proceedings and in the "public interest". The kind of judicial proceeding is not specified and could apparently include any court action. Moreover, it is the "public" interest rather than the patient's interest which is the applicable standard. Finally subsection (b) allows disclosure of "information concerning current medical condition to the members of the immediate family of a patient". This provision does not allow for the situation where a patient might not want his or her family to have such

information. Thus, the section generally does not afford mental patients adequate protection against disclosure of confidential information.

AS 43.30.340. Definitions. Subsection (10) defines "mentally ill individual" as an individual

> having a psychosis or senile changes which substantially impair his mental health to the degree that he is a danger to himself or others, or a mentally deficient and severely mentally retarded person whom the commissioner of health and social services or his designee admits for treatment subject, however, to all the other admission and discharge procedures provided for in secs. 10-340 of this chapter. The definition does not include an individual suffering from acute alcoholism or drug addiction.

There are numerous problems with this definition. It does not provide for neurosis. In regard to the mentally retarded it is tautological, since a retarded individual is mentally ill if the commissioner finds him or her so. An alcoholic or drug addict is not allowed to be treated as mentally ill, when in some cases such treatment might be appropriate. Moreover, mental illness, per se should not be defined to necessarily include the "danger" standard, and that, if used at all, needs to be more specific.

Conclusion

This memorandum is intended simply to raise numerous questions. It is written from a lawyer's vantage point, with admittedly inadequate knowledge from the psychiatric or hospital administrator's perspectives. Much input from different quarters is therefore needed if we are in fact to reform our mental health statutes in the best interests of patients, hospital administration, and society at large.

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December 3, 1975

To Interested Persons:

Attached please find a copy of proposed mental health legislation in working draft form. Your comments on the underlying policies, or on any specific provisions of the draft, would be appreciated.

Background Information

The history of this proposed legislation dates back to April of this year when, at the request of Joyce Munson, Executive Director of the Alaska Mental Health Association, I undertook a review of the existing mental health statutes in Title 47, Chapter 30 of the Alaska Code. Numerous deficiencies in the present legislative framework were discovered, the most glaring of which is that under these statutes, a person against whom commitment proceedings are initiated could conceivably be held for 66 days prior to receiving a judicial hearing, at which time the court might determine that the person was not in fact subject to commitment under the Alaska statutes.

As a result of this survey of the existing law, a memorandum, dated July 7, 1975, was prepared; its primary purpose was to identify the problems in the Alaska mental health provisions. The hope was that enough concern could be aroused through this vehicle so that citizens of the community with a particular interest in mental health could come together to formulate a more humane, lawful, and constructive approach to commitment and other aspects of mental health legislation. The Mental Health Association circulated the memorandum among approximately 50 people. An initial meeting was set for August 13, 1975.

At that first meeting it was suggested that we attempt to get formal sanction from the Legislature for our work. With the support of Clark Gruening and Genie Chance, limited funding was obtained from the Legislative Affairs Agency to prepare a draft of new mental health laws for the State. Meetings of the group, which subsequently became known as the Mental Health Task Force, were held regularly on a bi-monthly schedule from mid-August through the end of November. A list of persons who

attended one or more of these meetings is attached to this letter. Virtually all of these people put considerable effort into the meetings and made valuable contributions. Special mention should be made, however, of the great amounts of time and energy invested by certain menbers of the Task Force. The contingent from API, including Dr. Robison, Veronica Heideman, and Elizabeth Shaw was particularly conscientious. Dr. Bill Moore, Regional Supervisor in Anchorage for the Division of Mental Health was also a regular participant in the meetings and a strong advocate for his various viewpoints on how to best advance the patients' health and well-being. Joyce Munson was a continuous supporter, and also helpful in providing backup services on the telephone and otherwise. The Attorney General's Office, finally, consistently provided us with sound legal insight.

As major areas of the legislation were taken up, guidance would first be obtained from Task Force members to determine the group's basic policy on a specific issue. I would then prepare a draft of the provisions involved, and the specific language would eventually be the subject of further discussion and much revision. The language used, as well as some of the ideas themselves, were generally a composite of group thoughts, provisions from the laws of other states such as Washington, Arizona and California, provisions from the model code prepared by the Washington D.C.-based Mental Health Law Project, and my own ideas.

Before beginning a more detailed commentary on specific provisions of the proposed legislation, it should be noted that while over 100 hours have been spent in drafting thus far, no one on the Task Force conceives of the bill in its present form as a finished piece of legislation. In the interest of obtaining much more widespread review by persons throughout the State who have an interest in this field, it was determined to release the draft at this time, knowing full well that even amongst themselves, the Task Force members had not yet ironed out all of the questions and difficulties which they might see in the legislation. It should be noted further, that specific attention was given only to four areas: involuntary commitment, voluntary admissions, patients' rights and definitions. Thus, there are many provisions taken from the existing legislation with only minor revisions, if any, which provisions would conceivably benefit from far more extensive changes. It was felt that the interest in expeditious development of legislation that would reform the most blatant

injustices in the existing system was of top priority; other, less eggregious problems, could be handled in subsequent legislation.

Commentary

Article 1. Mental Health Program. The first section of this article is taken almost directly from the existing Chapter 30. The second section, "Office of Mental Health Advocate", at the top of page 3, is entirely new. The proposed legislation would make much more extensive use of legal counsel than is presently the case. A system that can insure prompt state-wide delivery of services to mental health respondents is thus essential.

Initially, it was assumed that the Public Defender Agency would handle the bulk of this work. Upon consultation with Brian Shortell, head of that agency in Anchorage, it was determined that this idea was not practical. With its orientation towards the criminal side of the law and its heavy caseload, the Public Defender Agency would probably not function as an effective mental health advocate. It was thus decided to form a new office whose staff would come from the private Bar as well as from established organizations such as the Public Defender Agency and Legal Services, providing maximum flexibility to insure prompt service in rural areas as well as the urban centers. It was recognized that the location of this office within the Department poses certain conflicts. Suggestions for alternative placements would be welcome.

Article 2. Voluntary Admission for Treatment. The standard for voluntary admission (page 5 of the draft) is not materially different from that now contained in AS 47.30.020. A person may choose to enter a treatment facility simply because he is suffering from mental illness and recognizes the desirability of in-patient treatment. He need not be dangerous to either himself or others. There are, however, two critical changes in this article from the present law. First, there is no longer a 30-day waiting period before a person voluntarily admitted to a hospital may seek discharge. Such time lapse is required by AS 47.30.050. Second, under the proposed legislation (page 7 of draft), minors could be admitted voluntarily against the wishes of their parents or guardians. They would have to submit themselves to a procedure analogous to the adult commitment process. The order entered by a court in such case would be one for voluntary admission against parental wishes, and would enable the minor to leave the facility under the same

circumstances that an adult voluntary admission might obtain his discharge. The problem of minors desiring to obtain in-patient treatment against their parents' wishes has been serious and persistent enough to warrant the inclusion of such a provision in the legislation.

Article 3. Involuntary Admission for Treatment. Discussion of this article consummed the vast majority of the Task Force meeting time. Fundamental issues thought to be laid to rest would be resurrected as new members joined the Task Force, so that the basic policy positions found in the involuntary commitment sections were given extensive thought and consideration.

By way of general comment, it should be noted that the Task Force was greatly concerned by the number of steps to be followed, time limits to be adhered to and documents to be filed under the involuntary commitment sections. Simplification was continually attempted. The questions of how the courts would function in outlying areas, and in which courts documents would be filed when respondents were transported to different places for investigation, evaluation and treatment, were also troublesome. Some of these difficulties would probably be ironed out in practice. Ideally, however, the legislation itself will still be improved in this regard.

The first section of Article 3, the "Commitment Standard", on page 11 of the draft, was the first subject taken up by the Task Force. Under the present statute, AS 47.30.020, an individual can be involuntarily hospitalized merely because he or she is "in need of care or treatment in a hospital". There was unanimous agreement that neither the police power nor the parens patrie aspects of statehood justify this degree of control over human liberty from a legal or moral standpoint. The more difficult decisions were seen to be whether commitment should be allowed in cases where the person was dangerous either to himself or to others. There was discussion to the effect that since the criminal defendant could not be incarcerated until such time as he had allegedly committed a crime, neither should an allegedly homicidal mental patient be subject to commitment prior to having acted out his homicidal tendencies. An even stronger argument was waged in connection with the suicidal person, where it was the philosophy of some that the

person was entitled to take his own life without the State's interference to prevent such occurence. As the draft reflects, however, the decision was ultimately made to allow commitment of persons who are mentally ill and present a danger to either themselves or others. The term used was "likelihood of serious harm", and this term is spelled out in the definitions in a highly restrictive manner, limiting the danger to a substantial risk of imminent bodily harm to either the person himself or others. The commitment standard also contains the requirement that there be "reason to believe that immediate inpatient care and treatment could improve [the individual's] condition." This insures against the use of treatment facilities for those persons who, for example through brain damage, are not in a position to be helped by such confinement. Clearly, other provision must be made for such persons, perhaps in guardianship legislation, if the State is to fulfill its responsibilities toward all citizens.

The evaluation provisions (beginning on page 11) were perhaps the most intensely studied. The Task Force recognized that a period of brief but intensive evaluation was essential to a fair and informed commitment process. The most difficult decision in this context was determining what means should be used to bring the person involuntarily into the evaluation phase. It was concluded that physicians' certificates could seldom be obtained. It was also felt that the courts were not particularly well equipped to determine when an evaluation was needed. Therefore, the burden was placed on the mental health community to conduct investigations upon receipt of appropriate requests, or "petitions". In order to insure that the mental health professionals conducting these examinations were properly trained and familiar with the procedures, it was decided that the districts established under the Mental Health Community Services Act would be charged with the responsibility for these investigations. To be effective, this procedure will obviously require funding of specific district facilities currently existing on paper only.

The Task Force was aware that in some circumstances the danger to a respondent or the community would be of such an immediate nature that the 24-hour summons required by the proposed legislation would not provide sufficient protection. Thus, detailed provisions for emergency detention by either District officials or peace officers were included in the draft (beginning bottom of page 13 of the draft). In all cases, however, emphasis was placed on affording the respondent prompt

notice of his rights in regard to the involuntary evaluation and potential for commitment. Perhaps of central importance, it is emphasized that the respondent is to be notified promptly of his right to contact an attorney immediately, his right to actually see such attorney within 24 hours of his arrival at an evaluation facility, and his right to free legal representation in the event he is indigent.

While it is hoped that within a reasonable time, evaluation facilities will be widespread in this State, one of the problems grappled with by the Task Force was the existing scarcity of such facilities outside of the urban centers. In an effort to alter the present practice of bringing virtually all respondents into API for evaluation and, ultimately, commitment, provision was made for evaluation of respondents in their local communities whenever possible. An attempt was also made to allow reasonable extensions of time for transporting either respondents or medical or legal personnel in and out of the Bush.

Another area of considerable controversy was that of medication prior to the commitment hearing (page 18). Certain members of the Task Force vigorously insisted on their right to medicate in order to alleviate an individual's suffering. Ultimately, however, it was the prevailing view that medication against a respondent's wishes could be allowed only where "necessary to prevent bodily harm to the respondent or others or deterioration of the respondent's mental condition such that subsequent treatment might not enable him to recover."

The length of commitment periods was another crucial factor to be decided by the Task Force. Unlimited commitment periods were seen as too great a restriction on a person's right to liberty. Further, such extensive periods were not seen as conducive to prompt treatment and rehabilitation of the mentally ill person. On the basis of experience in other states, it was determined to have an initial 14-day commitment period (after which it appears that the majority of patients may be released as no longer presenting a danger to themselves or others). Subsequent commitment periods for patients who require longer-term treatment were set at 90 days each. A limit on three such consecutive 90-day periods was set (page 30) on the basis of a general consensus among the medical representatives on the Task Force that if substantial improvement in a person's mental condition could not be made over such a period of time, the person was probably not receiving adequate treatment or was not susceptible to the form of treatment administered in the facility involved.

Throughout the commitment sections, the concept of "least restrictive alternatives" is in evidence. Facilities or persons petitioning for commitment of a respondent, and courts ruling on such proposed commitments, are thus obliged to take into account whether some means short of in-patient treatment would suffice to improve the person's mental condition and protect him and society adequately. This is an emerging concept in the field of mental health law. The proposed language probably only anticipates what the courts will soon require.

In keeping with the references to "least restrictive alternatives", sections were added (beginning page 31 of the draft) pertaining to involuntary out-patient care and treatment. They provide, first, for the release of a person committed to in-patient care, prior to the expiration of his commitment period, on condition that he obtain out-patient treatment. And, second, there is provision for placement of a person in a treatment facility when it becomes apparent that court-ordered out-patient treatment is not providing adequate protection against an individual's dangerous tendencies.

The draft provides that such out-patients could be (in emergencies) taken into custody and placed on in-patient status in a treatment facility, with a hearing to be held subsequent to such placement. It may be the view of some that such commitment hearings should take place before an out-patient is transferred to in-patient status. The reasoning behind the draft's present formulation was that persons ordered to undergo involuntary out-patient treatment had already, in the recent past, been afforded the right to a full court hearing where they had in fact been found to present likelihood of serious harm. Some discretion in the hands of the person providing the out-patient care was thus seen as reasonable, so long as the placement in an in-patient facility was followed quickly by a full due process hearing.

Although the concepts for the out-patient sections were discussed by the Task Force, it should be noted that unfortunately, the Task Force never had an actual draft of these provisions before them. Thus, this part of the proposed legislation, in particular, could undoubtedly benefit from comments by interested persons.

Article 4. Patient's Rights. The first patients' right covered, the "right to treatment" (page 37), is derived from another emerging concept in the field of mental health law. While the Supreme Court has thus far only held such right applicable to non-dangerous committed persons, it is probable that in the future the right to treatment will be extended to the allegedly dangerous as well. Thus, again, the proposed legislation only anticipates what it is expected the case law will ultimately require. The right to treatment, moreover, is seen as a moral imperative as well as a legal necessity.

The cornerstone of this right to treatment is the individualized treatment plan, the requirements of which are spelled out in the definitional section of the proposed legislation. Formulation and adherence to such a plan should serve to insure that no patient is merely warehoused for the duration of his or her commitment period, and that treatment is in fact geared to each patient's particular needs.

Because abuses of the use of medication are of such a potentially destructive nature, extensive safeguards on the use of medication were deemed appropriate (page 38 of the draft). Since the patient is also the only one who knows what it feels like for him to be under the influence of any given medication, the draft provides for maximum feasible participation by the patient himself in the decision by the physician to prescribe psychotrophic drugs.

An attempt was also made to enable the patient to choose whether he would prefer some form of physical restraint to the use of medication in certain circumstances. At least one member of the Task Force vigorously objected to the mention of any physical restraint, excluding use of the quiet room, in the draft. But although great strides have been made in reducing and in Alaska, perhaps eliminating use of the straight jacket, sheet packs and restraints of a similar ilk, it must be recognized that from the patient's standpoint the indignity, distress and suffering occasioned by medication administered in good faith, can sometimes be as great or greater than that occasioned by the use of the physical restraints.

On the delicate subject of electroconvulsive therapy (page 41), it was concluded that only brief mention of this form of treatment should be made. Thus, ETC is to be allowed only with informed consent and court order. It is understood that detailed regulations on the subject of such therapy could be adopted by the Department or hospitals or other facilities involved.

Among the non-medical patients' rights, the section prohibiting discrimination in obtaining or retaining licenses (page 46) was stressed by the Task Force as highly important. This provision would have the effect of repealing the inconsistent sections of the Motor Vehicle Code which now allow application for motor vehicle licenses to include questions as to the person's past hospitalization for mental illness. Under existing procedures, an individual who has in fact been hospitalized in the last five years and answers the application form accordingly, will be required to get a note from a treating physician indicating that such person may safely drive a motor vehicle. Such provision is clearly discriminatory, inasmuch as a person discharged from a mental hospital or other such treatment facility is no more likely to be a dangerous driver than the average citizen who may or may not, at any given time, be preoccupied with a particular problem. An individual who has received treatment may, in fact, be better able to cope with his difficulties than someone facing a similar dilemina who has received no outside help.

Article 5. Miscellaneous Provisions. Virtually all of the provisions of this section (page 47) are taken from the existing statute without major modification. These were provisons that the Task Force simply did not have time to address. They were included in the draft so that it would constitute an essentially complete mental health statute.

The definitional section (beginning on page 55), on the other hand, received considerable attention and contains the heart of many of the provisions of the proposed legislation. Reference has previously been made to the critical terms of "individualized treatment plan", "least restrictive alternatives" and "likelihood of serious harm". The definition of "mental illness" was also discussed at some length. There was great concern that certain conditions such as mental retardation could be mistaken for mental illness, and yet the Task Force wanted to insure that a retarded person, for example, could receive mental health services if he happened to be afflicted with mental illness in addition to his state of retardation. The definition was designed to meet these ends.

The definition of a "minor" was arrived at in consultation with a representative from Alaska Youth Advocates. While it was recognized that the "below 16" age limit would not necessarily coincide with that found in other statutes pertaining to minors, it was determined that for purposes of commitment or voluntary admission to a treatment facility, a person 16 years or older should be entitled to make his own decisions.

Effective date. It was difficult to arrive at a time frame within which such a sweeping revision of the mental health statutes could realistically be expected to take effect. While the necessity for more time could always be argued, it was concluded that the basic provisions of the statute could be implemented within six months; any extensions would only serve to encourage delay on the part of the officials involved in appropriating funds for or implementing the new law.

Conclusion.

This commentary was intended to highlight the areas which were of particular importance and/or very controversial to members of the Task Force. It is hoped, that this information provides some basis for understanding the proposed legislation.

In conclusion, it should be reiterated that the authors of this draft by no means consider it a finished product. The Task Force recognizes that much refinement--and quite possibly fundamental changes--may be in order. It is hoped that your comments will assist in this work. Thank you for your consideration.

Sincerely,

Joan M. Katz

Joan M. Katz,
Consultant to the
Mental Health Task Force
Legislative Affairs Agency

JMK/am

Enclosure

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER / POUCH H-01 – JUNEAU 99811

November 18, 1975

Donald L. Hitchcock
Chairman, Steering Committee on
Planning and Service Development
Developmental Disabilities Planning
Council
Office of Vocational Rehabilitation Services
9th Floor - MacKay Building
Anchorage, Alaska 99501

Dear Mr. Hitchcock:

This letter is being written in response to the request for information made at the meeting of the Steering Committee on November 13, 1975

First, the Steering Committee asked for information regarding the nature of ICF-MR programs and the number of clients currently in need of ICF-MR services. ICF-MR programs are designed primarily for the diagnosis, treatment, habilitation, and rehabilitation of mentally retarded persons and other developmentally disabled persons with conditions similar to mental retardation. Standards associated with this type of program demand (a) an active treatment program, (b) individualized plans for each client, and (c) interdisciplinary professional evaluations and programming for each client.

Before an ICF-MR program is approved for funding by the State, the agency (whether public or private) must provide detailed documentation on the specific programs to be offered and their manner of implementation. These plans must be approved and must meet standards as specified under Title 45, Part 249.13, as detailed in the Federal Register on January 17, 1974. These standards are attached for your information.

The major difference between an ICF program and an ICF-MR program is that the regular ICF program does not demand specific training programs for the development of maximum independence nor for speech therapy, occupational therapy, physical therapy, and social services of the same kind of intensity as are required under ICF-MR programs. Also, ICF-MR programs are more adequately staffed and have policy requirements designed specifically for programs for the mentally retarded.

The major difference between Skilled Nursing Home programs and ICF-MR programs is that Skilled Nursing Homes are heavily oriented toward medical/nursing care. ICF-MR programs are oriented toward a developmental model in which training and habilitation are emphasized. Skilled nursing care is available in an ICF-MR on a 24 hour basis, but medical/nursing care is only one of many subprograms that are required.

Based on medical reviews and daily census reports of Alaska's skilled nursing facilities and private intermediate care facilities (non ICF-MR type), compiled by the Section of Medical Assistance in the Division of Public Assistance, it is estimated that there are 30 individuals who would be appropriately served in ICF-MR type of programs. In addition, some 10 to 15 clients at API are in need of similar services. In addition, there are approximately 25 to 50 persons receiving Aid-to-the-Disabled payments whose condition is such that they may periodically be in need of ICF-MR services. The present availability of adequate residential program services (including skilled nursing and regular ICF programs) has little or no capability of dealing with the demand. Adding to the demand is the current situation at Harborview Memorial Hospital in Valdez. Harborview must (unless a waiver is granted) reduce its population of clients to 96 by January 1977. Harborview's resident population now stands at 113. Therefore, 17 clients will have to be placed in other facilities by that time in order to continue to meet the ICF-MR standards.

In addition, data supplied by the Department of Education indicates that there are approximately five individuals who are presently being served out-of-state and who may be in need of ICF-MR type programs within the next year or two. Also out-of-state are approximately 20 adults who are residing in ICF type programs in Oregon. Some of the latter have been residing out-of-state for up to 40 years! The State of Alaska is currently working on determining their legal status, resident State, and having an appropriate guardian appointed in cases where there is question. Depending on the outcome of this work, we may have up to 20 additional persons in need of ICF-MR programs in Alaska.

Taken together, this data indicates a need to establish ICF-MR programs as soon as possible. The availability of the Chugiak location, as well as the potential willingness of Hope Cottage, Inc. to operate such a program is seen by the Department as a rational solution to the needs of at least some of our developmentally disabled citizens.

Second, the Steering Committee asked for written information regarding the "emergency" situation at API. This refers to the original intention of the Department to provide residential services at API for a 60-day period for 24 clients who were previously located at Ridgeview Manor, and who were in need of care when Ridgeview suddenly closed its doors. The placement of most of these 24 individuals at API (many of whom are developmentally disabled) was considered to be inappropriate but necessary. They were admitted to API because of concern for their life and safety, and because other options (i.e., Harborview Memorial Hospital, out-of-state facilities, ANS Hospital, existing nursing homes, group homes, etc.) were either inappropriate or considered to be even more inappropriate than API.

The current situation is better characterized as one of "urgency" rather than "emergency". The Alaska Psychiatric Institute has since partially adjusted itself to the influx of "Ridgeview" clients. The "emergency" situation no longer exists at API because temporary internal shifts have been made, (along with hiring of temporary staff) to accomodate

the clients. However, the original situation that dictated the phase out of the care of the mentally retarded at API still exists. The rise in population with increased admission to API in conjunction with increased numbers of court commitments and a somewhat more violent type of patient has exceeded the treatment capacity at API.

When the study regarding phasing out of the Koutsky Unit was instigated, a situation existed whereby all mentally ill adults were being treated in one 50 bed unit. With admissions of 50-60/month, it was frequently necessary to refuse admissions to prospective patients or to discharge a patient to make room for a new admission. As a result, patients were sometimes precipitately returned to their communites without adequate follow-up or planning.

This situation was temporarily alleviated by hiring the Psychiatric Security Staff earlier than expected or budgeted for. This enabled the Alaska Psychiatric Institute to open an 11 bed intensive treatment unit for the most violent and dangerous patients. However, availability of 11 additional beds for the care of the mentally ill is a far cry from what is needed. With the phase out of the care of the non-mentally ill mentally retarded at API, plans call for an 18 bed acute treatment unit, an 11 bed intensive treatment unit, an 18 bed unit for intermediate length of stay and a 50 bed unit for mentally ill patients who need a long-term length of stay. In addition, an 18 bed psychiatric security unit will be opened March 1, 1975 to provide specialized security care--primarily for adults. In other words, 115 beds instead of 50 will be devoted to the care of the adult psychiatric patient. This is a substantial increase in beds but is dictated by the current level of need in the State of Alaska.

Therefore, it is intended that residential service specifically for the developmentally disabled be curtailed as soon as possible in favor of the establishment of a program for the short and long term care of mentally ill adults.

Mental retardation is not viewed by the Department as being a psychiatric disability in the usual sense. Rather it is a condition of the person that frequently if not most often demands different programs and services thatn those associated with psychiatric treatment, per se. Accordingly, it is intended that the Alaska Psychiatric Institute be a resource to mentally retarded citizens for the amelioration of emotional and mental problems, just as it is for citizens who are not mentally retarded. It will still be possible for API to continue to care for the mentally retarded within the programs being designed for the chronically mentally ill but it seems far better to design programs for the mentally retarded that are more appropriate to their needs. For many of the developmentally disabled clients at API, an appropriate program would be one designed under the standards and guidelines for ICF-MR, rather than a plain ICF, a nursing home, or a residential program for the chronically mentally ill.

Third, the Steering Committee asked for information on the feasibility of State vs. private operation of ICF-MR facilities. The policy of the Department is that the State should operate programs only when the private sector is unable to meet the public's need. Not only are there advantages regarding flexibility of operation, but utilizing the private sector allows governmental agencies to be regulators and monitors of public funds rather than having governmental agencies regulating and monitoring the same programs it operates. In addition, it is the judgment of the Department that private local facilities are more responsive to local needs than are governmental agency operations that may be administered from a remote location. In the case of the current intention by the Department (i.e., that Hope Cottage, Inc. operates an ICF-MR program) it is well known that Hope Cottage has been responsive to public needs concerning residential placement for developmentally disabled citizens. The successful application of modern concepts pertaining to community based programs has provided Hope Cottage, Inc. with the experience and reputation for providing reliable services. As far as we know, no other private organization providing community residential services to Alaska's developmentally disabled citizens is more qualified to operate such a program. It is hoped that other private or local governmental agencies in communities throughout Alaska will be developed that have capabilities and strength equal to Hope Cottage, Inc.

Fourth, the Steering Committee wanted information on the Department's intent with respect to planning for future services to the developmentally disabled. It is the Department's intent to take the lead from the Developmental Disabilities Planning Council. The Council will soon be formally a Planning Body as specified by PL 94-103. We are now preparing a request to the Governor's Office to re-establish the Council under the provision of PL 94-103. Many months ago, Commissioner Williamson approved the establishment of planning and service-development support services to the Council. The Budget and Audit Committee of the Legislature has more recently approved the use of funds for the planning function. Both these actions provide evidence to support the commitment of the Department to utilize the DD Council for planning future services for the developmentally disabled. The Department would like to see the development of community programs in all areas of the State, not just Anchorage alone.

Fifth, the Steering Committee requested information concerning when persons would be able to be cared for in an ICF-MR and, in particular, when clients would be admitted if the Chugiak location was chosen. No client for whom the State is responsible will be placed in such a facility (whether in Chugiak or elsewhere) until the facility meets life and safety codes regarding the physical structure and staffing/program standards for an ICF-MR. The federal regulations pertaining to these standards are attached for your information. In addition, before a facility is accepted for use as an ICF-MR, approval for use of the facility must be obtained by means of what is called the "1122" process. This process is mandated by Section 1122 of the Social Security Act in order to protect potential clients as well as to protect the general public from the overuse of public funds. This means that if the Chugiak location is to be utilized as an ICF-MR by Hope Cottage, Inc. (or any other agency), it must first obtain approval through the

1122 process. A pamphlet giving information on this process is enclosed. In addition to this process, the plans and actual construction (or renovation) of such a facility must be approved by the Facilities Construction Section of the Office of Planning and Research of the Department of Health and Social Services.

Therefore, once the facility meets physical and program standards and once the necessary approvals are obtained, then (and only then) will State and federal funds be able to pay for services rendered.

I hope you find that the above information meets the requests of the Steering Committee. I think that after seeing this information, the Committee will agree that possible establishment of an ICF-MR at the Chugiak location is likely to be a good alternative both in terms of meeting the needs of many of our citizens and in terms of its timeliness.

As mentioned above, a variety of steps must be taken before such a service is certified and approved.

We seek your endorsement so that we can proceed with a request to Hope Cottage, Inc. to develop the detailed program plan and the renovation necessary.

Sincerely,

Lois M Judd

Lois Judd
Deputy Commissioner
Program Management
Department of Health and Social Services

LJ:prv

Enclosures

State of
Washington

Department
of Social & Health
Services

April 9, 1976

Jerry L. Schrader, M.D., Director
Dept. of Health and Social Services
Division of Mental Health
Pouch H-04
Juneau, Alaska 99811

Dear Doctor Schrader:

Muriel asked me to review the copy of your new mental health statute which you sent to her recently, and to forward any comments to you.

Your statute is very much like ours, and incorporates the features which we have found to be most valuable--placing the receipt of mental illness allegations in the hands of a professional who can often handle the problem by referral to agencies other than those providing involuntary treatment, and the emphasis at every step on the consideration of less restrictive alternatives.

My only comment would be that we have identified the need to provide for the involuntary evaluation and treatment of those persons who are truly unable to provide for their essential human needs, but who are not dangerous to others or to themselves (at least in an overtly suicidal sense). This group of patients are those termed "gravely disabled" within our statute.

I am enclosing a copy of the latest version of our statute (RCW 71.05) for your study.

Sincerely,

David A. Evans

DAVID A. EVANS
Program Administrator
Bureau of Mental Health
Community Services Division

DAE:jh

HB

734

POSITION PAPER/Department of Health and Social Servic

POSITION PAPER
HB 734

"An Act relating to treatment services for developmentally disabled persons, guardianship procedures and rights of developmentally disabled persons; and providing for an effective date."

Effect of the Bill: This bill would establish a separate Division within the Department of Health and Social Services for the administration and coordination of services for the developmentally disabled person.

Discussion: Programming of services for the developmentally disabled person is currently administered by a central office position within the Division of Mental Health. HB 734 does clear up some areas of need for the Division of Mental Health and provides strengths to the authority of the operating agency. The following sections need additional attention:

Sec. 47.70.010: This seems to elaborate a philosophy of program for which the State must assume specific responsibility. This vague terminology will need legal clarification. We would suggest this section not be a matter of statute law.

Sec. 47.70.020: This section seems to reiterate the purposes of 47.30.520 (Community Mental Health Services Act). However, by use of the mandate form "shall" the goals of 47.30.520 are made objectives of 47.70.020. We suggest continued use of a permissive form making 47.70.020 a statement of purpose.

Sec. 47.70.030(6): The word cost should be omitted regarding the accounting system. There should exist only a good accounting system.

(8)(A): The word all should be omitted as it is too broad a term to circumscribe available resources; some of which may not be cost-effective.

(10): Should be elective as Federal funds are not always in the best overall interest.

Sec. 47.70.050: Seems to make anyone eligible for intake workup without regard for reasons or limiting circumstance. There should be some restrictive or limiting words added.

Sec. 47.70.070(2): This section should not require all specified services to each person but should specify an array of services which shall be available. Some plans may not effectively include all elements.

Sec. 47.70.080(2) & (4): Should be combined to read "determine unmet needs in community care and services. . .as used by the regional center. Report as required to the Department on services provided and needs in the region".

(5): Omit. . .as required by the commission and the division head.

(6): Insert "confidential", i.e., maintain confidential individual case records.

Sec. 47.70.130(2): Age should be included only if known.

(3)(b): This should be omitted as it is covered by item (a) supra.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 22, 1976

Present: Sullivan Beirne, Ostrosky Kelley

HB 734 - Rights and Guardianship for disabled - HESS

Dr. Hotchkiss, Pres. of St. Association for Retarded Citizens, very opposed to HB 734

Robert Mothershed, citizens, wishes to stress rehabilitation rather than treatment. 47.70.100 too limiting, shouldn't be limited only to danger to ourselves or others. Call it "habilitation, rather than treatment plan. Under federal law, council has more than advising powers, membership should reflect consumers as provided for in federal law. REcommends putting council in Gov's office.

47.70.170
Should consider possibility of private non-profit corp. for advocacy function. Should be separate advocacy office for mentally ill and dd. Office of advocacy for the mentally disabled in 1 office and "DD" definition in 734 contrary to federal law. Replace Sec 9 with lang. from HB 645. More comprehensive bill necessary to provide more services for DD.

HB 733 - Commitment procedures, mentally ill -HESS

Payment by parents - incorporate the $50 maximum. If only 733 passes, add 47.70.100 from HB 734

Helen Mothershed, DD council recommends substitute for bill for 734. Council should be more than advisory board reflecting federal law.

Robert Mothershead = composition and duties of council should reflect changing federal requirements

EVENING - same agenda

Oseruk, Supports office for DD , services not available in rural areas though Oseruk, A.F.N. Inc.

Dr. William Moore, St. of Ak. Div. of mental health, worked with task force, problems with diagnostic services only available in Anchorage. 733 would be more agreeable if it provided services for communities.

Bob Swain, President of Local Association for retarded citizens.

Jennie Selides opposed to 733

William Mueller for patient of A.P.I.

Fred Selkregg, HB 733 Ak. Mental Health Ass., is in favor of it.

Helen Beirne, should advocacy office be under Gov's office or public defenders office?

Dr. Aaron Wolfe - Pres. of Ak. branch of American Psy. Ass.

Dr. Joe Bloom, secion chief for psyc. at Providence Hosp. HB 733 would prevent treatment of people who need it. No abuse under present statute.

Dr. F. Whelan, A.S.M.A. Mental Health Committee, chairman, the Committee is opposed, present statute adequate and unabused. Representated testamony of psych. who wouldn't attend. all opposed, he is personally opposed.

Judge Moody, representating himself, opposed, no abuse in present system.

Marjorie Bell- usually conducts hearings on commitment anyway

Dr. Rader, Psy. in Anch. Need to protect rights of minors, but 733 goes to far.

Dr. Langdon,= Total bill bad, unnecessaru. Present bill was adopted in 1956 federal model act, reworked by the city attorney, Jim Fitzgerald. Problem with administration not with present statute.

Dr. J. Wregget, Child Psy. Problems of criminal provision for doctors, problems with massive paperwork.

Dr. Barry Mendolsohn, child psy. opposed

Dr. Aaron Wolf - opposed

Carol Craig, Psy. intern at U. of Washington. Feels 733 is much like Washingtons law which they have found from experience is unworkable.

Joan Katz, private psychairtrists were asked to join task force and refused..

Gues list-Testimony on HB 733 & 734 in Anchorage, March 22, 1976

Charles Oxereok	A.F.N. Inc.
Dr. William Moore	Ak., Div. of Mental Health
Helen Mothershead	A.R.C.A.
Bob Mothershead	Alaska St. Retarded Childrens Assoc.
Joan M. Katz	Mental Health Task Force Group
Bob Swain	A.R.C.A.
Francis Whelen	Private psychiatrist, Fairbanks
Aaron Wolfe	Pres. Ak. Psy. Assoc.
Joe Bloom	Priv. Psychiatrist, Anchor.
Pat Mills	A.P. I.
Dr. Langdon	Langdon Clinic
Barry ,emde;spjm	Provate Psy. in Anchorage
William Rader	Psychiatrist
Ralph Moody	Superior court judge
Carol Craig	Langdon clinic, psy.
Dr. Wreggit	private psychiatrist.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

MARCH 18, 1976

Present: Hackney Sullivan Swanson Osterback
Beirne

Testifying: Louise Ma - Research Analyst
Dr. Gregovitch, Dept. H&SS
Ray Kent - Hope Cottage

HB 734 - Rights & Guardianship for Disabled - HESS

Louise Ma explanation of the diferent areas of this bill is relationship to the DD

Dr. Gregovitch , Dept. recommends agains passage of 734 as presented, unless there are changes made, specified in position paper. Feels this would create an entire new area in health & ss., would be a duplication of administrative duties. Would like to see the bill passed that the dept of law introduced, HB 645.

Mr. Kent, Chairman of Governors Advisory Board on D.D., position paper in form of a folder including all the aspects which the DD Board as looked into. Recommendations of changes and evena proposed subsititute bill. Proposes that HB 734 be eliminated.

Mrs. Homme & Ann Simons - Mother of two DD children and want to know if this bill is adopted what about the statute now in effect that makes payment for DD children a maximum of $50 permonth. Would this be excluded?? The bill does not speak to the issue of cost at all.

Louise Ma was asked to research this issue concerning parents financial liability.

TELEGRAM

ALASKA COMMUNICATIONS, INC.
PHONE: 586-6140
JUNEAU, ALASKA 99801

1976 MAR 4 PM 10 15

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PMS REP SUSAN SULLIVAN

JUN

CONCERNING HB 733 AND 734 THE ALASKA PSYCHIATRIC ASSOCIATION FEELS VERY STRONGLY THAT INPUT FROM THE PSYCHIATRIST IN ALASKA IS ESSENTIAL IN YOUR CONSIDERATION OF THIS BILL. WE FEEL THAT THIS IS IMPORTANT ENOUGH FOR YOU TO HOLD HEARINGS ON THIS MATTER IN ANCHORAGE AND FAIRBANKS.

AARON S WOLF MD PRESIDENT ALASKA PSYCHIATRIC ASSN

MEMORANDUM State of Alaska

TO: Frances Ulmer
Legislative Assistant
Governor's Office

DATE: March 5, 1976

FILE NO:

TELEPHONE NO:

FROM: Arthur H. Peterson
Assistant Attorney General
Department of Law

SUBJECT: HB 645 (plenary and partial guardians) and HB 734 (developmentally disabled persons, guardians, etc.)

In response to your request for a comparison between these two bills, I am attaching a comparison sheet prepared by Assistant Attorney General Richard Peter. Essentially, his conclusion is that a final bill should combine various aspects of both bills, and he notes that Department of Health and Social Services staff are analyzing these bills in detail and will be presenting that department's position to the appropriate legislative committee. We will no doubt be working with them.

You will recall that, before preparation of the final version of the governor's bill (HB 645), we exchanged correspondence with Professor Richard Wellman who is the person primarily responsible for the development and drafting of the Uniform Probate Code as promulgated by the National Conference of Commissioners on Uniform State Laws. The final ~~bill~~ HB 645 and the governor's transmittal letter reflect our attempt to deal with Professor Wellman's suggestions appropriately. The same approach should be taken when preparing the final bill which combines both HB 645 and HB 734. I believe that you have a copy of that correspondence, but, if you don't, it is readily retrievable from my file.

AHP:md

cc: Ronald Lorensen
Assistant Attorney General

Richard L. Peter
Assistant Attorney General

COMPARISON OF HB 734 WITH HB 645

(Guardianships)

HB 734 (Mental Health Task Force)	HB 645 (Governor's bill)
Sec. 4 defines "full" and"partial" guardians.	Sec. 1 treats of "plenary" and "partial" guardians.
Requires enumeration of partial guardians duties by court order.	Sec. 2 Requires court order enumerating duties of partial guardian.
Sec. 5 .Brings testamentary guardians into "partial" concept.	
Sec. 6 Sets up separate procedure for appointment of "partial" guardian.	
Sec. 7 Strengthens rights of respondent in full guardianship procedure.	
	Sec. 3 Court to examine (with physician and visitor) proposed and alternative living arrangements for ward.
Sec. 8 Specifies "full" guardian.	Requires guardian to notify court if he places ward in mental institution without court order so specifying.
Sec. 9 Defines scope of capacity of ward of partial guardian. THIS IS ONE OF PROF. WELLMAN'S OBJECTIONS.	Sec. 4 Ties term of guardian to court order.
Sec.10 Recognizes modification as well as termination of court order. Removes minimum period in which petition to terminate finding of incapacity may be filed without special leave.	Sec. 5. Recognizes modification.
	Sec. 6 Recognizes modification.
Sec.11 In proceeding for appointment or removal of full or partial guardian requires notice to additional persons.	
Sec.12 Requires powers of temporary guardian to be specified in court order.	
Sec.13. Court may not customarily appoint custodial agency as guardian.	Sec.7 Adds agencies to possible guardians. Court may not customarily appoint custodial agency as guardian.

Sec. 14. Permits consolidation of guardian and conservator actions.

Sec. 8 Details minimum requirements of report of condition of ward by guardian.

Sec.9 Requires court to advise ward of right to request later dismissal or modification of guardianship order.

S U M M A R Y

The task force bill contains only one of the things Professor Wellman objected to: the scope of rights remaining in ward of a partial guardian. (Sec. 9)

With this exception, provisions of task force bill are not objectionable, but may be inadequate.

It adds some good features but I think the governor's bill has some other good points which should be in any legislation adopted, such as sections 3 and 9 of HB 645.

I would favor consolidation of the two measures in the form that is politically more viable -- probably the task force bill because it has had wider input.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session – Ninth Legislature

I. REQUEST
Bill No. HB 734
Title: Developmental Disabilities Act
Requested by: _____ Date: _____
Return Date Requested: _____
Agency: Health & Social Services Program: Mental Health & Developmental Disabilities

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Harborview, Contracts, Admin. & Support

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		3452.4	3935.7	4486.7	5114.8	5830.9
200	TRAVEL		82.1	89.5		106.4	116.0
300	CONTRACTUAL		4596.1	5009.7	5460.6	5952.1	6487.8
400	COMMODITIES		401.2	437.3	476.7	519.6	566.4
500	EQUIPMENT		33.9	37.0	40.3	43.9	47.9
600	LAND & STRUCTURES		27.0	29.4	32.0	34.9	38.0
700	GRANTS, CLAIMS, ETC.		201.0	219.1	238.8	260.3	283.7
	TOTAL		8,793.7	9,757.7	10,832.7	12,032.0	13,370.7

B. FUNDING: (Thousands of dollars)

GENERAL FUND		43	4803.9	5341.4	5941.0	6610.4
FEDERAL FUNDS		44	4953.8	5491.3	6091.0	6760.3
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	174 /	174/	174 /	174/	174 /
MAN MONTHS (P./T.)	/	2205 /	2205	2205/	2205/	2205 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

(SEE ATTACHED)

IV. ATTACHMENTS

V. DATE: _____ PREPARED BY: _____

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

FISCAL NOTE

HB 734

III ANALYSIS

(B)

1.

No. of Position	Position	Salary & Benefits
1	Director	52.5
1	Clinician IV	40.1
3	Clinician III	119.5
1	Attorney II	32.7
1	Admin. Officer II	29.9
1	Research Analyst II	26.2
1	Secretary	17.4
5	Clerk Typist III	78.9

2. Rental Office 55.0

Supporting Services, Phones, Etc. 44.0

Equipment 19.0

3. This program should be all Medicaid 50/50 Fed./State.

(C) The fiscal computations are strickly maintenance level, adding community programs. Personal services computed @ 14% C.O.L.A. Other @ 9% C.O.L.A.

2524 Ingra Street
Anchorage, Alaska 99504

March 15, 1976

Ms. Susan Sullivan, Chairperson
Health, Education & Social Services
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Susan:

Re HB 734 - to put it simply, we all know the story of Cinderella and her "step family". Well this is the story of Mental Retardation (Developmentally Disabled) to the Division of Mental Health. The Mentally Retarded have been used! Like Cinderella, all the Mentally Retarded or Developmentally Disabled need to come along is a PRINCE of a man as Co-ordinator of the Developmentally Disabled or the Division of Mental Health, etc, etc., the whole situation would be resolved and programs and services to these people would well be on their way in their own communities. Many, many more in this way would be living with their families being assets instead of liabilities.

I myself have given years of dedicated service to the State Planning Committee for the Mentally Retarded, later called Developmentally Disabled Council and to be honest with you, I'm ashamed to acknowledge this.

This HB 734 must be Gregovich's baby. It reads like something he once presented the DD Council which was rejected. Last year a coalition of consumers and private providers got together and worked for hours and days coming up with a package patterned after Federal DD legislation (since improved and amended). Our material has been well distributed in Juneau (Genie Chance knows it well) and we asked for help in getting a bill written up patterned after this coalition package dove-tailing it to the Federal Legislation thereby assuring Alaska's ability to benefit from Federal funds for progams and services to the Developmentally Disabled.

In no way should the blame be laid on us the consumer/advocate. I lay it all on the DD Co-ordinator and head of the Division of Mental Health. We tried, but they got themselves and the State into this situation. Now, let them for once and at last, take notice of us and take steps in the right direction. There HAS been time for proper planning, for hearings and legislation.

Susan, to be honest with you, I'm tired. It is so hard to continuously have to react to crisis situations and beat your head against a brick wall at the same time. All I want is services to these people in their own communities like for everyone else. It can be done. I did it with our own TWO mentally retarded sons when all odds were against us. It wasn't all that bad raising them in their own home with us and going to public school like their "normal" sisiter. We are a much happier and stronger family. God indeed blessed us with those two boys. I don't want young parents or young (baby) developmentally disabled children to have to go through what we did when it is not necessary, believe me. And, this is what I am all about.

I so wish the hearings for the two bills HB 733/734 were being held in Anchorage. I want to be there for this, but to get to Juneau is another thing. I'm still trying, but can't make it for March 17for sure and if I get there it will be for March 18.

Maybe an immediate solution would be to Amend HB 733 to include the Mentally Retarded for a year ONLY until HB 734 can be improved upon. But then, as Doug (your assistant who called me this morning) put it, if HB 734 does not pass, the State cannot provide services to the Developmentally Disabled. My reaction to this is, So what, these people have rights like everyone else and they have to be provided services like for everyone and anyone else even if they should become MENTALLY ILL, which you know they are not, but could become ill that way like anyone else.

I write this in haste and it looks like it, but I did want you to know how I feel if I can't make it to Juneau. Thanks alot for your concern and I do appreciate your having Doug call me. He is a very pleasant fellow.

Respectfully,

Sharon Thurston

Mrs. Donald Thurston

HB
742

MORANDUM State of Alaska

TO: R.D. Stevenson
Special Assistant
Department of Revenue

DATE : February 23, 1976

FROM: R.H. Pilcher
Manager
Juneau Field Office

SUBJECT: House Bill No. 742

Passage of HB 742 will grant exemption from sport fishing, hunting and trapping license requirements to a resident who is disabled and presents written proof that he is 70 per cent medically handicapped.

Vocational Rehabilitation statistics indicate there will be approximately 5300 severely disabled residents over the age of 16 and under the age of 65 out of a population estimate of approximately 400,000 in FY 77, a ratio of 1.325%. Application of this ratio to license sales for calendar year 1975 indicates the following:

R. Sport Fish	-	101,900	X .01325 =	1350	less 66 25¢ licenses =	1284	X 5 =	$6,420.00
R. Hunt	-	64,720	X .01325 =	858	less 66 25¢ licenses =	792	X 7 =	5,544.00
R. Trap	-	14,495	X .01325 =	192	less 66 25¢ licenses =	126	X 3 =	378.00
					Total revenue loss			$12,342.00

Plus Federal Aid Matching Funds which usually are at a ratio of 3 to 1. Since this is an exemption from licensing provisions and will be administered by the Department of Fish and Game, no administrative problems or added administrative costs are anticipated.

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF REVENUE

OFFICE OF THE COMMISSIONER / POUCH S – JUNEAU 99811

February 24, 1976

The Honorable Susan Sullivan
Chairman
House Health, Education and
Social Services Committee
Alaska State Legislature
State Capitol Building
Juneau, Alaska

Re: House Bill No. 742

Dear Ms. Sullivan:

House Bill No. 742, an Act relating to benefits for blind and disabled persons was introduced in the House on February 12, 1976 and was referred to the House Health, Education & Social Services and Community and Regional Affairs Committees.

Sec. 3 of the proposed legislation provides that a sport fishing, hunting or trapping license is not required of a resident who is disabled, as long as he remains a resident.

For the consideration of the House Health, Education & Social Services Committee, I am enclosing a copy of a memorandum prepared by R. H. Pilcher, Manager, Juneau Field Office, Department of Revenue concerning the estimated loss of revenue in connection with Sec. 3 of the bill.

If you or any members of the House Health, Education & Social Services Committee have any questions on the material submitted, please telephone the writer at 465-2397 and I will contact Mr. Pilcher, for further information or testimony at a hearing.

Very truly yours,

R. D. Stevenson
Special Assistant

Enclosure

cc: The Honorable Samuel Cotten
Chairman
House Community & Regional Affairs Committee

The Honorable Helen Beirne
Prime Sponsor - House Bill No. 742

R. H. Pilcher
Manager, Juneau Field Office
Department of Revenue

Form SA 1

MEMORANDUM State of Alaska

TO: R.D. Stevenson
Special Assistant
Department of Revenue

DATE : February 23, 1976

FROM: R.H. Pilcher
Manager
Juneau Field Office

SUBJECT: House Bill No. 742

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THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. HB 742
Title: An Act relating to benefits for blind and disabled persons.
Requested by: Health, Education & Social Services Date: 18 February 1976
Return Date Requested: Immediate
Agency: University of Alaska Program: Statewide Revenue

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Revenue (Funding)

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND		16.0	16.0	16.0	16.0	16.0
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Estimate 40 students, that meet the condition of blind and/or disabled, each taking an average of 10 credit hours per semester. 40 x 10 x 2 x $20 per credit hour = $16,000 per year.

IV. ATTACHMENTS

V. DATE: 18 February 1976 PREPARED BY: [signature]
M.M. Hullinger, V.P. for Finance and Comptroller

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named) Helen Beirne
Health, Education and Social Services Committee, % Representative Susan Sullivan

H/S 50

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. HB 742
Title: Benefits for blind and disabled persons, (property tax exemption)
Requested by: _____ Date: _____
Return Date Requested: _____
Agency: Dept. Community & Regional Affairs Program: Local Government Assistance

II. FISCAL DETAIL
Budget Request Unit(s) Affected: _____

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		7.4				
200	TRAVEL						
300	CONTRACTUAL		2.7				
400	COMMODITIES		.2				
500	EQUIPMENT		.5				
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.		309.2				
	TOTAL		320.0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		320.0				
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	1 /	/	/	/	/
MAN MONTHS (P./T.)	/	6 /	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumptions

1. Statewide population July 1, 1976 (FY 77) will approximate 417,500.
2. Proportion of the total population 70% medically handicapped and blind persons will closely approximate the number of disabled or handicapped for 6 months or more as defined in the 1970 census. (FY 77--713)
3. The 12% annual increase in average tax per application will continue for the next few years. (FY 77--$434)
4. Residential property owned by blind and handicapped persons will be of the same general quality as that of senior citizens. (FY 77 713 x $434 = $309,244)

IV. ATTACHMENTS

Table: FY 77 BRU Grant Impact HB No. 742, Sec. 1 & 2.

Analysis continued

V. DATE: 2/23/76 PREPARED BY: S. Robert Dozier

S. Robert Dozier
State Assessor

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
"Beirne"

H/S 50

Sections 1 and 2 of HB 742 includes blind persons and persons with 70% medical disability as eligible for property tax exemption under the providions of AS 29. 53.020.

The pilot program will require in-depth research to develop appropriate administrative procedures, regulations and forms necessary to include all eligible blind and disabled persons. Instruction pamphlets and other methods of notice to potential applicants is a prerequisite to orderly implementation of the new program. Experience with the senior citizen program has proven that without proper notification, substantial numbers of potential applicants will remain unaware of the benefit and will subsequently file for a waiver of the filing deadline, adding measurably to administrative time, material and total program cost.

To implement the program, a clerk-typist will be required to carry the additional secretarial support, and to perform routine audit, filing and data processing procedures which may be expected to increase by 30%. This should relieve permanent trained personnel of routine duties and allow time for development of program procedures regulations and forms.

Administrative costs are estimated as follows:

Personal Services:	
Clerk-typist III (6 months)	
Range 9, Step B	$ 6,040
Benefits 23%	1,389
	$ 7,429
Contractual:	
Telephone	$ 50
Postage	120
Printing	1,200
Advertising	350
Data Processing	670
Professional Fees	300
	$ 2,690
Commodities:	
Reference Material/Supplies	$ 150
Equipment:	
Secretarial Desk @ 370	$ 185
Secretarial Chair @ 115	88
Calculator @ 440	220
	$ 463
Total FY 77 Administrative Costs	$10,732

FY 77 BRU Grant Impact

HB 742, Sec. 1 and Sec. 2

1. Projected number of blind and disabled homeowner, heads of household, age 16 to 64 eligible for property tax exemption in FY 77.

	1970 Census		Projected FY 77
Total Population	300,382		417,500
Population age 16 to 64	166,412	= 55.4% of 300,382	231,300
Disabled, 6 months or more age 16 to 64	2,619	= 1.57% of 166,412	3,631
Head of household age 16 to 64	75,072	= 45.11% of 166,412	1,638
Total occupied units all ages	79,059	= 100% head of household	1,638
Owner occupied units	39,747	= 50.28% of 79,059	824

2. Number of eligible applicants within districts subject to property tax.

Population, FY 76	386,600		824
Boroughs	313,379	= 81.06% of 386,600	668
Cities	20,998	= 5.43% of 386,600	45
Total population within Taxing Jurisdictions	334,377	Number of Applicants	713

3. Projected revenue required to reimburse municipalities for revenue lost in operation of a property tax exemption for blind and disabled persons.

	Projected Number of Applications	FY 76 Average Tax	FY 77 12% Increase	FY 77 Estimated Tax Dollars
Borough	668	$396	$443	$295,924
City	45	264	296	13,320
	713	$383	$434	$309,244

Department of Community and Regional Affairs
Division of Local Government Assistance
Office of the State Assessor
February 23,1976

HB

744

"An Act providing freedom of choice of certain medical procedures; and providing for an effective date."

COMMITTEE REPORT

2/12/76 HOUSE JUDICIARY

Mr. Speaker: Date April 10, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had CSHB 744 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan	DO PASS	
[illegible]	DO PASS	
[illegible]	DO PASS	
[illegible]	DO PASS	

Members NOT concurring in the Majority report:

[illegible] recommends: [illegible]

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 10, 1976

Present: Beirne Sullivan Parr
Hackney Ostrosky Osterback

HB 866 Supplemental Appropriation to H&SS G&X.HESS

Lois Jund gave a better explanation of why the dept. needs this additional $. See dept. poisition paper. Due mainly because of the switch of some programs within the Fed. system to other systems, so a money lag.

Passed out with do pass.

The three licensing bills C.S. were given to everybody to look at over the weekend, if there are not objections they will be sent upstairs, as signed before the C.S. was completely drafted.

CSHB 744 Freedom of choice Beirne

Helen gave an explanation of this C.S., put in the clause "Terminal" rather than serious so noone would be condemend before terminally ill.
Clause relating to temp. or self-destructive declaration., Rodey and Gurening don't feel its necessary because an individual can revoke it at any time.

Committee discusses what "life supporting" means. Drugs and electrical apparatus used in definition section of bill.

Amendment - page 5, line 2 delete "and drugs".
Passed

Glenn concerned that there might be problem with the malpractice issues and this bill. Bill has a referral to Judiciary, they can handle it.

Motion to pass bill out as a new C.S. with amendment, committee decided to have it redrafted including the amendment.

Motion to move out, passed.

HCR 101 Uniform account for health institutions - Ostrosky

Hold for fiscal note

HCR 104 - Support for existing health facilities - Ostrosky

Katherine presented the C.S., decided not to do anything with this now.
Brian Saylors not available for explanation.

HCR 120 - Study of Health Insurance, Catastrophic - HESS

THIS NEEDS a fiscal note.

Amendment, line 19 p. 1, delete "establish a task force whose membership reflects the diversity of geography, socio-economic status, age, sex, and health care professions in the state".

Insert "conduct a study".

Committee decided to have this redrafted as a C.S. since this is a resolution.

Bill passed out with C.S.

Alaska State Legislature

House

JUNEAU ALASKA

COMMITTEE MEETING HOUSE HESS

MARCH 26, 1976

Present: Sullivan Ostrosky
Parr Beirne Osterback

Testifying:
Elizabeth Shaw, NASW
Janis Price, NASW
Sister Andrea

HCR 111 - Boundary Change in Health Service Area - Rules

Sister Andrea - opposed to the bill- wants three HSA

Renninger, Dept. H&SS, also supports three HSA conceptually and fiscally

Bill not moved on,

HB 367 -Social Workers Licensing - Beirne

Beirne spoke on revised version of the bill, revised with assistance of Sharon Andrews, director of licensing. Went over provisions of the bill with committee Some changes made on the draft

Mr. Price , Dept. H&SS, discussed minor points of bill
Stated that the bill requires all new employees to have MSW or change their title or requirements of certain jobs to hire people. Dept. does not have to fire any S.W. who are employed now or don't have MSW

Discussion around fiscal implications of all these new licensing bills. Probably will add one more full time person to the licensing division.

Motion passed for individual recommendations on the work draft copy to be a Committee Substitute.

HB 744 - Freedom of choice, medical procedures - Beirne

Mr. Heidersdorf, representing Alaskans for Life, not for the entire concept of the bill, feels there are some problems with it.

Committee discussion regarding suicide, also liability regarding disconnecting life sustaining measures, example Quinlan case.

Heidersdorf feels that people have the right to make this decision, but not 20 or 30 years before, people might change their ideas and minds. Also definition of extraordinary means , might change

Beirne would like a chance to rework the bottom of p. 1 , severe distress, etc. too dificult til revoke now. Will let Pat Rodey and Clark Grueing look at the proposed chances.

Committee points out various areas of concern for Helen to take alook at. P. 1. line 19, how about renewal every five years
P. 3 line 27, need rewording, more specific
Alvin suggests time frame, 1 year or so till individual can have a chance to recover.

Hold till middle or end nexy week, when Helen has it reworked.

HB 772 - Licensure of counselors - HESS

Tabled - dead

SB 554 - Licensing of Phy. & Osteopaths - Croft

Beirne - Croft wanted to work this over with others, make amendments, Helen feels there wasn't enought time, want to make 1 change now
Line 20, Add "the Department shall employ"
Delete "The board shall employ"

Amendments passed

This bill belongs in malpractice, wants it to go to Jud. Recommend it is included in Malpractice package.

Bill - passed

HB 392 - Rehabilitation Counselor - Beirne

Beirne, explanation of bill and discussion
proposed amendment - decided to make a committee substitute of this bill, see draft. Also all reference to counselors should read Vocational Rehabilitation counselor

Delete line 4 - 11 page 4

Helen moved to have this bill moved out.
as a committee substitute

HB 635 - Licensing of Speech Pathologists & Audiologists - Gov.

Beirne, alot of fraud by people coming into Ak. and selling hearing aids and then leaving state.

Committee went over work draft and made changes, P.2, line 25 delete "practice speech path. or audio". line 27, 28 & 29 P4 delete, P. 5 line 1 thru 19 delete. P. 5 line 19, change "social worker" to Speech pathologist & audiologist

Committee recommends Committee Substitute move out, individual recommendations passed out.

HB

745

"An Act making a special appropriation to the Department of Community and Regional Affairs for an alcoholism detoxification center at Pt. Woronzof; and providing for an effective date."

COMMITTEE REPORT

2/12/76 HOUSE FINANCE

Mr. Speaker: Date Mar 11, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HB 745 under consideration. Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 11, 1976

7;00 p.m.

Present: Susan Sullivan Hackney
Osterback Ostrosky
Beirne

HB 745 - Alcohol Detox Center - Pt. Woronzof - HESS

Committee had heard this bill before, hada short discussion on it and decided to vote

Hackney - move bill out - no objection

SB 585 - Bonds , Alcoholic treatment facility - Croft, Sackett

Paul Wasserman- Office of Alcoholism presented depts. position paper regarding this bill.

Committee discussed possibility of letter of intent to incorporate thrust of position paper . Question raised as to who builds and who operates the center.

Decided not to move yet.

LETTER OF INTENT

It is the intent of this Legislation, if accepted by the voters, that the grants will be given as block grants to the communities indicated. The utilization of the grants shall be determined by the Municipalities in conjunction with the local Health Planning Agencies.

It is not intended that the State enter into the operation of the facilities.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 10, 1976

EVENING

Present: Beirne, Ose, Swanson, Ostrosky, Ostroback, Sullivan, Parr, Hackney

Testifying: Bob Cole, Office of Alcoholism
Barbara Wolstad, concerned citizen
Bill Houston, Corrections
Ed Mitchell, Corrections

HB 618 Bonds for Correctional Institutes - Gov.

Houston & Mitchell, discussion centered around the proposed building for Ketchikan. Stating the need for it. About 20 to 22 prisoners on the average. About 45% of these are pre-sentence.

Committee - very concerned about the costruction costs, $4.5 million for only 22 prisoners. Long discussion on cost per sq. foot. Also discussed possibility of flying them to Juneau to use Lemon Crreek. Not very feasible.

Parr would like to change the amounts for facilities listed. Feels there should be other priorities.

Barbara Wolstad - spoke as a citizen of Juneau concerning the increase in juvenile delinquency 80% over the past year in the area. Also about the lack of a facility for young people. Now housed in Lemon Creek, according to state law they should be seperate from criminals.

Committee understand the need. More discussion around the possibility of altering some of the funds in this bond package. Swanson make proposal to have another bill drafteed to speak to the juvenile needs.

Committee decided to postpone any action on the bill for one week, yes 5

HB 745 - Alcohol Detox Center - Pt. Woronzof Hess

Bob Cole & Eric Lee - The office of alcoholism presented their position paper. They are for the center allthough realize the $ is not in the Gov. budget.

Discussion by the committee concerning the need, also who will then own the building if the state pays to have it completed. What the program is doing and how effective it is.

Decided to get more testimony on this regarding the rate of returnees etc.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. HB 745
Title: Special appropriation for an alcoholism detox center at Pt. Woronzof
Requested by: David Freer Date: 2/24/76
Return Date Requested:
Agency: Office of Alcoholism Program:

II. FISCAL DETAIL
Budget Request Unit(s) Affected: None

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

This bill will have no fiscal affect on the Office of Alcoholism

IV. ATTACHMENTS

V. DATE: February 24, 1976 PREPARED BY: Robert L. Cole, Coordinator

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Reviewed by Financial Management

Eugene A. Smith, H&SS Finance Officer

H/S 50

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. HB 745
Title: ...alcoholism detoxification center at Pt. Woronzof...
Requested by: HESS Date: February 13, 1976
Return Date Requested:
Agency: Community & Regional Affairs Program: Development

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Local Government Assistance

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		-0-				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The grant will be monitored similar to the oil impact development grants in fiscal year 1975. The Department would require a proposed budget and periodic reports of facility status and expenditures. Annual audits would be reviewed to determine accountability of project expenditures. Current departmental field staff would complete any on-site monitoring required.

IV. ATTACHMENTS

V. DATE: February 23, 1976 PREPARED BY: Lynn A. Wegener
Lynn A. Wegener
Administrative Officer

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

POSITION PAPER/Department of Health and Social Service

POSITION PAPER

HB 745

State Office of Alcoholism

"An Act making a special appropriation to the Department of Community and Regional Affairs for an alcoholism detoxification center at Pt. Woronzof; and providing for an effective date."

The Office of Alcoholism supports the concept of this bill. However, this office cannot support the bill itself because it would exceed the Governor's budget, in a very tight fiscal year.

The office believes that the interest is covered in Senate Bill 585 as proposed, and that SB 585 could possibly be amended to include specific reference to this project.

The effective date of July 1, 1976 as proposed would mean that the State of Alaska would be reimbursing the Municipality of Anchorage for expenses already incurred. This is so because construction is presently underway on the Alaska Alcoholism Treatment Center at Pt. Woronzof and will be largely complete prior to July 1, 1976.

Recommended:

Robert L. Cole 3-3-76
Coordinator Date
Office of Alcoholism

Approved:

Francis S. Williamson 3/10/76
Commissioner Date
Department of Health and Social Services

TELEGRAM

A ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

02 378 ANCHORAGE AK 59 03-11 225P AST

PMS REPRESENTATIVE SUSAN SULLIVAN

JUN

THIS TELEGRAM IS SENT TO THE HESS COMMITTEE HEARING

ON HB 745 (APPROPRIATION FOR A DETOX FACILITY AT AATC)

I SUPPORT THIS BILL FOR FUNDS TO COMPLETE THE CONSTRUCTION

AT AATC. IF THIS BILL PASSES IT SHOULD BE DEDUCTED FROM

THE ANCHORAGE ALLOCATION IN SOME GENERAL OBLIGATION BONDS

OF 12 MILLION DOLLARS FOR CONSTRUCTION FOR DETOX FACILITIES

IN ALASKA. I ALSO FEEL THAT THE MUNICIPALITY OF ANCHORAGE

SHOULD HELP CARRY SOME OF THE FINANCIAL OBLIGATION FOR

THIS FACILITY AS THEY SUPPORTED THIS CONSTRUCTION IN

RESOLUTION 75-115 ON SEPTEMBER 2, 1975

ED STEWART PROGRAM MANAGER

DIVISION OF ALCOHOLISM

HB 745

Sure Po~ HB ? Fil~

FEDERAL ALCOHOLISM FUNDING IN ALASKA PLACED IN PERSPECTIVE

There has recently been published in both official documents and the media a wide range of figures purporting to show the amount of federal funds being spent in the State on the fight against Alaska's Number 1 Public Health Problem...Alcoholism.

Those quoting these figures have frequently mixed "apples and peaches" in that they have confused fiscal years with calendar years, one-, two-, and three-year grant periods, etc., presenting a total which most people assume to be that spent during one calendar year.

The most recent of these was in the "Alcoholism Report", a respected bi-weekly national newsletter on alcoholism, published in Washington, D.C. The report published a total of $6,688,811 in "grants active as of September, 1975." This data was based upon information furnished by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) and was factual insofar as it went. The average reader would almost naturally assume that the "grants active" were for this year.

NCA-AR Public Information Department was able to obtain, through courtesy of the Grants Management Division of NIAAA, a computer read-out of these grants for Alaska and has prepared the following chart (see reverse side) which spans three calendar years. A quick glance at this graph will show that the selection of September 1975 was a most unfortunate time period since at least 17 "grants active" were due to expire within one or two months and at least three had only begun operation a month or so prior to this date.

NOTE: 1) The grants shown on this chart total a little over $4,000,000 spread over almost three full years. The additional $2,000,000 would be in formula grants and other specific-purpose grants to the State and other miscellaneous agencies.

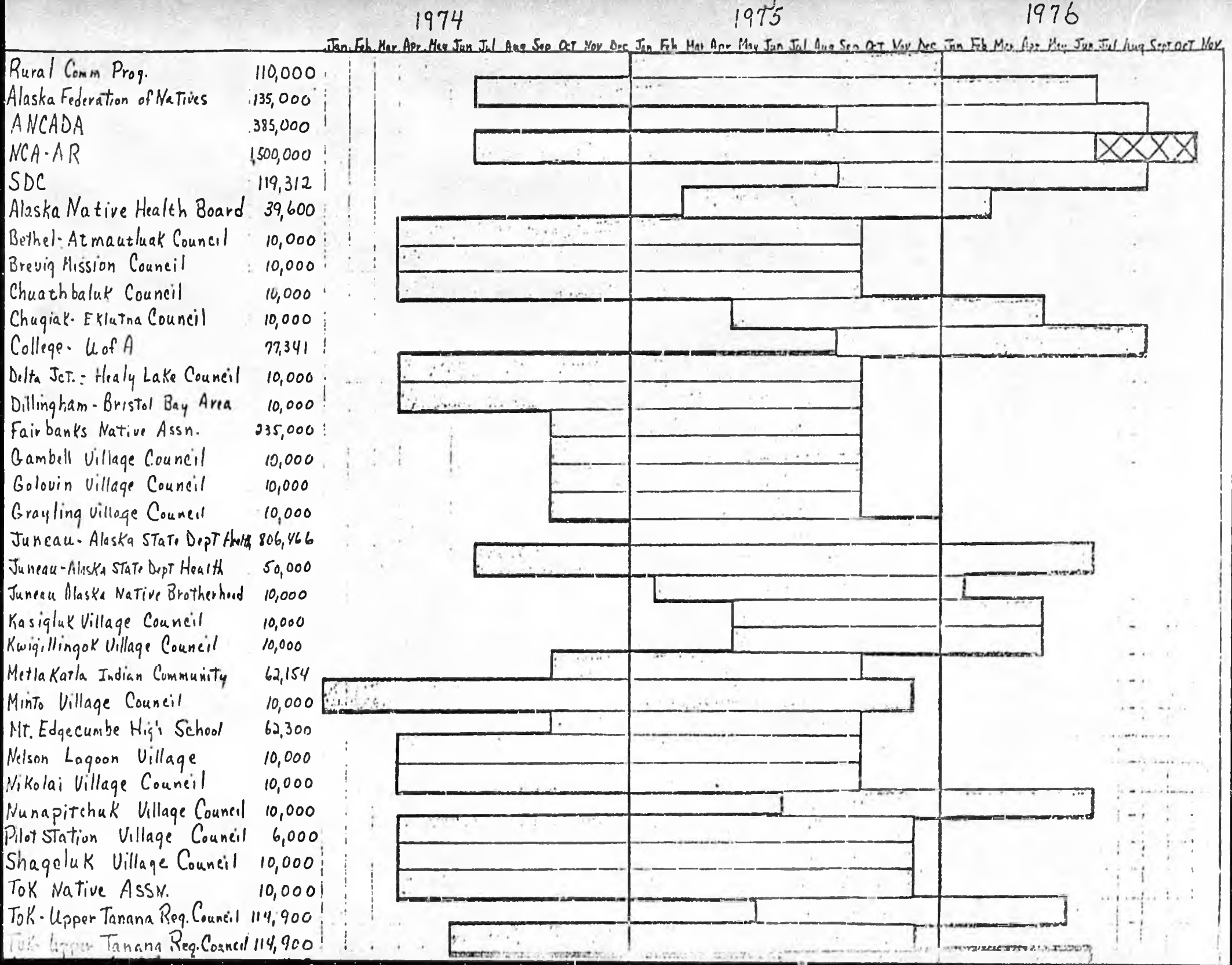
2) The fourth grant listed, "NCA-AR $1,500, 000" is for development of the Alaska Public Education Project multi-media educational campaign; $450,000 of which is disbursed to the Alaska Native Commission on Alcoholsim and Drug Abuse (ANCADA), which is a "partner" in this project.

3) To assure production of quality materials, a time extension has been approved for the Alaska Public Education Project, through October 31, 1976 (no additional funds are involved).

Any legislator wishing further information or clarification to assist you in your work, please feel free to call upon NCA-AR and we will try to obtain the desired material for you.

2/19/76

NANA Research and Planning Grants



HB

772

Alaska State Legislature

House

JUNEAU ALASKA

COMMITTEE MEETING HOUSE HESS

MARCH 26, 1976

Present: Sullivan Ostrosky
Parr Beirne Osterback

Testifying:
Elizabeth Shaw, NASW
Janis Price, NASW
Sister Andrea

HCR 111 - Boundary Change in Health Service Area - Rules

Sister Andrea - opposed to the bill- wants three HSA

Renninger, Dept. H&SS, also supports three HSA conceptually and fiscally

Bill not moved on,

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Beirne spoke on revised version of the bill, revised with assistance of Sharon Andrews, director of licensing. Went over provisions of the bill with committee Some changes made on the draft

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Discussion around fiscal implications of all these new licensing bills. Probably will add one more full time person to the licensing division.

Motion passed for individual recommendations on the work draft copy to be a Committee Substitute.

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Mr. Heidersdorf, representing Alaskans for Life, not for the entire concept of the bill, feels there are some problems with it.

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Alvin suggests time frame, 1 year or so till individual can have a chance to recover.

Hold till middle or end of nexy week, when Helen has it reworked.

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Tabled - dead

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Line 20, Add "the Department shall employ"
Delete "The board shall employ"

Amendments passed

This bill belongs in malpractice, wants it to go to Jud. Recommend it is included in Malpractice package.

Bill - passed

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proposed amendment - decided to make a committee substitute of this bill, see draft. Also all reference to counselors should read Vocational Rehabilitation counselor

Delete line 4 - 11 page 4

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Committee recommends Committee Substitute move out, individual recommendations passed out.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAR 1, 1976

Present: Davis Beirne Osterback-Chairing
Hackney Swanson

Testifying: Sharon Andrews, Director, division of licsneing
John Jensen, representing himself
Harvey Pitts,

HB 772 Licensure of Counselors - HESS

Sharon Andrews, supports concept of relicensing standards, opposed to broadening areas covered by licensing

John Jensen - concerned that the statute as it presently reads, would prohibit him from advertising services as a counselor.

Committee felt that the statute would not do this and that it did not say this..

SB 554 Licensing of Phy. and Osteopaths - Croft

Sharon Andrew, Dept. supports the concept, but would like this bill to be considered with the entire malpractice package.

Sub committee of Helen Beirne appointed to look into all of the licensure bills, especially HB 772

HB 772

Testimony by
Harvey Pitts
P.O. Box 2613
Juneau, Alaska 99803

Many professionals work in the area of psychotherapy. Among these are psychiatrists, psychologists, so called "psychological associates" and social workers. Each of these professionals adhere to a rather strict code of personal ethics and each realizes, or at least should realize, any personal limitation with regard to his own expertise. The psychiatrist for example is also a medical doctor. As such he can prescribe drugs which have proven effective with some people. The psychologist is a highly skilled person trained in various manners of psychotherapeutic techniques proven beneficial to those in need. The psychological associate is also a highly skilled person who, like the psychologist, is trained in the various manners of psychotherapy beneficial to those in need. The social worker, however, has a much less specialized background in psychology, is oriented somewhat more toward client advocacy, and therefore merits a license within his own particular field of expertise rather than psychology.

The remainder of my comments are directed toward House Bill Number 772, which you are considering, which is entitled "An Act relating to licensure of counselors."

Section 1. AS 08.86.010 is amended to include and counselor to those professionals licensed by the Board of Psychologist and Psychological Examiners.

Currently the board consists of three licensed psychologists. I urge an amendment to change the boards membership to include one licensed Psychological Associate. This would serve to provide a peer advocate for psychological associates and certainly would not detract from the boards professional make-up.

I recommend Section 08.86.010 be amended to read:

> Section 08.86.010. CREATION AND MEMBERSHIP OF BOARD. There is created a Board of Psychologist, (and) Psychological Associate and Counselor Examiners. It consists of (three) two licensed psychologists and one licensed psychological associate.

Section 2. AS 08.86.070 (3) is amended to include counselors under professional conduct ethics. I recommend approval as submitted.

Section 3. AS 08.86.130 (2) is amended to allow those professionals who hold a Master's degree in social work or counseling with three years of experience acceptable to the board to be licensed as a psychologist.

While I agree that the Master's degree is in many instances the "professional level" degree, I simply cannot agree that

a social worker should be licensed as a psychologist. The "social worker" and "psychologist" are recognized as two different and distinct fields of endeavor among those of us in the helping professions. The social worker has his own professional organization and he should be licensed accordingly. Certainly he should be licensed and clothed with confidentiality to assure his own professional ethics and protection of clientele, but I do not feel he should be licensed as a psychologist.

I do strongly urge the committee to amend AS 08.86.130 (2) to allow those professicnals who hold a Master's degree in clinical or counseling psychology to be licensed as psychologists if they have completed two years of graduate study leading to the Master's degree and if they have demonstrated competence by a year of experience or an academic year of practicum under a licensed psychologist. My reasons are threefold:

1. The Master's degree from a two year program such as that of the University of Alaska's program leading to the Master of Science in Counseling Psychology is considered a professional level degree. This certainly should merit statutory recognition by allowing for licensure to practice psychology.

2. The degree programs which are considered as professional level and terminal on the Master's level usually require an academic year or more of practicum. Under close supervision of a University staff clinician who is also a licensed psychologist, the advanced graduate student is placed in an agency where he for all intent and purposes practices psychology. During this period the student is closely observed and he may be rejected should his performance fail to meet predetermined rigorous standards. During this period the student must demonstrate competence not only to his clinician supervisor but two additional clinicians must also rate and approve his performance in at least one actual videotaped client session. It seems to me that this should be sufficient to demonstrate competence to practice psychology in the State of Alaska.

3. One of the most obvious things which are apparent to those of us who either live or travel extensively in the rural areas of Alaska, is the lack of access to professionals whenever a problem arises. This in itself compounds many bad situations and certainly helps none. An example of this which readily comes to mind is the severe problem with alcoholism in Barrow which leads to family breakup and all to often to child abuse or neglect. Licensing more individuals would lend itself to improvement not only in rural but in urban areas as well. With the possible exception of Anchorage, I feel all areas of the State as well as the State government itself lacks sufficient numbers of trained professionals who are competent and licensed to practice their professions.

I therefore recommend that AS 08.86.130 (2) be amended to read:

> (2) he holds a doctoral degree with primary emphasis on psychology from an accredited school or has a Master's degree in clinical psychology or counseling psychology with one year of experience as a licensed Psychological Associate or whose academic preparation required a minimum of two academic semesters of practicum supervised by a licensed psychologist.

In line with my above recommendation, I feel some clarification is needed to prevent abuse by the board of examination privileges granted by Section 08.86.120 Entitlement to Licensure. Subjective determination and concomitant feelings elicited therefrom certainly have a place in psychotherapy. However, their place is in therapy which is on-going in nature and all too often lead to unsupportable and untenable positions when done hastily. This could prove disasterous to individuals who become the victims of subjective determination. We all have our good days as well as our bad days and subjective determination refuses us to realize this. For this reason I feel the following amendment should be made:

> Section 08.86.120 Entitlement to Licensure. A person who passes the Written examination given by the board is entitled to be licensed as a psychologist.
>
> Section 4 AS 08.86.150 (1) should be amended to read in accordance with my recommendations for AS 08.86.130 (2) since it provides for recognition of an out-of-state license holder's exclusion from examination.

Section 08.86.160 should be amended for the same reason given above for amending Section 08.86.120. I suggest it be amended to read:

> Section 08.86.160. Associates. Entitlement to Licensure. A person who passes the written examination given by the board is entitled to be licensed as a psychological associate.
>
> Section 08.86.162 set qualification required of Associates which are far too stringent to be practicable and are financially such a burden that almost noone will ever qualify. For example, paragraph (3) requires three years of experience during the past ten years, two of which are in Alaska, and includes a years postgraduate supervised experience acceptable to the board. How will experience be gained if no license can be granted? Paragraph (4) requires the supervisor's recommendation if a licensed psychologist or of two licensed psychologists who hold doctoral degrees. Since I am more familiar with myself than anyone else, let me use myself as an example:
>
> I am 37 years old, have a Master of Science in Counseling Psychology degree, I'm married and have two children. During the past two years, I have taught on a part-time basis with three community colleges as well as for the Anchorage Senior College. I have taught a graduate level

course "Psychology 628, Analysis of the Individual" for the Anchorage Senior College on the Mat-Su campus and have been asked to teach the course at Juneau. Other courses I've taught are: Human Relations, Child Development, Adolescent Psychology and Introduction to Experimental Psychology. I also student taught Psychology 621 Learning, Motivation and Emotions while in graduate school. I am employed as Child Care Programs Coordinator within the Department of Community and Regional Affairs. I do not under the current criteria qualify for licensure as a psychological associate even though I'm recognized by both the University of Alaska and the State government as a competent professional. Certainly if a social worker with a Master's degree with only about forty (40) semester hours of formal training in psychology as compared with my 84 semester hours of formal training in psychology can be licensed to practice psychotherapy, I should likewise be recognized and entitled to licensure. I therefore strongly urge that paragraphs (3) and (4) be deleted from Section 08.86.162.

I recommend the passage of recommended amendments included in Article 38 having to do with counselors.

Return To
John Jensen
PO BOX 249
Douglas, Alaska 99824
PHONE 364-2237

RATIONALE FOR AMENDMENT TO CHAPTER 86

The basis for this amendment is a very simple idea: that the capacities in a person which make him capable of giving psychological help to another are widespread in the general population and are not confined to those with advanced training.

This point is amply demonstrated in the research referred to in the attached articles. See especially Robert J. Carkhuff's article "Differential Functioning of Lay and Professional Helpers." Carkhuff is especially worth noting here because he has probably done more research about counseling than anyone else in the country. I would like to point out two factors involved:

1. Effectiveness of a counselor is predominantly a result of the kind of person he or she is, how "human," able to "relate," able to "empathize." It is just such realistic human relationship that partially accounts for the success of Alcoholics Ananymous, Gamblers Ananymous, Neurotics Anonymous--as Arbuckle points out in the article summary attached.

2. Effectiveness of a counselor is, in addition, related to counselor use of certain techniques, ways of seeing, ways of relating that can be learned. From Carkhuff's article, it appears that ~~[illegible]~~ there is no guarantee that training beyond a certain point increases them.

The conditions in Alaska appear to warrant careful consideration of the limiting aspects of the law, namely:

1. A population widely dispersed, unable to travel to counseling, and unable in a small area to support the kind of highly paid professional who can be supported in Anchorage, let us say.

2. A population with nearly the ultimate extremes in income level. The present law simply insures that private counseling services shall not be purchasable by a significant number of Alaskans.

3. No adequate system of state mental health centers exists.

4. Even if there STATE did, no single counselor is likely to be able to help every kind of person or problem who comes in. Some people just don't "hit it off" for reasons difficult to understand; Alaska's cultural diversity exacerbates this problem. An Eskimo, other things equal, will help another Eskimo better.

5. But even in Alaska's outlying areas, there frequently are people who do have the minimum qualifications necessary to be a highly effective counselor: they "relate" well to others intuitively. Many of these also have advanced education--teacher families, various kinds of governmental employees--who have Masters degrees and even Ph.d.s in other fields and an ability to learn "on the job;" and a sense of how to help people.

6. The effect of this law, as I foresee it, would be to make available to all Alaskans a variety of counseling services at a variety of prices. I doubt that the $45/hour top professional would lose much business, simply because some clients want that just as they want Cadillacs instead of VW's. There would be most likely an increase in people doing counseling as a sideline--handling two or three clients in their own homes and giving them maximum attention and caring; a situation far more likely to improve the client.

7. I can see no defensible reason for the exclusivity of the present law.

The law could succeed, obviously, only if the Board were in full agreement with the intent of the law: to make counseling services available to all Alaskans at prices "the poor" can pay.

COUNSELING EFFECTIVENESS AND RELATED ISSUES, Arbuckle, Jourr. Couns. Psych. Vol 15 (1968) p. 430-435.

The goal of counseling is some kind of change in the client. He may guage it by his changed feelings, but outward behavior is perhaps a better measure, since he may feel good about destructive behavior. Accuracy in measuring counseling effectiveness is debated.

Therefore, a better approach may be to have innovative practice and inquiry into it, constantly moving toward the new and valuable. No more physics style research.

The self-actualized man: "Much of behavior is the produc. of conditioning, and possibly the mark of a self-actualized man is the degree to which he has modified his behavior which has irrational tendencies because of his conditioning."

In this light, coujnselingmay be looked at as counter-conditioning.

Alcoholics Anonymous and Neurotics Anonymous have helped some whom professional therapists cald not help. Is "back fence" therapy as good? Quotes Carkhuff: "Neverhheless, the overwhelming proponderance of systematic evidence available today indicates that primary conditions of effective treatment are conditions which minimally trained non-professional persons can provide. The conditions are not the monoply of doctoral training and there is strong reason to believe that they are often not achieved in doctoral training./"

No counselor will be most effective with all patients; any counselor will be effective with some.

"The evidence would at least seem to imply that it is the humanness, the very person of the counselor, that is the critical factor in the counseling relationship."

Van Kaam says that in training counselors, they should learn about the pluralistic society and cultural, subcultural and religious realities in client's lives, and must have sufficieint therapeutic sessions to work through their own unconscious hostilities and defensive misunderstandings of cultures not our own.

GOAL of training counselors, therefore, should be to make them more human. Before accepting them for training, we should first find out if they are effective as counselors. We don't want a more knoledgeable and trained technician.

Journal of Counseling Psychology

DIFFERENTIAL FUNCTIONING OF LAY AND PROFESSIONAL HELPERS. Robt. R. Carkhuff, J.C.P., Vol 15 p. 117-126.

Since there is a disagreement on lay helpers, let the results speak for themselves: (1) Extensive evidence indicates that 20 hours to 1 year training is very helpful. (2) There is little evidence to show constructive changes are due to long training. (3) Lay trainees change most on those things that help the client most, and engage clients at as high a level of effectivensss as do professionals.

These results: (1) Are the same for all types of mentally or emotionally disturbed people. (2) Professional guidance programs have not yet demonstrated their benefit to the client, though it can be perhaps inferred. (3) But lay persons' benefit to clients also is at least as high as professionals, and never less.

Prospective professional trainees sometimes function at lower levels of effectiveness after training. Why? Evidently because preoccupied with their status, position, etc.(vs.) the layman must always use a direct, honest, humble and concerned approach. Some higher intellective indices point toward lower results! Also, The training level depends mainly on the trainer level, just as

counsellee level depends on counselor. This may mean, however, that graduate schools are sometimes deleterious to counseling effectiveness.

Training programs for laymen, however, generally center on two things: first, sensitivity to the individual (empathy, etc.), and secondly, a change in the trainee's personality and attitudes which might injure the help he is to give. Professional programs , on the other hand, are complex and "self-neutralizing." Some professionals seem always to function at lower levels after grad school. Grad training develops discriminators rather than communicators. Non-professionals help people to help people: there is fuller involvement, less certainty, more humility. They can enter the mileiu of the distressed person, establish peer relationships, and can teach successful actions better and help people through transitions.

COMMENTS ON "DIFFERENTIAL FUNCTIONING OF LAY AND PROFESSIONAL HELPERS," by Lyle D. Schmidt, Vol. 15, No. 2, p. 127-129.

Schmidt basically does not contest the findings of Carkhuff. However: he feels that the conclusions were too broad sometimes, and too great a polarization was indidated. He points to the attempts to professionalize the job of counselor. On the other hand, Carkhuff and others tried to debunk prof essionalization. Secondly, a reason for this professionalism is that the society has turned to mass production. Technology has given us this approach. Thirdly, specialization is th e method.

Schmidt verifies Carkhuff from this approach, at least: that there is a growing and already overwhelming need for counselors. The need is for a "crash program", and there is no time to prepare people professionally.

Those who have wisdom must share it. "Massive help giving can be productivity in search of a criterion."

Joe Hatcher
1657

IN THE HOUSE (BY MILLER BY REQUEST)

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to licensure of counselors."

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

* Section 1. AS 08.86.010 is amended to read:

Sec. 08.86.010. CREATION AND MEMBERSHIP OF BOARD. There is created a Board of Psychologist, [AND] Psychological Associate and Counselor Examiners. It consists of three licensed psychologists.

* Sec. 2. AS 08.86.070(3) is amended to read:

(3) after hearing, suspend or revoke the license of a licensed psychologist, [OR] psychological associate or counselor who violates a regulation of the board;

* Sec. 3. AS 08.86.130(2) is amended to read:

(2) holds a doctoral degree with primary emphasis on psychology from an accredited school or has a master's degree in counseling or social work or psychology with three years of experience acceptable to the board;

* Sec. 4. AS 08.86.150(1) is amended to read:

(1) he holds a doctoral degree with primary emphasis on psychology from an accredited school or has a master's degree in counseling or social work, with three years of experience acceptable to the board;

* Sec. 5. AS 08.86 is amended by adding new sections to read:

ARTICLE 3B. LICENSING OF COUNSELORS.

Sec. 08.86.165. ENTITLEMENT TO LICENSURE. A person who practices counseling under supervision for a period of internship and during that time demonstrates professional competence ordinarily expected of a

person with the intern's training and experience, and also demonstrates compliance with the provisions of this chapter, is entitled to be licensed as a counselor.

Sec. 08.86.166. ELIGIBILITY TO UNDERTAKE INTERNSHIP. A person is entitled to undertake an internship leading to licensure as a counselor if the board finds he

(1) has three credit hours of course work directly related to counseling or other course work or experience which the board finds equivalent; and

(2) has arranged for the supervision of one of a number of persons designated by the board for that purpose during the period of his internship.

Sec. 08.86.167. PERIOD OF INTERNSHIP. The period of internship shall extend until the intern has practiced counseling for at least 500 hours but may not terminate in less than a year. The intern's supervisor may terminate the internship short of completion if he believes that continuation could not lead to licensure; or he may prescribe additional hours of practice he believes necessary before certifying an intern for licensure.

Sec. 08.86.168. ISSUANCE OF LICENSE. (a) The board shall license a person as a counselor upon receipt of written certification from the supervisor of that person's internship that the person has passed his period of internship as prescribed by sec. 165 of this chapter.

(b) The license granted upon certification in (a) of this section is valid until suspended or revoked under sec. 70(3) of this chapter, except that the license shall lapse if the counselor fails to submit a 30-minute taped recording of an instance of his counseling practice to the board within a year of the granting of the license and once every four years thereafter. The board shall review the tape recording

utilizing the standards developed and promulgated in regulations under sec. 80 of this chapter. If the board in applying these standards finds the counselor's performance as taped to be unsatisfactory, the board may initiate further proceedings under sec. 100 of this chapter and in accordance with sec. 20(3) of this chapter.

* Sec. 6. AS 08.86.170 is amended by adding a new subsection to read:

(c) Unless he is licensed (Or is under supervision) under this chapter, no person may use the title "counselor" or a title designation or device indicating or tending to indicate that he is a counselor or practices counseling.

* Sec. 7. AS 08.86.185(b)(2) is amended to read:

(2) a student, intern or resident in psychology pursuing a course of study approved by the board as qualified training and experience for counseling leading to licensure under secs. 162 and 165 of this chapter, if his activities constitute a part of his supervised course of study and he is designated by titles such as "counseling intern" and "counseling trainee";

* Sec. 8. AS 08.86.190 is amended by adding a new subsection to read:

(c) A licensed counselor may practice counseling only under his own name.

* Sec. 9. AS 08.86.200 is amended to read:

Sec. 08.86.200. CONFIDENTIALITY OF COMMUNICATION. No psychologist, [OR] psychological associate or counselor may reveal to another person a communication made to him by a client of his about a matter concerning which the client has employed the psychologist, [OR] psychological associate or counselor in a professional capacity. This section does not apply to a case conference with other psychologists, psychological associates, counselors or with physicians and surgeons, or in the case in which the client in writing authorized the psychologist, [OR] psychological associate or counselor to reveal a communication.

* Sec. 10. AS 08.86.230(3) is amended to read:

(3) "board" means the Board of Psychologist, [AND] Psychological Associate or Counselor Examiners;

* Sec. 11. AS 08.86.230(5) is amended to read:

(5) "psychological associate" means a person who practices counseling and psychometrics [INCLUDES A COUNSELOR AND PSYCHOMETRIST];

* Sec. 12. AS 08.86.230(11) is amended to read:

(11) "supervision" means at least one hour a week of personal interview with a supervisor whose educational qualifications are consistent with the level of activity being supervised; if geographical distance precludes a weekly personal interview between a counseling intern and his supervisor, supervision may be maintained through weekly submission of a 30-minute tape recording of a counseling session conducted by the intern for review by his supervisor; a supervisor is responsible for insuring that the extent, kind and quality of the psychological and counseling services performed are consistent with a psychological associate's training and experience, as well as his obedience to the provisions of this chapter.

HB
786

"An Act relating to faculty smoking areas in public schools."

COMMITTEE REPORT

2/17/76 HOUSE JUDICIARY

Mr. Speaker: Date _____

The Committee on HOUSE has had HB 786

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Lake Summers	Do not pass.	Susan Sullivan Lopez
Edmund Kuo	Do Pass	
Kathryn Clark	Do Pass	
Ann Wolverton	Do Pass	

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 3, 1976

Present: Osterback, Chairing
Parr Ostrosky
Hackney Swanson

HJR 52 Immigration Visas for Allies Children - Buchholdt

Bucholdt, discussed the dire need for this bill and related examples of when it would be necessary.

Parr - Asked for an amendment that on line 28, after the word "Congress" insert the phrase, "is respectfully requested to".

Amendment voted on and passed

Resolution voted on and passed out with do pass by all members

HJR 53 - Research of drug Laetrile -

Lisa Rudd explained why there is a need for more research by the FDA. Many people in the U.S. now use this drug and are acquiring it from Mexico, where an individual can get a one years perscription.

Vote - do pass, all members

HB 786 - Smoking areas in public schools - Parr

Charlie spoke about the need for this, even though legislation was passed regarding smoking in public places.

Committee discussed the cost implications, fiscal note of $300,000 was submitted.

Parr recommended that it be passed out, individual recommendations on it PARR and Ostrosky, for, Swanson, against.

HB 824 -Licensing of Nurseries for children - Anderson

Nels spoke about the need for this in the rural areas, where people needed to leave their children in day care, but because of the lack of water and housing situations, few people could pass the licensing requirements for day care.

Amendment, line 11, delete 10,000 and insert "5,000.
Passed

Alaska State Legislature

House

JUNEAU ALASKA

Pat Monroe, Dept. of H & SS tesitifed and read the position paper from the dept. on this bill. They are against it, mainly because they are in the process of redoing their regulations, are soon having public hearings for input into the proposed changes.

Committee - concerned about how long the proposed changes will take to implement, Decided that the dept. does not move expediaently.

Bill voted on, do pass with amendment. Passed out.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST

Bill No. H.B. # 786
Title: relating to faculty smoking areas in public schools
Requested by: House HESS Date: 2/25/76
Return Date Requested: ASAP
Agency: Education Program:

II. FISCAL DETAIL

Budget Request Unit(s) Affected:

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES		300.0	-0-	-0-	-0-	-0-
700	GRANTS, CLAIMS, ETC.						
	TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND		300.0	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	-0- /	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

District schools will provide their own smoking lounges - no fiscal impact on State.

Unorganized Borough Schools
Persite:

Remodeling, walls and duct work where required	$1500
Furniture	500
Persite cost	$2000

Estimate 150 facilities $2000 x 150 = $300.000

IV. ATTACHMENTS

V. DATE: 3/25 PREPARED BY: William H. Kron

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

HB

793

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 17, 1976

Present: Ostrosky Hackney
Davis Sullivan Beirne

Testified: Dick Block, Div. of Ins.
Bob Cole, Dept. H&SS
Ben Iverson, Dept. H&SS
Ken Ryals, Dept. H&SS

HB 190 Treatment of Alcoholism and Drug - Duncan, etc.

Dick Block, would provide a benefit that can be predicted whether or not it will be needed which may be uneconomical to insurance company's. The div. of insurance view is that it would be O.K. if mandated that it provided an option.

Bob Cole, Office of Alcoholism, supports bill, possibly with revision suggested by div. of insurance.

Committee response, decided not to do anything on this bill yet.

HB 793 - Annual advisory board meetings, public comment Dept. H&SS - Ostrosky

Ben Iverson, dept. encourages public input, but Ken Ryles doesn't feel that this is a practical method of community input.

No action by committee right now

HB 865 - Appropriation to Hope Cottage - HESS

Bob Gregovitch feels there is an extreme shortage of long term care of this type in Ak. Dept. is doing a study right now of the needs and wants to wait till thats done before they do anything like this., recomends not passing.

Ray Burt - Hope Cottage, feels that this bill would be beneficial for purposes of renovation, HC has been successful in the passed, also feels the Chugiak area would benefit from this

Committee discussion,

Hackney - recomends Amendment, (See Attached)

Vote on amendment, do pass
Vote on bill, do pass

POSITION PAPER/Department of Health and Social Services

Position Paper
on
House Bill 793

"An Act related to annual advisory board meetings devoted to the reception of public comment concerning the budget of the Department of Health & Social Services."

This bill amends AS.47.05.010 by adding enabling legislation to provide for the input of public comments on the departmental operating and capital budgets for the forthcoming fiscal year in July. While the concept concerned in this proposed legislation may be constitutionally sound, the proposed mechanism of operation would be cumbersome, time-consuming, and perhaps self-defeating. If enacted into law, each advisory board would be required to hold statewide hearings on the department's 42 separate Budget Request Units (BRU's), most of which would be outside the board's province and expertise.

The validity of the findings and recommendations of the various advisory committees must be questioned. Could the Drug Abuse Advisory Board respond to questions posed at a public hearing on the budget of the Environmental Health Section of Public Health dealing with restaurant inspection? Could the Developmental Disabilities Advisory Committee adequately relate the program and respond to questions about Probation and Parole at public hearings? And will the findings in Kodiak be consistent with the recommendations of the advisory boards from Fairbanks or Petersburg?

The problem of collating the findings of the nine advisory boards, shifting them for frequency and validity, and then presenting them to the concerned department programs is unwieldy in terms of time also. The Bill provides for public hearings in July; yet the budget must be presented to the Governor in October. This time frame is further constricted by the fact that many of the department officials are involved in tie offs for the previous fiscal year. Some of this activity can't be completed before September. Therefore, their assistance will be minimal during the months of July and August.

The Department of Health and Social Services foresaw the legislative concern for the public when the advisory boards were established. While it is true that they do not involve themselves with the whole of the department, they are concerned citizens who provide the department with guidance within their areas of speciality. As such, they represent the public interest. It should be noted also that the budget of the department is a public document and available for public comment at any time.

The Department of Health & Social Services cannot recommend passage of this Bill as it involves an increase in expenditures that exceeds the Governor's Budget.

POSITION PAPER/Department of Health and Social Services

Recommended by: V. L. Iverson 3/17/76

V. L. Iverson, Director
Div. of Administrative Services

Date

Approved by: Francis S. L. Williamson 3/17/76

Francis S. L. Williamson, Commissioner
Dept. of Health & Social Services

Date

Advisory Boards

Advisory Committee of Aging	15
Developmental Disabilities Planning & Advisory Council	15
Drug Abuse Advisory Board	11
Medical Care Advisory Board	10
Welfare Advisory Board	41
Alcoholism	7
CHAC	23
EMS "Ad Hoc" Commission	6
Hill-Burton Advisory Commission	11
Total Membership	139

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. HB793
Title: Public Comment on H&SS Budget
Requested by: _____ Date: 3/8/76
Return Date Requested: _____
Agency: Administrative Services Division Program: _____

II. FISCAL DETAIL
Budget Request Unit(s) Affected: All

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES	6	7	8	9	10	11
200	TRAVEL	20	21	22	24	27	30
300	CONTRACTUAL						
400	COMMODITIES	1	2	2	3	3	4
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL	27	30	32	36	40	45

B. FUNDING: (Thousands of dollars)

GENERAL FUND	27	30	32	36	40	45
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/5	/5	/5	/5	/5	/5
MAN MONTHS (P./T.)	/5	/5	/5	/5	/5	/5

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

It is estimated that some travel and per diem may be required by advisory board officials so that public meetings can be scheduled on other than regular hours for the convenience of the public. No personnel services expenditures other than part-time clerical support are anticipated, as the members of the advisory boards are volunteers.

The Department of Health & Social Services cannot recommend passage of this Bill as it involves and increase in expenditures that exceeds the Governor's Budget.

IV. ATTACHMENTS

V. DATE: 3/8/76 PREPARED BY: Kenneth R. Ryals, Admin. Officer

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Reviewed by Financial Management

Ken Ryals (FOR)
Eugene A. Smith, H&SS Finance Officer

H/S 50

HB

824

"An Act relating to licensing of nurseries for children."

COMMITTEE REPORT

2/17/76

HOUSE

Mr. Speaker: Date _____

The Committee on HESS has had HB 824

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends: _____

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: House ED&S

TO: Amend HOUSE BILL No. 824

SENATE BILL No. _____

PAGE: 1 LINE: 11

Delete the number "10,000", and insert the number "5,000".

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 3, 1976

Present: Osterback, Chairing
Parr Ostrosky
Hackney Swanson

HJR 52 Immigration Visas for Allies Children - Buchholdt

Bucholdt, discussed the dire need for this bill and related examples of when it would be necessary.

Parr - Asked for an amendment that on line 28, after the word "Congress" insert the phrase, "is respectfully requested to".

Amendment voted on and passed

Resolution voted on and passed out with do pass by all members

HJR 53 - Research of drug Laetrile -

Lisa Rudd explained why there is a need for more research by the FDA. Many people in the U.S. now use this drug and are acquiring it from Mexico, where an individual can get a one years perscription.

Vote - do pass, all members

HB 786 - Smoking areas in public schools - Parr

Charlie spoke about the need for this, even though legislation was passed regarding smoking in public places.

Committee discussed the cost implications, fiscal note of $300,000 was submitted.

Parr recommended that it be passed out, individual recommendations on it PARR and Ostrosky, for, Swanson, against.

HB 824 -Licensing of Nurseries for children - Anderson

Nels spoke about the need for this in the rural areas, where people needed to leave their children in day care, but because of the lack of water and housing situations, few people could pass the licensing requirements for day care.

Amendment, line 11, delete 10,000 and insert "5,000.
Passed

Alaska State Legislature

House

JUNEAU ALASKA

Pat Monroe, Dept. of H & SS tesitifed and read the position paper from the dept. on this bill. They are against it, mainly because they are in the process of redoing their regulations, are soon having public hearings for input into the proposed changes.

Committee - concerned about how long the proposed changes will take to implement, Decided that the dept. does not move expediaently.

Bill voted on, do pass with amendment. Passed out.

POSITION PAPER
ON
HOUSE BILL NO. 824

"An Act Relating to Licensing of Nurseries for Children"

The purpose of licensing is to provide protection for all children by reducing risk through the licensing process. The proposed bill would remove such protection for children in rural Alaska.

The Department is cognizant of the difficulties in meeting certain presently existing regulations for licensure and will be holding public hearings on revised regulations in the near future, which will provide for reasonable exceptions. The development of regulations, which will provide protection for children in rural Alaska, within the bonds of realistic application, should be achieved through the public hearing process.

The Department does not support the proposed bill.

Recommended By Steve J. Cowper (Director) 3/3/76 (Date)

Approved By Francis O.L. Williamson (Commissioner) 3/3/76 (Date)

Comments by Governor's Office:

By _____ _____ (Date)

POSITION PAPER/Department of Health and Social Services

HB

862

DEPARTMENT OF ENVIRONMENTAL QUALITY

RECYCLING INFORMATION OFFICE

1234 S.W. MORRISON STREET • PORTLAND, ORE. 97205 • Telephone (503) 229- 5119

ROBERT W. STRAUB
GOVERNOR

Mr. Doug Schoenberg
House Health, Education & Social Services
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Doug:

It was a pleasure to talk to you. Here is the material I promised to send. I am including a recent memo from this office to Governor Straub's office answering the innacurate statements by Alcoa aluminum. There are also a copy of the bill, two sheets from a publication by Don Waggoner of the Oregon Environmental Council, and a summary of the effects of the bill which has some attachments showing research reports obtainable, litter data, etc. I hope these will be helpful to you and to Representative Sullivan.

As I said on the phone, in response to your question about "our difficulties with the bill," we have no difficulties whatever with the bill. I think the greatest evidence of this is the ADS study survey of public opinion which showed that 95% of those interviewed had an opinion and and of those 95% approved of the law. To me, this means that the bottle bill is working very well indeed.

Please give my best regards to all our friends in and around the Alaska Legislature. Let us know if you need any more information.

Sincerely,

Loren Kramer, Director

Jane Cease

Jane Cease
Public Information Representative

JC

Printed on Recycled Materials

State of Oregon

DEPARTMENT OF ENVIRONMENTAL QUALITY

INTEROFFICE MEMO

To: Keith Burns, Assistant to the Governor

Date: April 22, 1976

From: Bill Bree, Recycling Information Office

Subject: Inaccurate statements about the Oregon Bottle Bill

Following is a brief analysis of the advertising statements being used in other states about the Oregon Bottle Bill which you forwarded to this office. They are, to say the least, highly inaccurate.

Statement: "Total roadside beverage container litter has increased since the passage of the Bottle Bill."

Fact: This is not true. Beverage container litter has been reduced by over 70% the first year and over 80% the second year after passage of the Bottle Bill. This sharp decrease in litter has been clearly recorded in the three year litter collection and survey undertaken by the State of Oregon.

Example: Here are the actual beverage container litter counts from 18 different highway litter survey sites for the months of February through August.

1972	1973	1974
14,770 containers	2,950	2,349

Statement: "Beverage prices have gone up because of the Bottle Bill."

Fact: The Bottle Bill has not contributed to the inflationary rises in beer and soft drink prices. The costs of sugar, energy, and labor across the nation have been responsible for major price increases. These national trends mask any cost savings which are a result of the Bottle Bill.

Example: The following information is from an Oregon Liquor Control Commission survey of beverage prices taken one and one-half years after passage of the Oregon Bottle Bill. Prices were surveyed in Portland, Oregon and Vancouver, Washington.

		Vanc.	Port.
Supermarket prices	6 pack 11 oz. stubbies	$1.34	$1.18
	24 pack 11 oz.	5.13	4.48
Convenience stores	6 pack 11 oz.	1.42	1.35
	6 pack 11 oz.	1.38	1.27
	24 pack 11 oz.	4.92	4.87
	32 oz. quart	.58	.49
	32 oz.	.54	.45

Soft drink prices, while more variable, ahve the same price relationship.

Statement: "Beverage sales are lower since passage of the Bottle Bill."

Fact: Beverage sales have continued their traditional growth in Oregon.

Example: Oregon beer consumption:

1971	40.6 million gallons
1972	44.8
1973	46.3
1974	46.5
1975	48.5

Per capita consumption in Oregon:

1964	16.1 gallons
1975	24.1

Data on soft drink sales and consumption is not available to the public for analysis.

Statement: "The Bottle Bill has deprived Oregonians of the freedom of choice.

Fact: Beverages of all types are still available in glass bottles, "tin" cans, bimetal cans, steel cans, and all aluminum cans. Oregonians have a free choice to purchase what they wish and to throw away or to return containers for refunds.

Statement: "Oregon has lost the aluminum can."

Fact: Beer and soft drinks are available in Oregon in aluminum cans. Brewers and bottlers have a free choice to use the type and size of container in which they want to market their product.

WRB:jr

4/15/75

STATEMENT OF DONALD W. WEBSTER, DIRECTOR OF ENVIRONMENTAL CONSERVATION,
STATE OF VERMONT, MONTPELIER, VERMONT 05602

TO: (Through Congressman James Jeffords)
Subcommittee on the Environment
House Commerce Committee

My name is Donald W. Webster. I am Director of Environmental Protec , within the Agency of Environmental Conservation of the State of Vermont. I am the principal State official involved in the administration of Vermont's Beverage Container Law.

While Vermont's existing law is a mandatory deposit law only, current pending legislation would ban non-refillable glass containers, flip-top cans, and plastic ring connectors. This legislation has passed our House of Representatives by an overwhelming margin (110 - 31) and is currently pending before the Vermont Senate, where unanimous approval was voted by its Natural Resources Committee.

Vermont's experience with a mandatory deposit law, which does not mandate the use of refillable containers, clearly indicates that this imperfection will not accomplish all of the objectives of proper beverage container legislation. Indeed, the lack of a mandatory refillable provision has permitted the national beverage and container industries to employ various measures to undercut the full effectiveness of the Law's intention, and to utilize Vermont as a battleground to teach the insurgents a lesson.

These industries, with the active consort and participation of the Vermont Retail Grocers Association, have engaged in a campaign of resistance, mis-information, coercion and distortion, not only in Vermont, but in all other parts of the country where similar legislation might be considered. To this end, they have succeeded in propagandizing their claims outside of Vermont, although their efforts in Vermont have not met with acceptance -- indeed defections from their ranks (largely due to their efforts, as well as the true success of the Law) are increasing of late.

Befort discussing the proposal currently under your consideration, let me discuss some implications and experiences under the Vermont Law.

1. Impact and trend:

First, a small State such as Vermont, without actually mandating the use of refillable containers, cannot, of itself, influence a return to refillable containers by national producers. The economies of cost; which have induced local producers to utilize refillable containers, with significant economic benefit; cannot, by virtue of scale, act as a persuasion on national firms. Rather, the relative small scale of importance of the Vermont marketplace has resulted in a campaign of obfuscation and resistance far above Vermont's relative national importance.

However, despite these efforts, there has been, and there continues to be, overwhelming public support for the present law and for the mandating of the use of refillable containers.

2. Economic experience:

Much has been made, by detractors, of adverse economic impact of the Law upon Vermont.

However, before assumptions are to be drawn, more explanation is in order. It is true that during the initial phases of the implementation of the present Law, a loss in revenues from malt beverage taxes did occur. It is equally true that one of the reasons for its occurrence was "border-jumping" to neighboring States which did not have similar legislation -- particularly New Hampshire. However, other factors were of significant import, if not more meaningful:

1. Prior to the implementation of the Law, wholesalers and retailers stocked up with merchandise which was exempted from the Law by a regulatory "gentlemen's agreement". This action both inflated the

previous year's receipts (F.Y. 1973) and deflated the receipts for first year under the Law (F.Y. 1974).

2. Vermont experienced a disastrous flood on June 30, 1973, the day before the effective date of the Act, which seriously curtailed the Summer tourist and recreation industry.

3. The energy crisis commenced in Vermont in October 1973 and extended through May 1974. Despite Federal Energy Office claims of parity, the withdrawal of two national oil firms from the Vermont marketplace cut available motor vehicle fuel. Prices of 75¢ a gallon or higher, and gas-less stations at mid-month were not uncommon.

4. A dearth of snowfall seriously impacted the Vermont ski industry, with receipts declining 25%-50% during the first four months of 1974. Two major ski areas in Vermont have subsequently entered bankruptcy.

5. Highway traffic counts were off 16%-22% monthly during the period July 1973 - November 1974.

6. There are other important marketing practices and differences between Vermont and its neighbors, not related to the Beverage Container Deposit Law, particularly with New Hampshire. It is of much more importance vis-a-vis New Hampshire than with other neighbors because of a larger market population proximate to that State than with others.

   First, Vermont's Malt Beverage Tax amounts to 56.25¢ per case, compared with New Hampshire's 25¢ per case. This, of itself, presents a less favorable market pricing to Vermont merchants.

   Secondly, New Hampshire wholesalers are permitted a post-off of price on merchandise in lots of 100 or more case purchases,

resulting in significant market advantage to New Hampshire merchants, as this practice is not permitted in Vermont. Vermont's reticence here is to protect small grocers against larger competitors.

Thirdly, New Hampshire merchants can use malt beverages as a loss leader to lure consumers. Vermont merchants cannot sell at less than wholesale price.

Fourthly, Vermont has a retail Sales Tax, New Hampshire does not -- and experience since Vermont's enactment of its Sales Tax has indicated that "border-jumping" occurs for this reason.

It should therefore be clearly discernible that these factors have been major factors in "border-jumping", and it is impossible to differentiate the relative impact of each contributory influence.

Much has been made of by the Law's detractors that Vermont's Rooms and Meals Taxes increased 9% during a comparable period. While the Malt Beverage Tax is a fixed tax based on gallonage, the Rooms and Meals Tax is a floating tax based on price. As Rooms and Meals prices during July 1, 1973 - November 1, 1974 increased in the range of 25%-30%, a 9% increase in receipts represents an actual 16%-21% decrease in actual customer contacts -- a figure which, coincidentally or not, closely parallels the decline in highway traffic during the same period.

3. Highway litter:

Highway litter has been significantly reduced -- the beverage container portion having declined 76.1%, with a spin-off impact in reducing other forms of litter.

Detractors note that actual litter collection costs have declined only $45,000.00. This is true. However, it is impossible to measure aesthetic benefits to the environment, particularly in a State whose economy is so highly geared to

tourism and recreation as is Vermont's. Additionally, the intangible, but real, benefits to agriculture cannot be assigned an economic dollar value, although the agricultural community has truly benefitted.

4. Trend toward refillables:

Although the two largest domestic brewers have firmly resisted the return to refillable containers, some of the regional brands and Canadian producers have begun to make refillables available in the retail trade. All brands are available in refillable containers for in-house consumption in Bars and Clubs.

No less than eleven brands, foreign and domestic, are available in refillable bottles at the retail level. Conspicuously absent, generally, are Budweiser and Schlitz, the two largest producers -- although refillables of these brands have occasionally appeared.

Soft drink bottlers in Northern and Central Vermont have discontinued the use of non-returnable bottles and returned to refillables with encouraging results. Coca-Cola of Barre, Vermont, reports a return rate of 94% (16.67 uses) while Pepsi-Cola of Burlington, Vermont, reports a return rate of 98%.

5. Customer acceptance:

With a total return rate in excess of 90% (and higher in refillables, as previously indicated), customer acceptance is clearly indicated. A straw poll conducted by a Vermont State Senator indicates overwhelming public support.

6. Industry and consumer savings:

Coca-Cola of Barre, Vermont has reported a 54¢ a case operational savings, which permitted them to forestall price increases which sugar and syrup price increases would otherwise have necessitated.

Malt beverages are 35¢ a case cheaper in refillables. Doubtless, this differential would increase with a total refillable system. However, part of the cost of the use of non-refillables has no doubt absorbed some of the additional

savings which would otherwise have accrued.

7. Employment:

Vermont has no container manufacturers, and any adversity in this activity has not occurred. Gains in employment have occurred in the bottling, wholesale and retail trades.

The industry has been reticent in supplying employment figures. However, by extrapolating results of economic studies in other States, employment may have increased in the neighborhood of 150+- persons. This figure is based on a container return rate of 80%, and is no doubt conservative.

8. Recent experience:

Commencing in November of 1974, highway traffic counts in Vermont, for the first time since the inception of the Beverage Container Law, equalled historic figures. This is significant as Malt Beverage Tax Revenues for December 1974 were 16% over the previous year. This fiscal year, Malt Beverage Revenues (free of previous economic deterrents previously cited) are up 9.5% over fiscal 1974 (July 1, 1973 to June 30, 1974) and are running ahead of fiscal 1973 (despite that year's figures being inflated by "stocking-up" actions of wholesalers and retailers).

The legislation pending before you would be of tremendous importance to the Nation in the conservation of its basic natural resources and of its energy resources, as well as contributing to the solution of the ever-growing problems of solid waste.

Detailed analyses of these factors have been completed by the States of Oregon, Maryland, Michigan, New York and Connecticut; the Province of Ontario, Canada; LaBatt Brewery of Montreal, P.Q., Canada; Migros Cooperatives of Switzerland; and the Academy of Science in Sweden. Each report corroborates the others -- and the significant conclusions are as follows:

1. Basic material savings of 70%+- will be realized over the present usage of non-refillable containers.
2. Energy usage will be cut in half; such saving is comparable to that realized in the adoption of the national speed limit of 55 Miles Per Hour. Measures such as this are absolutely necessary if there is to be any hope of realizing "PROJECT INDEPENDENCE" by 1985.
3. Highway litter from beverage containers will be reduced by two-thirds, or more.
4. Employment and payrolls will be increased.
5. Material cost savings will be realized by consumers-- and cash flow in retail trade will be increased.

The reasons, and imperativeness, for the adoption of the legislation pending before you are clearly apparent -- and I add my endorsement to your favorable and expeditious action.

The time for action is NOW, and if this Nation is to move forward in the resolution of its internal concerns, favorable action on this pending legislation will be one step that is truly a "giant leap for mankind".

DWW:fmt

STATE OF VERMONT
DEPARTMENT OF HIGHWAYS
MONTPELIER
05602

July 29, 1975

Mr. Stephen Robin
Assistant Commonwealth Attorney
20 East Market Street
Leesburg, Virginia 22075

Dear Mr. Robin:

As per phone conversation, please find attached the summary sheets of a special litter evaluation project made in conjunction with the implementation of Vermont's "Bottle Law".

The evaluation project was conducted on thirty-five selected sections of roadway, on each of the four roadway classes (Interstate, 2-lane primary, state aid, and town highways) in each of our nine Highway Districts. A total of 177.8 miles is involved, or nominally five miles per roadway section.

One day each month was spent in litter cleaning and classifying retrieved material on each of the roadway types.

Classification consisted of sorting beverage containers by initial content and composition: beer cans, beer bottles, soda cans, soda bottles; all "other litter" was measured by "barrels", the "barrel" being a fifty-five gallon drum.

In order to equate the volume of beverage containers collected to barrels of "other litter", it was determined that the "average barrel" consisted of 260 bottles or 310 cans. Also, there are nominally 4 barrels to the cubic yard.

Initial litter pick ups were made in the months of June, 1973 and 1974, and these pick ups were made more for ridding the selected areas of winter dross than for comparative significance; a June comparison is made, however, on one of the attached summary sheets, and it is interesting to note the 62% increase in "other litter" in June, 1974.

On this same summary sheet you will note a comparison of total containers by type and roadway classification for the three month period, July through September for the years 1973 and 1974; the apparent effects of "the law" are glaringly obvious.

A second summary sheet, attached, is a comparison of "returnable" and "non-returnable" beverage containers by type, roadway class, and Highway District for the four month period, June through September 1974.

A "returnable" container is one on which a five cent deposit is required by Statute; that is to say, it is a Vermont sold container.

It is more than significant to note that Highway District 06 has the highest percent of "returnable" containers collected; District 06 (the Montpelier area) is the only Highway District which does not abut a neighboring state or the Province of Quebec.

Further evidence of the effectiveness of the law may be had by a cost comparison for routine litter cleaning on Vermont Highways; in fiscal year 1973, which ended in June, 1973, the cost for litter cleaning was $250,346; the cost for fiscal year 1974 was $205,239; this is an 18 percent reduction in cost which suggests cleaner highways.

If we can be of further assistance to you in this matter, please do not hesitate to call or write this office.

Sincerely,

John A. Durkee
Maintenance Management Engineer

JAD/RWF/llb
Attach:
cc: Central Files
File Copy

By: R. W. Fraser
Assistant Maintenance Management Engineer

SPECIAL LITTER CONTROL PROJECT SUMMARY

N= NON-RETURNABLES
R= RETURNABLES

1974

DISTRICT NO.		BEER CANS				BEER BOTTLES				SODA CANS				SODA BOTTLES				TOTALS	RET
		4 LANE	SS	SA	TH	4 LANE	SS	SA	TH	4 LANE	SS	SA	TH	4 LANE	SS	SA	TH		
1	N	-	124	368	9	-	37	64	23	-	27	21	7	-	18	30	7	735	
	R	-	37	67	3	-	14	32	8	-	6	7	1	-	7	8	0	190	25
2	N	182	150	219	51	101	60	241	61	94	41	46	20	30	7	41	13	1057	
	R	61	28	38	28	30	15	28	24	57	22	25	15	29	3	14	12	459	33
3	N	650	420	120	235	335	299	82	127	137	165	41	41	51	58	27	28	2336	
	R	32	63	43	34	35	47	23	24	70	22	21	7	21	21	3	4	570	20
4	N	198	184	67	57	206	171	37	56	87	101	10	13	14	35	14	6	1156	
	R	29	29	6	5	19	13	6	2	34	34	5	2	27	18	4	5	227	
5	N	129	172	66	80	141	379	66	63	58	99	20	21	47	83	22	13	1419	
	R	47	25	12	5	46	35	7	24	56	22	4	0	12	10	3	1	310	21
6	N	214	53	115	122	171	69	105	62	98	57	22	61	45	15	31	2	1252	
	R	79	57	14	9	70	63	35	3	51	42	5	1	22	12	16	2	481	38
7	N	143	210	203	126	87	187	127	156	72	73	36	20	26	25	25	17	1503	
	R	62	19	42	0	30	33	36	14	25	10	28	0	15	25	8	3	351	23
8	N	162	42	11	153	112	96	8	131	54	19	2	26	24	35	6	33	914	
	R	81	9	5	8	42	20	1	13	41	9	5	5	23	15	2	2	281	30
9	N	57	32	39	119	89	58	40	137	21	29	28	15	24	28	19	42	728	
	R	15	13	8	19	20	18	10	18	8	9	9	4	5	7	10	4	182	25
TOTALS	N	1740	1337	1199	952	1353	1356	770	816	521	611	226	224	261	304	214	161	11915	
	R	456	284	255	111	340	259	178	130	352	176	109	35	154	119	68	33	3061	25
	%	5233	= 30.3% R			4375	= 22.7% R			1682	= 40.9% R			940	= 33.4% R				

STATE OF VERMONT

SPECIAL HIGHWAY LITTER EVALUATION PROJECT

SUMMARY

		BEER CANS				BEER BOTTLES				SODA CANS				SODA BOTTLES				OTHER LITTER (BARRELS)				TOTAL "3-	
		4 LANE	SS	SA	TH	4 LANE	SS	SA	TH	4 LANE	SS	SA	TH	4 LANE	SS	SA	TH	4 LANE	SS	SA	TH	4 LANE	SS
JUNE		1563	1774	1378	2074	902	1185	2209	1869	755	609	806	420	209	277	449	295	24.6	17.6	20.6	11.9	56.0	31.2
	1974	1174	951	809	801	947	1016	534	666	705	447	209	202	233	237	195	120	43.5	26.1	30.9	20.6	52.9	35.1
PERCENT INCREASE OR DECREASE		-27.4	-51.7	-27.4	-61.4	+18.1	-14.1	-76.9	-64.4	-47.7	-36.0	-74.2	-51.9	+12.0	-14.4	-56.6	-59.3	+76.9	+48.1	+49.5	+73.1	-46.0	+12.9
		-50.7				-48.6				-51.3				-36.1				+62.0				+7.	
JULY	1973	799	879	1135	999	364	549	574	977	500	504	294	248	158	255	253	165	16.7	11.2	.4	7.7	22.9	18.7
	1974	392	252	141	93	132	159	60	71	198	107	27	21	35	33	18	18	14.7	13.2	7.3	6.5	16.9	15.1
AUG	1973	923	1184	1347	850	561	696	964	912	603	687	467	268	177	222	253	178	15.3	9.2	7.3	7.4	23.0	13.7
	1974	326	263	154	124	131	255	120	134	178	134	42	19	67	97	24	40	13.4	11.3	8.1	8.9	15.9	14.1
SEPT	1973	516	645	932	811	314	348	559	765	245	360	272	180	155	165	184	165	19.7	11.1	12.2	6.6	24.7	16.
	1974	495	283	261	65	195	104	225	75	202	99	51	17	80	56	45	16	17.4	12.2	8.9	5.4	20.6	14.
TOTAL	1973	2253	2708	3465	2541	1239	1593	2097	2454	1348	1641	2033	696	490	642	690	508	51.7	31.5	28.9	21.7	62.9	53.
	1974	1064	803	556	272	458	599	414	280	578	340	127	57	182	186	87	74	45.5	36.7	24.3	20.7	53.3	43.

	1973	TOTAL CANS	15,590	TOTAL BOTTLES	9,713	TOTAL CONTAINERS	25,403
	1974		3,902		2,230		6,092
PERCENT REDUCTION		75.3		76.5		76.1	

	1973	OTHER LITTER (BARRELS)	131.3
	1974		127.2
PERCENT REDUCTION		4.9	

TOTAL BARRELS	
	32.9

* 1 Barrel = 257 - 310 C

HB
865

"An Act making a special appropriation to Hope Cottage; and providing for an effective date."

COMMITTEE REPORT

HOUSE

3/12/76 FINANCE

Mr. Speaker: Date March 17, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HB 865 AM under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan, Chairman

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: HESS

To: _____ HOUSE BILL No. 865

SENATE BILL No. _____

PAGE: 1 LINE: _____

Line 6 after the word "appropriation", add"For the mentally retarded and developmentally disabled."
Delete to Hope Cottage

Line 13 Sec. 2 delete "This Act takes effect immediately in accordance with AS 01.10.070 (c)

Add " The sum of $40,000 is appropriated from the general fund to the Dept. of Health and Social Services for Hope Center in Fairbanks for the purpose of providing funds to cover unforseeable expenses insurred in program operations in FY 1975-76."

Add. Sec. 3, " This Act takes effect immediately in accordance with AS 01.10.070(c)."

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 17, 1976

Present: Ostrosky Hackney
Davis Sullivan Beirne

Testified: Dick Block, Div. of Ins.
Bob Cole, Dept. H&SS
Ben Iverson, Dept. H&SS
Ken Ryals, Dept. H&SS

HB 190 Treatment of Alcoholism and Drug - Duncan, etc.

Dick Block, would provide a benefit that can be predicted whether or not it will be needed which may be uneconomical to insurance company's. The div. of insurance view is that it would be O.K. if mandated that it provided an option.

Bob Cole, Office of Alcoholism, supports bill, possibly with revision suggested by div. of insurance.

Committee response, decided not to do anything on this bill yet.

HB 793 - Annual advisory board meetings, public comment Dept. H&SS - Ostrosky

Ben Iverson, dept. encourages public input, but Ken Ryles doesn't feel that this is a practical method of community input.

No action by committee right now

HB 865 - Appropriation to Hope Cottage - HESS

Bob Gregovitch feels there is an extreme shortage of long term care of this type in Ak. Dept. is doing a study right now of the needs and wants to wait till thats done before they do anything like this., recomends not passing.

Ray Burt - Hope Cottage, feels that this bill would be beneficial for purposes of renovation, HC has been successful in the passed, also feels the Chugiak area would benefit from this

Committee discussion,

Hackney - recomends Amendment, (See Attached)

Vote on amendment, do pass
Vote on bill, do pass

POSITION PAPER / Department of Health and Social Services

POSITION PAPER
HB 865

" An Act making a special approriation to Hope Cottage; and providing for an effective date."

Effect of Bill: The Bill would provide $400,000 in State funds to Hope Cottage, Inc. of Anchorage to renovate a facility located Chugiak, Alaska. The Facility would be used to provide residential care and habilitation services for the mentally retarded.

Discussion: Because of the lack of available long-term care facilities for the mentally retarded, the Department contracted with Hope Cottage, Inc. to explore the feasibility of renovating a school building in Chugiak, Alaska. Also, because of controversy regarding the type and location of the facility, the Department agreed to share this information and ask for advice from the Developmental Disabilities Council, once the study was completed. This process is not yet complete.

In addition, it was felt by the Department that any necessary renovation would be financed by means of private loan funds which would be recovered by means of Title 19 funding.

Recommendation: The Department endorses the concept of use of public funds to aid private non-profit organizations in the development of community supported facilities for the Developmentally Disabled.

However, because of the points made in the Discussion Section and because HB-865 will increase the State spending level beyond the Governor's request, we do not recommend passage of the Bill at the present time and in its present form.

Fiscal Note: Not required

Recommended: Robert P. Gregovich Ph.D. 3/17/76
Division of Mental Health and Developmental Disabilities — Date

Approved: for Francis S. L. Williamson, Commissioner — 3/17/76 Date

HOPE COTTAGE

FEASIBILITY STUDY FOR THE CHUGIAK FACILITY

STATEMENT OF THE PROBLEM:

The Ridgeview Nursing Home, housing 75 residents, found it necessary to shut its doors. Fifty of these residents have found alternative housing in other nursing homes, family homes or out of the State. This left a total of 25 residents for whom alternative housing was not available. These people are temporarily housed in the Alaska Psychiatric Institute, (API). It is a general consensus that this is an inappropriate setting and there is much urgency on the part of the State to find an alternative. As a minimum of 11 of these residents are primarily mentally retarded, there is need for mental retardation expertise in finding appropriate placement for these adults. In keeping with Hope Cottage's philosophy and normalization concepts (see attached) we think that the organization and professional staff could provide the service and appropriate programing for these persons, if a facility were to be established.

The Chugiak Benefit Association initiated communication with the State Department of Health and Social Services indicating an interest in providing a facility for this type of usage. This Association exists to provide community services, i.e., helping the Little League and the Senior Citizens. They are recognized as a non-profit association of Chugiak land owners and our interviews with them have shown that they appear to have no surreptitious gains in providing the facility for Hope Cottage. In actuality, it would provide the opportunity for community involvement in human services in which they are interested. It would also provide jobs, financial opportunities, and volunteer opportunities for the community of Chugiak. (For the By-laws and Articles of Incorporation of the Chugiak Benefit Association, see attached.)

METHODOLOGY

Given the above information, Hope Cottage proposed to the State that a small grant to complete a Feasibility Study would be advisable. It would determine if the facility in Chugiak (which had been used as a school for 350 children) could be suitably remodeled into a quality treatment program for developmentaly disabled residents requiring the Intermediate Care Facility for the Mentally Retarded (ICF/MR) standards of care.

The grant proposed to provide an architectural plan and cost analysis for the necessary renovations to meet regulations, a plan for a service and staffing pattern, and a plan for meeting the Life Safety Code.

Once this contract with the State was accepted, the following steps were taken in order to meet the requirements. The State Life Safety Code Surveyor, Bill Mears, made two visits

to the facility. One of these visits was with two members of the Architectural firm of John Graham and Company, (Bob Bezek and John Courage) hired to do the necessary architectural work study. Previous to this visit, Bill Mears had done a Life Safety Code Study. At this visit the architects reviewed this study and the building for conformance to the code. Using drawings provided by the Chugiak Benefit Association, the team reviewed the facility in terms of conforming with the program which Hope Cottage had presented to them and bringing it to code. John Graham and Company spent approximately 20 hours evaluating the information. Also the following people visited the facility: Jim Hotchkiss, State ARCA President; Dr. Robison and Roxy Pomeroy, the API Superintendent and Administrative Assistant; Dr. Bob Gregovich, Developmental Disabilities Coordinator; Roslyn Reeder, a Medicaid Representative; and the Executive Director, Deputy Director and the Director of Professional and Living Unit Services of Hope Cottage, as well as various Chugiak Benefit Association members. The above people were involved in the discussions and program possibilities for using the facility for this purpose. The Director of Nursing and the Director of Administration and Support Services for Hope Cottage visited API to look at the equipment, etc. necessary to relocate these residents in an alternative program and then participated in the meeting between John Graham and Company and Hope Cottage, Inc. in terms of the architectural needs for the facilities. Involved parents and the Hope Cottage Board members were also included, especially the Long Range Planning Committee from the Hope Cottage Board. A plan was devised throughout this period and many additional persons were contacted to involve all the above persons in the Feasibility Study. The need was brought to the attention of the Board through the Long Range Planning Committee several times, chaired by Dave Wolf, and the Hope Cottage Board Steering Committee, chaired by George Hall.

RESULTS

An Architectural rendering was completed by John Graham and Company (see attached) for the possible utilization of the facility to ICF/MR Standards. An estimate on the cost for the necessary renovations was arrived at by Bill Mears (the State Life Safety Surveyor), the architect, and others (see attached).

The building is a 10,000 square foot concrete block building. The original building was constructed in 1954 and an addition was built in 1958. The Chugiak Benefit Association originally offered to complete the renovations by securing their own financing, however, as the school location was secured through a still incomplete (two more years) Bureau of Land Management

Grant, they were unable to obtain financing. An alternate source must be considered. It seems feasible to approach the legislature for a long term loan for renovations. There may be other alternatives, however, it appears through our cursory study that no other resource could be located in a timely fashion. It is our understanding that time is of the essence. For additional information on the facility see the rendering attached.

A plan for service and staffing patterns was devised to meet the ICF/MR regulation (see addendum attached).

There was considerable discussion between Board members, API, Parents, and the Developmental Disabilities Council concerning the desirability of the location of the facility (18 miles from Anchorage), the appearance of the building, staffing patterns, the number of persons to be housed, the actual question of a need for this type of program, as well as the cost and other concerns. On the basis of the above disucssion, the Hope Cottage Administration's position is that renovation of the building is feasible, that the facility could provide a quality ICF/MR treatment program for 20 to 25 developmentally disabled persons, a facility such as this was needed, and Hope Cottage can cost effectively provide a program.

DISCUSSION

It must be noted that there is considerable amount of conflict of opinion between the various organizations and persons included in the above paragraph. Hope Cottage Staff feels that the program is reasonable and the building could be renovated. API also feels this is a reasonable alternative to the problem. The State ARCA Association has strongly opposed the project. The DD Council and the Hope Cottage Board have deferred judgement until the Feasibility Study is completed and can be reviewed in its entirety. However, the Hope Cottage Board has determined that an ICF/MR facility is needed and that Hope Cottage should provide the service.

LEB/vjb/#6698, 6699, 6700

HB
866

"An Act making a supplemental appropriation to the Department of Health and Social Services, for social services, program services, and alcoholism; and providing for an effective date."

COMMITTEE REPORT

3/12/76 HOUSE FINANCE

Mr. Speaker: Date April 10 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HB 866 under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan — Jean Darling

_____ — _____

Kathryn Ostedy — _____

Pete Trad — _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 10, 1976

Present: Beirne Sullivan Parr
Hackney Ostrosky Osterback

HB 866 Supplemental Appropriation to H&SS GOV.HESS

Lois Jund gave a better explanation of why the dept. needs this additional $. See dept. poisition paper. Due mainly because of the switch of some programs within the Fed. system to other systems, so a money lag.

Passed out with do pass.

The three licensing bills C.S. were given to everybody to look at over the weekend, if there are not objections they will be sent upstairs, as signed before the C.S. was completely drafted.

CSHB 744 Freedom of choice Beirne

Helen gave an explanation of this C.S., put in the clause "Terminal" rather than serious so ncone would be condemend before terminally ill.
Clause relating to temp. or self-destructive declaration., Rodey and Gurening don't feel its necessary because an individual can revoke it at any time.

Committee discusses what "life supporting" means. Drugs and electrical apparatus used in definition section of bill.

Amendment - page 5, line 2 delete "and drugs".
Passed

Glenn concerned that there might be problem with the malpractice issues and this bill. Bill has a referral to Judiciary, they can handle it.

Motion to pass bill out as a new C.S. with amendment, committee decided to have it redrafted including the amendment.

Motion to move out, passed.

HCR 101 Uniform account for health institutions - Ostrosky

Hold for fiscal note

HCR 104 - Support for existing health facilities - Ostrosky

Katherine presented the C.S., decided not to do anything with this now.
Brian Saylors not available for explanation.

HCR 120 - Study of Health Insurance, Catastrophic - HESS

THIS NEEDS a fiscal note.

Amendment, line 19 p. 1, delete "establish a task force whose membership reflects the diversity of geography, socio-economic status, age, sex, and health care professions in the state".

Insert "conduct a study".

Committee decided to have this redrafted as a C.S. since this is a resolution.

Bill passed out with C.S.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 7, 1976

Present: Sullivan, Parr, Beirne, Ostrosky, Swanson, Hackney

Testifying: Sam Grenato, Dept. H&SS
Bob Cole, Office of Alcoholism
Art Peterson, Dept. of Law

HB 602 Treatment of Intoxicated Persons

Bob Cole, explained the Dept. of Laws ammendment., then Peterson from the dept. answered questions. (amendment copy in file 602)

Houston responded to questions from the committee about the bill and the fiscal implications of it.

Ose, move to table till we get correction on the fiscal note. motion failed

Bill held over for fiscal note.

HB 866 - Supplemental appropriation to H&SS

Grenato, explained need for the Div. supplement.

Bob Cole, feels supplemental caused by certain federal monies which weren't available.

Held over till Sat. in hopes of a better explanation from the dept.

HB 592 - Correctional Industries

Hackney , moves to amend, this was adopted unanimously
page 4, line 4, after "Part", delete rest of language on line 4 and substitute "Any amount awarded under A.S. 18.67. as a result of the crime for which the prisoner was convicted."

Ose, moves to hold bill in abeyance and try to set up a group for the Committee substitute, unanimous.

Subcommittee, to put together C.S. - Ose, Beirne, Hackney

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPT. OF HEALTH AND SOCIAL SERVICES

OFFICE OF THE COMMISSIONER

POUCH H [illegible] – JUNEAU 99811

April 9, 1976

The Honorable Susan Sullivan, Chairman
Health, Education and Social Services Committee
Alaska State House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Representative Sullivan:

During a recent meeting by your Committee concerning House Bill 866, certain committee members requested additional information about the $ 317.800 in supplemental funding requested for the Office of Alcoholism.

Of that amount, $ 295,700 is required because of a substitution of funding sources resulting from the 1975 departamental reorganization which transferred all income maintenance activities to the Division of Public Assistance. Under Program Revision No. 76-254 the Governor's Budget Review Committee authorized the transfer of $ 476,500 in Title XX funding into the Administrative Section within the Division of Social Services. Of that amount, $ 295,700 had originally been appropriated as income maintenance funding for which a 50% federal match was available, upon substitution of various appropriations for Title XX funding, for which the federal matching ratio is 75%. The result was that those general funds which were released within the division for transfer to cover the Title XX shortfall within the Office of Alcoholism were $ 295,700 short of the total required to meet that deficit.

The remaining $ 22,100 required for the Office of Alcoholism reflects funds which, before the advent of Title XX, would have been available as program receipts from various project contractors for project monitoring, evaluation and audit, as required under Title IV and VI regulations. The $ 22,100 represents the uncollected portion of the total appropriation of these receipts at the end of the first quarter in FY 75-76 when Title XX went into effect and the initial project contracts were terminated and replaced with State General fund Grants-in-Aid. When the contracts were terminated there was no further basis for collection of the program receipts; thus the $ 22,100 shortfall became apparent.

Please contact me if we can be of further assistance concerning this matter.

Sincerely yours

Cathy Lloyd
Deputy Commissioner for
Administrative Management

HB
879

02-0018

STATE
of ALASKA

MEMORANDUM

8/4
HB 879

TO: Fran Ulmer, Special Assistant
Office of the Governor

DATE : March 3, 1976

FROM: Francis S.L. Williamson
Commissioner
Department of Health and Social Services

SUBJECT: Proposed legislation relating to the funding of areawide health planning and development activities.

Attached is a proposed bill relating to state funding of Health Systems Agencies established in Alaska under PL 93-641.

Under terms of PL 93-641, Health Systems Agencies (HSA's) will be responsible for health planning and development activities on a regional basis throughout the United States. Three such agencies are to be conditionally designated in Alaska: in the Southeastern, Southcentral and Northern areas. It is anticipated that some $115,000 per HSA will be available from the federal government. The legislation attached proposes to grant "seed" money from the state to each agency, beginning with $100,000 the first year, and declining each year thereafter by $25,000, so that in the fifth year of operation no additional funds will be granted by the state.

In addition, the state will offer an incentive to the regional areas concerned to contribute to the costs of health planning and development activities. Local contributions will be matched on a progressive scale, beginning with $25,000 and increasing each year thereafter by $25,000 to a maximum of $100,000 in the fifth and succeeding years of operation. The objective is to involve the larger municipal areas (such as the Municipality of Anchorage), the native Regional Corporations, the AFN, and other groups with an interest in comprehensive health planning, in the planning efforts of the HSA. This is an important provision in that it encourages all entities engaged in health planning within a region to cooperate in the planning activities of its respective Health Systems Agency.

Attachment

IN THE _____

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

_____ BILL NO. _____

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to planning grants for areawide health planning and development activities."

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

*Section 1. AS 18.07 is amended by adding a new section to read:

ARTICLE 2. HEALTH SYSTEMS AGENCIES.

Sec. 18.07.110. PLANNING GRANTS TO HEALTH SYSTEMS AGENCIES. (a) The department shall award grants to health systems agencies established in Alaska pursuant to PL 93-641 in amounts determined in accordance with the following schedule:

(1) $100,000 during the initial year as a designated health systems agency and in declining amounts of $25,000 for each succeeding year as a designated agency such that in the fifth year of operation no additional funds will be forthcoming except that

(2) from the initial year of designation, matching dollars shall be provided equal to the contributions provided to the designated health systems agency by local sources as allowable under PL 93-641, but not exceeding:

$25,000 the first year of operation;

$50,000 the second year of operation;

$75,000 the third year of operation; and

$100,000 each succeeding year of operation.

(b) The department shall promulgate regulations governing the administration of these grants consistent with state accounting procedures.

THE LEGISLATURE

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST
Bill No. HB 879
Title: An Act relating to planning grants for areawide health planning & development activities
Requested by: _____ Date: _____
Return Date Requested: _____
Agency: Health & Social Services Program: Comprehensive Health Planning

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Planning and Research

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.	0.0	375.0	375.0	375.0	375.0	300.0
	TOTAL	0.0	375.0	375.0	375.0	375.0	300.0

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0.0	375.0	375.0	375.0	375.0	300.0
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

These grants are determined by a specific formula relating to local contributions to health systems agencies. The fiscal detail above assumes maximum local participation in funding of health systems agencies, of which Alaska will have three. The formula mechanism is designed to allow survival of health systems agencies until local funding sources are developed with the portion encouraging this development.

IV. ADDITIONAL INFORMATION
Health systems agencies are a requirement of PL 93-641, the Health Planning and Resources Development Act of 1974. The function of the agencies is to provide greater local participation in the health planning process and greater participation

(continued on page 2)

IV. ATTACHMENTS

V. DATE: March 3, 1976 PREPARED BY: _____

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

IV. ADDITIONAL INFORMATION (Continued):

in the distribution of health resources provided by the federal government. Plans developed by these agencies are incorporated into an overall state health plan by the designated state agency to ensure consistency at the statewide level. PL 93-641 specifically mentions the inclusion of HSA's in the allocation process for programs funded under the Public Health Service Act, the Community Mental Health Centers Act, and the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970.

HB
881

"An Act relating to interference with physician-patient relationships."

(A)

COMMITTEE REPORT

3/24/76 HOUSE JUDICIARY

Mr. Speaker: Date 5-5-76

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HB 881 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(X) recommends it BE REPLACED WITH CS FOR HB 881 AND THAT CS FOR HB 881 DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Lorna Anderson

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Lorna Anderson Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 5, 1976

Present: Hackney Parr Osterback
Ostrosky Beirne Sullivan

Testifying: Frank Pauls, Dept. H&SS,
Dr. Schrader, Director, Mental Health
Debbie Staack, legislative affairs, research

HB 881 - Physician Patient Relationship

Committee looked at the CS which this committee had drawn up, decided to move out with no objection.

SCR 84 Ownership of state owned facility - Craig

Dr. Pauls testified for the dpet. They are against transferring of ownership. The facility was built with G.O. bond. Dept. feels it is a breech of contract to turnover to city of Craig. Attorney Generals office fe[illegible] it was also a breech of contract, problem being that there would be a chare for services.

Committee disccuses putting in clause that would revert ownership back to state if conditions no met. Conditions being that it must be used as a health care facility,

bill moved out. (Doug is having the amendment drafted upstairs)

CSSB 542 - Medical Assistance for Needy Persons

Dr. Schrader, presented the Dept. position regarding this bill

Debbie explained the fiscal impact

Helen Beirne, moved out with do pass- passed out

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETINGS

MAY 2, 1976

Present: Beirne Parr Hackney Sullivan
Ose Osterback Ostrosky

Testifying: Dave Walker, legislative attorney
Dr. Pauls, Dept. H&SS, Public Health
Gary Sheridan, H&SS Title XX expert
Ed Smith, NorthWest Foundation for Human Services, Dept. H&SS Consultant

HB 881 - Physician Patient Relationships

Dave Walker testifying aabout the C.S. he drew up. stated there are many cases now on appeal regarding laetrile. Concurs with Hugh Fleischer that there is no reason why the bill can't begin "no person, etc.

Amendment, line 9 delete, "The legislature declares, etc."
passed

Amendment, delete the words limited to board
passed

line 13, after drug insert "as so prescribed and admmin."
passed

many little amendments which Dave will include in the committee substitute.

Testimony from the research analyst regarding more cases involving interstate commerce and laetrile.

Committee spoke about whether the bill should specify that the Medical board is subject to the A.P.A. most everybdoy thought it allready,
vote to decide if it should be included in bill, yes, include it

Does this exclude hospitals from interfering in the administration of laetrile in their hospital??? Walker, yes, you can not legislate that.

Include Charlies language for the second section of the bill
"No physician may be subject to disciplinary action by the State Medical Board of PSRO for prescribing or administering laetrile upon request by a patient under his care, unless the State Medical Board, after a hearing conducted in accordance with the Admin. Proced. Act has made a formal finding that laetrile is harmful."

Dr. Pauls, would like to see the generic name for laetrile inserted in the bill, passed.

Walker, state med board would not have capabilities of making decisiions, must have clinical evaluation.

Mr. Parr amendment to create a new sec one, replacing existing bill
motion fails

Motion to pass out bill with individual recommendations, having sect. one and two. (after walker drafts)
Passed

SB 371 am Child Protection - Chance

Bill identical to one that the House passed out last year with two exceptions this bill deleted mental and emotional.

Susan would like to put these two back in, committee discusses this for sone time.

Gary Sheridan, for including these two words because we would not be entitled to Title XX money if it is not included, about $25,000. Committee does not feel that that is relevant and will not let it influence their decision.

Ed Smith, reinforces Sheridans points, but adds more about the need for inclusing of some form.

Delete , line 25 "child" and "neglect", insert "or mental" between physical and injury, line 25
amendment passed

Adopt language in HB for guardian ad litem, - passed

Amendment, motion to include "or mental" - passed
Amendment, motion to include, "emotional or" - fails

Charlie proposes definition to "mental abuse"
He will give to next committee meeting

SB 492 - Nursing bill

Testifying for the dpet., in favor of bill, approx 400 RN now
Nursing association in favor of this. All it does is raise some fees.

Motion to pass bill out bill a do pass- passes

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 29, 1976

Present: Sullivan Davis Parr
Hackney Beirne Ostrosky Osterback

Testifying: Pat Hung, Div. of Personnel

SCR 94 - Licensing of Nursing Home Administrators - Rules

Depts. position is that they are against it for various reasons. Mainly that the city would use it as incentive for a Phy. assistant to come in and charge fees. Agains the states policy. Many legal problems.

Committee wants to know if public health nurses could still come in and use the facility????

Amendment line 19, p1

"Be it further resolved that the transfer document guarantee continued availability of space for state medical personnel at no cost to the state"

Committee decided to hold this bill over till we can get someone to testify on it.regarding the questions raised by the committee

(amendment was not voted on)

CSHB 457 - Training & Ed. of state employeees- Buchholdt

Pat Hunt - testifying regarding this bill and how it would affect the state employees. Fiscal implications hard to figure out. Depts now do some educating of employees, but mainly those who are minority hire.

Thelma- purpose of bill to allow professional people to follow their chosen profession by continuing education.

Committee concerned that the ed. process will override the job. Bill mandates alo f things, such as "Shall" creat a program.

Amendment p.2 line 5 delete the word "shall", add "may as funds permit"

amendment passed.

Hold bill over for more information.

HB 881 - Interference with Phy/patient relationship

Hugh Fleischer, attorney for many cancer patients interested in laetrile. made various recommendation s for this bill. change word drug to "substance"

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 23, 1976

Present: Ostrosky Parr Beirne Sullivan
Swanson Osterback

Testifying: Dr. Spence, Div. of Public Health
Mary McKinnon, private citizen

HB 881 - Interference with Physician-Patient Relationship - St. Affairs

Susan read part of written testimony by Dr. Rodman Wilson, he is against this bill and the use of laetrile. States his objection in his written testimony.

Dr. Spence, opposed to bill because it interferes with hospitals ability to regulate what goes on in them.

Mary McKinnon, testified as to observations of one cancer patient taking the drug laetrile.

Committee asked Dave Walker to research whether there is federal law or regulation against administration of laetrile.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 19, 1976

Present: Ostrosky Parr Swanson Hackney Sullivan

Testified: Judy Hill, patient who took Laetrile
Ethel Christianson, Committee for freedom of choice in Cancer
Hugh Fleischer, Attorney represening more than 50 cancer patients
George Michand, Ak. for Life

HB 881 - Interference with patient-physician relationships

Jean Smart, cancer patient who had taken B17 treatment, testified she was very much in favor of it.

Judy Hill, prior patient on laetrile also very much in favor of it

Ethel Christianson, sits on the committee for freedom of choice in cancer therapy, charter member, representing herself, much in favor.

Patricia Denny, representing Ak. for Life, would like to see a more limited piece of legislation to deal with specific problems. Feels this has too broad ramifications.

Red. would like to know more about facts of present statutes repealed.

Hugh Fleischer,, who represents more than 50 cancer patients is in favor as are his clients.

Red, suggested alternative ammendments, none moved on

George Michand, Ak. for Life, gave testimony of Heidersdorf against Hb 881

Bill not moved on today, want to hear more testimony.

Alaska State Legislature

House

JUNEAU ALASKA

Testimony received by the House HESS Committee by Hugh Fleischer, regarding HB 881 - Laetrile

First recommendation is that the language of the bill begins on line 13 "No person, group, organization or facility", rather than have it begin with "It is the intention"

He also feels it would be appropriate to limit the consideration of the bill to the administration of laetrile, as prescribed to a patient; if found to be harmful by the state medical board, (he concedes that over doses of oral doses, can be harmful, just as other quantities of aspirin, etc. can be harmful)

The appropriate wording for the consideration of the Medical Board should be worded as follows: Administratedby a physician and requested by a patient unless a substance as so prescribed or administered by the physician is found to be harmful by the state medical board.

This would define the responsibilities of the Medical Board and their latitude of questions regarding laetrile as administered by a physician.

He also suggests that this finding be subject to the Administrative Procedure Act, regarding rights to hearings, etc.

Regarding the statement by Chris Beardley, Providence Hospital, that "laetrile is harmful", Mr. Fleischer stated that legal counsel would or could advise the committee that the only law that applies to laetrile in Ak. is the Food , Drug & Cosmetic Act of 1938, which limits terms of its application and introduction & delivery for interstate commerce of any article under this drug act. Assuming that the F.D.A. has authority over laetrile under the provisions of this act, then this law is the only one that applies.

Advises the committee about numerous responsible studies that have been done by such institutes as the Sloan Kettering Cancer Institute, N.Y., National Cancer Institute, Food & Drug Administration under Dept. of H.E.W. All of these studies refute the blanket statement made by Dr. Wilson, that there is harfulness in laetrile.

There are no toxic substances reported in and injection of laetrile. The history of laetrile is over a century old.

Recommends that the word "drug" be changed to "substance". He does not consider laetrile as a drug, although the Food & Drug administration has a very broad definition of the word drug.

Alaska State Legislature

House

JUNEAU ALASKA

Testimony received by the House HESS Committee by Hugh Fleischer, regarding HB 881 - Laetrile

First recommendation is that the language of the bill begins on line 13 "No person, group, organization or facility", rather than have it begin with "It is the intention"

He also feels it would be appropriate to limit the consideration of the bill to the administration of laetrile, as prescribed to a patient; if found to be harmful by the state medical board, (he concedes that over doses of oral doses, can be harmful, just as other quantities of aspirin, etc. can be harmful)

The appropriate wording for the consideration of the Medical Board should be worded as follows: Administratedby a physician and requested by a patient unless a substance as so prescribed or administered by the physician is found to be harmful by the state medical board.

This would define the responsibilities of the Medical Board and their latitude of questions regarding laetrile as administered by a physician.

He also suggests that this finding be subject to the Administrative Procedure Act, regarding rights to hearings, etc.

Regarding the statement by Chris Beardley, Providence Hospital, that "laetrile is harmful", Mr. Fleischer stated that legal counsel would or could advise the committee that the only law that applies to laetrile in Ak. is the Food , Drug & Cosmetic Act of 1938, which limits terms of its application and introduction & delivery for interstate commerce of any article under this drug act. Assuming that the F.D.A. has authority over laetrile under the provisions of this act, then this law is the only one that applies.

Advises the committee about numerous responsible studies that have been done by such institutes as the Sloan Kettering Cancer Institute, N.Y., National Cancer Institute, Food & Drug Administration under Dept. of H.E.W. All of these studies refute the blanket statement made by Dr. Wilson, that there is harfulness in laetrile.

There are no toxic substances reported in and injection of laetrile. The history of laetrile is over a century old.

Recommends that the word "drug" be changed to "substance". He does not consider laetrile as a drug, although the Food & Drug administration has a very broad definition of the word drug.

Testimony - Dr. Wodman Wilson
Immediate past President
of Alaska State Medical Assoc.

Regarding - Laetrile - HB 881

One of the cruelest examples of man's imhumanity to man is in cancer quackery. The hope or sometimes promise to cure is held out to victims of cancer. Temporary improvement is seen in brightening of attitutde, gain in weight, improvement in strength, even perhaps transient slowing in growth or regression of tumor. All of these effects are psychologically mediated. Such transient benefit is difficult to prove when controlled studies are done. Persons receiving the drug agent fare no better than those receiving a moch drug.

It might not matter if the only loss to patients were financial, though many cancer victums and their families can ill afford the dollor loss of a cancer hoax. What is most crule of all is that some victims will lose their opportunity for cure or actual palliation by choosing the cancer hoax modaility rather than ligitimate expert care.

I have no personal experience with Laetrile. The best descrption of the substance and its history is contained in the Jan-Feb 1976 issue of Ca - A Cancer Journal for Clinicians, published by The American Cancer Society. I would like to read an interview between the editor of the Journal and Dr. Robt. Eyerly, M.D., chairman, of the Committee on the proven Methods of Cancer Management, the American Cancer Society: p. 50-54.

If you are still unconvinced of the worthlessness of Laetrile, I suggest that you invite Dr. Elmer Gaede of Soldotna. I understand that he is allegedly administering Laetrile to cancer patients. If this is true, he should be glad to come before your committee to explain what he is doing. Ask him to bring X-rays and other materials with him to show you, if he can, how cancer lumps on chest and bone x-rays have disappeared or diminished in size after administering Laetrile.

You may ask why our medical societies are not looking into the matter. Well, we intend to, but I must warn you that if you pass such a bill as HB 881, it will make this kind of investigation much more difficult. Who wants to risk being fined $5,000 - $25,000. It is a risk because it is particularly difficult to conclusively , the word appears 3 times in the bill - prove anything beneficial or harmful in biological circumstances. Beleive it or not, it has never been conclusively proven that penicillin is effective in late forms of syphilis, even though it has been the standard form of treatment for over 20 years. I could give many other examples. With a drug as inert as Laetrile- given by injection- it can be toxic when given by mouth because it turns into hydrogen cyanide, as you have heard - it is especially hard to conclusively prove harm, except to the pocketbook - from Laetrile.

Finally I would add that much of the malpractice legislation that you all have been struggling with so long and so hard is directed specifically toward strengthening, no weakening, discipline within the profession, increasing the desire and ease and effectiveness with which health professionals can review each others practices and behavior, Federal review programs such as PSRO are about this too. Don't undo this by passing such a foolish measure as HB 881.

Thank you

Rodman Wilson, M.D.

To: House Hess Committee

Testimony: From Chris Beardsley, PROVIDENCE HOSPITAL, ANCHORAGE, ALASKA

Subject: HB 881

Providence Hospital strongly opposes HB 881 "An Act relating to interference with physician-patient relationships."

As the proponents of the bill are testifying specifically in favor of the bill as it relates to Laetrile (or its chemical equivalent) Amygdalin), as an alleged cure for cancer, I would first suggest that Sections 3 and 4 be omitted from the proposed bill.

Furthermore: Relating specifically to Laetrille,

1. Federal law prohibits the use or administration of a drug by anyone which is not approved by the FDA. Hospitals, of course, fall under this law. Therefore, a hospital must prohibit the administration of a drug or substance (regulated by the FDA)that is not approved by the FDA.

2. In a brief survey of hospitals relating to this bill, all surveyed specifically stated their opposition to HB 881.

3. In addition, some medical liability insurance carriers (malpractice insurance writers) have stated that if hospitals did approve administration of non-approved FDA substances or drugs, that their medical liability insurance would be stopped and/or non renewed.

4. In an attempt to circumvent the federal ban on Laetrile, the proponents have renamed it Bee-Seventeen, the "anti-neoplastic vitamin," and Aprikern. These oral preparations have been distributed to many health food stores across the country. However, the FDA has issued a public warning that they are misbranded and potentially dangerous; the ingestion of five capsules of Aprikern or two packets of Bee- Seventeen can be fatal in a child.

4/19/76

TO: SUSAN SULLIVAN, CHAIRPERSON, HEALTH, EDUCATION & SOCIAL SERVICES
SUBJECT: HB 881 INTERFERENCE WITH PHYSICIAN-PATIENT RELATIONSHIP
COMMITTEE HEARING
DATE: APRIL 19th, 1976, 3PM ROOM 112 CAPITOL JUNEAU
FROM: ETHEL D. CHRISTENSEN (MRS. D. I.) 2748 LORE ROAD ANCHORAGE 99507

~~WHILE~~ THE MEDICAL ESTABLISHMENT CONTINUES TO PRESSURE DOCTORS AND PATIENTS INTO USING THE SAME OLD TREATMENTS, WHILE CANCER DEATHS, FOR INSTANCE, CONTINUE TO INCREASE 3% OR MORE A YEAR, THE HIGHEST RATE OF INCREASE IN RECORDED HISTORY! DOCTORS HAVE BEEN HARRASSED AND PENALIZED FOR TRYING SOMETHING NEW, BUT OLD METHODS, ONCE CODIFIED, CAN BE USED OVER AND OVER FORCING SOCIETY AND DOCTORS TO ACCEPT THESE METHODS, EVEN THO RESULTS APPROACH 100% FAILURES. A DOCTOR MAY DISCOVER A THERAPY WHICH SAVES OR PROLONGS THE LIVES OF 50% OF THE VICTIMS OF A USUALLY FATAL DESEASE, BUT HE CAN BE HARRASSED OR SUED BECAUSE HE DID NOT USE THE ESTABLISHED METHODS.

THE ONES TO SUFFER MOST ARE PATIENTS AND THEIR FAMILIES AND IN PARTICULAR, THOSE WHO DO NOT WISH TO HAVE THE ORTHODOX TREATMENTS FORCED UPON THEM. AN EDITORIAL IN BARRONS MAGAZINE, MARCH 19, 1973, WAS DEVOTED TOTALLY TO THIS TOPIC AND CITED A GERMAN STUDY WHICH USED OUR FDA AS THE MOST UNDESIRABLE EXAMPLE OF GOVERNMENT CONTROL IN THE MEDICAL FIELD. IT FOUND THAT PEOPLE WERE LITERALLY FORCED TO SMUGGLE STANDARD EUROPEAN THERAPY INTO THE U.S FOR PERSONAL USE.

ONE EXAMPLE OF THIS LEGAL HARRASSMENT IS LAETRILE, VITAMIN B-17 OR AMYGDALIN. ACCEPTED AND LEGAL IN 25 COUNTRIES AS A CONTROL FOR CANCER, DOCTORS AND PATIENTS IN THIS COUNTRY WHO WISH TO USE IT AS A CONTROL FOR CANCER CONTINUE TO BE HARRASSED. THEY CAN HOWEVER, USE IT FOR ANYTHING ELSE BUT IN THE TREATMENT OF CANCER WITHOUT HARRASSMENT.

CANCER PATIENTS ARE NOT THE ONLY ONES WHO HAVE RUN INTO THE BUREAUCRACY. HEART, ASTHMA AND ARTHRITIC PATIENTS HAVE BEEN DENIED VITAMIN THERAPIES OF THEIR CHOICE IN THIS COUNTRY. RECENTLY, AN ARTICLE IN NATIONAL HEALTH FEDERATION CITED A LOUISIANA MEDICAL DOCTOR COMING UNDER HEAVY ATTACK BY THE BUREAUCRACY AND ESTABLISHED MEDICINE FOR USING CHELATED MINERALS IN SUCCESSFULLY TREATING STROKE VICTIMS.

CLEARLY THERE IS SOMETHING WRONG AND IT MUST BE CORRECTED TO PREVENT FURTHER LOSS OF LIFE DUE TO OUR OBSOLETE BUT EXPENSIVE PRACTICES.

ESTABLISHED MEDICINE IS DENYING PATIENTS AS WELL AS DOCTORS THEIR INHERENT RIGHT TO CHOOSE THEIR OWN THERAPY. I, FOR ONE, AND I BELIEVE THE SIGNERS OF THESE PETITIONS THAT I PRESENT TO YOU, FEEL PERFECTLY CAPABLE, ALONG WITH OUR DOCTOR, TO CHOOSE OUR OWN THERAPY.

HB 881 WOULD STILL ALLOW THOSE WHO BELIEVE IN DRUGS, SURGERY AND RADIATION TO PURSUE THAT TREATMENT AND WOULD FURTHER ALLOW US TO PURSUE VITAMIN AND OTHER THERAPIES PRESENTLY DENIED US. THIS FREEDOM TO CHOOSE SHOULD BE OUR INHERENT RIGHT, BUT SOMEHOW IT HAS BEEN LOST BY THE WAYSIDE.

IN A MEMORANDUM TO REPRESENTATIVE RUDD, DAVID T. WALKER, LEGISLATIVE COUNSEL, STATES DEFECTS OF THE BILL, CITING VIOLATION OF THE PRINCIPLES OF MEDICAL ETHICS OF THE AMERICAN MEDICAL ASSOCIATION, ABORTION LAWS, AND OTHER TENUOUS ARGUMENTS AGAINST THE BILL.

WITH REFERENCE TO ABORTION, THE KEY WORD IN THE BILL IS "TREATMENT". DEFINITION OF TREATMENT IS "THE ACT OR MANNER OF TREATING SOMETHING... THE APPLICATION OF REMEDIES WITH THE OBJECT OF EFFECTING A CURE OR A THERAPY". DEFINITION OF THERAPY IS "THE TREATMENT OF DISABILITY, HEALING POWER OR QUALITY". UNLESS PREGNANCY IS NOW CONSIDERED A DESEASE, REFERENCE TO THE ABORTION LAWS IS MEANINGLESS.

AS FOR OPENING THE DOORS TO "QUACKERY", THIS HAS AND SHOULD BE CONTROLLED THROUGH LICENSING OF PRACTIONERS.

AS FOR VIOLATING THE ETHICS OF THE AMA, THE QUESTION OFTEN OFTEN ARISES, "WHAT ETHICS" ? TO PROTECT THE AMA OR ESTABLISHED MEDICINE AT THE EXPENSE OF THE PATIENTS' POCKETBOOK AND HEALTH IS CRUEL TO SAY THE LEAST AND THESE ARGUMENTS SHOULD BE CONSIDERED NEBULOUS.

ATTACHMENTS: signed petitions
Pharmacy Weekly

RESPECTFULLY SUBMITTED,

Ethel D. Christensen

ETHEL D. CHRISTENSEN
(MRS. D. I.)

Peninsula Eye Clinic
Peter E. Cannava, M.D.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE
FOOD AND DRUG ADMINISTRATION
ROCKVILLE, MARYLAND 20852

APR 14 1976

James E. Harbin, M.D.
Peninsula Medical Center
P. O. Box 569
Soldotna, Alaska 99669

Dear Dr. Harbin:

This is in reply to your March 23, 1976 request for information on Laetrile.

We enclose three pamphlets which present our current position on so called Vitamin B-17 also known as Laetrile and Amygdalin. These substances are drugs under section 505 of the Federal Food, Drug, and Cosmetic Act as amended. We do not have adequate information to permit its use or distribution, either as a drug or a vitamin.

In April 1970, a Notice of Claimed Investigational Exemption for a New Drug (IND) was submitted for Laetrile. The IND was terminated promptly thereafter with the concurrence of a panel of nationally recognized experts.

The FDA will entertain new INDs for clinical studies of Laetrile. All requirements as outlined in Form FD 1571 must be met in order for an exemption to be granted. In short, the preclinical and clinical evidence that justifies the clinical trial, and a well designed protocol in terms of section 314.111 of the CFR (a copy of which is enclosed) must be presented. The investigator must be qualified by training and experience to conduct the trial, and must have adequate clinical research facilities available to him and his subjects.

Laetrile, then, at the present time, is not an approved drug for the treatment of any malignancy. It is only through the efforts of interested parties which stimulate the conduct of the clinical studies necessary to provide the substantial evidence of safety and efficacy required by law that any drug will ever be approved for a particular use. Interested organizations may direct their efforts to finding, funding, and stimulating clinical investigators to conduct clinical investigations in this area.

As typical of our responses to consumers, we enclose a copy of a letter to a librarian in Illinois and also one to an attorney in Anchorage.

We trust this information will be helpful. If you want more information for public use, you may wish to contact:

American Cancer Society
Unproven Methods of
Cancer Management Staff
777 Third Avenue
New York, New York 10017

Sincerely yours,

William J. Gyarfas

William J. Gyarfas, M.D.
Director
Division of Oncology and
Radiopharmaceutical Drug Products
Bureau of Drugs

Enclosures

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

#

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PMS REP SUSAN SULLIVAN

2903

JUNEAU

LAETRILE HAS HELPED ME I BEG YOU TO PASS BILL 188

SALLY HITCHCOCK

2225 FORAKER DRIVE 99503

PROVIDENCE
HOSPITAL

3200 Providence Drive
Anchorage, Alaska 99504

277-6671

April 13, 1976

Representative Sam Cotton
Alaska State Legislature
Juneau, Alaska 99811

Dear Representative Cotton:

Providence Hospital of Anchorage and the Sisters of Providence oppose House Bill No. 881, (An act relating to interference with physician-patient relationships).

This bill would not be in the best interests of good health care or patient welfare.

We strongly oppose this bill.

Sincerely,

Sister Evelyn Bergamini

Sister Evelyn Bergamini
Administrator

C: Mr. Vic Dierkson
Mr. Ernie Webb
Mr. Al Finneseth
Ms. Marion Lampman
Keith Brownsberger, M. D.
George Rhyneer, M. D.

Peter E. Cannava, M.D.
OPHTHALMOLOGY
BOX 29
SALDOTNA, ALASKA 99669

TELEPHONE 262-4462

1
HB 841

April 22, 1976

Dear Mrs. Sullivan,

It seems obvious from the work done that this "drug" nas not shown any potential for inhibitingcancer cells. The work was done by several independent labs.

The physicians on the Kenai had the opportunity to question two of the so called cures from Laetrile and indeed both were on additional, conventional anti-cancer medication.

It may be true the drug is used in Germany but if you recall it was that country which produced thousands of "Thalidaimide babies"? This should serve to question that countries drug licensing policies.

I feel any more research on this drug would be a waste of tax payer dollars.

Sincerely,

Peter E. Cannava M.D.

Peter E. Cannava, M.D.

PEB/bc

Peter E. Cannava, M.D.
OPHTHALMOLOGY
BOX 29
SALDOTNA, ALASKA 99669

TELEPHONE 262-4462

9 April 1976

Rep. Lisa Rudd
House Office Bldg.
Juneau, Alaska

Dear Mrs. Rudd;

After viewing the filmstrip "World Without Cancer" I researched the subject rather extensively and it immediately became apparant that so called facts presented by the film are really prefabrications! The drug never got past the preliminary studies done by reputable research groups and the so called "trophoblastic theory" of cancer is not even considered by eminent science people.

Mr. McNaughton, one of the top Laetrile people in Mexico, was convicted in Canada for conspiracy to misrepresent the value of mining stock, and in Italy he has been charged with swindling investors in a plant to produce Laetrile.

I'd be happy to testify at any hearings you may have on the sugject.

Sincerely,

Peter E Cannava MD

Peter E. Cannava, M.D.

PEC:vr

LISA RUDD

ALASKA HOUSE OF REPRESENTATIVES

Pouch V
Juneau 99811

2827 Lore Road
Anchorage 99507

April 14, 1976

Dr. Peter E. Cannava
Box 29
Saldotna, Alaska 99669

Dear Dr. Cannava,

Thank you for your letter regarding laetrile. I am passing a copy of it on to Representative Susan Sullivan, who is the chair of the House Health and Social Services Committee. House Bill 881, the purpose of which is to make laetrile available in Alaska, is in that committee. I have asked Representative Sullivan to notify you if she schedules a hearing on the bill.

Yours sincerely,

Lisa Rudd

Lisa Rudd

LR/ab

cc: Representative Susan Sullivan

LAETRILE

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

THEREFORE, WE, THE PEOPLE OF ALASKA, PROPOSE:

AN ACT RELATING TO THE "FREEDOM OF CHOICE" IN MEDICAL TREATMENT IN ALASKA.

EVERY CITIZEN OF THE STATE OF ALASKA IS ENTITLED TO SEEK MEDICAL TREATMENT OF HIS CHOICE AND EVERY MEDICAL DOCTOR IN THE STATE OF ALASKA IS ENTITLED TO GIVE TO HIS PATIENT THEIR MUTUALLY AGREED UPON TREATMENT, INCLUDING VITAMIN THERAPY WITHOUT THIRD PARTY INTERFERENCE.

NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Clyde L Weir	Clyde L. Weir	Box 2004 Anchorage Alaska	Jan 24, 1976
DOLORES F. WEIR	Dolores E. Weir	P.O. Box 2004 Anchorage, AK.	Jan 24, 1976
THEODORE J. HELLER	[illegible]	BOX 1537 ANCH AK 24 JAN 1976 STAR ROUTE "P" 99502	
Ray Peterson	RAY PETERSEN	Box 1229 Palmer	
MARGOT A. PETERSEN	Margot A. Petersen	AS ABOVE	
[illegible]	[illegible]	[illegible]	
STAD	Sandra Bumstead	1900 W. Dimond #11107 Anch, AK 99502	
Ermalee Hickel	ERMALEE HICKEL	Anchorage 1905 Louise Dr	
Charles A Roell Jr.	Charles A Roell Jr.	Box 466 Homer Alaska 99603	
Catherine J. Diehl	Catherine J. Diehl	PO Box 6141 Anchorage AK 99502	
WM ERIC DIEHL	WM Eric Diehl	PO Box 6-141 ANCH, ALASKA 99502	
Sherian A Schachle	Sherian A. Schachle	SRA, Box 4000E Anch, AK 99507	
CLAYTON L. NEWMAN	[illegible]	BOX 101 EAGLE R. AK. 99577	
ALTON D. UTTECH	Alton D. Uttech	2635 DRAPER DR. ANCHORAGE, AK 99503	
HARRY W. KUGLER	[illegible]	4621 Rd. Anchorage AK 99502	
Kathy Lindholm	Kathy Lindholm	1693 Hunter Anch AK 99504	
ROSS CLEMENT	Ross Clement	1083 W 25th Anchorage, AK 99503	
JUDY FAYE WHITSON	Judy Faye Whitson	2201 D St. Anchorage 99503	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

(LISA RUDD) [illegible] JUNEAU ALASKA 99811

PROPOSED LEGISLATION 1976

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

THEREFORE, WE THE PEOPLE OF ALASKA, PROPOSE:

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1. EVERY CITIZEN OF THE STATE OF ALASKA IS ENTITLED TO SEEK MEDICAL TREATMENT OF HIS CHOICE AND EVERY MEDICAL DOCTOR IN THE STATE OF ALASKA IS ENTITLED TO GIVE TO HIS PATIENT THEIR MUTUALLY AGREED UPON TREATMENT AND SHOULD BE RESTRICTED ONLY IF THE TREATMENT IS CONCLUSIVELY PROVEN HARMFUL TO THE PATIENT.

2. NO CLINIC, HOSPITAL, NURSING HOME OR ANY OTHER FACILITY OF LIKE KIND WHERE MEDICAL TREATMENT IS GIVEN SHALL INTERFERE WITH OR REFUSE TO ALLOW ANY TREATMENT PRESCRIBED BY ANY MEDICAL DOCTOR AND DESIRED BY THE PATIENT UNLESS SUCH TREATMENT IS CONCLUSIVELY PROVEN TO BE HARMFUL. ANY SUCH FACILITY WHICH INTERFERES WITH OR REFUSES TO ALLOW SUCH TREATMENT SHALL UPON CONVICTION, BE FINED NOT LESS THAN $5,000. NOR MORE THAN $25,000. FOR SUCH INCIDENT, AND UPON CONVICTION SHALL HAVE ITS LICENSE SUSPENDED UNTIL COMPLIANCE WITH THIS ACT HAS BEEN MADE AND SHALL PAY A FINE OF $500 PER DAY UNTIL COMPLIANCE IS MADE, AND SUCH DOCTOR OR PATIENT SHALL HAVE FULL RIGHTS TO SUE THOSE RESPONSIBLE FOR DAMAGES CAUSED HIM.

3. NO PERSON, GROUP, ASSOCIATION, NOR ANY ORGANIZATION MAY INTERFERE WITH A MEDICAL DOCTOR'S RIGHT TO PRESCRIBE OR ADMINISTER ANY MEDICAL TREATMENT HE FEELS IS BENEFICIAL TO HIS PATIENT EITHER PHYSCIALLY OR MENTALLY. ANY PERSON, GROUP, ASSOCIATION OR ANY ORGANIZATION WHO INTERFERES WITH A MEDICAL DOCTOR AS TO HIS TREATMENT OF A PATIENT (UNLESS SUCH TREATMENT IS CONCLUSIVELY PROVEN HARMFUL) BY CAUSING LOSS OF MEMBERSHIP IN THAT GROUP, ASSOCIATION, ORGANIZATION, LEVYING OF FINES, WITHHOLDING PRIVILEGES, OR CAUSING LOSS OF MEMBERSHIP IN THAT GROUP, ASSOCIATION, ORGANIZATION, LEVYING OF FINES, WITHHOLDING PRIVILEGES, OR CAUSING CENSORSHIP, OR IN ANY WAY DOING HARM TO THAT MEDICAL DOCTOR SHALL, UPON CONVICTION, BE FINED NOT LESS THAN $5,000. NOR MORE THAN $25,000. FOR EACH INCIDENT, AND SHALL HAVE ITS LICENSE SUSPENDED UNTIL SUCH TIME AS THESE ACTS HAVE CEASED, WITH AN ADDITIONAL FINE OF $500. PER DAY UNTIL SUCH ACTS HAVE CEASED AND SUCH DOCTOR OR PATIENT SHALL HAVE FULL RIGHTS TO SUE THOSE RESPONSIBLE FOR DAMAGES CAUSED HIM.

WE, THE PEOPLE OF ALASKA, BELIEVE IN THE FREEDOM OF CHOICE OF A PATIENT TO RECEIVE THE TREATMENT HE DESIRES AND THE MEDICAL DOCTOR THE FREEDOM OF CHOICE TO TREAT HIS PATIENT IN A MANNER HE DEEMS BENEFICIAL PHYSICALLY OR MENTALLY.

THEREFORE, THE PEOPLE OF ALASKA PROPOSE:

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1. EVERY CITIZEN OF THE STATE OF ALASKA IS ENTITLED TO THE MEDICAL TREATMENT OF HIS CHOICE AND EVERY MEDICAL DOCTOR IN THE STATE OF ALASKA IS ENTITLED TO GIVE TO HIS PATIENT THE TREATMENT OF HIS CHOICE, WHETHER SUCH TREATMENT IN HIS OPINION AS A MEDICAL DOCTOR IS BENEFICIAL FROM A PHYSCIAL OR MENTAL STANDPOINT, AND SHOULD BE RESTRICTED ONLY IF THE TREATMENT IS CONCLUSIVELY PROVEN HARMFUL TO THE PATIENT.

2. NO CLINIC, HOSPITAL, NURSING HOME OR ANY OTHER FACILITY OF LIKE KIND WHERE MEDICAL TREATMENT IS GIVEN SHALL INTERFERE WITH OR REFUSE TO ALLOW ANY TREATMENT PRESCRIBED BY ANY MEDICAL DOCTOR AND DESIRED BY THE PATIENT UNLESS SUCH TREATMENT IS CONCLUSIVELY PROVEN TO BE HARMFUL. ANY SUCH FACILITY WHICH INTERFERES WITH OR REFUSES TO ALLOW SUCH TREATMENTS SHALL, UPON CONVICTION, BE FINED NOT LESS THAN $5,000. NOR MORE THAN $25,000. FOR EACH INCIDENT, AND UPON CONVICTION SHALL HAVE ITS LICENSE SUSPENDED UNTIL COMPLIANCE WITH THIS ACT HAS BEEN MADE AND SHALL PAY A FINE OF $500 PER DAY UNTIL COMPLIANCE IS MADE, AND SUCH DOCTOR OR PATIENT SHALL HAVE FULL RIGHTS TO SUE THOSE RESPONSIBLE FOR DAMAGES CAUSED HIM.

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GROUP, ASSOCIATION, ORGANIZATION, LEVYING OF FINES, WITHHOLDING PRIVILEGES, OR CAUSING CENSORSHIP, OR IN ANY WAY DOING HARM TO THAT MEDICAL DOCTOR SHALL, UPON CONVICTION, BE FINED NOT LESS THAN $5,000. NOR MORE THAN $25,000. FOR EACH INCIDENT, AND SHALL HAVE ITS LICENSE SUSPENDED UNTIL SUCH TIME AS THESE ACTS HAVE CEASED, WITH AN ADDITIONAL FINE OF $500. per day UNTIL SUCH ACTS HAVE CEASED AND SUCH DOCTOR OR PATIENT SHALL HAVE FULL RIGHTS TO SUE THOSE RESPONSIBLE FOR DAMAGES CAUSED HIM.

NAME..... PLEASE PRINT	SIGNATURE	ADDRESS	DATE
MARVIN GRAHAM	Marvin Graham	Box 728	Jan 15-1976
LOIS GRAHAM	Lois Graham	P.O Box 728	Jan 15, 76
Leola D. THOME	Leola D. Thome	2439 East Northern Lights Blvd - Anch 99504	1-15-76
ARLENE R. CROSS	Arlene R. Cross	2206 Lincoln Ave Anch. 99503	Jan 15, 76
Robert W Cross	Robert W. Cross	2206 Lincoln Ave Anch 99503	Jan 15, 1976
MATT. J. THOME	M.J. Thome	2439 E. NORTHERN LTS. BLVD. ANCHORAGE	1-15-76
LORINV. FLANDERS	Lorin V. Flanders	P.O Box 44-993 Lot 14-Blk A-Bruinpark	1-15-76

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Michelle Schwanke	Michelle Schwanke	P.O.Box 777	3-6-76
DONALD HEININGER	Donald Heininger	Sterling	3-6-76
SUSAN ROBINSON	Susan Robinson	Box 453 Soldotna	3-9-76
NINA ROBINSON	Nina Robinson	Box 534 Soldotna AK	3/9/76
BERTHA HERRMANN	Bertha Herrmann	Box 76 Sterling Ak	99672
BETTY AUGUSTSON	Betty Augustson	Box 544 Sterling Ak	99672
Ruth R. Miessner	Ruth R. Miessner	Box 597 Sterling	AK 99672
JUDY WARREN	Judy Warren	Box 256 Star Rt. 2	Sterling, Ak 99672

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDIS, STATE REPRESENTATIVE, STATE OF ALASKA

ROUTE 1 JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Donna M. Schwanke	Donna M. Schwanke	Box 77 Sterling AK	3/3/76
Pat Borras	Pat Borras	Box 515 Soldotna, AK	3/4/76
Patty Lampley	Patty Lampley	Box 649 Sterling, AK	3/6/76
Lorena P. Keating	Lorena Keating	Sterling ak	3/6/176
Roger Hungley	Roger Hungley	Box 649 Sterling Ak.	
Phoebe-Jane Abbott	Phoebe-Jane Abbott	Box 75 Sterling Ak.	
Douglas R. Keating	Douglas R Keating	Sterling Alk.	
Rick Abbott	Rick Abbott	Sterling Alaska	3/9/76
Suzette M Keating	Suzette M Keating	Box 1026 Soldotna	3/9/76
M. Fay Brazington	M. Fay Brazington	Box 91 Sterling Alaska	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDIS, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

WE, PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE " FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Robert W McIntosh Jr	Robert W McIntosh Jr	1594 SRA Anchorage AK 99507	02 21 76
Sally Beegan	Sally Beegan	9415 Ranger Anchorage AK 99502	2/21/76
MARK E. ULLOA	Mark E. Ulloa	P.O. Bx 3188 ANCH AK 99501	3/3/76
Lonnie D Crockett	Lonnie D Crockett	7404 E. 20th Anch. AK 99504	3-3-76
Louis M. Hinds	Louis M. Hinds	241 Smith Dr Anch ak	
Kenneth E Rogers	Kenneth E Rogers	20-360 B (Chugiak Dr Anc (Limited	3-5-76
DAVID G. OGLETREE	David G. Ogletree	BLDG 1 APT 21-1163 RICHARDSON VISTA RD. ANCHORAGE, AK-99501	
JERRY C. NELSON	Jerry C Nelson	C/S 1ST. 151 Copper Sunshine, Alk 99603	
Caroline E. May	Caroline E. May	2600 Tanaiju Dr. Anchorage 99504	
NADINE DEBECK	Nadine DeBeck	1145 E 9th	3/9/76
Margaret Schaeffle	Margaret Schaeffle	746 Fairbanks	3/9/76
Dale Jacke	Dale Jacke	2101 Jefferson Anch	3/9/76
Dorothy Kehl	Dorothy Kehl	6147 Anch	3/12/76
David Loomis	David Loomis	7-76 F. 8th St EAFB Alk	3-12-76 99506
DONNA G. HOPE	Donna G. Hope	3315 East 72nd Anchorage	
Richard L Hope	Richard L Hope	3315 East 72nd Anch.	

PLEASE MAIL ~~BY MID FEVRUARY 1976~~ TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

BOX V JUNEAU ALASKA 99811

PETITION

WE THE UNDERSIGNED, ATTEST BY OUR SIGNATURES, THAT WE SUPPORT THIS CITIZENS DRIVE FOR A "FAIR SCIENTIFIC TEST FOR LAETRILE." LAETRILE IS PRESENTLY BEING USED AS A LEGITIMATE CANCER DRUG IN 25 FOREIGN COUNTRIES.

	NAME (As Registered)	REGISTERED ADDRESS	DATE/ZIP
1	Sign Karen Covey	Registered Address PO Box 162	Date 2 12 76
	(Print) KAREN COVEY	City NINILCHIK ALASKA	Zip 99639
2	Sign Karen Seagraves	Registered Address Box 81	Date 2 12 76
	(Print) Karen Seagraves	City Ninilchik, Alaska	Zip 99639
3	Sign Marilyn Dominick	Registered Address Box 151	Date 2 12 76
	(Print) MARILYN DOMINICK	City NINILCHIK AK	Zip 99639
4	Sign Virginia Chuka	Registered Address PO 1321 Kenai	Date 2 12 76
	(Print) Virginia Chuka	City "	Zip "
5	Sign Jessie Bell	Registered Address Box 42 Ninilchik AK	Date 3 1 76
	(Print) Jessie Bell	City " "	Zip
6	Sign Virginia Wilson	Registered Address Anchor Point	Date 3 1 76
	(Print) VIRGINIA WILSON	City Anchor Point, Alaska	Zip 99556
7	Sign DEAN KVASNIKOFF	Registered Address Box 1211 Ninilchik	Date 1 1
	(Print)	City	Zip
8	Sign Karen Encelewski	Registered Address Bx 192 Ninilchik	Date 3 1 76
	(Print) Karen Encelewski	City 99639	Zip
9	Sign Arnold Phillips	Registered Address Box 193	Date 3 1 76
	(Print) Carl Kelly	City Ninilchik	Zip 99639
10	Sign Clifford R Kirkland	Registered Address Ninilchik	Date 3 1 76
	(Print) CLIFFORD R KIRKLAND	City NINILCHIK ALASKA	Zip 3/1/76 99639
11	Sign Mark D Hobbins	Registered Address Box 332	Date 3 1 76
	(Print) MARK D HOBBINS	City KENAI, AK	Zip 99611
12	Sign Kayle Eggraves	Registered Address Box 81	Date 3 16 76
	(Print) Kayle Eggraves	City Ninilchik AK	Zip 99639

THIS PETITION IS TO BE FORWARDED TO PRESIDENT FORD, WHITE HOUSE, WASHINGTON, D.C.

(About mid February 1976)

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
KAREN COVEY	Karen Covey	Box 112 Nunlakak AK 99633	2/27/76
Karen Sagraves	Karen Sagraves	Box 81 - Nunlakak AK	2/27/76
~~KAREN~~ MARILYN DAMMICK	[illegible]	Box 151 Nunlakak	2/27/76
Virginia Cheeks	Virginia Cheeks	PO 321 Kwig	2/28/76
Jessie Bell	Jessie Bell	[illegible] Nunlakak	3/1/76

Mail on or before February 15, 1976 to: Lisa Rudd, State Rep. Pouch V, Juneau

1 Lastfile

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
C.G Rousseau	Charles G Rousseau	4616 Arlon St	30 JAN 76
Mark J. Denny	Mark J. Denny	SRA B. 1578X	JAN 76
Roberta K Brown	Roberta K Brown	2113 E Whitestone	
Anita M Yloden	Anita M Yloden	5827 S. Yakiti Loop	
Grace Worcester	Grace Ann Worcester	8627 Talaff	
Anne Walker	Anne Walker	29 N Bragaw St Anch.	
Jane Kinmon	Jane Kinmon	309 N Bragaw Apt 3	
A. Fiorillo	A. Fiorillo	1600 E Northern Lights	
Karolynn Cechowski	Karolynn Cechowski	5810 Perry Dr.	1/31/76
Jan Burnett	Jan Burnett	2011 Parson	2/1/76
Barbara Howell	Barbara Howell	2472 Spruewood	1/31/76
Lawrence Pressau	Lawrence E. Pressau	7324 Tanaga Circle Apt A	
Cary Mulligan	C Mulligan	6500 B E 16th	
Elizabeth Croghan		3410 Pondue St Anch.	
Mona Hanna		1805 Seaview Way - Dmh 99501	
Gloria Bushman	Gloria Bushman	3701 Robin St 99504	
Robert Altmii		3605 Rosewood Dmh. AKH.	
Blondie Fischer		3605 Rosewood Dmh AKH	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

(LISA RUDD) BOX 1 DILLAH ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
DAN RIEBOW	Dan Riebow	1020 E. 40th Ave	2-2-76
Jim Kimrod	Jim Kimrod	6920 Colonial ct.	2-2-76
Irene Ojard		4828 E 24th Anch, ak.	
Elaine Burgoff	Box 1336 SRA Anch Alaska		
Shauna Davis	1721 Oxford Anch. AK 99503		
Ted Rech	Ted Rech Eagle River AK 99577		
Dee Wolf	B.P.O. Box 1, Eagle, Alaska 99738		
Carol Lees	5901 E 6 Ap 182 Anch, Ak 99504		
Margaret Powell	617 N. Lane Anch ak. 99504		
Kay O'Connor	P.O. Box 4-2816 - 99509 2907 Sunflower St 99504		
~~Kay~~ Maxine Empran	Maxine Empran SRA 4214 99507		
Ila Bomhardt	RR B Box 165 Palmer 99645		
Jan Dedman	8426 E. Dubew #4 99504		
Margaret C. Belton	1906 Northwestern 99504		
SUZANNE BROWN	Suzanne Brown 5700 Lake Otis 99507		
Clifford C Warren	Box 1124 Anchorage 99510		
Jane C Warren	Box 1124 Anchorage 99510		
Jim H Martin	2101 Dubo Dr Anch 99504		

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

(LISA RUDD) POUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
MIKE MARKS		510 Gaveolyn	2/4/76
(CAROL KREIN) Carol Krein	Carol Krein	4241 Karwick	2/6/76
Valene Poggas	Valene Poggas	2069 Duke Dr	2/6/76
Kathy Kaine		4121 Ireane Dr. Kathy Kaine	2/6/76
BEVERLY DIZIK	Beverly Dizik	Box 892 ANCH. 99510	2/6/76
Virginia Robinson	Virginia Robinson	4423 E. 6th Ave	2/7/76
ELAINE MURPHY		Anch 99504	
PAUL C. NEFF	Paul C. Neff	Box 473 NISKit	2-7-76
Ron Jones		450 Farmer, Anch. AK	2/7/76
Karol Van Elsberg	Karol Van Elsberg	2405 Starnes #3	2/7/76
Richard L. Peterson	Richard L. Peterson	725 W 16th Ave	2/7/76
Grant B. Thomas		1303 W 41 St. Anc AK 99503	
David E. Nelson		6427 E 31st Ave Anc. AK. 99504	
Phyllis Besaw		7324 Tanaga Circle, Apt A, ANK, AK 99504	
Norman C. Wold		9825 Telequana Apt. 4 Anch. AK	
Alexander Yourasov		640 Katmai Apt 4	
Joseph Jones		7100 E 20th	
Linda Branch	Linda Branch	Linda Branch, Box 3431 Anch.	2/7/76

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

(LISA RUDD) PENCH V BUREAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Rodney L Pfleiger	Rodney L Pfleiger	4613 SEWARD	1-27-76
Sarah E Weimic	1635 Medina Ct		1-27-76
Wilma E Harvey	Wilma E Harvey	1710 Beaverlake Anchorage	1-27-76
Fred G Jenkins	328 EKLUTNA ANCH. AK 99501		1/27/76
Ron Lane	4791 Cambridge Way	99503	1-28-76
Elena L Jarvis	225 5 Flowers		
William H Bleadley	5348 E 24th Ave		
Gene Smith	SRB 2970 Wasilla		1/29/76
Connie Newland	4460 Mara		
Ronald Kline	3841 E 65th		
Kevin S Baldwin	1821 TOKLAT		1-29-76
Karla D Kenyon	8007 OLD SEWARD HWAY		
Stephen Spence	Bay 412003 Spenard Station		12-76
Phil McKinley	4705 Lynn St #9 Anch AK		
Beverly Bangs	5750 S Lake Loop Anch AK		
Darlene Hanni	5313 Kenka Ct. Anch, Ak.		
Pam Carlson	P.O. Box P-16 Chugiak, AK		
Judy F Pendleton	4123 Chesta Rd Anch AK		
Brenda M Pendleton	3429 E 20th Anch AK		

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

(LISA RUDD) BOX 1 PALMER ALASKA 99811

5

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
CURTIS A OLSON	Curtis A Olson	Anchorage, AK 99502 6625 Cheney	1/24/76
DONALD FROST	Donald H Frost	Anchorage, AK. Box 4-2167 99509	1-25-76
NANCY R. JOHNSON	Nancy R Johnson	Anchorage, AK 99502 6134 Tanaina Dr.	2/3/76
Randall Moss	Randall Moss	3516 Cottonwood Anch	2-3-76
Renee R. Wilcox	Renee Wilcox	P.O. Box 10148 Kitl Sta. 99502	2-3-76 2 Anch.
Phillip A. Campbell	Phillip A Campbell	P.O. Box 4-2183 ANCH. 99509	
Phil A Younker	Phil A. Younker	2498 Dale Rd Fairbanks	99701
Arden J Mohnkel ARDEN MOHNKEL	Arden J Mohnkel	8028 Cranberry St	
Alvin E. Hubes ALVIN E HUBES	Alvin E Hubes	5520 VOLGA RD ANCHORAGE, ALASKA	99507
Lorna Olson LORNA OLSON	Lorna Olson	6625 Cheney Anch. Alaska 99502	2/12/76

PLEASE MAIL BY MID FEBRUARY 1976 TO:

JOSH BUSH, STATE REPRESENTATIVE, STATE OF ALASKA

BOX [illegible] JUNEAU ALASKA 99811

PROPOSED LEGISLATION 1976

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

THEREFORE, WE THE PEOPLE OF ALASKA, PROPOSE:

AN ACT RELATING TO THE "FREEDOM OF CHOICE" IN MEDICAL TREATMENT IN ALASKA.

1. EVERY CITIZEN OF THE STATE OF ALASKA IS ENTITLED TO SEEK MEDICAL TREATMENT OF HIS CHOICE AND EVERY MEDICAL DOCTOR IN THE STATE OF ALASKA IS ENTITLED TO GIVE TO HIS PATIENT THEIR MUTUALLY AGREED UPON TREATMENT AND SHOULD BE RESTRICTED ONLY IF THE TREATMENT IS CONCLUSIVELY PROVEN HARMFUL TO THE PATIENT.

2. NO CLINIC, HOSPITAL, NURSING HOME OR ANY OTHER FACILITY OF LIKE KIND WHERE MEDICAL TREATMENT IS GIVEN SHALL INTERFERE WITH OR REFUSE TO ALLOW ANY TREATMENT PRESCRIBED BY ANY MEDICAL DOCTOR AND DESIRED BY THE PATIENT UNLESS SUCH TREATMENT IS CONCLUSIVELY PROVEN TO BE HARMFUL. ANY SUCH FACILITY WHICH INTERFERES WITH OR REFUSES TO ALLOW SUCH TREATMENT SHALL UPON CONVICTION, BE FINED NOT LESS THAN $5,000. NOR MORE THAN $25,000. FOR SUCH INCIDENT, AND UPON CONVICTION SHALL HAVE ITS LICENSE SUSPENDED UNTIL COMPLIANCE WITH THIS ACT HAS BEEN MADE AND SHALL PAY A FINE OF $500 PER DAY UNTIL COMPLIANCE IS MADE, AND SUCH DOCTOR OR PATIENT SHALL HAVE FULL RIGHTS TO SUE THOSE RESPONSIBLE FOR DAMAGES CAUSED HIM.

3. NO PERSON, GROUP, ASSOCIATION, NOR ANY ORGANIZATION MAY INTERFERE WITH A MEDICAL DOCTOR'S RIGHT TO PRESCRIBE OR ADMINISTER ANY MEDICAL TREATMENT HE FEELS IS BENEFICIAL TO HIS PATIENT EITHER PHYSCIALLY OR MENTALLY. ANY PERSON, GROUP, ASSOCIATION OR ANY ORGANIZATION WHO INTERFERES WITH A MEDICAL DOCTOR AS TO HIS TREATMENT OF A PATIENT (UNLESS SUCH TREATMENT IS CONCLUSIVELY PROVEN HARMFUL) BY CAUSING LOSS OF MEMBERSHIP IN THAT GROUP, ASSOCIATION, ORGANIZATION, LEVYING OF FINES, WITHHOLDING PRIVILEGES, OR CAUSING LOSS OF MEMBERSHIP IN THAT GROUP, ASSOCIATION, ORGANIZATION, LEVYING OF FINES, WITHHOLDING PRIVILEGES, OR CAUSING CENSORSHIP, OR IN ANY WAY DOING HARM TO THAT MEDICAL DOCTOR SHALL, UPON CONVICTION, BE FINED NOT LESS THAN $5,000. NOR MORE THAN $25,000. FOR EACH INCIDENT, AND SHALL HAVE ITS LICENSE SUSPENDED UNTIL SUCH TIME AS THESE ACTS HAVE CEASED, WITH AN ADDITIONAL FINE OF $500. PER DAY UNTIL SUCH ACTS HAVE CEASED AND SUCH DOCTOR OR PATIENT SHALL HAVE FULL RIGHTS TO SUE THOSE RESPONSIBLE FOR DAMAGES CAUSED HIM.

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Melvin B Page	Melvin B Page	4x4 Bd of Anch	1/23/76
Clayton J. Roberts	Clayton J. Roberts	5106 E. 26th Ave Anch.	1/23/76
Kenneth Clark	Kenneth Clark	5106 E. 26TH AVE ANCH.	1/23/76
Elsie Stroman	Elsie Stroman	6920 E 16th Ave Anch	1/23/76
Anita H. Rhyner	Anita H. Rhyner	5106 E. 26th Anch.	1/23/76
June L. Murray June L. Murray	June L. Murray	4621 Shelbof St. Anchorage Ak. 99502	
Rebecca C Brady	Rebecca C. Brady	St. Rt. Box 8620 Bird Creek Ak	99540
WILLIAM E. MCGRATH William E McGrath	William E McGrath	1802 Wisconsin Anch AK	
YVONNE N. ENBN Yvonne Neman	Yvonne Neman	630 W. 8th Ave, Anch AK	
Lawrence E Salisbury	Lawrence E Salisbury	746 E 5th Ave Anchorage AK	
TONY DELUCIA Tony DeLucia	Tony DeLucia	Box 234 Eagle River AK	1/31/76
Mary DeLucia	Mary DeLucia	Box 234 Eagle River AK	1/31/76
Katherine E McGrath	Katherine E McGrath	Anch AK	
Richard R Rhyner	Richard R Rhyner	5106 E 26th Anch AK	
Carol J Peterson Carol Peterson	Carol Peterson	5300 Chena Anchorage	
John W. Reinke III	John W. Reinke III	8101 Airport Hgts #43 Anch	
LESLEY RHYNER	Lesley Rhyner	5106 E 26th	
Vikki Clark	VIKKI CLARK	9901 Whitefish	

PLEASE MAIL BY MID FEVRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

(LISA RUDD) POUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
- Roberta Reinke	Roberta Reinke	Anch. Dic Box 3-614	2-9-76

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Virginia L. Ryder	Virginia L Ryder	3216 Thompson Ave Anchorage, Alaska 99507	1/30/76
ELEANOR M. SALIT	Eleanor M. Salit	6511 Timlach Way anchorage alaska 99502	2/2/76
John M Salit	John M. Salit	6511 Timlach Way Anchorage, Alaska 99502	2/2/76
Dale A ERICKSON	Dale A Erickson	3025 Wesleyan DR Anchorage ALASKA ZIP CODE 99504	2-3-76
ROGER P. WILLIAMS JR	Roger P. Williams	1727 Dimond Dr Anchorage, AK 99507	2-4-76
ELLIOTT E ANDERSON	Elliott E Anderson	2511 Mckenzie Dr Anchorage, AK 99503	2-4-76
MAX C Lupton	Max C Lupton	4020 Quenting Dr. Anch 99507	
Georgia B. Riggs	Georgia B Riggs	6961 Colonial Ct 99502	
Bette M LARRABEE	Bette M Larrabee	718 W 21st Ave 99503	
Joan L. Kirkwood	Joan L. Kirkwood	1623 W 15th 99501	
Edwin L. Bitchen	Edwin L Bitchen	2018 Shyluria Dr. 99504	
Linda Kissner	Linda Kissner	4107 W Tesoro Way Anch. AK	2/4/76
Keith Rizer	Keith Rizer	Sl. Rt. A. Box 397B Anchorage, Alaska 99507	2/4/76
DON DAVIDSEN	Don Davidsen	3619 ARKANSAS DR	2/4/76

PLEASE MAIL BY MID FEBRUARY 1976 TO:

REP. BIDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

Ricky D Clark 8310 Del St. AA.
Ricky D Clark

CRICKIET CARLISLE 3706 IOWA #2. Alaska
Cricket Carlisle

Betty J. Mouser 2411 E. 88th Ave. Anch. Aky
Betty J. Mouser

DON MOUSER 2411 E 88th Anch. Ak.
Don Mouser

MARION CLARK 8340 ELDERBERRY
ANCH AK

BARBARA L. CLARK II

JAN Clark SRA Box 1576
Jan Clark Anch. AK.

Wm. McEue 4332 SPENARD
ANCH AK- 99503

CARIE BURNS 2541 West 6 7th
Carie Burns Anch AK 99502

Cheryl Badger 4023 Westwood Dr.
Cheryl Badger Anchorage AK
99503

Michael R. Bader
Michael R Bader

4023 Westwood Dr.
Anch. Ak.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
LELAND OLIGER	Leland Oliger	2611 Sebrina	1-26-76
Barbara West	Barbara J West	3304 Boniface PKWY 10C	1/26/76
Leona J. Hill	Leona J. Hill	3304 Boni Face Pky 10C	1-26-76
Evelyn S. Veach	Evelyn S. Veach	7306 Madelynne Dr. Anchorage, Alaska 99504	1/27/76
ROBERT L. VEACH	Robert L. Veach	7306 Madelynne Dr. Anchorage Alska 99504	1-27-76
PATRICIA MONROE	Patricia J. Monroe	1435 E. 26th Ave. Anc.	9950
Lucille Harris	Lucille Harris	9219 8th Ave Anch AK	99501
CAROL Jorgensen	Carol Jorgensen	P.O. Box #32 Chugiak Alaska	99567
Shirley Lee Smith	Shirley Lee Smith	SRA Box 4952 Anchorage	99507
Mary C Huelsman	Mary C Huelsman	929 BE 20th Anch.	99501
JULIA R. McLAUCHLAN	Julia R McLauchlan	SRA Box 1712-M Anch.	99507
Robert B. Endicott	Robert B Endicott	5901 Miley Anchorage	99504
LEO A HANTZ	Leo A Hantz	5020 BRYN MAWR ANCHORAGE	99504
PETER S. KINSCH	Peter S. Kinsch	P.O. Box 8454 Mt. View,	ak
JOYCE F. WEYERMAN	Joyce F Weyerman	3101 Lochwood Cr. Anch. AK	99504
WILLIAM J. GASSER	W. J. Gasser	Box 10085 An-L. AK	99502
EMMA C. WARNER	Emma C Warner	7015 O Klevin #35A	99504 1-30-76
MURIEL LOOPER	Muriel Looper		
Linda Doty			

PLEASE MAIL BY MID FEVRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

THEREFORE, WE, THE PEOPLE OF ALASKA, PROPOSE:

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
GERALD A. TITUS	Gerald A Titus	STAR ROUTE A. BOX 498 ANCHORAGE ALASKA	1-21-76
Thomas E FINEGAN	Thomas E Finegan	1107 RIL CIRCLE ANCHORAGE, ALASKA 99504	1/21/76
Jerry L. Jennings	Jerry L. Jennings	3571 KACHEMAK DR. ANCHORAGE, ALASKA 99502	1/21/76
BONNIE J. JORDET	Bonnie J. Jordet	SR Box 795 Chugiak AK	1-22-76
Gayle L Thompson	Gayle L Thompson	Box 13 Eagle River Ak.	1/22/76
DIXIE N. PORTER	Dixie N. Porter	3906 CHECKMATE DR. ANCHORAGE, AK. 99504	
Pamela J. Michou	Pamela J Michou	2138 E 38TH Anchorage Ak 99504	
Sharon L MEAD	Sharon L Mead	SR Box 9104 Eagle River, Alaska	99577
John A MEAD	John A Mead	SR Box 9104 Eagle River Alaska	99577
BERNARD D. STEWART	Bernard D Stewart	SR Box 9100 Eagle River, Alaska	99577
ELNORA S. STEWART	Elnora S Stewart	SR Box 9100 Eagle River, Alaska	99577
DAVID A. KING	David A King	1-22-76 3906 Ican DR. ANCHORAGE, ALASKA	99503
Josephine M. Sullivan	J M Sullivan	1600 W 7th apt 21 Anchorage-Alaska	99501
NELLIE FENNIMORE	Nellie Fennimore	404 Price St Anchorage	99504
Frank E McGuire	Frank E McGuire	1015 H St Anchorage Ak	99501
B Berniece Peterson	B Berniece Peterson	731 B St Anch. AK	99501
Marian V Shearhouse	Marian V Shearhouse	24 351-A Orchid Anchorage	
Bernard L Shearhouse	Bernard L Shearhouse	24 351A Orchid EAFB, AK	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

(LISA RUDD) BOX V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
EMMETT CHANAUGH	Emmett Chanaugh	1524 11th	3-6-76
GEORGE FENNIMORE	George Fennimore	Anchorage	3/6/76
JAMES N POOR	James N Poor	Anchorage 3140 W. 79th	3/6/76
RAYMOND L PETERSON	Raymond L Peterson	anchorage AK 2313 C street	2-6-76
Dorothy R. Thompson	Dorothy R. Thompson	Ap #2, 4203 Helen Way Anch AK 99502	
JANE M QUIRE	Jane M Quire	1015 H. - Apt. #12	3/6/76
JEAN W. POOR	Jean W. Poor	3140 W. 79th Anchorage AK	3/6/76
Virginia Grace Burns	Virginia Grace Burns	PO Box 325 Eagle River, Alaska 99577	
HENRY K COLEMAN	Henry Coleman	99507 SRA F BOX 90 BIRCH RD	
K M KANE	K M Kane	2247 E 56th Ct Anchorage AK 99507	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

(LISA RUDD) BOX V JUNEAU ALASKA 99811

PROPOSED LEGISLATION 1976

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

THEREFORE, WE THE PEOPLE OF ALASKA, PROPOSE:

AN ACT RELATING TO THE "FREEDOM OF CHOICE" IN MEDICAL TREATMENT IN ALASKA.

1. EVERY CITIZEN OF THE STATE OF ALASKA IS ENTITLED TO SEEK MEDICAL TREATMENT OF HIS CHOICE AND EVERY MEDICAL DOCTOR IN THE STATE OF ALASKA IS ENTITLED TO GIVE TO HIS PATIENT THEIR MUTUALLY AGREED UPON TREATMENT AND SHOULD BE RESTRICTED ONLY IF THE TREATMENT IS CONCLUSIVELY PROVEN HARMFUL TO THE PATIENT.

2. NO CLINIC, HOSPITAL, NURSING HOME OR ANY OTHER FACILITY OF LIKE KIND WHERE MEDICAL TREATMENT IS GIVEN SHALL INTERFERE WITH OR REFUSE TO ALLOW ANY TREATMENT PRESCRIBED BY ANY MEDICAL DOCTOR AND DESIRED BY THE PATIENT UNLESS SUCH TREATMENT IS CONCLUSIVELY PROVEN TO BE HARMFUL. ANY SUCH FACILITY WHICH INTERFERES WITH OR REFUSES TO ALLOW SUCH TREATMENT SHALL UPON CONVICTION, BE FINED NOT LESS THAN $5,000. NOR MORE THAN $25,000. FOR SUCH INCIDENT, AND UPON CONVICTION SHALL HAVE ITS LICENSE SUSPENDED UNTIL COMPLIANCE WITH THIS ACT HAS BEEN MADE AND SHALL PAY A FINE OF $500 PER DAY UNTIL COMPLIANCE IS MADE, AND SUCH DOCTOR OR PATIENT SHALL HAVE FULL RIGHTS TO SUE THOSE RESPONSIBLE FOR DAMAGES CAUSED HIM.

3. NO PERSON, GROUP, ASSOCIATION, NOR ANY ORGANIZATION MAY INTERFERE WITH A MEDICAL DOCTOR'S RIGHT TO PRESCRIBE OR ADMINISTER ANY MEDICAL TREATMENT HE FEELS IS BENEFICIAL TO HIS PATIENT EITHER PHYSCIALLY OR MENTALLY. ANY PERSON, GROUP, ASSOCIATION OR ANY ORGANIZATION WHO INTERFERES WITH A MEDICAL DOCTOR AS TO HIS TREATMENT OF A PATIENT (UNLESS SUCH TREATMENT IS CONCLUSIVELY PROVEN HARMFUL) BY CAUSING LOSS OF MEMBERSHIP IN THAT GROUP, ASSOCIATION, ORGANIZATION, LEVYING OF FINES, WITHHOLDING PRIVILEGES, OR CAUSING LOSS OF MEMBERSHIP IN THAT GROUP, ASSOCIATION, ORGANIZATION, LEVYING OF FINES, WITHHOLDING PRIVILEGES, OR CAUSING CENSORSHIP, OR IN ANY WAY DOING HARM TO THAT MEDICAL DOCTOR SHALL, UPON CONVICTION, BE FINED NOT LESS THAN $5,000. NOR MORE THAN $25,000. FOR EACH INCIDENT, AND SHALL HAVE ITS LICENSE SUSPENDED UNTIL SUCH TIME AS THESE ACTS HAVE CEASED, WITH AN ADDITIONAL FINE OF $500. PER DAY UNTIL SUCH ACTS HAVE CEASED AND SUCH DOCTOR OR PATIENT SHALL HAVE FULL RIGHTS TO SUE THOSE RESPONSIBLE FOR DAMAGES CAUSED HIM.

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WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
SANDRA D. TOLOFF	Sandra D Toloff	Rt 1 Box 1125 Kenai 99611	1-22-76
DORIS DAY	Doris Day	RT 1, Box 742 Kenai Alaska	1-23-76
SANDRA G. MORRIS	Sandra G. Morris	Box 119 Soldotna, Alaska	1-24-76
Linda Toloff	Linda Toloff	Rt 1. Box 1125 Kenai Alaska	2/2/76

PLEASE MAIL BY MID FEVRUARY 1976 TO:

MISS RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

WE, PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE " FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
J.B. Knudsen	J.B. Knudsen	7800 DeBarr #151	1/31/76
Junior Ramos	J. Ramos	2320 Forest Park Dr	1/31/76
Jean A. Marks	Jean A Marks	1509 Kepner	1/31/76
Charles Pinkham	Charles Pinkham	Box 1237 Anch AK	1-31-76
Richard T Pitts	Richard T Pitts	7230 Third Cir Anch-AK	1-31-76
Geneva Walters	Geneva P. Walters	2606 E. 17th Ave	2/4/76
Ronnie Krake	Ronnie Krake	2221 Muldoon #506	Feb 4

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Harry M. Baker	H.N. BAKER	724 E. 78th Anch	4.13.76
GRAHAM P. NEWBERRY	Graham P. Newberry	724 E 78TH AVE. ANCH. AK.	
BARBARA A. BAKER	Barbara R. Baker	724 E. 78th. Anchorage	4-16-7
TERRY GILL	Terry Gill	PORT ALSWORTH	99653
VICTORIA GILL	Victoria Gill	PORT ALSWORTH	4/16/76 99653
Helen M NEWBERRY	Helen M Newberry	724 E 78th Ave.	4-17-76 99502

Susan Sullivan
Chairperson
Health, Education & Social Services

PLEASE MAIL BY MID [redacted] 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA
POUCH V JUNEAU ALASKA 99811

WE, PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE " FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Phyllis LAPP	Phyllis Lapp	Gavon House Hotel 1010 Cushman Fairbanks	3/15/76
ED LAPP	Ed Lapp	33 mile Haines AK	3/15/76
R R Haskins 3-16-76	R R Haskins	P.O. Box 143 - Tok AK 99780.	
James E. Ewart Jr.	James E. Ewart Jr.	c/o ITT 763 W. Northern Lts Anchorage AK 99503	
Z.W. KOWALEPSKI	Z.W. Kowalewski	7241 Bailey DR. ANC. AK 99502	
Patricia E. Kapella	Patricia E. Kapella	P.O. Box 183, AK 99577	4/3/76
Robert V Hill	Robert Hill	2501 W 43rd Ct Anch. AK 99503	
Evlyn M. Hill	Evelyn M. Hill	2501 W. 43rd Ct Anch, Ak 99503	
RONALD E. ROMPH	Ronald E. Romph	SRA Box 1507E ANCH. AK. 99507	
LINDA ROMPH	Linda Romph	SRA Box 1507E Anch. ak 99507	
Kathy Thoresen	Kathy Thoresen	4210 Stuart Anch. Ak 99504	
Walter Severson		3503 Cope st Anchorage Alaska 99503	
Heinie Rackl		8340 Dewberry ST Alaska 99502	
Violet Rackl		8340 Dewberry St. Anchorage Ak. 99502	

PLEASE MAIL ~~BY MID FEBRUARY 1976~~ TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

Have for pick-up

WE, PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE " FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Bobs Gloy	Bobs Gloy	8964 Woodberry	4/15/7
J. J. Haynes	J. J. Haynes	SRA 4219 Anc. AK	9/15/7
Paul Price	Paul Price	Kantishna Alaska	
David J. Scogin	David J. Scogin	Box 512 Eagle River ak 99577	
Anna J. Scogin	Anna J. Scogin	Box 512 Eagle River AK 99577	
Delores E. Kelley	Delores E. Kelley	P.O. Box 311 Chugiak Alaska	
Margaret Kruse	Margaret Kruse	P.O. Box 31 Willow Alaska 99688	
Ebba Christensen	Ebba Christensen	Lore Rd. - Anchorage Ak 99507	
R.P. Pfeil	R.P. Pfeil	R.P. Pfeil 3706 N. Point Dr. Anch. 99502	4/1

PLEASE MAIL BY MID[redacted] TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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For Laetrile — On Laetrile

NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Barbara Glendening	Barbara Glendening	Box 55 Clam Gulch AK	3-23-76
Eva Miller	Eva Miller	P.O. Box 5 Cohoe, Alaska	99570
Ann Letzring	Ann Letz	Box 100 Kasilof, Alaska	99611
Lois Calvin	Lois Calvin	Box 26 Kasilof, Alaska	99610
Dorothy Hermanson	Dorothy Hermanson	Box 1 Cohoe Alk	99570
Kay F. Estle	Kay F. Estle	Box C Cohoe Alaska	99576
Mildred Griffing	Mildred Griffing	Box 25 Kasilof Alk	99610
RUTH V. GALLOWAY	Ruth V. Galloway	Route 2, Kasilof, AK	99610

PLEASE MAIL BY MID FEVRUARY 1976 TO:

MISS RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

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On Laetrile use

NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Shirlie M. Young	Shirlie M Young	Box 483 Kenai ak	1/26/76
Ova Lea J. Miller Ova Lea J. Miller	Ova Lea J Miller	Box 1116 Soldotna AK	3/4/76
BERNIECE L. Collins	Berniece L. Collins	Box 483 Soldotna 99669	3/4/76
SHERYL D. MULLINS	Sheryl D. Mullins	Box 741 Soldotna 99669	3/4/76
TONI D. THOMAS	Toni D. Thomas	Box 147 Kasilof AK 99610	3/4/76
DOROTHY FISLER	Dorothy Fisler	PO Box 94 Kasilof Alaska	3/4/76
HELEN VALCHO	Helen Valcho	PO 273 SOLDOTNA AK 99669	03 4-76 99669
NORMA J. PARRISH	Norma J Parrish	Star Rt 2 Box 242 Sterling AK	99672
Frances J. Denny	Frances J Denny	Box 86, Sterling, AK	99672
Allie Warner	Allie Warner	Box 1160 Soldotna AK	99669
KATHY MARTIN	Kathy Martin (Toloff)	7121 Nikishka	99611
James A. Toloff	James A. Toloff	Box 882 Seward Alaska	99664
LINDA TOLOFF	Linda Toloff	7121 Nikishka	99611
STANLEY P. JANINGER	Stanley P. Janinger	2337 East 88th ANCHORAGE	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDIS, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Mattie Bartos	Mattie Bartos	Nuch Sta, Rt 1, Box 1079 Kenai Alaska	1-27-76
Jack Duggar	John Eduggar	N. Star Rt 1 Box 1033 Kenai ak.	1-27-76
James F. Bartos	James F. Bartos	Box 7059 NB Kenai Alaska	1-27-76
Jimmy D. Sparks	Jimmy D. Sparks	Box 7151 NRB Kenai Alaska	1-27-76
William Stoib	William Stoib	Box 8266 NRB Kenai Alaska	1-28-76
Vada M. Yearsley	Vada M. Yearsley	Box 8002 Nikiiska Kenai Alaska	1-28-76
Kenneth W Yearsley	Kenneth W Yearsley	Box 8002 NRB Kenai Alaska	1-28-76
Gene R Kivi	Gene R Kivi	RT Box 1010 Kenai Alaska	1-28-76
Deana Moore	Deana Moore	P.O. Box 7045 Nikiiska Bx, Kenai, Ak	1-28-76
Dolores Wik	Dolores Wik	Rt 1 Box 460 Kenai, AK. 99611	1-31-76
Joseph M. Wolding	Joseph M. Wolding	Nikiiska 8008. Kenai AK 99611	1-31-76.
James E. Ewigleben	James E. Ewigleben	Bx 1282 Kenai Alaska	1-31-76
Shirley J. DeVault	Shirley J. DeVault	Rt. 1 Box 973 Kenai, Alaska	1-31-76
Caroline C. Huhndorf	Caroline C. Huhndorf	Box 8014, NRB Kenai AK 99611	
Stanley J Huhndorf	Stanley J. Huhndorf	Box 8014 Kenai Ala.	
Frederick M Gould	Frederick M Gould	Box 7086 Kenai Alaska 99601	
L Bell	Soldotna Ak.		
Shayne Bell	Soldotna AK		

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDIS, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

WE, THE PEOPLE OF ALASKA, BELIEVE IN "F[illegible]M OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE:

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
HAZEL GENTRY	Hazel Gentry	Box 130, RT #1, Kenai, AK	2/10/76
EARL GENTRY	Earl F. Gentry	Box 130 RT #1, Kenai Alaska	2/10/76
Helen Van Sky	Helen Van Sky	Star Rt Box 1330 Kenai	2/10/76
MEDERESE M. CHAMBERLAIN	Mederese Chamberlain	Star Rt. #1 Box 1354 Kenai	2/10/76
MELINDA S. GOFF	Melinda S Goff	Route 1 Box 385B Kenai	2/10/76
KAKI VAN SKY	Kaki Van Sky	Box 1330 Kenai #1	2/10/76
JOREEN HARRIS	Joreen Harris	Box 3013 NRB Kenai AK	2/10/76
Karen Hinkle	Karen Hinkle	Box 250 Kenai, Ak	99611
MARLENE KEENE	Marlene Keene	Box 1354 Kenai, ak.	2/10/76
Lorraine M. Blake	Lorraine M. Blake	Box 15 Cohoe, Alaska	99570
Judith Thomas	Judith Thomas	Box 582 Soldotna Alaska	99669
Jeanne Waldren	Jeanne Waldren	Box 3567 Kenai AK	99611
Sylvia Whaley	Sylvia Whaley	Box 1236 Kenai Ak	99611
KONDA FOSTER	Konda Foster	Box 2614 Kenai, AK	99611
Lois Martin	Lois Martin	Box 939 Kenai Ak	
Helen L Darrow	Helen L Darrow	Box 3889 Kenai Ak	
Patricia Schamber	Patricia Schamber	Box 1001, Kenai Ak	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDIA, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Pat Robinson	Pat Robinson	Rt 2 Kenai	2/4/76
Laura J. NACKSTEDT		Box 532 Kenai	
Irene Andersen		Box 309 — Kenai AK	
Charlotte Slawson		Box 3835 - Kenai, Alaska	
Frank D. Montgomery Sr.		Box 25 Sterling AK	
Ann Ramsell	Ann Ramsell	Cohoe ak 99570	
Archie Ramsell	Archie Ramsell	Cohoe AK 99570	
Catherine Curtis	Catherine Curtis	Seward AK	
Charlotte Leska	Charlotte Leska	Seward Ak	
Mildred L. Abbott	Mildred L. Abbott	No. STAR Rt 1 Kenai	
Dudley M Abbott	Dudley M Abbott	Rt 1 Box 620 Kenai AK 9961	
Sheery L Heath	Sheery Heath	Rt 1 Box 375 Kenai AK 9961	
Elsie T. Seaman	Elsie T Seaman	Box 3070, Kenai, AK 99611	
Betty Best		Box 7097 Kenai AK 99611	
ELIZABETH K. HELLE		Box 7030 Kenai AK 99611	
ANN WHEELER		7034 Mink Kenai ak 99611	
W.E Wheeler		7034 Mink Kenai AK 99611	
ANN KING		2170 N.F.B. Kenai AK 9961	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

MISS PUDIL, STATE REPRESENTATIVE, STATE OF ALASKA

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Mary Quesnel	Mary Quesnel	Star Rt 3 Kenai Ak	Feb 3 76
Joan Seaman	Joan M. Seaman	Box 3070 Kenai, Ak.	
Helen Keppel	Helen Keppel	Box 181 Kenai Ak	
Marvene Sundby		Box 3651 Kenai Ak	
Lena KWACKSTEDT		Box 532 Kenai Ak	
Irene Andersen		Box 309 — Kenai Ak	
Ora Wilson	" "	" "	"
Niles A. Kangas		Box 36 Anchor Point, Ak. 99556	
Ann Bell		Box 4?? Soldotna Ak	
Earl Cass		Box 1403 Seward, Alaska 99664	
Lynette Cass	"	"	"
Dorothy Mendell		Rt. 1, Box 80 Kenai, Alaska 99611	
JASAMINE PICKETT		Rt 1, Box 1070 KENAI, ALASKA 99611	
Jasamine Pickett		Rt Box 1070 Kenai, Alaska 99611	
Archie Ramsell		Archie Ramsell Cooper AK 99570	
Jim Taylor		Jim Taylor Box 1335 Seward, Ak 99664	
C. Donna Davis		[illegible] Box 364 Seward Ak 99664	
Caroline Toloff		Caroline Toloff Box 172 Seward AK	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

A PETITION FOR A " FAIR SCIENTIFIC TEST FOR LAETRILE"- VITAMIN B-17)

18

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Cheryl Featherstone		RT 1, Box 375	1-27-76
CHERYL FEATHERSTONE		KENAI, ALASKA 99611	
LOIS KINGERY	Lois Kingery	RT 1 Box 375 Kenai Ak 99611	1-27-76
MATILDA RICE	Matilda Rice	Box 8314 N.R.B. Kenai alaska	99611
Carl A. Williams		Sterling Rt. Homer, Alaska 99603	
MRS. ROBERT GRAY	Mrs Robert Gray	Box 1102 Homer	AK 99603
HAZEL HEATH	Mrs. Hazel Heath	Box 676 Homer Ak	99603
Mary E. King	Mary E. King	Box 192 Palmer	AK 99645
Robert Moyer	Robt A Moyer	Box 784 Homer	99603 AK.
Hazel C Knighton	HAZEL Knighton	Box 1001, Homer ak	99603
JAMES S. EVANS	James S. Evans	Box 603 HOMER	99603
Joan A Howard	Joan A Howard	Box 122 Anchorage	1/30/76
RAYMOND A ROZAK	Raymond A Rozak	Box 107 Anchor PT	AK 99556
ROBERT E CLUTTS	Robert E. Clutts	Box 154 Anchor PT.	ak 99556
HARRY L. DREW	Harry L. Drew	Box 253 KENAI	AK 99611
ROZELLA E. DREW	Rozella E. Drew	Box 253 Kenai	AK 99611
Davis A Walker	Davis A Walker	Box 560 Kenai	
Robert K. Walker	Rob. K. Walker	Box 560 Star RTE 1 Kenai	99611

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

12x8.

IN ALASKA.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Mary J Quesnel	Mary J Quesnel	Star Rt 3 Kenai Ak	Feb 3-76
Joan Seaman	Joan M. Seaman	Box 3070 Kenai, Ak.	
Helen Keppel	Helen Keppel	Box 181 Kenai Ak	
Marvene Sundby	Box 3651	Kenai Ak	
Laura KNACKSTEDT	Box 532	Kenai Ak	
Irene Andersen	Box 309	Kenai AK	
Ora Wilson	" 708	" "	
Nilo A. Kangas	Box 36	Anchor Point, Ak. 99556	
~~Lois Bell~~	~~Box 4[illegible]~~	~~Soldotna Ak~~	
Earl Cass	Box 1403	Seward, Alaska 99664	
Annette Cass	"	"	"
Dorothy Mundell	RT. 1, Box 80	Kenai, Alaska 99611	
JASAMINE PICKETT	Rt 1, Box 1070	Kenai, Alaska 99611	
Jasamine Pickett	Rt Box 1070	Kenai, Alaska 99611	
Archie RAMSELL	Archie Ramsell	C-Hoe AK 99570	
Jim Taylor	Jim Taylor	Box 1355 Seward, Ak 99664	
C. Bernice Davis	C. Bernice Davis	Box 1364 Seward AK 99664	
Caroline Toloff	Caroline Toloff	Box 482 Seward AK	

A Petition for A "FAIR SCIENTIFIC TEST FOR LAETRILE, (VITAMIN B-17)

19

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Carl M. Hallstead	Carl Hallstead	Star Rt A Box 11 Homer Ak	1-29-76
Mildred Nordby	Mildred Nordby	Box 121 Homer, Alaska	1-29-76
Jean Shultz	Jean Shultz	Star Rt A 95 Homer Alas	1-29-76
Lillian Walli	LILLIAN WALLI	Homer Box 1266 Homer Alaska	
Wilma Williams	Wilma Williams	Sterling Rt Homer Ak	99603
Esther Webb	Homer	St Rt A #73	9603
Vega C Pratt	Vega C Pratt	Box 372 Homer Alaska	1-29-76 99603
NORMAN NELSON	Norman Nelson	S.R.B Homer	99603
VIOLA M COOPER	Viola M Cooper	P.O. Box 542	Homer 99603
ARNT NELSON	[illegible]	[illegible]	[illegible]
HOWARD WICKERSHAM	[illegible]	Box 1313 Homer	
Paul R Cooper	[illegible]	[illegible]	
Betty Friedman	Betty Friedman	Box 64 Star Rt A	Homer Ak
Ruth W. Newman	RUTH W. NEWMAN	Box 342 HOMER AK	99603
Ida Sigler		1130 Hyder anchorage	99501
Joan Hillary	Joan Hillary	Box 630 Kenai Ak	
Richard G. Hillary	Richard G. Hillary	Box 1030 Kenai, Alaska	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA ROSE, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

20

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Betty McGahan	Betty McGahan	Box 8007 NRB	1/26/76
Jackie McEwen	[illegible]	Box 1007 [illegible] (99611)	1/26/76
Vida Wik	Vida Wik	Box X Nikiski Bx Kenai	1/26/76
Jordan N. Wik	Jordan N. Wik	Box Y NRB Kenai	1/26/76
Alfred Wik	Alfred Wik	Box X Nikiski Bx	1/26/76
Virginia Erickson	Virginia Erickson	Box 2672 Kenai Ak 99611	1/27/76
Edward R W Erickson	Edward R W Erickson	Box 3616 Kenai AK	1/27/76
Hayward Wik	Hayward Wik	Box 460 Kenai AK	1/27/76
Marion L. Johnson	Marion L. Johnson	Box 7031 - Kenai, AK 99611 Nikiski Beach	1/28/76
Lourdes M. Link	Lourdes M. Link	Box 3672 Kenai, AK	2-2-76
JANICE KING	Janice King	Box 3085 Kenai, AK 99611	
Dorothy Eby	Dorothy Eby	Box 3114, Kenai AK 99611	
CAROL AMBARIAN	Carol Ambarian	Rt 3 Kenai Ak	
Helen M. Metcalf	HELEN M. METCALF	BOX 1075 Kenai ak. 996 11	
Jane Hammond	Jane Hammond	Rt 1 Box 390 Kenai, Ak	
Carolyn Peacock	Carolyn Peacock	Box 455 Kenai Ak	2/2/76
Phyllis Quellette	Phyllis Quellette	Box 92 Kenai Alaska	2/3/76
Norma Fant	Norma Fant	St Rt 1 Box 1244 Kenai	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDIS, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
June Toloff	Mrs. June Toloff	PO Box 7121-Nikishka Kenai, Alaska 99611	1/23/76
Margaret McGahan	Mrs Margaret McGahan	Box 755 North Star Route 1. Kenai Alaska	1/23/76 99611
Sharon Otis	Sharon Otis	Box 7023 NKBr Kenai Alaska 99611	1-23-76
David W. Allred	David W. Allred	Box 2859 Kenai Alaska	1/23/76
Wilma I. Allred	Wilma J. Allred	Box 2859 Kenai Alaska 99611	Jan 23 1976
Crystal G. McGahan	Crystal G McGahan	North Star Rt#1-936	Kenai Alaska
Ann Smith	Ann Smith	Box 7030 NRB Kenai Alaska	99611
Donna McGahan	Donna McGahan	Box 23-Rt 1 Kenai Alaska	
Betty J. Renecker	Betty J. Renecker	Rt. Box 695	Kenai Alaska
Rebecca F. Wheeler	Rebecca F Wheeler	P.O. Box 7074 N.P.B	1/03/76 Kenai Ak.
Johnny L. Wheeler	Johnny L. Wheeler	PO Box 7074 N.P.B.	Kenai, Ak.
Patricia Unkie	Mrs C H Unkie	Star Rt 1 Box 955	Kenai
Olga H. Hilleary	Olga H. Hilleary	Rte 1 Box 1030	Kenai
Debra L. Hilleary	Debra Hilleary	Rt 1 Box 1030 Kenai, AK	99611
Charles P. TOLOFF	Charles P. Toloff	PO Box 7121-Nikishka	Kenai, Alaska 99611
Loretta J Moore	Loretta J Moore	RT 1 Box 910	Kenai Alask
Thomas, Walsh	Thomas J Walsh	Box 905 - Kenai	ak. 99611
HENRY BARTOS	Henry Bartos	Box 1079 Kenai	99611

PLEASE MAIL BY MID FEVRUARY 1976 TO:

MISA MIKE, STATE REPRESENTATIVE, STATE OF ALASKA

BOX [illegible] JUNEAU ALASKA 99811

22

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Roxanne Coulter	Roxanne Coulter	Box 8013 NRB	
Cheryl Weedon	Cheryl Weedon	Box 8013 NRB	
DOROTHY LENTZ	Dorothy Lentz	Rt. 1 Box 1335	2-10-76
ELEANOR KIEL	Eleanor Kiel	P.O.B. 957 Kenai Alaska	2-10-76
BERTHA BOTTON	Bertha Botton	P.O.B 386 Kenai ala	2-10-76
M.E. HUFF	Margaret E. Huff	Box 1043 Kenai	
Diana White	Diana S. White	Box 8017 N.R.B. Kenai	2-10-76
Guy T. White	Guy T. White	Box 8017 N.R.B. Kenai	2-11-76
Helge J. JORGENSEN	Helge J. Jorgensen	Box 2002 NRB. KENAI	2-10-76
Katherine A. Shaw	Katherine A. Shaw	Box Rt. 1 Box 335 Kenai, Alaska 99611	2/10/76
CHARLES R. HAWKINS	Charles R. Hawkins	Rt 1, Box 345, Kenai, Alaska 99611	2/10/76
Charles R. Hawkins			
Erma Best	Erma Best	Rt 1 Box 302-C Kenai, AK. 99611	2-10-76
SHIRLEY K HINSON	Shirley K Hinson	Box 7101 N.R.B. Kenai	99611

PLEASE MAIL BY MID FEBRUARY 1976 TO:

MISS BOND, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Howard J. Hunt	Howard J. Hunt	6924 E 6th Ave Anc Ak 99504	1-26-76
CLARENCE E. WALTERS	Clarence E. Walters	2606 E 17th ave Anchorage, Alaska 99504	1/24/76
DONALD I. CHRISTENSEN	Donald I. Christensen	2748 Lore Road Anchorage Ak. 99507	1/26/76
SAM E. DUPRIS	Sam E. Dupris	6721 FOOTHILL DR. ANCHORAGE, 99504	
Fillmore A. Hoak			
FILLMORE A. HOAK	Fillmore A. Hoak	SR Box L-626 PALMER, AK 99645	
Glenn A. Minnich	Glenn A. Minnich	6471 Reed Way ANCHORAGE, ALASKA 99502	
RUBY J. Humphries	Ruby J Humphries	5836 Fiji Anchorage, AK 99507	
Dorothy M. Blackwell	Dorothy M. Blackwell	1441 East 11th Ave Anchorage AK 99501	
WILLIAM E. QUICK	William E. Quick	1338 West 15th Ave, Anchorage, Ak. 99501	
S. Chapman	S. S Chapman	3939 Wisconsin Dr. Anchorage, AK 99503	
JACK B. WRIGHT	Jack B. Wright	1411 OXFORD DRIVE ANCHORAGE, ALASKA 99502	
Lucille E. Rains	Lucille E. Rains	Box 1011C Anchorage, AK 99502	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Bruce "E" Robinson	Bruce E Robinson	SR Box 1187 Chugiak 99567	1-25-76
JIMMY GATOS Jimmy Gatos	Jimmy Gatos	Box 517 EAGLE RIVER	9-25-76
Steven E. Sandberg	Steven E. Sandberg	Box 92 Chugiak 99567	1-25-76
Ron Eggleston	Ron Eggleston	SRB Box 376 Eagle River	1-25-76
Larry C. Hamilton	Larry C. Hamilton	SR Box 1186 CHG AK, AK	1-25-76
ROBERT R. JOHNSON	Robert R. Johnson	P.O. Box 351 EAGLE RIVER, AK	1-25-76
ROBERT G JOHNSON	Robert G Johnson	PO Box 351 EAGLE RIVER AK.	1-25-76
DORIAN KEISER	Dorian Keiser	Box 351 CHUGIAK AK 99567	1-25-76
ORRINE E. HUTTON	Orrin E. Hutton	Box 671 Eagle River	1-25-76
Glenn L. Brown	Glenn L Brown	Eagle River Box 130 Corlast.	1/25/76
Clifford A Angell	Clifford A Angell	Box A-53 Chugiak	1/25/76
JACK L. KENNERSON	Jack L Kennerson	Box 30 White Alice, Eagle River	
FRANKLIN R MCKNIGHT	Franklin R McKnight	Box 163 White/Alice Eagle River	
DARLENE ROBINSON Darlene Robinson	Darlene Robinson	SR. Box 1187 Chugiak	99567
JAMES B CATLIN	James B Catlin	PO Box 543 Chugiak, AK	99567
ANN Catlin Ann Catlin	Ann Catlin	Box 543, Chugiak, AK	99567
Dorothy Johnson	Dorothy Johnson	Box 482 Chugiak AK	99567
Abby Eagar	Abby Eagar	General Delivery Eagle River AK	99577

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH J JUNEAU ALASKA 99811

25

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
WOODRUM, PAUL	Paul E Woodrum	705 W 13th Anch	1/26/76
RUSSELL JAMES C	James C Russell	Box 3-363 ANCHORAGE 99501	
Rogers, Robert T	Robert T Rogers	240 Sand Lewis	1/29/76
Leonard J. Robar	Leonard J. Robar	1921 Sunrise Dr.	1/26/76
John E Stanley	John E Stanley	3246 Minnesota C	1/26/76
MADELYN L. MATHIESON	Madelyn L. Mathieson	Box 511 Eagle River Alaska 99577	1/26/76
ELEANOR H LYNCH	Eleanor H Lynch	3200 W 30th Ave Anchorage AK 99503	1/26/76
C. R. LEWIS	C. R. Lewis	1500 Post Rd Anchorage, AK 99501	1/26/76
ROBERT V. HITES	Robert V Hites	1509 Richardson Hwy	1/27/76
George Lepp	George H Lepp	3402 Cope St Box 2157 Anch 99510	1/31/76
DEBBIE HARRIS	Debbie Harris	1408 W. 27th Anch. AK. 99501	2/3/76
Dorothy JOHNSON	Dorothy Johnson	Box 48 - Chugiak	2/5/76

PLEASE MAIL BY MID FEVRUARY 1976 TO:

REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
GERTRUDE J. VANDERWOOD	Gertrude J Vanderwood	General Delivery Eagle River AK 99577	1-29-76
JANIE LYNN SANDBERG	Janie Lynn Sandberg	P.O. Box 92 Chugiak Al. 99567	1-29-76
JOAN E. MOORE	Joan E Moore	Meadow Creek Box 108 Eagle River 99577	
Marla G. Angell	Marla G. Angell	P.O. Box 453 Chugiak 99567	1-29-76
Donnalee Lizer	Donnalee Lizer	P.O. Box 769 Eagle River	
Cindy Drollinger	Cindy Drollinger	614 Chatanika Loop Eagle River Alaska	1-29-76
Yvonne Ridgley		Box 63	
Joanne Langley	Joanne Langley	Chugiak Alaska 9956?	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

REPRESENTATIVE, STATE OF ALASKA

BOX [illegible] ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Doris Brow Doris Brow	Doris Brow	Anchorage, ak	2/3/76
MARILYN EMBREY Marilyn Embrey	Marilyn Embrey	Anchorage AK	2/3/76
JERRY ANDERSON	Jerry Anderson	BOX 1263, HOMER	2/4/76
Wm. A. Johnson Wm A Johnson	Wm A Johnson	Port Alsworth, Alaska	2/5/76
Dan Stone	Daniel E. Stone	Box 3044 Anchorage, Ak	
Rica Swanson	Rica Swanson	Drawer 3451, Kenai, AK 99611	2/6/76
FRANK Y. SWANSON	Frank Y. Swanson	Kenai, Alaska Drawer 3451 99611	
JOHN D WARD	John D Ward	7610 Maryland Ave, Anch AK 99504	
JOSEPH A ROCHE	Joseph A. Roche	Eklutna Lodge Coffee Cente 99573	
NORRIS G. NIMS JR	Norris G. Nims, J. Miller	Richardson Hwy Copper Center ak	2/10/76
Bernice Sellens	Bernice Sellens	Box 4688 ANCHA	Anchorage ak 99507
Becky L. Defruise	Becky L Defruise	Box 714 Chugiak	
PATRICK J. STEPHAN	Patrick J Stephan	101 E. Int'l Airport Anch, AK	
PAMELA K. STEPHAN	Pamela Stephan	101 E Int'l Airport Anch. AK	
Bernhard von Keitz Bernhard von Keitz		S R H Box 83 Anchorage Ak 99507	
MARY L VON KEITZ		SRH Box 89 Anchorage AK. 99507	
ROBERT D. COOPERRIDER	Robert D Cooperrider	BOX 1061 PALMER, AK. 99645	
MARGARETE. COOPERRIDER	Margarete Cooperrider	Box 1061 Palmer Ak 99645	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

JOHN BUSH, STATE REPRESENTATIVE, STATE OF ALASKA

BOX 1 BARROW, ALASKA 99811

PROPOSED LEGISLATION 1976

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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1. EVERY CITIZEN OF THE STATE OF ALASKA IS ENTITLED TO SEEK MEDICAL TREATMENT OF HIS CHOICE AND EVERY MEDICAL DOCTOR IN THE STATE OF ALASKA IS ENTITLED TO GIVE TO HIS PATIENT THEIR MUTUALLY AGREED UPON TREATMENT AND SHOULD BE RESTRICTED ONLY IF THE TREATMENT IS CONCLUSIVELY PROVEN HARMFUL TO THE PATIENT.

2. NO CLINIC, HOSPITAL, NURSING HOME OR ANY OTHER FACILITY OF LIKE KIND WHERE MEDICAL TREATMENT IS GIVEN SHALL INTERFERE WITH OR REFUSE TO ALLOW ANY TREATMENT PRESCRIBED BY ANY MEDICAL DOCTOR AND DESIRED BY THE PATIENT UNLESS SUCH TREATMENT IS CONCLUSIVELY PROVEN TO BE HARMFUL. ANY SUCH FACILITY WHICH INTERFERES WITH OR REFUSES TO ALLOW SUCH TREATMENT SHALL UPON CONVICTION, BE FINED NOT LESS THAN $5,000. NOR MORE THAN $25,000. FOR SUCH INCIDENT, AND UPON CONVICTION SHALL HAVE ITS LICENSE SUSPENDED UNTIL COMPLIANCE WITH THIS ACT HAS BEEN MADE AND SHALL PAY A FINE OF $500 PER DAY UNTIL COMPLIANCE IS MADE, AND SUCH DOCTOR OR PATIENT SHALL HAVE FULL RIGHTS TO SUE THOSE RESPONSIBLE FOR DAMAGES CAUSED HIM.

3. NO PERSON, GROUP, ASSOCIATION, NOR ANY ORGANIZATION MAY INTERFERE WITH A MEDICAL DOCTOR'S RIGHT TO PRESCRIBE OR ADMINISTER ANY MEDICAL TREATMENT HE FEELS IS BENEFICIAL TO HIS PATIENT EITHER PHYSCIALLY OR MENTALLY. ANY PERSON, GROUP, ASSOCIATION OR ANY ORGANIZATION WHO INTERFERES WITH A MEDICAL DOCTOR AS TO HIS TREATMENT OF A PATIENT (UNLESS SUCH TREATMENT IS CONCLUSIVELY PROVEN HARMFUL) BY CAUSING LOSS OF MEMBERSHIP IN THAT GROUP, ASSOCIATION, ORGANIZATION, LEVYING OF FINES, WITHHOLDING PRIVILEGES, OR CAUSING LOSS OF MEMBERSHIP IN THAT GROUP, ASSOCIATION, ORGANIZATION, LEVYING OF FINES, WITHHOLDING PRIVILEGES, OR CAUSING CENSORSHIP, OR IN ANY WAY DOING HARM TO THAT MEDICAL DOCTOR SHALL, UPON CONVICTION, BE FINED NOT LESS THAN $5,000. NOR MORE THAN $25,000. FOR EACH INCIDENT, AND SHALL HAVE ITS LICENSE SUSPENDED UNTIL SUCH TIME AS THESE ACTS HAVE CEASED, WITH AN ADDITIONAL FINE OF $500. PER DAY UNTIL SUCH ACTS HAVE CEASED AND SUCH DOCTOR OR PATIENT SHALL HAVE FULL RIGHTS TO SUE THOSE RESPONSIBLE FOR DAMAGES CAUSED HIM.

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
B. D. LAYMAN, D.D.S.	B.D. Layman DDS	322 Muldoon Anch. 99504	1-24-76
Peggy Bohannon	Peggy Bohannon	Box 8-9185 99508	1-24-76
Floyd Saone	Floyd Saone	Box 311 Seward	
George H Lult	George H Lult	P.O. Box 913, Seward, Ak	
Andrew J. Bodnar	Andrew J Bodnar	5805 Starkey Anch. Ak.	26 JAN 76
KITTY MERSHON	Kitty Mershon	101-DAVIS ANCHORAGE 99504	1-26-76
Fawn TIMBROOK	Fawn Timbrook	101-DAVIS ANCHORAGE 99504	126-76
Marie Choatwood	Marie Choatwood	741 N. Klevin Anchorage 99504	
PAULINE BROWN	Pauline Brown	901 East 6th Ave Anchorage AK 99501	
Mrs. D L Sinford	Mrs D L Sinford	PO Box 352 PALMER ALASKA	99645
ROBERT N. HOFFMAN	Robert N Hoffman	ANCHORAGE, AK 99504 2055 SHOPPATORIA DRIVE	(1-27-76)
Mrs Grace Upham			
Ethel C Bottcher	Ethel C Bottcher	PO Box 943 Seward AK 99664	1/29/76
DIANE DU BEAU Dean DuBeau	341 No. TAYLOR ANCH. AK		
Freddie Wiebe	3424 Robin, Anch, Alas, 99504		
Mary Jay	3818 Shannon Cir		

PLEASE MAIL BY MID FEBRUARY 1976 TO:

REPRESENTATIVE, STATE REPRESENTATIVE, STATE OF ALASKA

BOX [illegible] JUNEAU, ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
LINDA M. WLAYSEWSKI	Linda M. Wlayseuski	7800 DeBarr #248(99504)	2-17-76
HOWARD I. SHERMAN	Howard I. Sherman	6941 Towers 99502	2/18

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
ERNEST W TIEMANN	Ernest W Tiemann	Nunachuk Ak	2-2-76
VICKY COOPER	Vicky Cooper	Nunlchik	2/2/76
LOUIE KUSKOKOFF	Louie Kuskokoff	Nindchik	2/4-76
Marion G Hylen	Marion H. Hylen	Nunachuk	2/4/76
Louise Murray	Louise Murray	Nunachuk 99639	2/4/76
John N Hylen	John N Hylen	Box 115 Nunachuk	
Nick Cooper	Nick Cooper	Box 11 Nunachuk	2-4-76
Dean Kuskokoff	Dean Kuskokoff	Box 124 " "	2-5-76
Roger Thompson	Roger Thompson	Box 14 Nunachuk	2-5-76
Leo P. Hoff	Leo P. Hoff	Box 21 Nunachuk	2-5-76
Cecil Demidoff	Cecil Demidoff	Box 53 Nunachuk	2-5-76
MARIANNE MURTO	Marianne Murto	Box 133 Nunachuk	2-5-76
Gus B Hanson	Gus B Hanson	Box 132 Nunachuk	2-5-76
Pauline J. Hanson	Pauline J. Hanson	Box 132 Nunachuk	2-5-76
Joseph Curtis	Joseph Curtis	Box 15 Nunachuk	2-5-76
Andrew Cooper	ANDREW COOPER	Gen. Del. Nunachuk	2-5-76
[illegible]	[illegible]	Nunachuk	2-6-76
Emma L. McCune	Emma L McCune	Box 7 Nunachuk AK	2-6-76
Cecilia J HERMAN	Cecilia J Herman	Box 13 Nunachuk	2-6-76
Agatha Johnson	Agatha Johnson	Box 125 Nunachuk	2-7-76
DONALD L. McCUNE	Donald L McCune	Box 56 Nunachuk	2-9-76

Mail on or before February 15, 1976 to: Lisa Rudd, State Rep. Pouch V, Juneau

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
HARRY MILLS	Harry Mills	PO Box #183 Anchor Point, Aka	2/6/76
MARTHA MILLS	Martha Mills	POBox #183, Anchor Point, Aka	2/6/76
Viola Hansen	Viola Hansen	POBox 132 Anchor Point	2/6/76
JOHN R HANSEN	John R Hansen	POBox 132 Anchor Pt.	2/6/76
Carl C Johnson	Carl C Johnson	Box 18 Anchor Point	2/6/76
Gordon Stoddard	GORDON STODDARD	Box 133 ANCHOR PT	2/6/76
ALTA L. KALLMAN	Alta L. Kallman	Box 51 Clam Gulch Pt.	2/7/76
Milo KALLMAN	Milo Kallman	Box 51 Anchor Point	2/7/76
WANDA F BONILLAS	Wanda F Bonillas	Box 2582 Kenai, AK	2-8-76
DONALD J BONILLAS	Donald J Bonillas	Box 2582 KENAI, AK	2-8-76
Michael Kallmanyk	MICHAEL KALLMANYK	Box 93 CLAM GULCH AK	2-9-76
CHARLES VILLA	Charles Villa	BOX 24 CLAM GULCH	2-9-76
James E. Ciallela	James E Ciallela	Box 68 Clam Gulch	2-9-76
Ray LaFrenere	RAY LAFRENERE	BOX 3 CLAM GULCH	2/9/76
Hope L. Alexander	Hope Alexander	Box 7 Clam Gulch	2/9/76
George A Cobin	GEORGE A CEVIN	BOX 8 TLASILOF	99610
Nikola Cevin	NIKOLA CEVIN	BOX 8 KASILOF	99610
Lorraine Cravens	Lorraine Cravens	Box 86 Clam Gulch	2/10/76
W. James Cravens	W. James Cravens	Box 92 CLAM GULCH	2/10/76
Elmer I Wood	Elmer I Wood	Box 11 Clam Gulch AK	2/10/76
~~Larry Wall~~ Larry Wall	Larry Wall	Box 6 CLAM Gulch, AK	2/10/76
Rogue Kaberle	ROGUE KAEBERLE	Box 203 Kasilof AK	2/10/76
Theresa Ciallela R.N	Theresa Ciallela R.N	General Delivery	2/6/76

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Mary Ann McBride	Mary Ann McBride	Star Rt 17 Box 38 Homer-Ak	2/2/76
Mickey Rosi	Mickey Rosi	Box 354	2/4/76
Frances C. Van Sandt	Frances C Van Sandt	Lt St Rt. A Box 21A	2/4/76
Wilma L. Hill	Wilma L. Hill	Gen. Del. Homer, Ak.	2/4/76
William R. Schlecht	WR Schlecht	Homer, Alaska.	2/4/76
Truman E PADGETT	Truman E Padgett	P.O. Box. 856 HOMER	2/5/76
Rita Lo Shoultz	Rita Lo Shoultz	Box 873 Homer	2-5-76
Elvin Lewis	ELVIN LEWIS	Po Box 1344 Homer	2-5-76
LORENE LEWIS	Lorene Lewis	Box 1344 Homer Ak	2-5-76
Linda K. Gjerdrum	Linda K. Gjerdrum	Box 149 Homer, Ak	2-5-76
SHARON L. DESALFO	Sharon L. DeSalfo	H.C. 2 D.C. Homer AK	
Julie Cesarini	Julie Cesarini	SRA - Box 19A	2-6-76
Guy I Rosi	Guy I Rosi	Box 354 Homer Ak	2/7/76
Kenneth C. Eby	KENNETH C. EBY	Box 667 HOMER	2/9/76
Emma G. Eby	Emma G. Eby	Box 667 Homer	2/9-76
Jeanne K Cadkins	Jeanne K Cadkins	SRA Box 20 Homer	2/10/76
Joe Ostrosky	Joe Ostrosky	SRA Box 65 HOMER	2/10/76
JESSIE L NELSON	Jessie L Nelson	Box 1113 Homer	2/10/76
VIRGINIA L. THOMAS	Virginia L. Thomas	LC Box 1282 Homer, Ak	2/10/76
VERA BJERREGAARD	Vera Bjeregaard	PO Box 585 Homer AK	2/11/76
FRANCES G. THOMPSON	Frances G Thompson	PO Box 548 Homer, AK 99603	2-13-76
HAROLD H. HUSSEY	Harold H Hussey	Box 177 Homer Alaska	2-13-76
TESSIE C SCROGGS	Tessie C. Scroggs	Box 1212 Homer, Alaska	2-13-76
LORI HILLS	Lori Hills	Box 151 Homer Ak	2-13-76
Donald Hebel	DONALD HEBEL	Box 885 Homer ak	2-14-76
GAYLE L. SIMCOE	Gayle L Simcoe	Box 1213 Homer Ak	2-14-76
DOUG D. CARDS	Doug Cards	Box 1916 " "	2-14-76
DENI Hollis	Deni Hollis	Box 555 Homer	2-14-76
Loatha K Williams	Loatha K Williams	241 N. Hoyt Anchorage Alas.	2-14-76

Mail on or before February 15, 1976 to: Lisa Rudd, State Rep. Pouch V, Juneau

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
HARRY FEVER	Harry Fever	Box 457 Homer Alaska	2/1/76
Edna N. Lyon	Edna N. Lyon	Box 93 995-10 Anchorage, Alaska	2-5-76
GEORGE C. DANBY	George C Danby	Box 582 Homer, Alaska 99603	2-6-76
Alice M. Danby	Alice M Danby	Box 582 Homer Alaska 99603	2-6-76
Linda M Newman	Linda M Newman	Homer Alaska 99603	2-12-76
Pearl E Saling	PEARL E SALING	Box 488 Homer, Alaska 99603	2-12-76
Margaret J Anderson	Margaret J Anderson	Box 175 Homer Alaska 99603	2-12-76
[illegible]	[illegible]	[illegible]	2-12-76
KATHIE PAVI	Kathie Pavi	Box 471 Homer Alaska 99603	2-12-76
JILL CARLSON	Jill Carlson	Box 655 Homer, AK 99603	2-12-76
Dennis Hanoski	Dennis Hanoski	Box 686 Homer, Ak.	2/12/76
Dayton Child	Dayton Child	Box 524 Homer. AK	2/12/76
JERRY A. ANDERSON	Jerry A Anderson	BOX 1263 HOMER AK	2-12-76
Sally A. Anderson	Sally A. Anderson	Box 1263 Homer	2-12-76
Gregory N. McCullough	Gregory N McCullough	Box 747 Homer	2/12/76
Carol S. McCullough	Carol S. McCullough	Box 787 Homer	2/12/76
HANS ALBERTSON	Hans Albertson	Box 422 Homer	2-12-76
Miriam L. Knapp	Miriam L Knapp	Box 97 SRA	2/12/76
JOHN F. KNAPP	John F. Knapp	SRA Box 97 HOMER	2/12/76
Linda K. Thorson	Linda K. Thorson	Box 747 Homer AK	2/12/76
Barbara Jean Park	Barbara Jean Park	SRB Box 28 Homer, AK	2/12/76
NICHOLAS J. CANCIL	Nick Cancil	Box 466 HOMER AK.	2/12/76
SUSAN HANOSKI	Susan Hanoski	Box 686 HOMER AK.	2/14/76
MARQUIS CHILD	Marquis Child	Box 524 KLONDIKE HOMER AK	2/14/76
Joyce E Williams	Joyce Williams	Sterling Route Homer	2/14/76
EMIL P. HUDEC	Emil P. Hudec	BUNNELL & OHLSON BOX 271 HOMER AK 99603	2/14/76
CORINA M. HUDEC	Corina M. Hudec	BOX 271. HOMER AK 99603 BUNNELL & OHLSON	2/14/76

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
James Bock	James Bock	Nunalchik Ak	1/7/76
CAROL Bock	Carol Bock	Ninilchik, ak	1/7/76
William E Carlson	William E Carlson	Anchor Point ak	2/8/76
ELLA MAE Mc Lane	Ella Mc Lane	Homer Ak	2-8-76
Peggy A. Hunt	Peggy Ann Hunt	anchor Point Ak	2 8 76
Margaret C. Rucker	Margaret C. Rucker	Anchor Pt, Alaska	2/8/76
JOHN P. RUCKER JR	John P. Rucker Jr	Anchor Point Ak	2/8/76
O. J. McGRANN	O. J. Mcgrann	Homer AK	2/8/76
Judith E Isbell	Judith E Isbell	P.O. Box 903 HOMER AK	2/8/76
Gary R. Isabelle	Gary R. Isabelle	Box 903, Homer	2/8/76
~~Barbara Thomas~~			
BARBARA P. DOWE	Barbara Pino	Box 185 - Ninilchik AK	2/8/76
~~Sybil Boatman~~			
Sybil Boatman	Sybil Boatman	Box 3068 Kenai AK	2/8/76
Walter P Moore	Walter P Moore	Box 314 Amber Point	2 9 76
Peggy Warren	Peggy Warren	" " " "	"

Mail on or before February 15, 1976 to: Lisa Rudd, State Rep. Pouch V, Juneau

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Glud, BERTHA K.	Bertha K. Glud	Bx 181 Nimilchik, Ak. 99639	1-29-76
Bell, Sandra J.	Sandra J Bell	Bx 486 Soldotna 99669 Ak	1-29-76
Harris, Betty J.	Betty J Harris	Box 525 Soldotna Alaska 99669	2-10-76
Elmer E. Caudle	Elmer E Caudle	Bx 449 Soldotna Alaska 99669	2-10-76
Robert E. Glud	Robert E Glud	Bx 181 Nimilchik, AK 99639	2-13-76
LEWIS S CASS	Lewis S Cass	NIMILCHIK AK 99639	
MARTHA M. CASS	Martha M. Cass	nimilchik ala 99639	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDIS, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Sandra Smart	Sandra Smart	416 Forker Ave.	1-20-76
Gary A. Smart	Gary A. Smart	909 Chugach Way #81	1-20-76
Darlan D. Smart	Darlan D. Smart	416 Forker Ave.	1-20-76
Betty E. Smart	Betty E. Smart	615 Lynnwood Dr.	1-20-76
Daniel W. Kendall	Daniel W. Kendall	Box 1108 Eagle River	1-20-76
MELINDA J WEBSTER	Melinda J. Webster	Box 1103 Eagle River	1-20-6
JEAN A. SMART	Jean A. Smart	909 Chugach Way Anch. 99503	1-20-6

PLEASE MAIL BY MID FEBRUARY 1976 TO:

REP. BILL RUSH, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

57

PETITION

WE THE UNDERSIGNED, ATTEST BY OUR SIGNATURES, THAT WE SUPPORT THIS CITIZENS DRIVE FOR A "FAIR SCIENTIFIC TEST FOR LAETRILE." LAETRILE IS PRESENTLY BEING USED AS A LEGITIMATE CANCER DRUG IN 23 FOREIGN COUTRIES.

	NAME (As Registered)	REGISTERED ADDRESS	DATE/ZIP	
	1 Sign Wentsel W Tschoepl	Registered Address Box 173	Date 2 15 76	
	(Print) WENTSEL W TSCHOEPL	City KENAI ALASKA.	Zip 99611	
	2 Sign Vera Tschoepl	Registered Address Box 173	Date 2 15 76	
	(Print) VERA TSCHOEPL	City KENAI, ALASKA.	Zip 99611	
	3 Sign Laura Butler	Registered Address Box 187	Date 2 11 76	
	(Print) LAURA BUTLER	City Kenai, Alaska	Zip 99611	
	4 Sign	Registered Address	Date / /	
	(Print)	City	Zip	
	5 Sign	Registered Address	Date / /	
	(Print)	City	Zip	
	6 Sign	Registered Address	Date / /	
	(Print)	City	Zip	
	7 Sign	Registered Address	Date / /	
	(Print)	City	Zip	
	8 Sign	Registered Address	Date / /	
	(Print)	City	Zip	
	9 Sign	Registered Address	Date / /	
	(Print)	City	Zip	
	10 Sign	Registered Address	Date / /	
	(Print)	City	Zip	
	11 Sign	Registered Address	Date / /	
	(Print)	City	Zip	
	12 Sign	Registered Address	Date / /	
	(Print)	City	Zip	

THIS PETITION IS TO BE FORWARDED TO PRESIDENT FORD, WHITE HOUSE, WASHINGTON, D.C.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Wentsel Tschoepl	W Tschoepl	Box 123 Kenai	2-2-76
WARD Showalter Sr. #2	Ward Showalter	Box 62 Kenai	2-2-76
Sylvia Johnson	Sylvia Johnson	Box 152 Kenai	2-2-76
L.L. STRAUSS	L.L. Strauss	R#3 Kenai	
Bailey Nelson	Bailey Nelson	PO Box 309 Kenai	2-4-76
Laura Butler	Laura Butler	Box 187 Kenai	2-4-76
VERA TSCHOEPL	Vera Tschoepl	Box 123 Kenai Alas.	2-5-76

Mail on or before February 15, 1976 to: Lisa Rudd, State Rep. Pouch V, Juneau 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Doxie M. DeBroeck	Doxie M. DeBroeck	P.O. Box 997 Homer	1-30-76
Joseph P. Griffin	Joseph P. Griffin	Box 1076 Homer	1-30-76
Steve Herbert	Steve Herbert	c/o Gen Del. Homer	1-31-76
Thomas G. Simmons	Thomas G. Simmons	Box 0' Anchor Point	1-31-76
Sheryl A. Clawson	Sheryl Clawson	SRA - Box 3 LD Homer, Alaska	1-31-76
Gerald E Braman	Gerald E. Braman	Sterling Rt Homer	1-31-76
O. E. Eckroate	O.E. ECKROATE	Sterling Rte Homer, AK	2-2-76
LOWELL B. COOPER	Lowell B Cooper	P.O. Box 542 Homer AK	2-2-76
MARK E ERVICE	Mark Ervice	P.O BOX 1152 HOMER AK	2-2-76
Maureen Feeley	Maureen Feeley	PO Box 1152 Homer	2-2-76
CHARLES D. MANN	Charles D Mann	P.O. Box 1220 Anchorage	2-2-76
[illegible]	[illegible]	SRA Box 414 Homer	2/3/76
[illegible]	[illegible]	Gen Del. Homer	2/3/76
OTTO KILCHER	[illegible]	SRA Box 62	2/3/76
DAVID M. Boughton	[illegible]	Box 1042	2/3/76
Henry K. Middleton	Henry K. Middleton	3036 St. AK. Hmr 99603	2/4/76
CHARLES WELLONG	[illegible]	1344 - [illegible] Anch. 99503	2/5/76
PAUL VELSKO	Paul Velsko	BOX 1405 STERLING HWY HOMER, AK. 99603	2/4/76
JIM JACOBS	Jim Jacobs	Sterling Route Homer	2/4/76
Steve Andersen	STEVE ANDERSEN	Box 893 Homer	2/4/76
John T Johnson	John T Johnson	1405 W 46th ANCHORAGE	2/5/76
Shirley J. Hobbs	Shirley J. Hobbs	registered in Fairbanks AK	2/5/76
WAYNE R. Russell	Wayne Russell	624 N Bann Anch. AK 99503	2/5/76
Frances W Roberts	Frances W Roberts	Box 1134 Homer 99603	2/6/76
Peter Roberts	PETER C. ROBERTS	Box 1134 Homer 99603	2/6/76
Jennifer M. Bush	↔ Jennifer M. Bush	Box 60-A Homer 99603	2-6-76
John C. Yerkes	↔ John C. Yerkes	Box 713 Homer 99603	2-6-76
Eugene Horn	Eugene Horn	Box 856 Homer 99603	2/7/76
JOSEPH KIRK JOHNSON III	[illegible]	1005 PEARL FLYNN BLVD	2/9/76
[illegible]	[illegible]	[illegible]	2/9/76

Mail on or before February 15, 1976 to: Lisa Rudd, State Rep. Pouch V, Juneau 99811

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
JOLIE E MASTEN	Colvia Masten	[illegible] Homer Alaska	1-30-76
Elizabeth K Fever	LIZ D FEVER	PO Box 457 Homer 99603	1-30-76
Margret Pate	MARGRET PATE	PO Box 392 Homer AK 99603	1-30-76
John A. Pate	John A. Pate	PO Box 392 Homer, AK	1-30-76
B Kent Mace	B Kent Mace	Box 782 Kenai, AK	2-2-76
MARY D CRESS	Mary D Cress	Halibut Cove Alaska 99603	2-2-76
~~Robert~~ & ROBERT D CRESS	Robert D Cress	Halibut Cove AK 99603	2-2-76
Melva J Hillgs	Melva J Hillgs	Box 163, Homer, AK	2-3-76
[illegible]	DAVID FISHER	Box 631 Homer AK	2-4-76
Ruth Elaine McCullough	Ruth Elaine McCullough	Box 281 Homer AK.	2-4-76
Elsie Albertson	Elsie Albertson	Box 423, Homer, AK	2-4-76
Laura A. Barton	Laura A. Barton	Star Rt. B, Box 20 Homer AK	2-4-76
Barbara M Blaine	Barbara M Blaine	Box 444, Homer AK	2-4-76
Ralph A Johnson	Ralph A. Johnson	Box 703, Kenai, Alaska	2-4-76
Robert L. DITTON	Robert L Ditton	Box 601, Homer Alaska	2-4-76
Katherine L. Gribble	Katherine L Gribble	Box 1206 Homer Alaska	2-4-76
Gisela V. Cadamay	Gisela V. Cadamay	Box 303 Homer AK	2-4-76
TERESA M CALHOUN	Teresa M Calhoun	Box 1234 Homer, AK	2-4-76
SUSAN D SEAFORD	[illegible]	Box 1214 Homer AK	2-4-76
CHARLOTTE MOSS	Charlotte Moss	Box 1206 HOMER AK	2-4-76
EARL BAILEY	Earl Bailey	P.O Box 485 Homer	2-4-76
FRED E CARROLL	Fred Carroll	Box 1127 Homer	2-4-76
Norman L. Stor	Norman L Stor	Box 1287 Homer	2-4-76
Carole E. Mitchell	Carole E Mitchell	Box 1225 Homer	2-4-76
Marion N Waddell	Marion N Waddell	Box 1225 Homer	2-4-76
Stanley R. Sanders	Stanley R Sanders	Star Rt. B, Box 28, Homer	2-4-76
GLORIA M. LORD	Gloria M. Lord	Box 1226 Homer AK	2/4/76
Debra J. TURKINGTON	Debra J Turkington	Box 1181 Homer AK	2/4/76
CLAIRE E. DEITZ	Claire E Deitz	Box 586 Homer AK	2/4/76
~~Raymond~~ RAYMOND D ARNO	Raymond Arno	Box 975 Homer AK	2/4/76
PETREA ARNO	Petrea Arno	Box 975 Homer AK	2/4/76

Mail on or before February 15, 1976 to: Lisa Rudd, State Rep. Pouch V, Juneau 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Joni Reynolds	Joni Reynolds	Anch AK 3309 Dows Place	2/5/76
HELEN M. COWEN	Helen M. Cowen	Anch, AK. 4838 Dyke Manor	2/5/76
Barbara Van Dusen	Barbara Van Dusen	2000 W. 36th #1 Anchorage, AK 99503	2/5/76
WILLARD R. VAN DUSEN JR	W R Van Dusen	2000 W. 36 #1 ANCHORAGE AK 99503	2/5/76
Teresa M. Bailey	Teresa M Bailey	1549 E Tudor Rd Anch. AK. 99507	2/6/76
KATHERINE L. McCRACKEN	Katherine L McCracken	1517 Atkinson Anchorage, AK 99504	2/6/76
Linda L. Selkregg	Linda L. Selkregg	5811 Radcliff Drive	2/6/76
Annabelle Moore	Annabelle Moore	1419 Wintergreen	2/9/76
Carolyn L. Conley	Carolyn L Conley	2102 Blueberry St	2/9/76
Fred M Selkregg Jr.	Fred M Selkregg Jr.	5811 Radcliff Dr 99504	2/9/76
Dale Ostler / Dale Ostler	Dale Ostler	2021 Penntest	2/9/76
Bill Grant	Bill Grant	4801 Canterbury Way	2-9-76
Constance S Merrill	Constance S. Merrill	3903 Dunsmuir Dr 99517	2/9/76
JOHN W. STOEHAKER John W Stoehaker	John W Stoehaker	1830 ALEUTIAN St.	2-11-76
Sandra K. Vincent	Sandra K Vincent	231 E. 46 #2 Anchorage AK 99503	2-11-76

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

BOX V JUNEAU ALASKA 99811

WE, PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE " FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Jacqueline C Taylor	Jacqueline C Taylor	2911 W. 35th	1/20/76
Ruthann Norman	Ruthann Norman	4411 Bayview Ct. Apt. 4-H	1-22-76
ABE GLASER	Abe Glaser	2802 WESLEYAN ANCH. AK.	1/21/76
SANDRA K. GRAY	Sandra K. Gray	Box 10-245 Anch	1-27-76
MARVIN D. PRUETT	Marvin D. Pruett	4107 Garfield Anch. AK.	1-27-76
MARY HORNING	Mary Horning	1205 W. 46th. ; Anch, AK	1-27-76
Theodore R. Birch	Theodore R. Birch	4602 - Garfield St. anch. ak.	
Denis J. Horning	DENIS J HORNING	1205 W 46th An	
WARREN R KITCHENS JR	Warren R Kitchens	2907 LA HONDA ANCH.	1/27/76
JANET KITCHENS	Janet Kitchens	3007 Arctic Blvd SP 4 Anch	1/27/76
HENRY J IVERSON	Henry J Iverson	1403 E 27th Ave Anchorage AK 99504	
Douglas R. Miller	Douglas R. miller	Box 203 Anch. Ak. 99510	1/7/76

PLEASE MAIL BY MID FEVRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

ROOM J JUNEAU ALASKA 99811

43 Lastrile

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
James Kirkendall	James Kirkendall	2439 E 10th Anch	1/26/76
Linda Long	Linda Long	3729 W 61st	1-25-76
Edward Long	Edward Long	3729 W 61st	1-25-76
George J Harris	George J Harris	8421 Dagen St 99502	1-27-76
Betty B Harris	Betty B. Harris	8421 Dagen st 99502	1-27-76
JEFF ROBINS	Jeff Robins	Box 802 Anch. Ak	2/2/76
Michael R. Nilsson	Michael R. Nilsson	915 W 22nd Ave. Anch. Ak. 99503	2/5/76
Leola D. Thome	Leola D. Thome	2439-E. No-Ft Anch. 99504	2/10/76
M.J. Thome	M.J. THOME	2439E. No. 275. BLVD. ANCHORAGE, AK. 99504	

PLEASE MAIL BY MID FEVRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

Pouch V JUNEAU ALASKA 99811

PROPOSED LEGISLATION 1976

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

THEREFORE, WE THE PEOPLE OF ALASKA, PROPOSE:

AN ACT RELATING TO THE "FREEDOM OF CHOICE" IN MEDICAL TREATMENT IN ALASKA.

1. EVERY CITIZEN OF THE STATE OF ALASKA IS ENTITLED TO SEEK MEDICAL TREATMENT OF HIS CHOICE AND EVERY MEDICAL DOCTOR IN THE STATE OF ALASKA IS ENTITLED TO GIVE TO HIS PATIENT THEIR MUTUALLY AGREED UPON TREATMENT AND SHOULD BE RESTRICTED ONLY IF THE TREATMENT IS CONCLUSIVELY PROVEN HARMFUL TO THE PATIENT.

2. NO CLINIC, HOSPITAL, NURSING HOME OR ANY OTHER FACILITY OF LIKE KIND WHERE MEDICAL TREATMENT IS GIVEN SHALL INTERFERE WITH OR REFUSE TO ALLOW ANY TREATMENT PRESCRIBED BY ANY MEDICAL DOCTOR AND DESIRED BY THE PATIENT UNLESS SUCH TREATMENT IS CONCLUSIVELY PROVEN TO BE HARMFUL. ANY SUCH FACILITY WHICH INTERFERES WITH OR REFUSES TO ALLOW SUCH TREATMENT SHALL UPON CONVICTION, BE FINED NOT LESS THAN $5,000. NOR MORE THAN $25,000. FOR SUCH INCIDENT, AND UPON CONVICTION SHALL HAVE ITS LICENSE SUSPENDED UNTIL COMPLIANCE WITH THIS ACT HAS BEEN MADE AND SHALL PAY A FINE OF $500 PER DAY UNTIL COMPLIANCE IS MADE, AND SUCH DOCTOR OR PATIENT SHALL HAVE FULL RIGHTS TO SUE THOSE RESPONSIBLE FOR DAMAGES CAUSED HIM.

3. NO PERSON, GROUP, ASSOCIATION, NOR ANY ORGANIZATION MAY INTERFERE WITH A MEDICAL DOCTOR'S RIGHT TO PRESCRIBE OR ADMINISTER ANY MEDICAL TREATMENT HE FEELS IS BENEFICIAL TO HIS PATIENT EITHER PHYSCIALLY OR MENTALLY. ANY PERSON, GROUP, ASSOCIATION OR ANY ORGANIZATION WHO INTERFERES WITH A MEDICAL DOCTOR AS TO HIS TREATMENT OF A PATIENT (UNLESS SUCH TREATMENT IS CONCLUSIVELY PROVEN HARMFUL) BY CAUSING LOSS OF MEMBERSHIP IN THAT GROUP, ASSOCIATION, ORGANIZATION, LEVYING OF FINES, WITHHOLDING PRIVILEGES, OR CAUSING LOSS OF MEMBERSHIP IN THAT GROUP, ASSOCIATION, ORGANIZATION, LEVYING OF FINES, WITHHOLDING PRIVILEGES, OR CAUSING CENSORSHIP, OR IN ANY WAY DOING HARM TO THAT MEDICAL DOCTOR SHALL, UPON CONVICTION, BE FINED NOT LESS THAN $5,000. NOR MORE THAN $25,000. FOR EACH INCIDENT, AND SHALL HAVE ITS LICENSE SUSPENDED UNTIL SUCH TIME AS THESE ACTS HAVE CEASED, WITH AN ADDITIONAL FINE OF $500. PER DAY UNTIL SUCH ACTS HAVE CEASED AND SUCH DOCTOR OR PATIENT SHALL HAVE FULL RIGHTS TO SUE THOSE RESPONSIBLE FOR DAMAGES CAUSED HIM.

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WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Evelyn Groomer	Evelyn Groomer	Star Route Box 5324 Wasilla Ak	1/31/76
LOGAN GROOMER	Logan Groomer	STAR ROUTE BOX 5324 WASILLA	1/31/76
Wayne Groomer	Wayne Groomer	Star Rt Box 5324 Wasilla	1/31/76

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

(LISA RUDD) PO BOX V JUNEAU ALASKA 99811

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PETITION

WE THE UNDERSIGNED, ATTEST BY OUR SIGNATURES, THAT WE SUPPORT THIS CITIZENS DRIVE FOR A "FAIR SCIENTIFIC TEST FOR LAETRILE." LAETRILE IS PRESENTLY BEING USED AS A LEGITIMATE CANCER DRUG IN 25 FOREIGN COUTRIES.

	NAME (As Registered)	REGISTERED ADDRESS	DATE/ZIP	
	1 Sign Jennie A. Wasey	Registered Address S.R. Box 2630	Date 2 16 76	~~99687~~
\	(Print) Jennie A. Wasey	City Wasilla	Zip 99687	
	2 Sign Nan Eder	Registered Address S.R. Box 2620	Date 216176	
\	(Print) NAN Eder	City Wasilla	Zip 99687	
	3 Sign Robert L Edwards	Registered Address SRA, Box 89	Date 216176	
\	(Print) Robert L Edwards	City ~~SRA Box 89~~, PALMER, AK	Zip 99645	
	4 Sign Carl E. Christiansen	Registered Address Box 344	Date 2 16 76	
\	(Print) Carl E. Christiansen	City Palmer, Alaska	Zip 99645	
	5 Sign Jerry L. Sommers	Registered Address Box 439	Date 2 16 76	
\	(Print) JERRY L. SOMMERS	City PALMER ALASKA	Zip 99645	
	6 Sign Janie Pendergrass	Registered Address S.R. Box S-1040	Date 216 76	
\	(Print) Janie Pendergrass	City Palmer Alaska	Zip 99645	
	7 Sign Diana M. Olson	Registered Address SR.B Box 420	Date 216176	
\	(Print) DIANA M. OLSON	City Palmer, Alaska	Zip 99645	
	8 Sign Floyd W. Foss	Registered Address Box 874	Date 216 76	
\	(Print) Floyd W. FOSS	City Palmer, Alaska	Zip 99645	
	9 Sign Joseph A. Tomczak	Registered Address Star Route Box 792	Date 216 76	
\	(Print) Joseph A. TOMCZAK	City Chugiak, AK. ~~99567~~	Zip 99567	
	10 Sign Bernard Blumenstein	Registered Address Box 746 Palmer ak	FEB 6, 1976 Date 99645	
\	(Print) BERNARD BLUMENSTEIN	City PALMER AK	Zip 99645	
	11 Sign David A. Anderson	Registered Address P. O. Box 656	Date 2 16 76	
\	(Print) DAVID A. ANDERSON	City PALMER ALASKA 99645	Zip 99645	
	Jack L Bush	PO BOX 389	2 6 76	
\	(Print) JACK L. BUSH	City WASILLA, ALASKA	Zip 99687	

THIS PETITION IS TO BE FORWARDED TO PRESIDENT FORD, WHITE HOUSE, WASHINGTON, D.C.

WE, PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE " FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
BEVERLY NOLAN	B.G Nolan	9911 Whitefish Circle, Anchorage	2/4/76
Brian D Nolan	Brian D Nolan	9911 Whitefish Circle, Anch	2-4-76
TERRY D ERICKSON	Terry D Erickson	9931 Whitefish Circle	2/5/76
James S Horner	James S Horner	SRA Box 17311	2-5-76
Pamela Nolen	Pamela Nolen	9926 Whitefish (a) Circle	2/13/76 99502
J.P. Nolan	J.P. Nolan	Box 222 Seward AK.	
Margaret K Nolan	P.O. Box 3-3814 Anch. AK 99501		
James D Nolan	James D Nolan		
PATRICIA A NOLAN	Patricia A Nolan	519 W. 15th 99501	
Karla Donaghey	9930 Whitefish Cir. 99502 AK		
Richard Littell	7210 Abra Dr. Anchorage AK		
Linda Siler	SRA Box 397 Anchorage, Alaska		
Violet Kroll	8340 Dewberry St. Anchorage AK 99502		
Maxine Rabe			
Vera Inez Smallwood	21674 C Apricot A.P.O Seattle 98742		
Anna M Johnson	Box 85 Skagway, AK, 99840		
Walter Johnson	Box 85 Skagway, AK, 99840		
Dorothy Davis	810 Dmy Bldg 21 #573 Anch. AK 99501		
Wm Boatner	425 W - 4th Anch AK 99501		

PLEASE MAIL BY MID FEVRUARY 1976 TO:

MISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

PAUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Alberta V Sprecher	Alberta V Sprecher	505 W 20th Ave Anchorage Alaska	2/14/76
Mabel B Anderson	Mabel B Anderson	213 E 8th Ave #4 Ank AK 99501	
Edward G Bulger Jr.	Edward G Bulger Jr	3007 W 31st Av Anchorage 99503	
MRS JAMES CASH	[illegible]	2131 W 41st Anch 99503	
Cheryl Phillips	Cheryl Phillips	1021 Reindeer Sp #151	2-19-76 99502
Pamela Wood	Pamela Wood	3000 E Dimond Blvd Apt 201	2/14/76
John Phillips	John Phillips	1021 W Dimond Sp #151	
James K Cash	James K Cash	2131 W 41st Anch Alaska	
Leota E. Aigner	Leota E Aigner	2121 W 71st Anch AK 99502	
Wanda C Russell	Wanda C Russell	12911 Troy Anch 99502	
Matthew Courey	Matthew Courey	Los Del Anchorage	
L J Jillson	L J Jillson	1117½ Chugach Way #9 Anch 99502	
Robert C. Jillson	Robert C. Jillson	1117½ Chugach Way - Apt. #9	Anch. 99502
Jo A. Weinstein	Jo A Weinstein	1316 E 5th Ave Anch 99501	
Kay Russell	Kay Russell	SRA Box 1445B Anchorage	99502

PLEASE MAIL BY MID FEVRUARY 1976 TO:

MIKE PUDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
VERNON H. WALLACE	Vernon Wallace	Box 118 Anchor Point	2/6/76
ROSELLA R WALLACE	Rosella R Wallace	Box 118 Anchor Point Ak.	2/6/76
RONALD NORTHEY	Ronald Northey	Box 1451 Homer	2-6-76
Robert W. Lord	Robert W. Lord	Box 724 Homer	2-6-76
William E. Carlson	William Carlson	Box 59 Anchor Point	2/6/76
Dolores B. Frank	Dolores B Frank	Box 75 Anchor Point	2/6/76
Roland Gillette	Roland Gillette	Box 1423 Homer ak.	2/9/76
J.E. MANLEY	J.E. Manley	Box 955 Homer	2-9-76
~~[illegible]~~			
Tonda Jandt	Tonda Jandt	Box 708, Homer	2-9-76
Claudia L. CHILD (CLAUDIA)	Claudia L Child	Box 543 Homer	"
Bruce Turkington	Bruce Turkington	Box 1181 Homer	2/10/76
Robert O. James	Robert O. James	Star Rt A Box 43 Homer	2-11-76
Doris R. JAMES	Doris R James	SRA Box 43 Homer	2-11-76
C.D. Kehder III	C.D. Kehder III	SRA Box 25A Homer	2-13-76
MARJORIE KLEIN	Marjorie Klein	Box 62 Anchor Pt	2-13-76
~~Randel L. Jones~~			
RANDEL L. JONES	Randel L. Jones	ST. RT. A Box 49 Homer	2/13/76
~~Boyd Wagner~~ ROY L MORRIS	Roy L Morris	Box 546 Homer	2/13/76
~~Peter Pregon~~	Peter Peregoin	Sterling Hwy Homer AK	2/14/76
~~Lionel S. Hakenson~~			
LIONEL S. HAKENSON	Lionel S. Hakenson	BOX 42 ANCHOR PT 99556	2/14/76
~~[illegible]~~			
Loretta A. Vahlbusch	Loretta Vahlbusch	Box 458 Homer AK	2/17/76
~~Robert J Ojo~~ Robert J Ojo	Robert J Ojo	Box 802 Homer AK	2/17/76
SANDY K Miller	Sandy Miller	PO Box 1106 Homer	2-17-76
Geretta Lee	Geretta Lee	Box 703 Homer	2/17/75

Mail on or before February 15, 1976 to: Lisa Rudd, State Rep. Pouch V, Juneau

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Debra K. Welsh	Debra K Welsh	Box 136 Chugiak AK	1/27/76
Pamela J. Johnston	Pamela J Johnston	Bo 1191 Chugiak AK	1/29/76
Martha J. Benzel	Martha J. Benzel	Box 132 Citation Rd Eagle River ak.	1/29/76
Elizabeth P. Hill	Elizabeth P. Hill	P.O.Box 531 Chugiak ak.	1-27-76
Evelyn Johnson	Evelyn Johnson	Box 183 Strt Eagle River	1/29/76 99577
Jane Bissell	Jane Bissell	Box 656 Eagle River	1-29-76 99577
Ann Catlin			
Ann Co	Ann Catlin	Box 543 Chugiak 99567	
Ann Petrik			
Ann Petrik	Ann Petrik	St. Rt. Box 484-A Eagle River	99577
Laverne Weger	Laverne Weger	Box 130 Chugiak AK	99567
Lola C Stephens	Lola Stephens	Star Route Box 1058 Chugiak	
Ann M. Lewis	Ann M. Lewis	Box 32 Birchwood Rt. Eagle River	1-29-76
Luella Eggleston	Luella Eggleston	Gen. Del. Eagle River - 99577	1-29-76
Marcella Redmond			
Marcella Redmond		P.O. Box 434 Chugiak, Ak 99567	

PLEASE MAIL BY MID FEVRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

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WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

THEREFORE, WE, THE PEOPLE OF ALASKA, PROPOSE:

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Mary C. Hoffsmith	Mary C. Hoffsmith	2470 Oak Dr. Anchorage Alaska	1/24/76
Gene Layman	Gene Layman	7743 Lake Clark, Anch	1-24-76
MARY LAYMAN	Mary Layman	7743 LAKE CLARK, ANCH	1/24/76
VIRGINIA BROOKS	Virginia Brooks	104 Chagach Dr. Anch	1/25/76
VIRGINIA S. Dodge	Virginia S. Dodge	425 So. Colonist, Palmer, Alaska	1/25/76
MARION WILKINSON	Marion Wilkinson	2943 Nunaka Anchorage	
Royce Brenden	Royce Brenden	7931 Yale Dr Anchorage, Ak	1-26-76
Jan L Dodds	Jan L Dodds	1626 Katrina Cr. Anch	1/24/76
B. van der Weide	B. van der Weide	331 W. 32ND AVE, ANCH	1/26/76
Beverly J. Deaver	Beverly J. Deaver	1012 W 53rd St - Anch.	1/26/76

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDIS, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Denise K. Johnson	Denise K Johnson	1300 Hillcrest Dr.	1-24-76
Sharon L. Crowl	Sharon L. Crowl	120 W. 14th	1-24-76
FREDRICK S. CROWL	Fredrick S. Crowl	120 W. 14TH	1-24-76
REBECCA BROOKS	Rebecca Brooks	4605 Lake Spenard Dr. ANCHORAGE 99503	1/24/76
Sharon J. Vitale	Sharon J. Vitale	4405 Barrow St. #1 Anchorage 99503	1/25/76
Marvin H Reese	Marvin H Reese	2607 Shepherd Dr Anchorage Alaska 99504	1-27-76
W E Arnold	525 W 3rd Ave	Anchorage Alaska 99501	
J. C Arend	James C Arend	Box 160 Juanita Jct Eagle River Ak 99577	
John Grames	John Dramer	1555 H St. Anchorage, AK 99501	
Alan G. Olson	Alan G. Olson	2701 Aspen Dr. Anchorage Ak. 99503	

PLEASE MAIL BY MID FEVRUARY 1976 TO:

MISH RUDIS, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Stephen N. Novak	Stephen N. Novak	Box 240, Star Rte A' Anch, Alaska	1-25-76 99507
Ralph L. Abbott	Ralph L. Abbott	3243 Linden Dr. Anchorage, Alaska 99502	
Noel B. Wilson	Noel B. Wilson	2407 Jesse Rd. #30 Seward Alaska 99664	
OCTAVIA DOUCET	Octavia Doucet	4226 Parsons Anc. ak	99504
Kenn Smith	Kenn Smith	Bx 490-D SRA Anch AK	99507 2/3/76
John Dickens	JOHN DICKENS	6509 CHEVIGNYS ANC AK	99502
James E Cook	James E Cook	Box 1557 S&H Anc AK	99507
Lawrence Lloyd		3610 E 64th ave Anchorage, ak	99507

PLEASE MAIL BY MID FEBRUARY 1976 TO:

REP. BILL RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

FAIRBANKS ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Teddy Gaska	Teddy R. Gaska	Box 634 Homer	2/10/76
CLIFF CALKINS	[illegible]	SRA Box 20 Homer	2/10/76
George W. Kennedi	George W. Kennedi	Elm. Ave. Homer	2/10/76
Steve Thurman	Steve Thurman	Box 1152 Homer	2/10/76
K. L. Schmidt	K. L. Schmidt	Rt. Soldotna	2/12/76
VEL DILLON	Vel Dillon	Box 591 Homer Alaska 99603	2/12/76
PAT TURNER	Pat Turner	Box 591 Homer Alaska 99603	2/12/76
CLIFFORD A. HARRIS	Clifford A. Harris	Box 901 Homer, Alaska 99603	2/13/76
Bobby Strider	Bobby Strider	Box 1023 Homer Alaska 99603	2/13
Laura Richards	Laura Richards	Box 1132 Homer AK	2/13
Chris L. Richards	Chris Richards	" " "	"
Stephen H. Kidder	Stephen H. Kidder	Sterling Rte Box A/C Homer	2/14
E. J. Calonder	E. J. Calonder	Gen Del. Homer	2/14/76
Chas. J. Kunz	CHAS. J. KUNZ	Box 482, Homer	2/14/76
Thomas F Brown	[illegible]	Box 595 Homer	2/16/76

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Merice S. Richner	Merice S Richner	Chugiak	26 Jan 76
Judith Hedinger	Judith Hedinger 15x185	Eagle River	1-26-76
Paula Curtis	Paula Curtis	Chugiak	27 Jan 76
Diane Primis	Diane M. Primis	Star Rt. Box 191-F	27 Jan 76
David Braden	David Braden	58 Eagle St Eagle River	99577
Alma M. Warren	Alma M. Warren	Star Route Box 525 Chugiak, Alaska	
Evelyn Long	Evelyn Long	P.O. Box 26 Eagle R.	1-27-76
Wilma F Taylor	Wilma F. Taylor	P.O. Box 268 EAGLE River	1-27-76
K Horne	K L Horne	PO Box 963 Eagle River	1-28-76
Sylvain LaBelle	Sylvain LaBelle	PO BOX 554-A CHUGIAK	1-28-76
M Rusling	M Rusling	PO Box 384 E.P.	99577
Virginia W. Morton Eugenia L Morton	Virginia Morton	SR Box 206 Eagle River	99577
MARY LIPKINE	Mary Lipkine	SR Box 1187 Chugiak	99567
Mary Lipkine			
ARLENE FROST	Arlene Frost	SR Bx 209A Eagle River	99577
JOSEPH VANHOOS	Joe Vanhoos	P.O. Box 957 Eagle River	99577
Ilona Kolodzik	Ilona Kolodzik	3141 Shoreline, Eagle River	99577
Sally "M"	Peter Cook	Chugiak	
Mary Lee Nicholson	Box 1052	Eagle River, Alaska	99577

PLEASE MAIL BY MID FEVRUARY 1976 TO:

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POUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
LINDA L TREUTEL	Linda L Treutel	SR. Box 3704 Eagle River Ak 99577	1/29/76
Barbara Kachmann	Barbara Kachmann	Box 10-2 Eagle River 99577	1-31-76
Barbara Knutson	Barbara Knutson	SRA Box 148 Palmer AK	1-31-76
Sharon J Womac	Sharon J Womac	St Rt Box 1095 Chugiak	
Eleanor Braendel	Eleanor Braendel	PO Box 474 Eagle River 99577	1/31/76
DONNA J CURTIS	Donna J Curtis	Box 1350 Chugiak Alaska	2/2/76
Franchesca Cozdell	Franchesca Cozdell	Box 246 Chugiak alaska	2/2/76
SUSAN L CROMWELL	Susan L Cromwell	Box 73 Chugiak	2/2/76
Cheryl A Rice	Box 2012 St B Sub Rd Chugiak Alaska		2-2-76
Earl H Klemme	Earl H. Klemme	Box-20 Earl H. KLEMME, MONTE CO. EAGLE RIVER, AK.	
D Jonathan VanZyle	D Jonathan VanZyle	GR Box 1457 - Mile 10 Eagle River Valley Eagle River Alaska, 99577	2-4-76
HILDA KROENER	Hilda E Kroener	P.O. Box 394 Chugiak, Ak	2-5-76
Neoma Jansen	Neoma Jansen	P O. Box 191-C- Alaska 99577	
Jean Hamilton	Jean Hamilton	P.O. Box 155 Chugiak 99567	
Ruth Ann Medenciy	Ruth Ann Medenciy	Box 8 Eagle River, AK. 99577	
Patricia A. Boily	Patricia A. Boily	Gen. Delivery Eagle River AK 99577	
James L VERMILLION		Box 6211 Anchorage AK 99502	2/3/76
LaVay L Parks	LaVay L Parks	Box 145 Man O'War Eagle River 99577	
Steve Primis STEVE PRIMIS	Steve Primis	S.R. Box 191-4 Eagle River 99577	

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Richard S. Mann	Richard S. Mann	Box 2708, Anchorage	2-7-76
Gary L Wilburn	Gary L. Wilburn	Lot 11 Block 3 Eagle River	2-9-76
Rose Groll	Rose Groll	St. Rt Box 216	Eagle River AK 99577 2-9-76
Linda Dahl	Linda A. Dahl	1106 11th St	Auch. AK 99501 2-9-76
(illegible) Bear	(illegible)	(illegible)	(illegible)
Ross Hickman Ross Hickman	Ross Hickman	SR box 188	Eagle River 2-9-76
Shannon Cartwright	Shannon Cartwright	SR box 188	Eagle River 2-9-76
John P Holloway	John P Holloway	Star Route Box 400	Eagle River Alaska 99577
Sherry A Holloway	Sherry A Holloway	Star Route Box 400	Eagle River, AK 99577
Betty M CAMERON	Betty M. Cameron	St Rt Box 230 B	Eagle R. Ak 2/9/76
Donald F Cameron	Donald F. Cameron	St Rt Box 230 B	Eagle R. Ak 2/9/76
Eileen M. Haines	Eileen M. Haines	P.O. Box 672	Chugiak AK 2/11/76
JAMES R. KINSER	James R. Kinser	BOX 8232	MT VIEW 99508 2/10/76
Wanda K. Burkhart	Wanda K. Burkhart	Star Route Box 621,	Chugiak, AK 99567 2/11/76
Shirley A. Dahl	Shirley A. Dahl	P/O Box 466	Eagle River 99577 2/11/76
Dorothy L Drake	Dorothy L Drake	Star Rt Box 625	Chugiak Alaska 99567 2/12/76
Katherine M. Fiedman	Katherine M. Fiedman	Star Rte Box 630	Chugiak, Alaska 99567 2-12-76
Frank Jan III Gould	Frank Jan III Gould	P.C. Box 731	Eagle River, Alaska 99577 2-12-76
Georgene Reekie	Georgene Reekie	Box 109 Fish Hatchery Rd.,	Eagle River AK. 99577 2-12-76

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Alice Wofford	Alice Wofford	3500 Mt View Dr.	2-10-76
Donna E. Hill	Donna E. Hill	302 Seward St.	2-13-76
Jessie M. Patnode	Bessie M. PATNODE	PO Box 442 Cafe Lewis Ak	2-13-76
James B. CATLIN James B. Catlin	James B. Catlin	P.O. Box 543 Chugiak ak 99567	2-13-76
Anna Marie Anderson	Anna Marie Anderson	312 Boreales St E.K. AK 99571	2-14-76
Doretta Kambitsch	DORETTH KAMBITSCH	Box 970 Chug. 99567	
Mrs Ralph Shipman	JoAnne Shipman	SR. Box 31 Eagle River	99577
Jan Shipman	Jan Shipman	Star Rt Box 31 Eagle River	2/14/76
Kathy Thomas	Kathy Thomas	3111 Sanctuary Dr Eagle River	
Larry Crabtree	Larry Crabtree	PO Box 274 Chugiak	2/14/76
Barb Crabtree	Barbara Crabtree	PO. Box 274 Chugiak	2/14/76
Dave Cameron	Dave Cameron	Anchor Ak 99786	2-16-76
Andrew Hercha III	Andrew Hercha	Box 3601 Star Rt. Eagle River Alaska	2-16-76
Thomas Litsenberger	Thomas Litsenberger	Star Rt Box 22 Eagle River ak.	2-16-76
Terry Trudel		5069 Maud Rd E/R	2-16-76
PAUL J. LENTZ SR	Paul J. Lentz	PO BOX 101 Eagle River AK	99577
VERNA M LENTZ	Verna M Lentz	P.O. BOX 101 Eagle River AK	99577
Lois Bentle	Lois Bentle	Palmer Alaska Box 705	99645
Nora Bentli	Palmer alaska Box 705		99645

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Ruby Stogsdill	Ruby Stogsdill	224 So Bunn Anch.	2-2-76
GERTRUDE MARY JOHNSTON	Gertrude Mary Johnston	4520 Parsons Anch.	2/2/76
CANDICE E. GOARD	Candice Goard	Box 1785 SRA ANCH, AK 99507	2/2/76
Mary Kay Olkjer	Mary Kay Olkjer	2611 Satoma Anch	2/2/76
Ethel Jones Ethel L. Jones	Ethel L Jones	337 E 24 anch. ak. 99503	2/2/76
JAMES W. POPE	James W. Pope	4122 Spenard Rd. #11	2/3/76
Robert A. Kenyon III	ROBERT A. KENYON III	POB 4-1255 Anch-AK- 99503	2-3-76
Carlene J. Knoppe	CARLENE J. KNOPPE	Box 956 SRA Anch AK 99507	2-3-76
Judi McPheters	Judi McPheters	2824 Nk Barr Anchorage	2-4-76
LORENE L. EVANS	Lorene L. Evans	Box 467 Anchorage 99510	2-4-76
Susan J. Thalaker	S.J. Thalaker	4911 Roger Rd 99507	2-4-76
Paula English	Paula English	2405 St. Elias Anch.	2-4-76
BEVERLY J. PIERCE	Beverly J Pierce	P.O. Box 3-3758 Anch 501	2/4/76
Kay Pierce		1200 W. 36th Anch AK 99503	2-19-76
DEBRA L. BOLLES	Debra L Bolles	2834 W. 42nd Pl. Anch	2-20-76
M. Lois Spies		6970 Crawford dr City 99502	2-20-76
Clara J Lodge		9336 Blackberry #27 Anchorage Ak 99502	2-20-76
A.V. MARROU	A.V.M	5709 Consort St. Anch, AK 99502	24 Feb 76
Jeanne L. Ferrault	Box 176 Eagle River, AK 99577		27 Feb 76
[illegible]	P.O. Box 2104 Anchorage AK 99510		1 MAR 76

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
LAWRENCE O. TAYLOR	Lawrence O Taylor	3410 E 64th Ave ANCH, ALS. 2-20-76	
Ben R. Moyer	Ben Moyer	6430 Winchester Anc. Ak	2-20-76
GEORGE UHLES	George Uhles	Box 4-2002 ANCH-99509	2-21-76
William J. Hudok	W.J. Hudok	2061 Campbell Pl. Anc.	2-21-76
FRANK Horton	Frank Horton	6630 E 10th Ave Anchorage Alaska	2/21/76
Ralph McFarland	RALPH-McFARLAND	3533 Richmond Alaska	2/21/76
Don CAREY	D Carey	3521 Wisconsin ANCHORAGE ALASKA	2/21/76
WAYNE DAHL	Wayne Dahl	2324 W 66th ANCH AK	2/21/76
JESSE W. LINDALL	Jesse Lindall	7411 BRAUNE DR, ANCH, AK 99502	2/22/76
Charles K Hall	Charles K Hall	662 Snider Drive Anch 99	2/22/76
Ronald W Geisert	Ronald W Geisert	SRA Box 165R Anch 99502	2/22/76
Rodney C. VARNEY	Rodney C Varney	1806 Bartlett Dr. Anc. 99507	2/22/76
DAVID P. HALLERMAN	D. P. Hallerman	SRA Box 1578, ANC. AK 99502	2/22/76
Ronald K. Maletich	Ronald K Maletich	911 W 74th Anc Alaska 99502	
RUDOLPH MARTINCHICK	Rudolph Martinchich	305 RUNNELL ST ANC. ALASKA 99504	2/22/76
Michael E MaHan	Michael E Mahan	2201 Kent Ct Anc Ak 99502	2-22-76
Delbert J. Bailey	DELBERT J. BAILEY - 2619 - COTTONWOOD S.		99504
James E Leedom	James E Leedom	Box 5207 Anchorage, Alaska 99501	
Marian J. Livingston	Marian J Livingston	SRA Box 1578-C Anchorage Alaska 99507	

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Nova P. Wilber	Nova P. Wilber	Anchorage Alaska 2424 Spruce Wood	2-23-76
Brenda Toorbos	Brenda Toorbos	5208 Tekon Dr Elmendorf AFB Alaska	2-23-76
Steven W. Barrows	Steven W. Barrows	4775 7th FAIRBANKS, AK. 99701	2/23/76
Robert C. Erkec	Robert C. Erkec	Box 6523 Anc AK 99502	2/23/76
Jerry S. Riggon	Jerry S. Riggon	4300 Arctic Blvd #23 Anchorage AK 99503	2/23/76
Allan Sax	Allan Sax	716 O St. #A Anchorage Alaska 99501	2/24/76
David Burnell	David Burnell	3540 W 88th ANCHORAGE	2/24/76
Roy B Johnson JR	Roy B Johnson JR	SRA Box 1440	99502
Joseph L. Bruesch	Joseph L Bruesch	SR Box 5114 Eagle River	2/24/76 99577
Robert L Peck		3701 Eureka Spc 26C	2/24/76 99503
Bobby J. Scott	Bobby J Scott	4513 E 8th Anch. AK	2/24/76 99504
HARRY C DURGELOH	Harry C Durgeloh	Box 1393 Star Rte Anchorage AK	2/24/76 99507
ROY ONDOLA	Roy Ondola	SR. Box 876 CHUGIAK, AK	2/24/76 99567
BETTE GAYLOR	Bette Gaylor	101 E 23rd Anchorage, AK	2/25/76 99503
Franklin D Cunningham	Franklin D Cunningham	P.O Box 4-1751 Anchorage AK	2/25/76 99509
CAROL A. DENTON	Carol A. Denton	Box 6530 Anchorage Alaska	2/25/76 99502
Hilton N Townsend	Hilton N Townsend	St. Rt. Box 80 Eagle River	2/25/76, 99577
Forrest L. Cheney	Forrest L. Cheney	Box 4-1307 Anchorage	2/25/76 99509
Melvin L. Bunch	Melvin L Bunch	3202 Spenard Anchorage AK	2/25/76 99503

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John P Cooper	JOHN P. COOPER	BOX 562 HOMER	1/30/76
M. Phyllis Cooper	M. Phyllis Cooper	Box 562 Homer	1-30-76
G. B. ROBINSON	G B Robinson	Box 1273 "	"
Alice K. Robinson	Alice K Robinson	Box 1273 "	1-30-76
JAMES M. HURD	Hurd	Box 628 "	2-2-76
William A. Tingley	William A. Tingley	Box 1237 Homer Ak	2-2-76
Jean Murphy	JEAN MURPHY	Box 597 Homer	2-2-76
R. C. Gamble	R. E. Gamble	Box 897 Homer	2/12/76
Robert V Sewell	ROBERT V SEWELL	BOX 1157 HOMER	2/12/76
Michael Hough	C Michael Hough	Box 291 Homer	2/12/76
JAMES D. SEWELL/JEAN SEWELL	James D. Sewell	Box 1157 Homer	2/12/76

WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
B.E. UMINSKI	B.E. Uminski	Bx 1258 Homer, Ak	2/2/76
JUNE UMINSKI	June Uminski	Box 1258 Homer Ak	2/3/76
K. Hogan	K. Hogan	Box 1035 Homer	2-4-76
Robin L C. Pyle	Robin L C. Pyle	Box 788, Homer	2-16-76

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WE, THE PEOPLE OF ALASKA, BELIEVE IN "FREEDOM OF CHOICE" FOR DOCTOR AND PATIENT AND THEIR RIGHT TO MUTUALLY AGREE ON MEDICAL TREATMENT WITHOUT INTERFERENCE.

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Lulu W. Middleton	Lulu W. Middleton	Box 36 SRA Homer Ak. 99603	2/12/76
JOSEPH E. MIDDLETON IV	Joseph E Middleton	Box 36 ST RTE 4, Homer AK	2/12/76

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
KAREN L SMITHSON	Karen L Smithson	P.O Box 117 Anchor Point AK 99556	4 MAR 76
Kim Stenman	Kim Stenman	Box 26 Anchor Pt.	4 Mar 76
EDWARD C. Jolly	Edward C Jolly	Box 55 Anchor Point AK,	
Pamela J. Jolly	Pamela J Jolly	Box 55 Anchor Point, AK	
Tessa Fran Moore	Tessa Fran Moore	Box X4 Anchor Pt	3/4/76
ELVA GRINER	Elva Griner	Box 56 Anchor Point Alaska	4 MAR. 1976
ELISABETH D. APRILL	Elisabeth D Aprill	Box 127 Anchor Pt AK	3/4/76
John Clabo	John Clabo	Box 12 Anchor Point AK	3/4/76
Melva A. Clabo	Melva A Clabo	Box 12 Anchor Point AK	3/4/76
Helen Engebretsen	Helen Engebretsen	Box 172 Anchor Point	3/4/76
Ed Engebretsen		Box 172 Anchor Pt	3/4/76
JOE L. APRILL	Joe L Aprill	Box 127 Anchor Point	3 Mar 76
LIONEL S. HAAKENSON	Lionel S Haakenson	Box 40 Anchor Point	3/4/76
ESTHER L. HAAKENSON	Esther L Haakenson	Box 40 Anchor Point	3/4/76
Robert E. Clutts	Robert E Clutts	Box 154 Anchor Pt. AK	3/4/76
DUNCAN P. HEDDELL	Duncan P Heddell	Box 76 Anchor Point AK	3/5/76
Frances R Heddell	Frances R Heddell	Box 76 Anchor Point Alaska	3/5/76
Lee Hagen	Lee Hagen	Box 669 Homer, Alaska 99603	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDIS, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Josephine C Olson	Josephine C Olson	Box 52 Anchor Pt. Ak	3-5-76
A K NELSON	A K Nelson	Box 31 Anchor Point	3-5-76
C L Johnson	C. L JOHNSON	Box 18 ANCHOR PT AK 99556	
Daniel L. Murray	Daniel L Murray	Box 106 Anchor PT 99556	
Peggy Warren	Anchor Point Box 34		
Alex Kinic	Alex Kinic	Box 2 Anchor Point	
Keith Nelson	Keith Nelson	Box 31 Anchor Point	3-5-76
John Hunt	John Hunt	Box 208 Anchor Pt AK	3-5-76
LORA L. CRAIG	Lora L. Craig	Box 164 Anchor Pt	3/5/76
AGNES CHURCH	Agnes Church	Box 206 Anchor Pt.	3/5/76
[illegible]	[illegible]	Box 206 Anchor Pt	
WILLIAM A PRESTON	William A Preston Box 3	Anchor Point, AK	
Carol A Black	Box 143, Anchor Point		
W. Kirk Hegdberg	BOX 195 ANCHOR POINT, AK 99556		
Jerry Hanson	PO Box 182 " " " "		
Jane L Symens	PO Box 182 Anchor Point AK 99556		
KENNETH R MOORE	Kenneth R moore	P.O. 84 ANCHOR POINT AK 99556	
Harvey Bell	Anchor Point Ak 99556		
Sarah M. Lightner	Sarah M Lightner	Anchor pt	3/5/76

PLEASE MAIL BY MID FEVRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

POUCH V , JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
1 TODD J. HEYWORTH	Todd J. Heyworth	3705 W. 84th ANCH., AK 99502	1-23-76
KEN W. FREDERICK	Ken W. Frederick	511 W 42ND ANCH. ALASKA 99503	2-28-76
DAN R McINTEHEE	Dan R McIntehee	6973 Cutty Sark Anch Alaska	2-28-76
VICKEY FREDERICK	Vickey Frederick	511 W. 42nd	2-28 76
JUNE HARRIS June Harris	June Harris	P.O Box 8413 99508 Anch AK	2-28-76
TERRIE CROOK	Terrie Crook	P.O Box 8413 99508 Anch AK	2-28-76
BONNIE DAHL	Bonnie L. Dahl	2/28/76 P.O Box 351 - Eagle River ak.	99577
Bernice Sellens	Bernice Sellens	Star Rt-A Box 468-B Anchorage ak	99507
PETER HARRIS	Peter Harris	Box 8413 Anchorage AK	99508
JENN POPE	Jenn Pope	Box 4-1641 Anchorage AK	99509
Diane Cousineau	Diane Cousineau	Box 763 Eagle River AK	99577
JOAN SCOTT	JOAN SCOTT	6731 9 12 Anchorage	99504
Tandy Hanks	Tandy Hanks	Box Box Eagle River	99577
Walter Sellens	Walt Sellens	Box 46BB Star Rt A Anch AK	99507
Jenn Cluff	Jenn Cluff	Talkeetna	99502
Eugene R. Heyworth	~~Eugene R. Heyworth~~	3705 W 84th Anchorage	99502
Sue Heyworth	Sue Heyworth	3705 W 84th Anchorage	99502
Echo Gottenmoyer	Echo Gottenmoyer	2451½ Squire LN. Anch.	3-4-76 99503

PLEASE MAIL BY MID FEVRUARY 1976 TO:

MISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

BOX 1 JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Fred Hamilton	Fred Hamilton	Box 155	2/28/76
James C Voyt	James C. Voyt	2601 Arlington Dr.	2/28/76
October J. Hamilton	October J. Hamilton	Box 155 Chugiak 99567	2-28-76
TRAVIS BAKER Travis Baker	Travis Baker	Box 365 E.R.	2-28-76
Kathleen N. Hamilton	Kathleen N. Hamilton	Box 155 Chugiak	2-28-76
Cynthia Bower	Cynthia Bower	Box 85 Klondike St Chugiak	2-28-76
Adriene M. Delk	Adriene M. Delk	Jayhawk Dr. Box 106, Chugiak AK 99567	2-28-76
DIANA M. McGehee Diana M. McGehee	Diana M. McGehee	6973 Cutty Sark Anchorage Alaska 99502	
Carol Richardson	Carol Richardson	Jayhawk Dr. Box 105 Chugiak AK 99567	
Julia Thomas	Julia Thomas	PO Box 88 Eagle River AK 99577	
Roger Whitaker	Roger W Whitaker	Box 39 Eagle AK 99738	
Gloria Whitaker	Gloria Whitaker	Box 39 Eagle, AK 99738	
CURTIS DAHL	Curtis Dahl	BOX 351 E.R. AK 99577	
John Thomas	John Thomas	BOX 88 E.R. AK 99577	
Delbert Newby Delbert Newby	Delbert Newby	Box 104 E.R. AK 99577	
HAN R McGEHEE	Han R McGehee	6973 Cutty Sark Anch AK 99502	
Paul A Sellens	PAUL A SELLENS	BOX 465 B SKA Anchorage Alaska 99507	
James L. McGehee James R McGehee	James R McGehee	6973 CUTTY SARK ANCHORAGE ALASKA 99502	

PLEASE MAIL BY MID FEBRUARY 1976 TO:

MISS RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
JANICE GRIDDLE	Janice Griddle	Matt Tatsuda	
J T BURTON	J T Burton	7025 Thaffordlane 99504	
T.C. CARTWRIGHT	T.C. Cartwright	[illegible]	

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Don Ruldi	Donald R Ruldi		
Frank C Whitt	Frank C Whitt		
JOHN WILSON JR	John Wilson Jr	3401 W 64	1-21-76
DONNA J CURTIN	Donna J Curtin	6613 LINDEN DR ANCH.	
JOHN R. CORSON	John R. Corson	4332 SEWARD Rd.	
CAROLE V. PARKS	Carole V. Parks	4303 Wilson St	
HUBERT V. ROSS	Hubert V. Ross	4300 HARRISON DR ANCHORAGE	
Lucille Hudd		4225 Spenard Rd, Anchorage AK	
Thomas E. Curtin	Thomas E. Curtin	6613 Linden Dr. Anchorage AK	
RAY STULL	Ray Stull	1607 S.E. 54th ST LACEY Wn. 98503	
JOANN KEITEL	JoAnn Keitel	3513 Creekside #1 Anch. AK.	
Glenn W. Wheeler	Glenn W. Wheeler	112 E 24TH Apt 202 Anchorage AK	
Ed McHuston	Ed McHuston	5706 Denal - ANCHORAGE AK	
V. D. Hawley	V. D. Hawley	801 W. 58th Apt. 1 Anchorage, AK.	
Tony Kaschuk	Anthony "Tony" Kaschuk		
DETLEF HENNING	Detlef Henning	4392 Spenard Rd.	
Charlie Edelen	Charlie Edelen	Box 666 Nikolaevsk, AK. 99502	
William A. Montgomery	William A. Montgomery	9401 Canton Ln. Anchorage, AK 99502	

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
JAY FORREST	Jay Forrest	4332 SPENARD RD	1/23/76
George C. Stinnett	George C. Stinnett	4225 Spenard Rd. #15	
	Don Singleton	1429 DALE RD FBks Dlmx	
June Allen	June Allen	4272 Spenard Rd #5	
WASHINGTON J. DAVIS	Washington J Davis	2807 ASPEN DR	1/22/76
Linda L. Jones	Linda L. Jones	3960 Spenard Rd. #2	1-22-76
Dwayne Manna	Dwayne Manna	3960 Spenard Rd.	1-22-76
John T Reisdorf	John T Reisdorf	3401 W 64th	
Evelyne L. Vaughan	Evelyne L Vaughan	4322 Spenard Rd #6	
Robt SIEFKER	Robt Siefker	538 Lynnwood Dr	
Sam Spaulding	Samuel J Spaulding	3811 W 74 Anc. AK	
Janice Engel	Janice Engel	4332 Spenard Rd. Anchorage	
MURRAY ENGEL	Murray Engel	4332 SPENARD RD	
* AMOS D. NEILL	Amos D Neill	1023 E. 6TH AV. Anch	
LAWRENCE LARRY W. NELSON	Lawrence W. Nelson	2702 Fairbanks	
JAMES Hecks	James Hecks	4332 Spenard Rd. Anch.	
TONY UNSDERFER	Tony Unsderfer	4225 Spenard Rd. #37	
Lydia Beach	Lydia Beach	4225 Spenard Rd #5	

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Ken Shuntaffer	Ken Shuntaffer	9940 Chelatna Cir 99502	
Sandra Dupea	Anchorage Ak.		
William Barnes	8630 Angf St	Anchorage Ak 99502	
Yvonne Taylor	2541 W. 67th Ave	Anchorage 99502	
Lionel Lapla	2541 W 67 Ave	Anch Ak	
Earnest Wilkes	S.R.A Box 186-K	Anch. Ak.	
Leon Fleming	2401 P.O. Box	Lead Fleming Juneau, Alaska	
Albert J. Christ	P.O. Box 2401	Juneau, Alaska	
KENNETH KUSICK	2607 W. 31st	Anch Alaska	
Norman Tusch	4332 Spenard Rd	Alaska	
Walter M Lowery	4610 Interwood Rd	Walter M Lowery	
Lowell Umphrey	19410 Forest Way	Eagle	
Wm F Aldridge	719 Klarne St.	Anc.	
L Bennett	2809 W 43rd		
L Thompson	Bx 4-1583	Anch 99509	
Lynn Kaestner	Lynn Kaestner	4960 Spenard Rd.	
Warren W Woodbridge	4063 Legrand	Rd	
Patricia A. Woods	3811 W. 74th	Patricia A. Woods	

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
BILL SPARKS	Bill Sparks		
Ruth E. Wilkes	Ruth E. Wilkes	SRA Box 186-K ANCH, AK	1-21-76
Mrs. Mrs. Thomas Lanagan	Mrs. Thomas D. Lanagan	Mrs. Thomas D. Lanagan 3805 Indian Anch. AK	
KEN BANZHAF	Ken Le Banzhaf	Po Box 4-1401 Anch AK 99509	
Margaret Banzhaf		3805 Carolina Dr Anch Ak 99503	
Sam Kayhoryuk		1222 Spenard Rd. F25 Anch Ak	
Richard Holland	Richard Holland	Box 4-1655 Anchorage Alaska	
Ed. Bedford		" " " "	
Bill Degenstein		2425 aspen Ln,	
E Long Pi		BOX 131 ANCH. AK 99510	
Ronald Thompson		% Gen Delivery Girdwood AK 99587	
Paul Knight		4111 W 8th Ct. Anc AK 99502	
Paul Engle		3750 Rovanna pl Anchorage 99502	
Carol Daly		2603 Eide St Anch. 99503	
Louise Jackson		4515 E. 5th Anch 99504	
Penny McCarthy		905 Mulkon Rd. Anchorage 99504	
Marika McCarthy	"	" " " "	
BEVERLY Christensen Beverly Christensen		P.O. Box 2401, Juneau, AK - 99803 - 7890480	

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
Darrell R. Zeble	Darrell R. Zeble	5701 E 6th Sp. 179 ANC	1-26-76
Rebecca I. Myers	Rebecca I Myers	3436 Bruce Dr 99503	1-26-76
Patty Cameron	Patty Cameron	Box 48 Seldovia	1-26-76
Lee Judd	Lee Judd	5318 Maria Ct. Anchorage	1-26-76
Anne T. Trimble	Anne Trimble	8628 Emerald	1-26-76
Marie Dibey		9700 Chenega DR	1-26-76
Patty Anderson	Patty Anderson	843 W 11th	1-26-76
Patte Denny	Patte Denny	SRA Box 15518	1-26-76
Cathy McGregor	CATHY McGREGOR	2945 Wendy Way	1-26-76
MARY E. SMALLEY	Mary Ellen Smalley	Seward AK 99587	1-26-76
Helen McNees			1-26-76
Doris Clark	Doris J Clark	3515 Fordham	1-27-76
Matt Gartenhein		3329 Briarcliff Dr. anch.	1-27-76
Patsy L Jamyske		3303 N. 64th ave anch.	1-27-76
Norma Cates		1650 Cates	1-27-76
Kay Roberts		Palmer Ak Gen Del	1-27-76
Stella Powell		3730 Wesleyan Dr	1-27-76
James W. Gallaher		4960 E-5th Anchorage	1-27-76

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(LISA RUDD) BOX U JUNEAU ALASKA 99811

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NAME (PLEASE PRINT)	SIGNATURE	ADDRESS	DATE
PATRICE P. BOEHMER	Patrice P. Boehmer	ANCH 99502 Box 10223 East 8th	Jan 20 1976
Charles R. Harris	CHARLES R. HARRIS	3176 C.T.T.N WOOD ANCHORAGE	1/20/76
Celeste E. Shields	5214 E. 24th Ave. Anchorage		
James L. Shields	5214 E 24th Ave Anchorage AK		
Lena R. McAdams	Lena R. McAdams	3235A McClain Anchorage AK	
Stan Carmichael	PO Box 478 Cook Inlet AK 99611		
Gary P. Lund	1209 Hollywood Dr	apt 596 bldg 28 Anchorage, Alaska 99501	
Barbara Graham	SRA Box 1726M Anch. AK		1-21-76
Richard Rumsey	SR Box 9240 Eagle River AK 99577		1-21-76
PAT LeDONNE	BOX 19 SRA ANCH., AK 99507		
Lillian Thompson	SRA Box 1519C Anch. AK 99502		
ANN GRICE	Ann Grice 1407 W 47th Ave Anch.		1/24/76
Marilyn Patterson	2221 Muldoon Rd, Anch. 99504		
Dick Williams	3819 Young Dr #1. 99504		
Dave Lynch	3820 E 64th Ave Anch AK		
Orlie L Swibach	2121 Douglas Dr.	99503	
Shirley M. English	3416 Dawn Dr Anch. 99504		
Ralph L. Driggs	SRA Bx 1971C Anch. AK.	99507	

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(LISA RUDD) POUCH V JUNEAU ALASKA 99811

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IRENE G RIGGS	Irene G Riggs	Anch. AK	1/22/76
Cynthia M. Wellman	Cynthia M. Wellman		1/22/76
AFTON ANDREWS	Afton Andrews	S.R.A. Box 1573 Anch 99507	1/23/76
Merada Scott	Merada Scott	SRA Box 1573 99507	1/23/76
Donna E. Hill	Donna E. Hill	302 Stewart St. 99504	1-24-76
Celia Stafford		3500 Mt View Dr #9 99504	1-24-76
Peggy Lane		4802 Bryn Mawr 99504	
Jim Sare		4802 Bryn Mawr Ct 99504	
ANTOINETTE LE GRUE		4613 TAFT Rd. Anch AK.	
Della L. Larson		4612 Taft Ld. Anch. AK.	
Della R. Fannin		7800 DeBarr Rd #395 Anch., AK.	
Linda D. Stephens		7800 Debarr Rd #529, Anchorage AK 99504	
Nalani Gerrish	NALANI GERRISH	1011 Boston St. #1	99504
NANCY DOKOOZIAN	Nancy Dokoozian	7732 Anna Circle Anc.	99504
Hda Fannin	Hda L. Fannin	5800 Radcliffe Dr.	
DAVID TAYLOR	David L Taylor	3620 W. 88th	
SABRA PAULUS	Sabra L. Paulus	9720 Peterkin Apt C	
JANETTE BLASINSKI	Janette Blasinski	3927 Bryant Rd Pl #2 Anchorage	99504

PLEASE MAIL BY MID FEBRUARY 1976 TO:

LISA RUDD, STATE REPRESENTATIVE, STATE OF ALASKA

(LISA RUDD) BOX [illegible] JUNEAU ALASKA 99811

HB
886

CROFT & THURLOW
ATTORNEYS AT LAW
SUITE 710 FIRST NATIONAL BUILDING
425 "G" STREET
ANCHORAGE, ALASKA 99501

TELEPHONE 272-3508
AREA CODE 907

CHANCY CROFT
GARY THURLOW

WILLIAM J. BAILEY
OF COUNSEL

March 3, 1976

Child Support SB 659 Enrolled

Susan - This is the letter regarding the Enrolled bill. Anyone who is behind in child support can be brought into court. Ask about SB 659

The Honorable Susan Sullivan, Chairman
Health, Education & Social Services Committee
Pouch V
Juneau, Alaska 99811

Re: Child Support and Child Custody Matters

Dear Susan:

Attached is an order from the Court Trustee to mothers seeking child support payment, dated February 20, 1976.

I do not know what the consequences of this order are, or what the background to it is. However, I do know that our legal system is hopelessly inadequate with respect to protecting rights of mothers who are entitled to child support payments and who are not receiving them.

In most cases, it is uneconomic for an attorney to represent a mother who is having difficulty receiving child support payments. The result is the child support orders are not worth the paper they are written on, and the persons to whom they apply lose all respect for the law. It is absolutely essential that the State of Alaska play a major role in child support matters where the mother does not see fit to rely exclusively upon the services of a private attorney. In most cases, it does not make sense for a mother to seek the assistance of a private attorney, if there are any other alternative means available to her.

Generally, I think it is very important that the State of Alaska provide sufficient services of this kind - counseling, investigating, and similar followup services - where child support payments, child custody matters, child abuse matters and similar family matters are at stake, since the courtroom is the worst possible forum in the world for resolution of issues of this kind. In many cases, there is no way of keeping

the matter from final resolution in the courtroom, but it is critical that without any regard to the parties' financial resources that all of the information needed to make a good decision be obtained in a professional and non-adversary manner and that there be followup of any decision made without regard to the financial resources of the parties.

I do not have any specific suggestion, but I do know that this whole matter of child support payments, child custody and child abuse is a very important thing in the State of Alaska and there is a great deal of damage being done to people's lives every day because of the deficiencies in the system.

I think it would be desirable for your Committee to look into this matter without any preconceived ideas with respect to the proper approaches or solutions, and without any preconceived assumptions as to which branch of government is responsible for certain results, the prerogatives of different branches of government, etc.

As far as I am concerned, the only interests of consequence here are the interests of the children and the convenience of others must take second place.

Maybe you have already done all these things. If not, I would certainly encourage your Committee to look at the matter with the purpose of arriving at a comprehensive solution to a very serious problem.

Very truly yours,

CROFT & THURLOW

Gary Thurlow

Gary Thurlow

GT:drw

Superior Court

State of Alaska

THIRD JUDICIAL DISTRICT

303 K STREET

ANCHORAGE, ALASKA

99501

JAMES K. SINGLETON, Judge
Family Court Division

COURT TRUSTEES and Standing MASTERS
JAMES L. RHOADS
ROBERT D. FRENZ

February 20, 1976

Dear Madam:

This office wishes to inform you of a substantial change in policy. Administrative Bulletin No. 76-2, promulgated by the Administrative Director, Arthur Snowden, prohibits the Court Trustee or other court employees "from exercising prosecutorial functions in the enforcement of Child Support Orders." This means that our function is limited to merely recording payments made, modifying the computer where there has been, for example, emancipation or change of custody of the children, and notification to a delinquent payor of his arrearages. No longer is the Court Trustee able to move the court for an Order to Show Cause or otherwise coerce a father who ignores his responsibility to his children. No longer may the Court Trustee enforce child-support orders.

If you need assistance in enforcing a court's order for child support, I suggest you consult with private counsel, or if you reside outside the state of Alaska, you may petition your Attorney General or District Attorney pursuant to the Uniform Reciprocal Enforcement of Support Act. In addition, you should be advised that Governor Hammond's administration and the state legislature is considering a child-support agency outside the court system which could effectively prosecute irresponsible fathers. You may wish to advise the governor or the legislature of your position and need for child-support monies.

If we can be of assistance, please do not hesitate to contact us; however, please understand that we can in no way threaten, pursuade, or in any way appear to "prosecute" the father of your children regarding child-support monies you feel he may owe you.

Sincerely,

James Lane Rhoads
Court Trustee

JLR/cfs

LAW OFFICES OF
ALASKA LEGAL SERVICES CORPORATION
315 FIFTH STREET, SUITE 8
JUNEAU, ALASKA 99801
TELEPHONE 586-6425

March 12, 1976

MEMORANDUM

TO: Senator Chancy Croft

FROM: Don Clocksin, ALSC DC

SUBJECT: CSSB 659 - Child support enforcement

I. Background.

The present system of collecting child support is divided among three separate agencies. First, the court trustee, who is an officer of the court, keeps a record of all child support orders entered by Judges in this state, keeps a record of all payments made and all delinquencies, and, until recently, went into court on behalf of the person supposed to receive the child support to force the absent parent to pay. See AS 09. 55.210(5) and Civil Rule 67. Second, the state district attorneys have the responsibility for collecting child support for persons residing outside the state under the Uniform Reciprocal Enforcement of Support Act (URESA). See A 25.25.100. Some people also thought that the district attorney had an obligation to prosecute nonsupport actions on behalf of people in this state since they were obliged to enforce state law under AS 44.23. 020(b)(3). Third, the Department of Health and Social Services has the responsibility under federal law to obtain cooperation from welfare recipients in locating absent fathers and bringing paternity or support actions against them.

However, the Alaska Supreme Court has recently issued a decision which rules the system described above illegal and unconstitutional. Public Defender Agency v. Superior Court 534 P.2d 947(Alaska 1975). The court ruled that (1) the attorney general has the authority to prosecute nonsupport actions, but is not obligated to do so, (2) the court trustee may not prosecutesuch nonsupport actions because he/she is an officer of the court, and (3) the public defender is required to represent the defendant in these nonsupport prosecutions.

The court recognized that its decision would create difficulties, since the district attorney's office did not have a sufficient budget to prosecute all nonsupport cases in existence. It suggested a legislative solution as follows:

> "An effective resolution of the problems present in the area of child support can only be made by the legislature through the appropriation of additional funds to the Department of Law for prosecution of contempt proceeding or through the establishment of an independent office charged with the enforcement of support orders."

It is primarily in response to that court's decision, which wiped out the present system for collecting support, which brought about this bill.

Another reason for this bill is the recent enactment of federal legislation which requires the creation of a state agency to coordinate child support collection activities on behalf of recipients of Aid to Families with Dependent Children. The adoption of this bill would satisfy those federal requirements.

II. What this Bill Would Do.

This bill creates a new agency in the Department of Health and Social Services which would have all the responsibilities now fulfilled by the court trustees, the district attorney, and the Department of Health and Social Services. This new Child Support Enforcement Agency would coordinate all of these responsibilities and handle the AFDC and private nonsupport activities as well as the out-of-state (URESA) responsibilities.

With regard to AFDC cases, the agency would comply with these recent federal laws. The bill would also transfer from the recipient of AFDC to the state the right to sue for child support. The purpose of this is to obtain reimbursement for state welfare payments made to the family.

The bill also authorizes this agency to represent private individuals who are unable to collect support from the absent parent. The agency may charge for that service and have the authority to assist in executing judgments and obtaining assignments of wages, etc.

III. Section by Section Analysis.

Section 1. This section creates the new Child

Support Enforcement Agency.

Sec. 47.23.010.-creates the agency in the Department of Health and Social Services.

Sec. 47.23.020.-sets out the responsibilities of that agency.

Sec. 47.23.030.-authorizes the state to sue in place of the recipients of AFDC to collect support for the child. This section contains protections which are required by the new federal laws, and assures that the absent parent will be required to pay only the amount they are capable of paying.

Sec. 47.23.040.-authorizes the agency to bring law suits to establish the paternity of children born out of wedlock.

Sec. 47.23.050.-authorizes the Department of Law to contract with the agency to provide attorneys where needed.

Sec. 47.23.060.-authorizes the court to enter support orders, modify orders where necessary, and require that the parents give a bond or other security to assure that support is paid.

Sec. 47.23.070.-this section authorizes the court to assign the wages of a nonsupporting parent. The assignment would be binding upon that person's employer, and the nonsupporting parent cannot be fired because of this assignment. Under (c) an assignment for child support is given a high priority among other creditors of the nonsupporting parent.

Sec. 47.23.080.-states that the child support payments which are made pursuant to this statute will be made through the new agency unless there is good cause to have them paid directly to the custodian of the children.

Sec. 47.23.090.-once a child support obligation is due and not paid an execution or attachment may be made after the unpaid portion is reduced to judgment. The agency is authorized to execute orders on behalf of children.

Sec. 47.23.100.-this section requires the agency to provide its collection services to any person who has the right to collect child support. If the person is able to pay, the cost of collecting that child support will be charged to them.

Sec. 47.23.110.-these are the definitions.

Section 2. This section amends a section of the URESA statute to authorize the agency to collect past due support by means of execution for arrearages as well as contempt.

Section 3. This section amends the URESA statute to transfer the administrative responsibility from the Department of Law to the Department of Health and Social Services.

Section 4. This section adds four new sections to the URESA statute. In general these new sections adjust to amendments to the Uniform Act which were made in 1968 but never adopted in Alaska.

Section 25.25.171-sets out the procedure for deciding whether or not the defenses raised by the nonsupporting parent are valid.

Section 25.25.173-this section incorporates the civil rules of evidence in URESA hearings, authorizes the modification of support orders from other states, and provides that even if the nonsupporting parent is denied visitation the duty to pay support remains.

Section 25.25.175-this section forces the nonsupporting parent to testify in a URESA hearing by giving that person immunity from criminal prosecution for their testimony.

Section 25.25.177-if the nonsupporting parent alleges that he is not the father of the child, the court must either decide the paternity issue or postpone the URESA hearing until that issue is decided.

Section 5. This section repeals the present statute giving the court trustee the responsibility for child support collection. Civil Rule 67, which also sets out the functions of the court trustee, is presumably repealed by implication because of the Supreme Court case mentioned above.

Section 6. The bill would have a July 1, 1976 effective date.

DEC:btg
cc: Dr. Fred McGinnis
Richard Burnham
Larry Weeks
Mike Frank

The Legislature of the State of Alaska
FISCAL NOTE
First Session - Ninth Legislature

I. REQUEST

Bill No. SS Senate Bill 659 — HB 886

Title: An Act Relating to Child Support Enforcment

Requested by: _____ Date: _____

Return Date Requested: _____

Agency: Health & Social Services Program: Child Support Enforcement

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Child Support Enforcement

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES		116.0	485.9	621.3	683.5	751.8
200	TRAVEL		5.0	13.5	14.8	16.3	17.9
300	CONTRACTUAL		15.0	443.7	488.0	536.8	590.5
400	COMMODITIES		1.5	17.3	19.0	20.9	23.0
500	EQUIPMENT		6.5	37.2	40.9	45.0	49.5
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
800	Miscellaneous		6.0				
	TOTAL	0.0	150.0	997.6	1,184.0	1,302.5	1,432.7

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0.0	37.5	498.8	592.0	651.3	716.3
FEDERAL FUNDS	0.0	112.5	374.1	444.0	488.4	537.3
OTHER - RGF	0.0		124.7	148.0	162.8	179.1

C. POSITIONS:

PERMANENT/TEMPORARY	0/0	7/0	29/0	29/0	29/0	29/0
MAN MONTHS (P./T.)	0/0	84/0	348/0	348/0	348/0	348/0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

As attached.

IV. ATTACHMENTS

V. DATE: 3/19/76 PREPARED BY: _____
CSEA

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Reviewed by Financial Management

For Eugene A. Smith, H&SS Finance Officer

Personnel Costs	Range	Salary +	21% Benefits	FY77 =Cost	FY78	FY79	FY80
Permanent Positions							
Current Permanent Positions Approved				173,180	190,498	209,547	230,502
FY77 Proposed Positions							
CSA Officer III	20S	25,541	5,363	30,904	33,994	37,393	41,113
CSA Officer II	18S	22,057	4,632	26,689	29,357	32,293	35,523
CSA Officer II	18S	24,615	5,169	29,784	32,762	36,038	39,642
CSA Officer II	18S	22,057	4,632	26,689	29,357	32,293	35,523
CSA Officer II	18G	22,555	4,736	27,291	30,020	33,022	36,324
CSA Officer I	16G	19,462	4,087	23,549	25,903	28,494	31,343
Administrative Assistant II	14G	16,793	3,526	20,319	22,350	24,585	27,044
Administrative Assistant I	12G	14,696	3,086	17,782	19,560	21,516	23,667
Administrative Assistant I	12G	16,794	3,526	20,320	22,352	24,587	27,045
Programmer III	17G	20,954	4,400	25,354	27,889	30,678	33,746
CSA Officer Trainee	13G	15,665	3,289	18,954	20,849	22,934	25,227
CSA Officer Trainee	13G	18,068	3,794	21,862	24,084	26,453	29,098
CSA Officer Trainee	13G	15,665	3,289	18,954	20,849	22,934	25,227
Clerk Typist III	8G	11,788	2,475	14,263	15,689	17,258	18,984
Clerk Typist III	8G	11,788	2,475	14,263	15,689	17,258	18,984
Clerk Typist III	8G	11,788	2,475	14,263	15,689	17,258	18,984
Clerk Typist III	8G	12,546	2,634	15,180	16,698	18,367	20,204
Clerk Typist III	8G	11,788	2,475	14,263	15,689	17,258	18,984
Clerk Typist III	8G	11,788	2,475	14,263	15,689	17,258	18,984
Clerk Typist II	7G	11,084	2,327	13,411	14,752	16,277	17,850
Clerk II	7G	11,084	2,327	13,411	14,752	16,277	17,850
Accounting Clerk II	9C	10,260	2,148	12,408	13,648	15,013	16,515
Total Personnel Services		358,836	75,340	434,176	477,621	525,444	577,861
(000's Ommitted)							
Personnel Services Cost				485.9*	621.3*	683.5*	751.8*
Travel				13.5	14.8	16.3	17.9
Contractual				443.7	488.0	536.8	590.5
Commodities				17.3	19.0	20.9	23.0
Equipment				37.2	40.9	45.0	49.5
TOTAL				997.6	1,184.0	1,302.5	1,432.7

* - Includes 20% vacancy in FY77, 7% thereafte

III Analysis

Specific assumptions:

1. The bill, SSSB 659, requires a separate agency to administer the program, with 29 full-time positions. (22 new and 7 existing positions.)

2. From analysis of existing and contemplated caseloads, cases estimated include approximately 3,500 AFDC, and up to 4,500 non-AFDC referrals to total 8,000 cases intitally the first year and about 5,000 cases annually thereafter.

3. Specific fiscal impact on other agencies, by section:

   Section 47.23.030 - No increased fiscal impact on the Division of Public Assistanct (AFDC agency).

   Sections 47.23.040 to the end - These sections require contractual services to the following agencies:

Department of Law	- $221,000
Department of Administration (Computer Services)	- $ 30,000

4. Attached to this analysis is a study further defining major functional processes required to operate an acceptable child support program.

STATE OF ALASKA
DEPT. OF HEALTH AND SOCIAL SERVICES
OFFICE OF THE COMMISSIONER
JAY S. HAMMOND, GOVERNOR
POUCH H 01 – JUNEAU 99811

CHILD SUPPORT ENFORCEMENT AGENCY

SENATE BILL 659: PL 93-647 and PL 94-88

MAJOR FUNCTIONAL PROCESSES REQUIRED

The following processes will be required to operate an effective Child Support Enforcement Agency for Alaska:

I. INTAKE: Activities associated with initial case opening

Referrals from IV-A Agency
Referrals from other states' IV-D agencies
URESA cases
Applications from public-at-large
Court order referrals

II. ESTABLISHMENT OF THE LEGAL OBLIGATION TO SUPPORT: Activities related to determining the absent parent's legal obligation to support his/her dependent children (including paternity determination).

III. LOCATION: Activities associated with locating an absent parent and/or his or her financial assets.

IV. FINANCIAL ASSESSMENT: Activities related to determining an absent parent's support capacity, i.e., ability to pay.

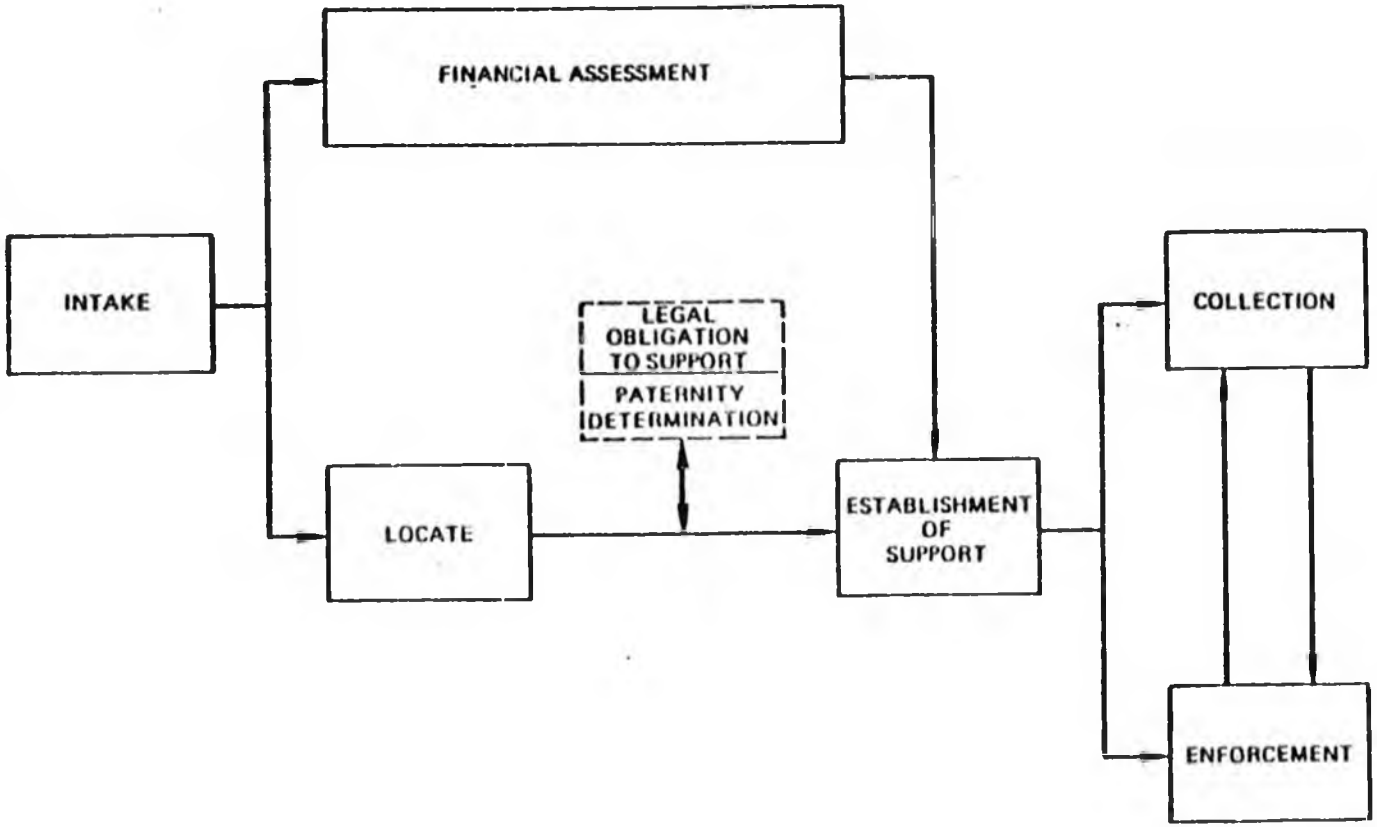
V. ESTABLISHMENT OF SUPPORT: Activities related to establishing an absent parent's support obligation, including methods and terms of payment.

VI. COLLECTION: Activities related to monitoring payment activity and processing cash flow.

VII. ENFORCEMENT: Activities taken to enforce support collection (issuing summonses, preparing complaints and actions for court processing.

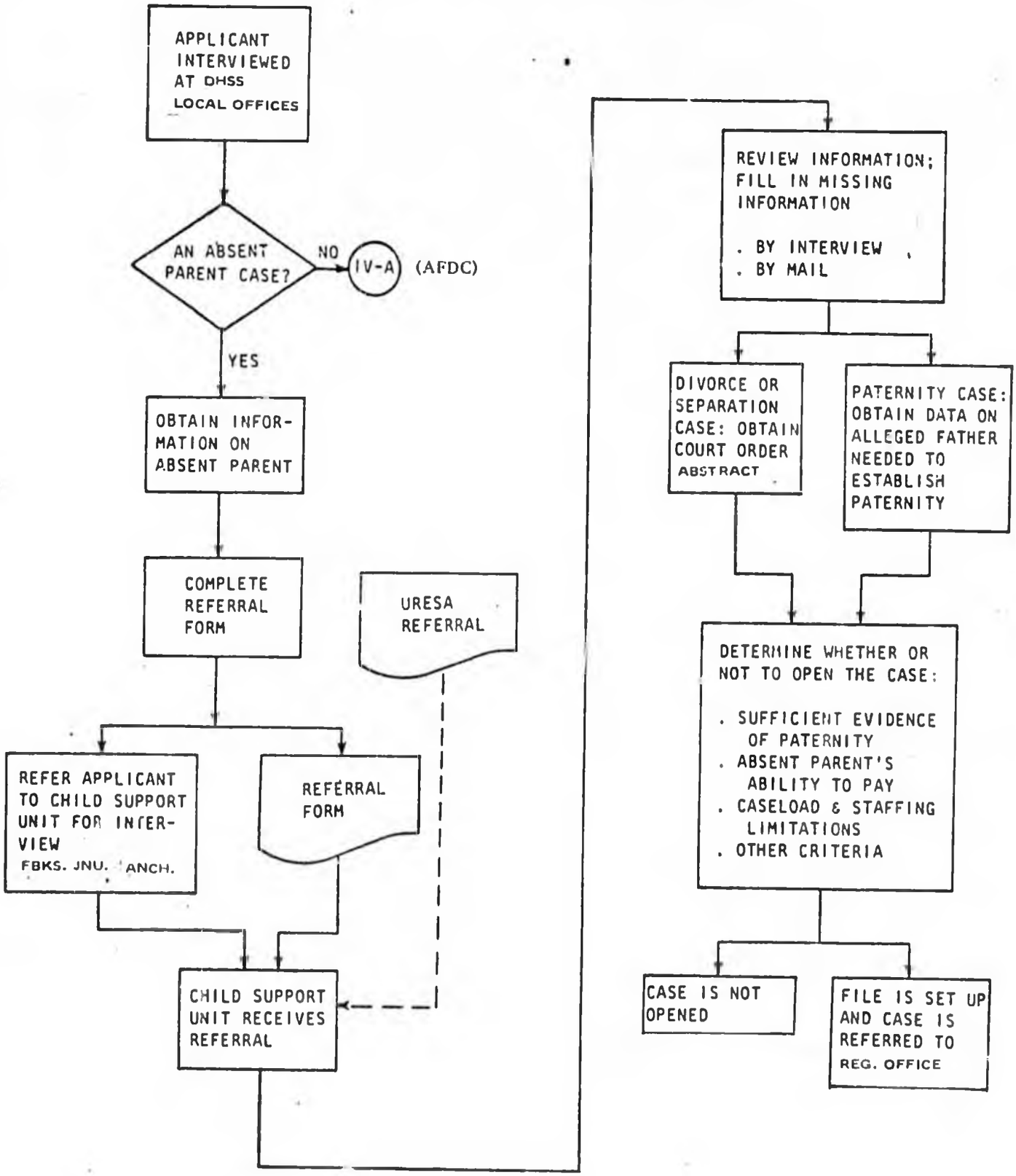
ALASKA

CHILD SUPPORT ENFORCEMENT
FUNCTIONAL PROCESS FLOW



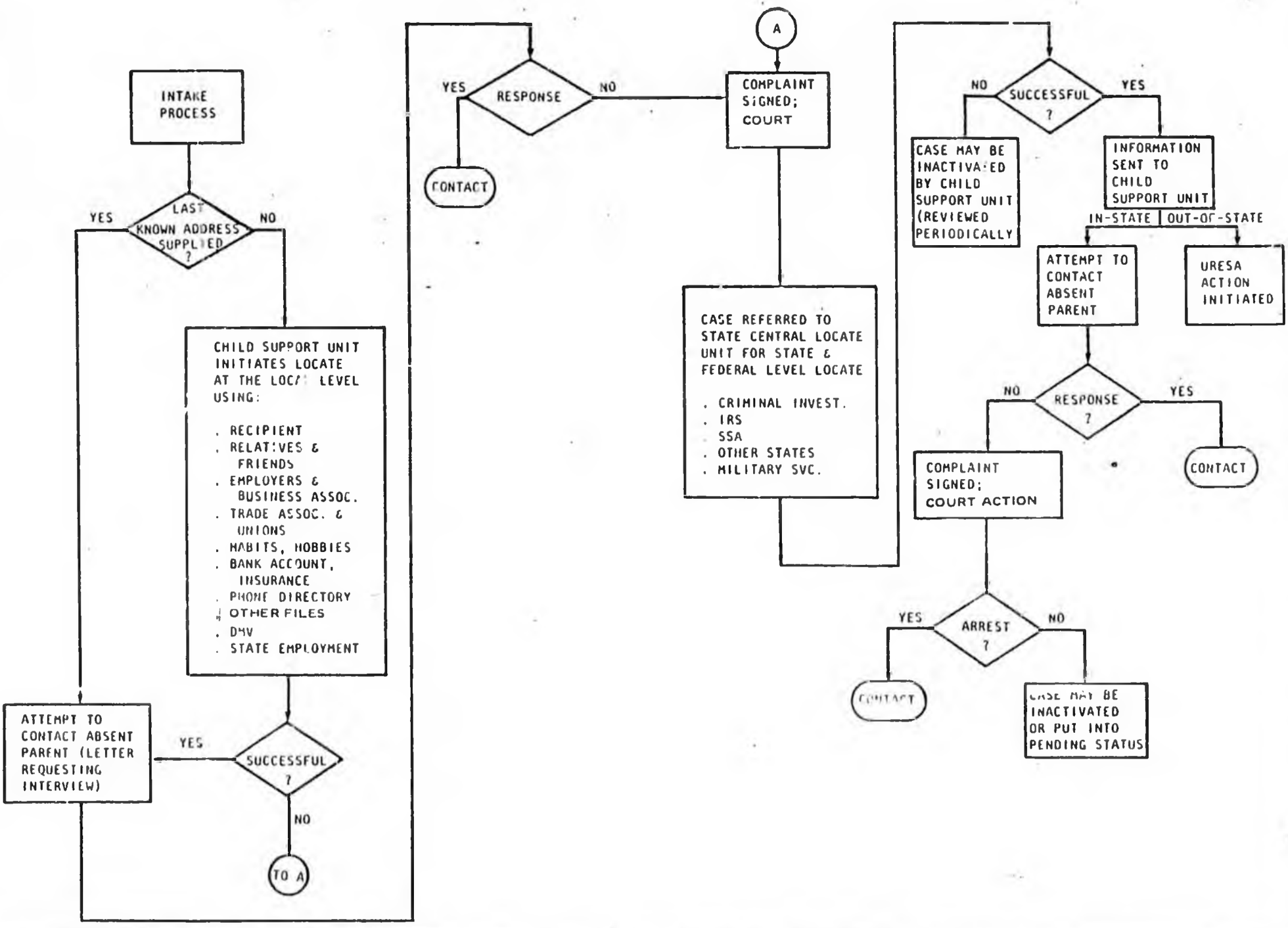
ALASKA CHILD SUPPORT ENFORCEMENT AGENCY

INTAKE PROCESS FLOW CHART



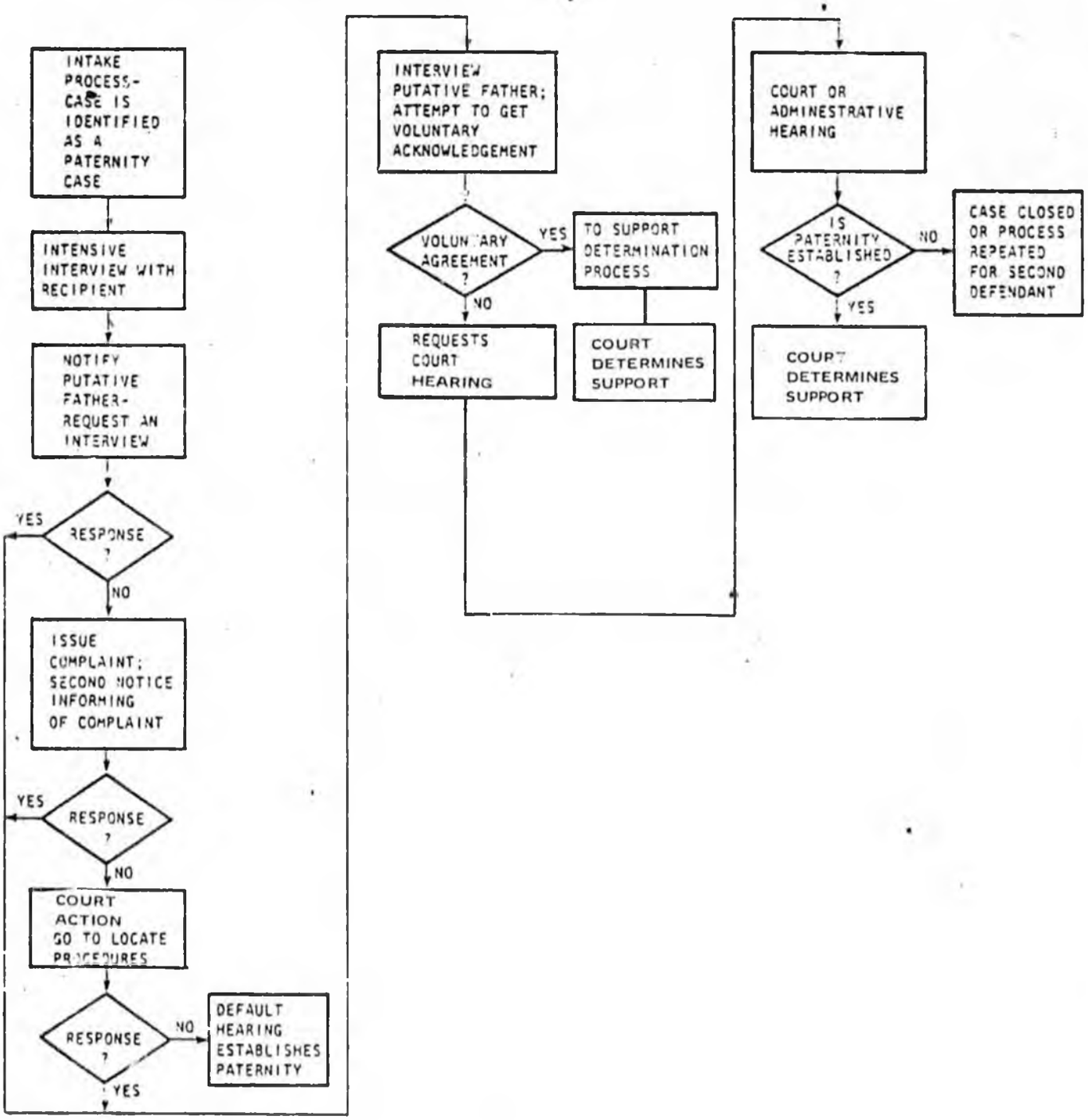
ALASKA CHILD SUPPORT ENFORCEMENT AGENCY

LOCATE PROCESS FLOW CHART



ALASKA CHILD SUPPORT ENFORCEMENT AGENCY

DETERMINATION OF PATERNITY PROCESS FLOWCHART



STATE OF ALASKA
DEPT. OF HEALTH AND SOCIAL SERVICES
OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

POUCH H 01 – JUNEAU 99811

SUMMARY OF REQUIREMENTS FOR STATES

CHILD SUPPORT ENFORCEMENT ACT

UNDER

PUBLIC LAW 93-647
PUBLIC LAW 94-88

and

CODIFIED FEDERAL REGULATIONS: TITLE 45

(Source: "Child Support Data and Materials", Committee on Finance, United States Senate, November 10, 1975. Provisions in Codified Federal Regulations are subjected to revisions from time to time. This material reflects the latest information available to the Department.)

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		Page
I.	STANDARDS FOR AN EFFECTIVE PROGRAM (Part 303 Codified Federal Regulations)	1
II.	SPECIAL PROVISIONS OF PUBLIC LAW 93-647 AND PUBLIC LAW 94-88 APPLICABLE TO AFDC, TITLE IV-A OF SOCIAL SECURITY ACT (Part 232 Codified Federal Regulations)	2-3
III.	CHILD SUPPORT ENFORCEMENT STATE REQUIREMENTS (Part 301 Codified Federal Regulations)	4-13

PART 303

STANDARDS FOR AN EFFECTIVE PROGRAM

		Codified Federal Regulations
I	Maintenance of Case Records	303.2
II	Location of Absent Parents	303.3
III	Establishment of Support Obligations	303.4
IV	Establishment of Paternity	303.5
V	Enforcement of Support Obligations	303.6
VI	Cooperation with Other States	303.7
VII	Adequate Organization and Staff	303.20

PART 232

Special provisions applicable to Title IVA (AFDC) of the Social Security Act.

Paragraph numbers refer to CFR 45

1. Section 232.2 CHILD SUPPORT PROGRAM; STATE PLAN REQUIREMENTS

The State plan must specify that the State (a) has in effect a plan approved under Part D of Title IV of the Act; and (b) operates a child support program in conformity with such plan.

2. Section 232.10 FURNISHING OF SOCIAL SECURITY NUMBERS

The State plan must provide that as a condition of eligibility each applicant for or recipient of aid will be required to furnish to the State or local agency a social security number. If he cannot furnish a SSN (either because such SSN has not been issued or is not known), to apply for such number through procedures adopted by the State or local agency with the Social Security Administration.

3. Section 232.11 ASSIGNMENT OF RIGHTS TO SUPPORT

The State plan must provide that as a condition of eligibility for assistance, each applicant for or recipient of AFDC shall assign to the State any rights to support from any other person as such applicant or recipient may have in his own behalf or in behalf of any other family member for whom the applicant or recipient is applying for or receiving assistance.

4. Section 232.12 COOPERATION IN OBTAINING SUPPORT

The State plan must provide that as a condition of eligibility for assistance, each applicant for or recipient of AFDC will be required to cooperate with the State in:

(1) Identifying and locating the parent of a child with respect to whom aid is claimed;
(2) Establishing the paternity of a child born out of wedlock with respect to whom aid is claimed;
(3) Obtaining support payments for such applicant or recipient and for a child with respect to whom aid is claimed; and
(4) Obtaining any other payments or property due such applicant or recipient of such child.

"Cooperate" includes other specified obligations.

5. Section 232.20 TREATMENT OF CHILD SUPPORT COLLECTIONS MADE IN THE CHILD SUPPORT ENFORCEMENT PROGRAM AS INCOME AND RESOURCES IN THE TITLE IVA PROGRAM (AFDC)

The State plan must provide that in any case in which child support payments are collected for a recipient of AFDC with respect to whom assignment under Section 232.11 is effective, upon notification to the IVD agency of the amount of a child support collection, such amount will be used to redetermine eligility for an assistance payment the first time it is feasible for the IV-A to consider such collections in redetermining eligibility for an assistance payment the first time it is feasible for the IV-A agency to consider such collections in redetermining eligibility for and the amount of the assistance payment. A detailed time constraint is specified.

6. Section 232.20 NEED AND AMOUNT OF ASSISTANCE

Income and resources; OAA, AFDC, AB, APTD, and AABD

The plan must provide that agency licies will assure that in determining the eligibility of an individual for an assistance payment or the amount of such payment, child support amounts which are collected as part of the State's child support enforcement program will be treated in accordance with Section 232.20. Any child support amounts for which an assignment pursuant to Section 232.11 is effective, which are received directly by the assistance unit shall be paid to the State child support enforcement unit.

7. Section 233.90 FACTORS SPECIFIC TO AFDC

A child may not be denied AFDC either initially or subsequently because a parent or other caretaker relative fails to cooperate with the child support agency in performing any of the activities needed to (a) establish the paternity of a child born out of wedlock; or (b) obtain support from a person having a legal duty to support the child. Any parent or caretaker relative who fails to so cooperate shall be treated in accordance with Section 232.12 of the chapter.

8. Section 234.60 PROTECTIVE AND VENDOR PAYMENTS FOR DEPENDENT CHILDREN

If a State plan for AFDC under Title IVA of the Social Security Act provides for protective and vendor payments for other than WIN cases and cases in which the caretaker relative fails to meet the eligibility requirements of Section 232.11 or 232.12 of this chapter, alternate eligibility requirements are provided and specified.

9. Section 235.70 PROMPT NOTICE TO CHILD SUPPORT AGENCY

A State plan under Title IVA of the Social Security Act must provide for prompt notice to the State or local child support agency designated pursuant to Section 454 (3) of the Social Secuity Act whenever AFDC is furnished with respect to the a child who has been deserted or abandoned by a parent. Prompt notice is specified.

PART 301

CHILD SUPPORT ENFORCEMENT PROGRAM
STATE REQUIREMENTS

1. Section 301.10 STATE PLAN

The State plan must be a comprehensive document submitted by the IV-D (Child Support Agency) describing nature and scope of the State program and providing the federal government with a list of technical assurances.

Format: The State plan must be submitted to the federal government in the format and containing the information prescribed, and within time limits set in implementing instructions issued.

Submittal of State plan for Governor's review: The State plan must be submitted to the State Governor for his review and comments, and the State plan must provide that the Governor will be given opportunity to review State plan amendments and long-range program planning projections or other periodic reports thereon.

Approval of State plans and amendments: State plan furnished by the State to cover its Child Support Enforcement program under title IV-D of the Act. After approval of the original plan by HEW, all relevant changes, required by new statutes, rules, regulations, interpretations, and court decisions, are required to be submitted currently so that HEW may determine whether the plan continues to meet Federal requirements and policies.

A specific State plan routing is specified and time frames for approvals are set forth in regulations:

The effective date of a new plan may not be earlier than the first day of the calendar quarter in which a approvable plan is submitted.

An administrative review of federal administrative decisions is provided under regulations. A plan for financial grants to states is detailed in 301.15.

2. Section 302.10 STATEWIDE OPERATIONS

The State plan shall provide that:

(a) It will be in operation on a statewide basis in accordance with equitable standards for administration that are mandatory throughout the State;

(b) If administered by a political subdivision of the State, the plan will be mandatory on such political subdivision;

(c) The IV-D agency will assure that the plan is continuously in operation in all appropriate offices or agencies.

3. Section 302.11 STATE FINANCIAL PARTICIPATION

The State plan shall provide that the State will participate financially in the program.

4. Section 302.12 SINGLE AND SEPARATE ORGANIZATION UNIT

The State plan shall provide for the establishment or designation of a single and separate organizational unit to administer the IV-D plan.

(a) The IV-D agency may be:

(1) Located in the single State agency designated pursuant to Section 205.100 to administer title IV-A of the Act;

(2) Located in any other agency of the State; or,

(3) Established as a new agency of the State.

(b) The IV-D agency shall be responsible and accountable for the operation of the IV-D program. Except as provided in Section 303.20 of the Part, the agency need not perform all the functions of the IV-D program so long as it insures that all these functions are being carried out properly, efficiently, and effectively;

(c) If the IV-D agency delegates any of the functions of the IV-D program to any other State or local agency or official, or any official with whom a cooperative agreement as described in Section 302.34 has been entered into or purchases services from any person or private agency pursuant to Section 304.22 of this Part, the IV-D agency shall have responsibility for securing compliance with the requirements of the State plan by such agency or officials.

5. Section 302.13 PLAN AMENDMENTS

The State plan shall provide that the plan will be amended whenever necessary to reflect new or revised Federal statutes or regulations, or material change in any phase of State law, organization, policy, or IV-D agency operation.

Federal financial participation. Except where otherwise provided, Federal financial participation is available in the additional expenditures resulting from an amended provision of the State plan as of the first day of the calendar quarter in which an approvable amendment is submitted or the date on which the amended provision becomes effective in the State, whichever is later.

6. Section 302.14 FISCAL POLICIES AND ACCOUNTABILITY

The State plan shall provide that the IV-D agency, in discharging its fiscal accountability, will maintain an accounting system and supporting

fiscal records adequate to assure that claims for Federal funds are in accord with applicable Federal requirements.

7. Section 302.15 REPORTS AND MAINTENANCE OF RECORDS

The IV-D agency will maintain records necessary for the proper and efficient operation of the plan, including records regarding:

Applications for child support services available under the State plan,

Location of absent parents, actions to establish paternity and obtain and enforce child support, the costs incurred in such actions;

Amount and sources of child support collections, the distribution of these collections,

Any fees charged or paid for child support enforcement services,

Other administrative costs,

Other information required by HEW;

Statistical, fiscal, and other records necessary for reporting and accountability required by the Secretary of HEW.

The retention and custodial requirements for these records are prescribed in detail.

The IV-D agency will make such reports in such form and containing such information, as the Secretary may from time to time find necessary to assure the correctness and verification of such reports. Detailed audit and record maintenance systems are mandated.

8. Section 302.16 COST ALLOCATION

The State plan shall provide that, the IV-D agency has an approved cost allocation plan on file with the Regional Office which identifies and describes the methods and procedures the State has established for properly charging the costs of administration, services (excluding purchased services), and training activities under the plan in accordance with the Federal requirements set out in 45 CFR Part 74, Appendix C, and in Department and Office regulations and instructions. Detailed requirements are specified.

Federal financial participation. As a condition for receipt of Federal financial participation in administration of the IV-D program for any quarterly period, a IV-D agency's claim for such expenditures must be in accord with a cost allocation plan on file with and approved by the Regional Office for that period.

9. Section 302.17 INCLUSION OF STATE STATUTES

The State plan shall provide a copy of State statutes, or regulations promulgated pursuant and having the force of law (including citations of

such statutes and regulations), that provide procedures to be used in the determination of paternity of a child born out of wedlock, and to establish the child support obligation of a responsible parent, and to enforce such child support obligations.

10. Section 302.31 ESTABLISHING PATERNITY AND SECURING SUPPORT

The State plan shall provide that the IV-D agency will undertake:

(a) In the case of a child born out of wedlock with respect to whom an assignment under Section 232.11 of this title is effective, to establish the paternity of such child; and

(b) In the case of any child with respect to whom such assignment is effective, to secure support for such child from any person who is legally liable for such support, utilizing reciprocal arrangements adopted with other States when appropriate.

11. Section 302.32 CHILD SUPPORT PAYMENTS TO THE IV-D AGENCY

The State plan shall provide that:

(a) In any case in which child support payments are collected for a recipient of aid under the State's title IV-D (AFDC) plan with respect to whom an assignment under Section 232.11 is effective, such payments shall be made to the IV-D agency and shall not be paid directly to the family except as provided in paragraph (b).

(b) As soon as possible but not later than 30 days after the end of a month, the IV-D agency will inform the agency administering the State's title IV-A (AFDC) plan of the amount of the collection which represents payment on the required support obligation for that month as determined in Section 302.51 (a). Upon being informed of this amount, the IV-A (AFDC) agency will determine if such amount is sufficient to make the family ineligible for an assistance payment pursuant to the State's IV-A plan (See Section 232.20 of Chapter II of this Title). If such amount is sufficient to make the family ineligible for an assistance payment, the IV-A agency will notify the IV-D agency of such fact and the IV-D agency must pay such amount to the family in the month for which the IV-A agency had determined that the family is ineligible for an assistance payment except in those cases pursuant to Section 205.10 of this title in which a family is nevertheless entitled to an assistance payment pending the result of a hearing. With such payment the IV-D agency will notify the family if it will continue to collect and distribute current support payments pursuant to Section 302.5 (e) (1) of this part.

(c) If the IV-A agency determines that the amount of the collection which represents payment on the required support obligation for the month does not make the family ineligible for an assistance payment, or if a hearing is requested pursu-

ant to Section 205.10 of this title the IV-A agency will notify the IV-D agency of such fact and the IV-D agency will distribute such amount pursuant to Section 302.51 of this part.

(d) To the extent any amount collected in a month includes payment on required support obligations for past months, that portion of such amount will be distributed by the IV-D agency pursuant to Section 302.51. Other detailed provisions for payment plans are provided.

12. Section 302.33 INDIVIDUALS NOT OTHERWISE ELIGIBLE FOR PATERNITY AND CHILD SUPPORT SERVICES

(a) The State plan shall provide that the child support collection or paternity determination services established under the plan shall be made available to any individuals not otherwise eligible for such services upon application filed by such individual with the IV-D agency.

(b) The State plan may provide for an application fee to be charged each individual who applies for services under this section. If the State elects to charge a fee, the State plan shall specify either:

(1) A flat dollar amount not to exceed $20 to be charged each applicant; or,

(2) A fee schedule to be used to determine the fee to be charged each applicant, based on each applicant's income and will be designed so as not to discourage the application for such services by those most in need of them.

(c) The State plan may provide for recovery of any costs incurred in excess of the application fee in collection of child support. If the State elects to recover such costs they shall be deducted from the amount of such recovery.

(d) The IV-D agency may take as assignment of support rights from an individual applying for paternity or child support services under this section. However, such assignment shall not constitute an assignment for purposes of Section 232.11 of this title and may not be a condition of receipt of such services.

13. Section 302.34 COOPERATIVE ARRANGEMENTS

The State plan shall provide that the State will enter into written agreements for cooperative arrangements with appropriate courts and law-enforcement officials. Such agreements may be entered into with a single official covering more than one court, official, or agency, if such single official has the legal authority to enter into agreements on behalf of such courts, officials, or agencies. Such agreements shall contain provisions for providing courts and law-enforcement officials

with pertinent information needed in locating absent parents, establishing paternity and securing support, including the immediate transfer of the information obtained under Section 235.70 of this title to the court or law-enforcement official, to the extent that such information is relevant to the duties to be performed pursuant to the agreement. Other topics such as prosecution of fraud directly related to paternity and child support, reimbursement to courts and law-enforcement officials for this assistance are treated.

14. Section 302.35 STATE PARENT LOCATOR SERVICE

The State plan shall provide that:

(a) The IV-D agency will establish a parent locator service utilizing:

(1) All sources of information and records available in the State, and in other States as appropriate; and

(2) The Federal PLS of the Department of Health, Education, and Welfare.

(b) The State PLS will have a central State office and may also establish or designate offices at the local level.

(c) The IV-D agency will accept applications to utilize the Federal PLS from:

(1) Any State or local agency or official seeking to collect child support obligations pursuant to the State plan;

(2) A court which has authority to issue an order against an absent parent for the support and maintenance of a child, or any agency of such court; or

(3) The resident parent, legal guardian, attorney, or agent of a child who is not receiving aid under title IV-A of the Act.

However, prior to the submission of any request to the Federal PLS, the State PLS must first make diligent and reasonable efforts to exhaust the State and local parent locator resources;

(d) Any requests to the Federal PLS under section 453 of the Act will be submitted only by the central State office in accordance with the manner and form prescribed by the Secretary.

(e) The IV-D agency will collect or pay the fee which is required by section 453 (e) (2) of the Act to be charged the individuals described in paragraph (c) (3) of this section.

15. Section 302.36 COOPERATION WITH OTHER STATES

The State plan shall provide that the State will cooperate with any other State:

(a) In establishing paternity, if necessary;

(b) In locating an absent parent who is present in the State and against whom any action is being taken under a IV-D program in any other State;

(c) In securing compliance by an absent parent who is present in the State with an order issued by a court of competent jurisdiction against such parent for the support and maintenance of a child or children of such parent with respect to whom aid is being provided under the plan approved under title IV-A of the Social Security Act in any other State; and,

(d) In carrying out any other function required under a plan approved under title IV-D.

16. Section 302.37 DISTRIBUTION OF CHILD SUPPORT PAYMENTS

The State plan shall provide that, pursuant to the requirements of Section 302.32 of this Part, amounts collected as child support will be distributed as provided in Section 302.51 of this part.

17. Section 302.38 PAYMENTS TO THE FAMILY

The State plan shall provide that any payment required to be made under Sections 302.32 and 302.51 of this Part to a family will be made to the resident parent, legal guardian, or caretaker relative having custody of or responsibility for the child or children.

18. Section 302.39 STANDARDS FOR AN EFFECTIVE PROGRAM

The State plan shall provide that the IV-D agency will comply with the standards for an effective program and the organizational and staffing requirements prescribed by Part 303 of this Chapter.

19. Section 302.50 SUPPORT OBLIGATIONS

The State plan shall provide as follows:

(a) The support rights assigned to the IV-D agency pursuant to Section 232.11 of this title constitute an obligation owed to the State by the individual responsible for providing such support. Such obligation shall be established by:

(1) Order of a court of competent jurisdiction;

(2) Other legal process as established by State laws, such as an administrative hearing process or a legally enforceable and binding agreement; or,

(3) For cases receiving child support services under the provisions of section 402 (a) (17) and (18) of the Act prior to July 1, 1975, the obligation may be that established by an agreement which was entered into prior to July 1, 1975 which does not meet the requirement of paragraph (a) (2) of this section.

(b) The amount of the obligation described in paragraph (a) of this section shall be:

(1) The amount specified in the order of a court of competent jurisdiction which covers the assigned support rights; or

(2) If there is no court order, an amount determined in writing by the IV-D agency as part of the legal process referred to in paragraph (a) (2) of this section in accordance with a formula which meets the criteria prescribed in Section 302.53.

(c) The obligation described in paragraph (a) of this section shall be deemed for collection purposes to be collectible under all applicable State and local processes.

(d) Any amounts which represent support payments collected from an individual responsible for providing support under the State plan shall reduce, dollar for dollar, the amount of his obligation under this section.

20. Section 302.51 DISTRIBUTION OF CHILD SUPPORT COLLECTIONS

(a) For the purposes of distribution under this section, amounts collected shall be treated first as payment on the required support obligation for the month in which the support was collected and if any amounts are collected which are in excess of such amount, these excess amounts shall be treated as amounts which represent payment on the required support obligation for previous months.

(b) The amounts collected as support by the IV-D agency pursuant to the State plan for children who are current recipients of aid under the State's title IV-A (AFDC) plan and for whom an assignment under Section 232.11 of this title is effective shall be distributed as specified in a detailed provision of regulation which accompanies 302.51.

(c) If an amount collected as child support represents payment on the required support obligation for future months, the amount shall be applied to such future months with exceptions listed.

21. Section 302.52 INCENTIVE PAYMENTS TO POLICITAL SUBDIVISIONS AND OTHER STATES

The State plan shall provide as follows:

(a) When, pursuant to the State plan, a political subdivision of the State (or a legal entity of the political subdivision, such as a Prosecuting or District Attorney or a Friend of the Court) makes, for the State of which it is political subdivision, or on State makes for another State, the enforcement and collection of the support rights assigned under Section 232.11 of this title (either within or outside of the State making the enforcement or collection), the IV-D agency making the distribution pursuant to Section 302.51 of this Chapter of the amounts collected shall pay to the political subdivision or State making the enforcement and collection from the amounts which would otherwise represent the Federal share of the assistance payments to the family of the absent parent:

(1) An amount equal to 25 percent of any amount collected (and required to be retained by the State to reduce or repay assistance payments in accordance with Section 302.51 (b) (2) or (4)) which represents payment on the required support obligation owed for 12 months; and

(2) An amount equal to 10 percent of any amount collected (and required to be retained by the State to reduce or repay assistance payments in accordance with Section 302.51 (b) (2) or (4)) which is attributable to the support obligation owed for any month after the first 12 months for which collections are made. Other incentive provisions and payment transmitting provisions are listed.

22. Section 302.53 FORMULA FOR DETERMINING THE AMOUNT OF THE OBLIGATION

(a) There shall be a formula to be utilized by the IV-D agency in determining the amount of the support obligation pursuant to Section 302.50 when there is no court order covering the obligation. Such formula must take into consideration the following criteria:

(1) All earnings, income resources of the absent parent including real and personal property;

(2) The earnings potential of the absent parent;

(3) The reasonable necessities of the absent parent;

(4) The ability of the absent parent to borrow;

(5) The needs of the child for whom the support is sought;

(6) The amount of assistance which would be paid to the child under the full standard of need of the State's IV-A (AFDC) plan;

(7) The existence of other dependents; and

(8) Other reasonable criteria which the State may choose to incorporate. Child benefit assurances are required and listed.

23. Section 302.70 REQUEST FOR INFORMATION FROM THE FEDERAL PARENT LOCATOR SERVICE (PLS)

The State plan shall provide as follows:

(a) All requests for information from the Federal PLS will originate from the central office of the State PLS.

(b) Diligent and reasonable efforts to exhaust all appropriate State and local locate sources will be made prior to requesting information from the Federal PLS.

(c) All requests will be on such forms and in such format as may be prescribed by HEW.

(d) Each request to the Federal PLS must contain specific information, as detailed, if known.

(e) All requests to the Federal PLS will be accompanied by a statement, signed by the head of the IV-D agency or his designee, attesting purposes of the request, confidentiality assurances and other assurances.

(f) The State PLS shall collect such fee as HEW may from time to time establish for each request to the Federal PLS pursuant to Section 302.35 (c) (3).

24. Section 302.71 REQUESTS FOR COLLECTION BY THE SECRETARY OF THE TREASURY

(a) The State plan shall provide that the IV-D agency may request the Secretary to certify the amount of any child support obligation assigned to the IV-D agency to the Secretary of the Treasury or his delegate for collection pursuant to the provisions of section 6305 of the Internal Revenue Code of 1954. Such requests shall be submitted to the Regional Office, using such forms as may be prescribed by the Office of Child Support Enforcement, signed by the head of the IV-D agency or his designee, and accompanied by specified information.

25. Section 302.72 APPLICATIONS TO USE THE COURTS OF THE UNITED STATES TO ENFORCE COURT ORDERS

(a) The State plan shall provide that the IV-D agency may apply to the Secretary for permission to utilize a United States district court to enforce a child support order of a court of competent jurisdiction against an absent parent who is present in another State when the IV-D agency can furnish certain listed evidence.

POSITION PAPER/Department of Health and Social Ser

POSITION PAPER

SS for Senate Bill 659

"An Act Relating to Child Support Enforcement"

Senate Bill 659 would create an agency in the Department of Health and Social Services to administer and enforce child support. It provides action by a designated agency towards legally providing for the support of minor children where absent responsible parents are concerned.

The bill provides for court-based due process. It provides for action "in the name of the State" against liable persons. This would permit the court, the agency or a party to bring actions in court on behalf of the minor child (to include: 1) assignment of wages of "either parent or both parents," and 2) for arrearages from the date of a court order).

The remainder of the bill deals largely with court rules and legal procedures. It provides that the agency must respond to all persons due child support, i.e., Aid to Families with Depedent Children (AFDC), other indigent, and non-AFDC supported. Further that any fees charges shall be at "actual cost" and be paid into the general fund of the State.

The Department of Health and Social Services would be required to administer this agency's program for child support, to include actions brought by the agency in the name of the State. Legal services are to be contracted from the Department of Law. Primary internal impact on other Department of Health and Social Services efforts involves the AFDC program administered by the Division of Public Assistance. The AFDC program would continue to generate data relating to child support paid in lieu of contributions from absent responsible parents. AFDC would also continue to generate basic information on absent parents to enable the agency to begin its effort to locate and collect support moneys to: 1) reimburse AFDC for payments made; and 2) where possible, based on parental financial ability, provide for additional support to dependent children.

The impact of the bill on the agency itself, beyond creation of the agency, focuses on: 1) the interface with Public Laws 93-647 and 94-88, and 2) the ability of the agency to respond to certain provisions in the bill.

The agency has been assigned a collection and disbursement function, both as to AFDC and non-AFDC cases. The agency will need the ability to disburse payments to recipients and to support non-indigent activities from generated receipts.

29
7
22
8 pers. other depts
14 new

Add Section 47.23.035 "Establishment of Fund":

47.23.035 Establishment of Fund

There is established in the State general fund a continuing, revolving, reserve account to receive collections and make the authorized disbursements of the agency.

Page 4, line 7 - Delete the word "actual."

The Department of Health and Social Services support the bill with the changes recommended above. The Fiscal Note attached outlines the funding level needed.

Recommended By: _____ (Date)

Approved By: Francis S. Williamson 3/17/76 (Date)

Comments by Governor's Office:

By: _____ (Date)

POSITION PAPER/Department of Health and Social Serv

1840 Aleutian Street
Anchorage, Alaska 99504
March 1, 1976

Representative Susan Sullivan
State House of Representatives
Pouch V
Juneau, Alaska 99811

Dear Representative Sullivan:

Enclosed is a copy of the letter I received from the Office of the Court Trustee saying they will no longer be allowed to enforce child support orders. I am sure you are familiar with it by now.

I am writing t: urge you to move as quickly as possible in setting up another plan or agency for collecting child support payments. In my own case, I have a job and manage fairly well financially by doing without a car and other things, but I do need the child supoort payments due me. My ex-husband has a good year-round job with Wien Air Alaska and makes extra money on the side, but the Court Trustee has had to threaten him with court action from time to time as he will not pay otherwise. Right now he owes me $757 in arrearage which the Court Trustee was slowly but surely collecting from him. This $757 represents a lot of things my daughter needs. In the enforcement void that now exists, I am afraid the arrearage will rise to an amount that I will never be able to collect!

Again I urge you to take prompt action to alleviate the present situation that affects so many of our Alaskan children.

Sincerely,

Rheta M. Erkel

Rheta M. Erkel

Enclosure

Superior Court
State of Alaska
THIRD JUDICIAL DISTRICT
303 K STREET
ANCHORAGE, ALASKA
99501

JAMES K. SINGLETON, Judge
Family Court Division

COURT TRUSTEES and Standing MASTERS
JAMES L. RHOADS
ROBERT D. FRENZ

February 20, 1976

Dear Madam:

This office wishes to inform you of a substantial change in policy. Administrative Bulletin No. 76-2, promulgated by the Administrative Director, Arthur Snowden, prohibits the Court Trustee or other court employees "from exercising prosecutorial functions in the enforcement of Child Support Orders." This means that our function is limited to merely recording payments made, modifying the computer where there has been, for example, emancipation or change of custody of the children, and notification to a delinquent payor of his arrearages. No longer is the Court Trustee able to move the court for an Order to Show Cause or otherwise coerce a father who ignores his responsibility to his children. No longer may the Court Trustee enforce child-support orders.

If you need assistance in enforcing a court's order for child support, I suggest you consult with private counsel, or if you reside outside the state of Alaska, you may petition your Attorney General or District Attorney pursuant to the Uniform Reciprocal Enforcement of Support Act. In addition, you should be advised that Governor Hammond's administration and the state legislature is considering a child-support agency outside the court system which could effectively prosecute irresponsible fathers. You may wish to advise the governor or the legislature of your position and need for child-support monies.

If we can be of assistance, please do not hesitate to contact us; however, please understand that we can in no way threaten, pursuade, or in any way appear to "prosecute" the father of your children regarding child-support monies you feel he may owe you.

Sincerely,

James Lane Rhoads
Court Trustee

JLR/cfs

Alaska State Legislature

REPRESENTATIVE
TED SMITH
2616 SORBUS CIRCLE
ANCHORAGE, ALASKA 99504

WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA 99811

COMMITTEES
RESOURCES
BUDGET & AUDIT
LABOR & MANAGEMENT

House of Representatives

don't know what bill this is.

February 19, 1976

Representative Terry Gardiner
Chairman
House Judiciary Committee

Dear Terry,

I recently became aware of the problem in the trustees office by way of a complaint from a constituent that she wasn't receiving support money.

The amendment suggested by Mr. Rhoads is good and I hope your committee will consider it, but it addresses only part of the problem. The dispute over the proper placement of the enforcement function of the Court Trustees office also needs to be solved. It is my understanding that a proposal to establish this function as the Dept. of Health and Social Services has been under consideration. I hope you and Representative Sullivan are aware of the problem. I would be pleased to discuss it with you at your convenience.

Sincerely,

Ted Smith
Chairman
House Labor & Management Committee

cc: Representative Susan Sullivan

TS:hk

HB
894

"An Act relating to the practice of dentistry."

COMMITTEE REPORT

HOUSE

4/5/76 JUDICIARY

Mr. Speaker: Date April 24/76

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HB 804 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

(X) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: House HESS

To: _____ HOUSE BILL No. 894

SENATE BILL No. _____

PAGE: _____ LINE: _____

Page 2, Line 8, after the word dentist, add "and dental hygenists"

Page 2, line 18, after dentist, add "or dental hygenists"

Page 3, line 1, after the word dentistry, add "and dentaly hygiene"

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 24, 1976

Present: Parr Ostrosky Osterback
Sullivan Beirne

HJR 70 & HCR 132 - Waste disposal in Barrow and Bethel - HESS

Committee discussed the issues and voted to pass both out with a do-pass.

HB 894 - Practice of Dentistry - HESS

Committee discussed the bill and also whether to include dental hygenists,
Amendment, line 8, page 2 after dentist, add "And Dental Hygenists."
Line 18, page 2, after dentist, add" or dental hygenists"
Line 1, page 3, after dentistry, add " and dental hygeine"

Committee concerned about repealing the advertising section of the statutes. This would enable a dentist to advertise for business, prices, etc. Discussion centered around how the Dental Assoc. felt about this, they were not too concerned, but did feel it would allow non-competent dentists to get more business.

Motion to move bill out with amendment, do pass

HB 457 - Training and Ed. of State Employees - Buchholds

Hold till Monday, get someone here, Patrick Hung from Personnel to testify Helen wants him to

The Legislature of the State of Alaska
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST

Bill Identification: House Bill 895
Title: An Act relating to the practice of dentistry
Requested by: H & SS Committee Date: 4-15-76
Return Date Requested:
Agency: Commerce & Econ. Dev. Program: Licensing Professions

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Regulating and Licensing of Professions

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL		3.0	3.3	3.6	4.0	4.4
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		3.0	3.3	3.6	4.0	4.4

B. FUNDING: (Thousands of dollars)

GENERAL FUND		3.0	3.3	3.6	4.0	4.4
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	0 /	0/	0/	0 /	0/
MAN MONTHS (P./T.)	/	0 /	0/	0/	0 /	0/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Increase the membership of the board by four. Average annual cost of transportation per board member is estimated at $250 per meeting. Dental board meets approximately three times per year.

10% inflation factor included.

IV. ATTACHMENTS

V. DATE: April 13, 1976 PREPARED BY: Sharon Andrew, Director

REVIEWED BY:

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

HB

914

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 26, 1976

Present: Beirne, Swanson Ostrosky
Sullivan Osterback

Testifying: Walt Jones, D.O.C.
Betsy McGuire, Office of Child Advocacy
Noel Smith, Office of Aging
Ada Gleason, Div. of Soc. Services

HCR 135 - Placement of Children outside of Ak. - HESS

Betsy spoke about this resolution and that it did speak to a main issue the the Standards and Goals, which OCA just put together. This included removing all kids from outside facilities.

Amendment, line 25, should read "to place children in out-of-state facilities" passed

Walt Jones feels that corrections is allready doing this when possible and doesn't see a need for the resolution. Reasons they place kids outside is no facilitiy or space available.

This is true for corrections but not so for Soc. Service kids.

Committee decided to hold bill over and get more information.

HB 914 - Licensing of Care Providers - Ostrosky

Kathryn presented this bill,

Ada Gleason read the dept. position paper. They are for it, however, it has fiscal implications and would not fit into the gov. budget.

Ada feels that p.6 line 2 needs to add other categories, such as children, grandchildren, stepchildren, neices, nephews.

Mr. Smith testified about nursing home residents or just old people who need more than a place to live, boarding homes. He would like to see a definition of "fair" treatment specified in the bill, as well as some requirements that boarding homes would have to live under

Committee also feels there is a need to define "care" and also what "adult" means.. However, if boarding homes become licensed too stringently some very good care providers will be pushed out of business.

Decided to have Kathryn work on this bill a little more, need reasonable protection for care providers. Minimum requirements

HCR

26

Relating to garbage disposal in rural areas of the state.

3/3/75

COMMITTEE REPORT

HOUSE

Mr. Speaker: Date 4/17/75

The Committee on HESS has had HCR 25 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan	Do Pass	

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

NOV 7 1974

STATE OF ALASKA

WILLIAM A. EGAN, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

POUCH O — JUNEAU 99801

November 6, 1974

Dr. carolyn V. Brown
Legislative Committee Chair Person
Alaska State Medical Association
1135 West Eighth Avenue
Anchorage, Alaska 99501

Dear Dr. Brown:

Your letter of October 1, 1974

Thank you for your willingness to assist the Department in improving solid waste management practices within the State. For your information, I have enclosed copies of Alaska Statute 46.03, which created the Alaska Department of Environmental Conservation, of the State Solid Waste Management Regulations and the permit form used to implement these regulations.

Since I have frequently stated that solid waste represents the single most serious environmental problem within the State, I am pleased that you are taking an interest in helping the Department to abate this problem. It is my belief that the most critical legislative need lies in providing assistance to the small, rural, unincorporated communities and for the areas of roadway between these communities. These communities while having the same problem to a lesser degree as the larger communities, do not have the economic, technical or jurisdictional resources to provide the necessary solutions. Therefore, the Department has supported revenue sharing bills similar to the one proposed in the last legislative session. That bill, if passed, would have provided funds to the communities on a per capita basis with the funds allocated on a sliding scale. The reason for the sliding scale is the need for at least minimal equipment and labor in order to get any program at all started; whereas larger communities have the economies of volume plus a tax base. Under the proposed formula, developed during the last session, $10 per capita would have been provided for the first 3,000 inhabitants, $5 per capita for the next 9,000 population and $3 per capita for all population in excess of 12,000 people, to cities or boroughs implementing a solid waste management plan and program approved by the Department.

Junked automobiles represent the second most serious solid waste management problem within the State. The Department has in the past, recommended legislation which would assist in partially alleviating this problem in areas of the State where transportation is reasonably available in order to be able to retrograde the vehicles to an area where they can be recycled. Such areas are southeastern Alaska, the Kenai Peninsula and generally the railbelt area. Even then some subsidization of the program, such as occurs in the GAAB program, would be a requirement. The Department does not, at this time, promote nor support a bill similar to the "Oregon Bottle Bill". The latter has a number of defects, even for Oregon, although it does greatly assist in reducing litter, such as beer and pop bottles, along the highways. For Alaska such a bill poses unique problems because of: 1) the small market, 2) the poor transportation and 3) the high cost of living. The hardship would be greatest in our isolated communities where it would frankly amount to nothing more than an added tax, generally on these individuals least able to pay the tax. The "small market" means that Alaskans buy whatever is available in Seattle i.e. if the bottles are returnable we could return them; if not we are stuck with them regardless of the transportation problem.

An additional item to be considered in looking at the Oregon Bottle Bill is that, except for the question of the highway litter, the environment cannot feel the difference between a beer bottle and a vinegar bottle; between a pop can and a peach can. Also, the most environmentally damaging of all bottles, the plastic bottle, isn't addressed. Nature can't handle these plastics and the unfortunate remains of them, in microscopic particles size, are found hundreds of miles to sea in the first several hundred feet of the water column.

In the area of further resource recovery, the Department has had some success in pushing programs, particularly in southeastern, for the use of waste motor oil in heating plants, for using waste sawmill products for the generation of power, for recovery of material from the pulp mill "red liquor" and in working out proposals for using some garbage in boilers. These programs depend on working with industry to develop the engineering. However, the big areas for saving energy lie in improved mileage for automobiles and good and enforceable requirements for properly insulating homes, particularly in Alaska. The latter could go a long way in improving the health of people, particularly the involvement of respiratory problems.

The assistance of your association in supporting solid waste legislation during this next legislative session would be greatly appreciated and would certainly be beneficial in achieving its passage. If I may be of assistance to you in providing you with additional information, please feel free to contact me.

Sincerely,

Max C. Brewer

Max C. Brewer
Commissioner

Enclosures

National Solid Wastes Management Association

1730 RHODE ISLAND AVENUE, N.W. • SUITE 800 • WASHINGTON, D.C. 20036
TELEPHONE (202) 659-4613

EUGENE J. WAGERTER
EXECUTIVE DIRECTOR

March 27, 1975

Send copy of HCR 26 sent w/letter April 28-Im

Dear Chairman:

The National Solid Wastes Management Association was established 12 years ago as a professional and industry organization for the solid waste management field. NSWMA's membership spans virtually all aspects of the solid waste management equipment and service field. Its membership is comprised of over 2,000 private refuse collection, processing and disposal firms, and public officials. The business activities of these firms encompass the collection and disposal of all types of wastes materials, the processing and reclamation of secondary materials, the specialized handling of commercial/industrial wastes and the manufacture of mobile collection, stationary compaction, processing and landfill equipment.

According to a survey conducted by the U.S. Environmental Protection Agency, the private sector of the waste management field handles 3/4ths of the nation's wastes--including 90% of the commercial/industrial wastes generated and 50% of the residential wastes handled. The NSWMA is vitally concerned with legislation which impacts on the solid waste management and resource recovery activities of this industry. Legislation dealing with the disposal, recovery and handling of toxic and hazardous wastes as well as vehicle weight and noise emission limitations, and safety regulations that would directly affect the operations of many solid waste management firms in your state.

NSWMA has, and is, working closely with many state legislative and regulatory officials in developing and reviewing those programs which would impact significantly on this industry. The NSWMA Institute of Waste Technology (IWT) encompasses the Sanitary Landfill Committee, the Chemical Waste Committee, as well as the Resource Recovery Committee--all consisting of members active in their respective Committee's field of interest. The expertise of the IWT--sanitary landfill planning, design and operation; toxic and hazardous waste handling and disposal; recovery and processing of wastes--has and can be extended to serve as a center of coordination for both government and industry organizations.

The NSWMA Waste Equipment Manufacturers' Institute (WEMI) covers in its program area the development of equipment safety standards, equipment rating criteria and market statistics reporting.

If your committee is developing or reviewing legislative proposals which address these areas of the waste management field, NSWMA would extend to you the expertise of its members and staff in the review of these measures.

We would appreciate receiving notification of upcoming meetings or public hearings.

Sincerely yours,

W. T. Gregory

Warren T. Gregory
Director, State Legislative Programs

WTG/js

- INSTITUTE OF WASTE TECHNOLOGY
  - CHEMICAL WASTE COMMITTEE
  - NATIONAL SANITARY LANDFILL COMMITTEE
  - RESOURCE RECOVERY COMMITTEE
- WASTE EQUIPMENT MANUFACTURERS INSTITUTE

ALASKA STATE
MEDICAL ASSOCIATION
1135 W. Eighth Avenue • Anchorage, Alaska 99501 • (907) 277-6891

March 10, 1975

Representative Susan Sullivan
Chairman, HESS Committee
House of Represeentatives
Juneau, Alaska 99801

Dear Susan:

We are aware that Representative Guy has introduced House Concurrent Resolution No. 26 - relating to garbage disposal in rural areas of the state.

As you know, this is an area of interest for us in the "Health and Legislative Action - 1975" packet.

We have proposed and support the concept of making revenue sharing funds available for communities who wish to become involved in solid waste management for their own communities.

Attached is some information which may be of value in your Committee in its deliberations about this issue.

Please let us know if we can answer further questions or be of further help.

Most sincerely,

Carolyn

carolyn V. Brown, M. D.
Chairperson, Legislative Committee

cVB:mlm
Attachment

INTERNAL MEDICINE ASSOCIATES
207 EAST NORTHERN LIGHTS
SUITE 711
ANCHORAGE, ALASKA 99503
PHONE: (907) 274-5550

JOHN F. SELDEN, M.D.
Internal Medicine & Nephrology

GEORGE L. STEWART, M.D.
Internal Medicine
& Pulmonary Disease

THOMAS C. WOOD, M.D.
Internal Medicine
& Cardiovascular Disease

RICHARD F. BUCHANAN, M.D.
Internal Medicine &
Gastrointestinal Diseases

PAUL L. STEER, M.D.
Internal Medicine &
Infectious Diseases

RECEIVED DEC 27 1974

December 26, 1974

Carolyn V. Brown, M.D.
Legislative Committee Chairperson
Alaska State Medical Association
1135 W. Eighth Avenue
Anchorage, Alaska 99501

Alaska State Medical Association Legislative Committee Position on Solid Waste Disposal

Solid waste disposal represents a serious environmental problem within the State of Alaska, especially in the small rural communities in the bush areas. Health hazards exist in the incubation and transmission of certain viral illnesses such as hepatitis, the inhalation of toxic substances when various plastic products are burned, and of course the esthetic visual pollution of the environment.

The Alaska State Medical Association Legislative Committee strongly supports the present state solid waste management regulations whereby revenue sharing is provided to small communities for the establishment of solid waste disposal in designated areas.

In addition, the Alaska State Medical Association Legislative Committee requests further study and legislation, if appropriate, in the following areas:

1. Establishment of collection stations for recyclable solid wastes which might be returned to the "lower 48" at low cost in empty containerized trucks.

2. The abolution of nonbiodegradable plastics.

3. Possible economic incentives to communities establishing an effective public information campaign dealing with solid waste disposal.

Sincerely yours,

Thomas C. Wood, M.D.

TCW:dly

ALASKA STATE
MEDICAL ASSOCIATION
1135 W. Eighth Avenue • Anchorage, Alaska 99501 • (907) 277-6891

March 10, 1975

Representative Susan Sullivan
Chairperson, HESS Committee
House of Representatives
Juneau, Alaska 99801

Dear Susan:

The Legislative Committee of the ASMA is currently reviewing four national bills which relate to malpractice insurance. These bills include the following:

1. SB 188
2. HR 1305
3. HR 1378
4. S 215

In addition to having a more definitive position on these bills in the near future, we are developing a position on malpractice insurance within the state of Alaska. This will be available for your committee in the near future. As we review the national bills outlined above, it appears from our initial review that S 215 would probably not be acceptable to practicing physicians in Alaska.

Copies of these bills are available in the ASMA office if you need them. It may be that with discussion about those national bills which have been proposed along with the possibilities for malpractice insurance for Alaska physicians, we can reach a reasonable stance which will be in the interest of both patients and physicians.

Please let us know where we can be of help.

Sincerely,

Carolyn V. Brown, M. D.
Chairperson, Legislative Committee

cVB:mlm

HCR
43

Relating to medical-clinical laboratories, blood banks, and personnel.

COMMITTEE REPORT

4/4/75 HOUSE FINANCE

Mr. Speaker: Date 5/6/75

The Committee on HESS has had HCR 43 under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

Pouch V
Juneau, Alaska 99801
May 30, 1975

Eleanor Hung
Clinical Microbiologist
P.O. Box 353
Juneau, Alaska 99802

Dear Ms. Hung:

Thank you for your letter expressing support for HCR 43, which pertains to laboratory licensing.

Our committee took this resolution up earlier in the month, and passed it on to the Finance Committee with a unanimous "do pass" recommendation. It is still in the Finance Committee, and as the present session is so near its close, will probably not come to the House for a vote until next year.

In the meantime, I intend to do whatever possible to expedite its passage.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:LA

P.O. Box 353
Juneau, Alaska 99802
May 5, 1975

The Honorary Susan Sullivan
Alaska State House of Representatives
Pouch V
Juneau, Alaska 99802

Dear Mrs. Sullivan:

Recently I have been aware of HCR 43 and would like you to know that I fully support it. I'm hopeful that it will pass this time as I'm aware of its history of constant failure.

I think this is the right era to put this through. Alaska is probably one of the last states to license or certify laboratories and personnel that work in these laboratories. I urge you to support HCR 43.

Yours very truly,
Eleanor Hung
Clinical Microbiologist

HCR
48

Relating to the establishment of the Northwest Community College.

COMMITTEE REPORT

4/17/75 HOUSE FINANCE

Mr. Speaker: Date 4/17/75

The Committee on HESS has had HCR 43 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

April 18, 1975

Members Present:

All Present

CHairman Sullivan called the meeting to order at 3:00pm.

HB 375 Grace Wilson
Fishermen's Fund bill would provide for treatment and care for the fishermen if injured or becomes ill. 60% of license fees. Extension of benefits, present limit ($2500) present extension has to go before the council, only meets twice a year; spring and fall.

Hackney What are the conditions of the fund?

Wilson $577,000, has increased every year, don't anticipate change in stability of the fund by the bill.

Ose Move this bill out with a 'do pass'.
Osterback Seconded
Davis Ask for Mr. Eliason to testify.
Eliason It is the type of insurance that the fisherman pays for with the license fee.

Osterback How long in effect?

Wilson Since 1951

Bill passed the Committee.

HB 399 by Eliason
Read position paper.
Van Houte - Spoke in favor for NEA

Isaacs Read Dept. of Education position paper.

Parr Is the Dept. of Ed. in favor?
Isaac Yes.
James There are money problems here. Presently set up on the dues system, each school paying $75-$225.

Ose Move out with individual Recommendation
Beirns Seconded
CHairman Hearing no objection, so ordered.

HCR 48

Davis Purpose of this bill is so that the young people can get education in their home towns.

Ostrosky The Interim Committee is in favor of this resolution.
Move and ask unanamous concent for 'do pass'
Davis Seconded

Chairman Hearing no objection, so ordered.

HB 343 Rep. Smith gave briefing of bill.
Smith to Eliminate the hospital emergency room as drinking ground. Propose possible ammendment to allow protective custory if refused by treatment centers.

Beirne Favor of the bill but opposed to amendment.
Parr In agreement with Rep. Beirne,

Mrs. Smith Drunks very much interfer with the operation of the emergency room

James Alcoholism is- a disease. Opposed to putting them with sick people. Jail needs medical care facilities.

Barkley Chief of Police, Juneau Disagree's with the bill. Question, the word 'shall' All the discussion has been with Anchorage, Fairbanks, and Juneau. That is not where the problem lies. In the bush areas throughout Ak. there just aren't the alcoholic facilities to handle the cases. The bill says that he 'shall' pick him up, but then what is he to do with him then? You have presented us with an impossible situation here. You have not planned for the provisions of the care of the individual.

Parr Couldn't a hospital in the smaller communities handle these people?

Barkley At this time not all of them could.

Parr Would you be in favor of an amendment in Line 10, change shall to may?

Barkley That won't solve the problem. The incapacitated should go to the hospital. It isn't fair to place the responsiblity of the medical attention needed on the officer.

Smith Para A, deals with lesser degree of alcoholism.

Beirne Chief Barkley has a very good point. Some cases this has been solved by taking them to the medical facilities, but that is not always possible as the lack of the facilities throughout the entire State. I think we should get the Alcoholism people in here to testify.

Chairman I agree with Rep. Beirne and we will take this bill up at a later date for more testimony from the Alcoholism people.

Meeting Adjourned.

HCR
49

Relating to aid to disadvantaged persons.

COMMITTEE REPORT

4/17/75 HOUSE FINANCE

Mr. Speaker: Date 5/6/75

The Committee on HESS has had HCR 49 under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

Kathryn Osterman _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HCR 49

HESS COMMITTEE MEETING

May 6, 1975

Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Sullivan
Osterback	Swanson

Chairman Sullivan called the meeting to order at 3:00pm.

HCR 49

Parr Explained purpose of the Resolution.
Beirne Move and ask unanamous 'do pass'.
Chairman No objection, so ordered.

SSHB 349
Sullivan - Drew up sponsor substitute per the Committee's recommendation.
Beirne Move and ask unanamous consent for 'do pass' recommendation.
Chairman Hearing no objection, so ordered.

HB 465

Mr. Spazianni Vocational Rehabilitation
There is available 1/2 million dollars in Federal funds for this program.

Parr Is this to be matched by the State?
Spazianni - No.

Ostrosky What is the $160,000 for?

Spazianni - To bring on staff and get the program off the ground.

Beirne - Move out with a 'do pass'
Chairman Hearing no Obecjtion, so ordered.

HB 461
Swanson - I don't expect to do anything with this bill until next year.
Chairman - If there is no objection, I'll move this bill out with individual recommendations. No Objection, so ordered.

SSHB 376

Beirne Gave briefing of the bill. The Interim Committee Bill had been cut by the administration to $283,000, then the Governor cut it to $57,000. This bill is asking to have more monies put back into the bill to make it workable. Back to $571,295.00.

Chairman Asked for a motion to the bill.
Beirne Move out with a do pass recommendation.
Chairman Hearing n o objection, so ordered.

Adjourned.

Alaska State Legislature

House

JUNEAU ALASKA

Pouch V
Juneau, Alaska
June 2, 1975

Wayne McCrary
1200 W. Dimond Blvd. #1036
Anchorage, Alaska 99502

Dear Mr. McCrary:

Thank you for your letter discussing your problems as a disabled Alaskan. There are several bills to help those disabled who are dependent on public assistance, but nothing has been introduced, as far as I know, to help someone struggling to maintain his independence, as yourself. House Concurrent Resolution 49, of which I am a co-sponsor, seeks the creation of a special task force to investigate the needs of the disabled.

The problem of Alaskan pipeline hire has received much attention in this Legislature, and we have sought to do what was possible within the limits of constitutional proscriptions in promoting this cause. I hope that these efforts have had some effect and that your wife's employment problems have been remedied.

Yours truly,

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

Veterans Coop Extension
Agricultural Employment

and is trying to get a position on the slope so she can support the family, is unable to get ahead of the non-existent [illegible]

G Wayne McCrary

HCR

74

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

Jan. 19, 1976

Members Present:

Bierne	Sullivan
Osterback	Swanson
Parr	Hackney
Ose	

Testifying Guests:

Charles Adams, D.O.C.	Bradley	Kelley
Carolyn Burg	McKinnon	

HCR 74 HEALTH CARE DELIVERY - Bradley

Bardley introduced this bill giving the reasons why health care delivery services should not be stopped. At times life and death can hinge on delivery of services, the public has not options in that they cannot become efficient at the medical profession overnight.

Parr suggested that the bill include other personnel such as nurses and other individuals employed by hospitals.

Discussion continued regarding inclusion of other professions.

Testimony by Caroline Burg- She feels the bill is good and that most doctors would be in agreement with it.

Parr moved for amendment that would change health care providers to physicians and surgeons, because nurses and other hospital employees so underpaid that they need the leverage to strike.

Discussion regarding amendment.

Sullivan - Vote on amendment, 1 in favor, 3 against, amendment voted down.

Hackney suggested amendment which would include firemen and law enforcement personnel.

Discussion regarding this,.

Sullivan - Vote on amendment, voted down

Sullivan - Vote on resolution - passed 4 to 3

HB 563 HOUSING FOR ELDERLY PEOPLE IN THE NEW CAPITOL

Bradley presented his bill remarking on the many reasons why there should be housing made available for elderly people at the new site of the capitol. He included the enrichment that is received from older people.

Caroline Burg testified that the bill was irrelevant since the capitol as yet had not moved and would not. She felt the publishing of the bill would be detrimental to the citizens of Juneau.

McKinnon, who sponsored the bill with Bradley testified.

Discussion by the committee regarding the possibilities of having a fiscal note drawn up; putting the car before the horse, by passing this bill.

Bierne amendment, to include "if" on line 10, to include a reasonable. xxxxxxxx line 13; and include handicapped to reside and be employed , line 14.

Discussion regarding the amendment.

Sullivan: Vote on amendment, passed 6

Discussion

Sullivan: Vote on H.B. 563, do pass 6

Decided to make this a committee substitue bill

H.B. 541 Visitation priviledges for honor prisoners who are about to re-enter society, Kelley

Kelley stated her reasons for wanting this bill and related that it only changes the fact that other people besides family members can be allowed to have prisoners released on passes to them. It would still be virtually the same as far as other rules relating to this.

Charles Adams testified. He feels that anextended family for many Alaskans is needed because of the distance that many prisoners are from their homes.

Committee members questioned Mr. Adams regarding the past performance of prisoners on passes, how the change would affect this.

Ose- amendment to read his family or any persons. This would be "His family" back in.

Sullivan - Vote on amendment pass 3 to one

Sullivan - Vote on HB 541, do pass 5

Urging that health care delivery systems personnel refuse to strike

COMMITTEE REPORT

1/14/76

HOUSE

Mr. Speaker: Date Jan 17 76

The Committee on HESS has had HCR 74 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

(✓) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

J. Sullivan | De Lacy | _____

_____ | _____ | _____

_____ | _____ | _____

_____ | _____ | _____

Members NOT concurring in the Majority report:

Tom Hockin recommends: Do not Pass

_____ recommends: De Lacy

_____ recommends: [illegible]

_____ recommends: [illegible]

Stan Stone recommends: [illegible]

_____ Chairman

HCR

97

Relating to state purchases of drugs.

COMMITTEE REPORT

HOUSE

4/7/76

Mr. Speaker: Date April 29, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had SSHCR 97 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan	Do Pass	[illegible]
[illegible]		
[illegible]	Do Pass	
[illegible]	Do Pass	

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Relating to state purchases of drugs.

COMMITTEE REPORT

2/17/76

HOUSE

Mr. Speaker: Date Mar 7 '76

The Committee on HESS has had HCR 97

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends.

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 28, 1976

Present: Hackney Beirne Sullivan
Osterback Davis

SSHCR 97 - State purchasing of drugs - Sullivan

Only change was line 13, where bioequivalence is established.

Committee decided to pass out with do-pass

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 8, 1976

Present: Ostrosky Hackney
Parr Davis
Beirne Sullivan

Testifying: Eric Lee, C&RA, Community Services
Frank Pauls, H & SS, Public Health
Grace Billings, Office on Aging
Glenn Sachs, Office on Aging
M. Dan Plotnick, Office on Aging
Nat Cole, D.O.E.

HCR 97 - Relating to State Purchases of Drugs - Sullivan

Dr. Pauls, feels bill will create a savings to the state. Drugs usually purchases on a bid or blanket contract with drug houses.

Committee questions how you educate state employees to the advantages of drug purchases. Pauls says you work with purchasing agents.

Ostrosky - Vote do pass, unanimous

HB 714 Sr. Citizens nutrition and recreation facility - Parr

Parr expressed the need that the senior citizens of Fabks have for the facility.

Eric Lee - spoke for Community and REgional affairs concerning this project. Felt that the funds would not be of any trouble, just filtered throuch C&Ra.

Hackney- thinks new facility in FBks, under construction right now could speak to the needs and be utilized by the Sr. citizens.

Mr. Plotnick - Brought two staff people to speak to the needs in the FBKS areas. Billings & Sacks. Fbks area - new ASHA housing area for SR. citiznes now under construction, understands there is a kitchen facility to be used. This would give the sr. citizens a place to make their meals.

Sullivan - Feels there is a possibility of putting this new facility near the ASHA project so it can be utilized more often.

Parr - bad idea, there are many sr. citizens in Fbks, who do not live hear that housing development

Hackney - wants to explore possibility of using other facilities rather than building a new one. Suggested the Alaska land area.

Parr - Amendment - Section 1, period after FBKS.
Section 2, Dept. shall contract with NSC on Aging for purposes specified in Section 1
Section 3, (same as section 2 on the bill)

Amendment voted on do pass

Sullivan moved to pass out
Beirned - requested reconsideration. wants to know whether she can add a section to include the same appropriation for the Anchorage area and to go through the municipality.

Parr says O.K.

Sullivan - must be a committee substitute for HB 714

Voted on - Do pass,

SB 203 AM School Attendance Hohman

Nat Cole, feels that the dept. O.K.s this concept of education and allready basically does give credit for learning experiences, but feels the legislature can express intent by passing this bill.

Committee, wanted to know whether this time counted towards the full 180 days that is required of students, yes.

Voted Do Pass 5

CSSB 272 Operation of vending machines by blind or handicapped

Sullivan spoke to the need of this legislation because blind have very few options for employment and this is one of them. There seems to be no problems with this.

Vote - do pass unanimous

HCR

101

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 10, 1976

Present: Beirne Sullivan Parr
Hackney Ostrosky Osterback

HB 866 Supplemental Appropriation to H&SS GOV.HESS

Lois Jund gave a better explanation of why the dept. needs this additional $. See dept. poisition paper. Due mainly because of the switch of some programs within the Fed. system to other systems, so a money lag.

Passed out with do pass.

The three licensing bills C.S. were given to everybody to look at over the weekend, if there are not objections they will be sent upstairs, as signed before the C.S. was completely drafted.

CSHB 744 Freedom of choice Beirne

Helen gave an explanation of this C.S., put in the clause "Terminal" rather than serious so noone would be condemend before terminally ill.
Clause relating to temp. or self-destructive declaration., Rodey and Gurening don't feel its necessary because an individual can revoke it at any time.

Committee discusses what "life supporting" means. Drugs and electrical apparatus used in definition section of bill.

Amendment - page 5, line 2 delete "and drugs".
Passed

Glenn concerned that there might be problem with the malpractice issues and this bill. Bill has a referral to Judiciary, they can handle it.

Motion to pass bill out as a new C.S. with amendment, committee decided to have it redrafted including the amendment.

Motion to move out, passed.

HCR 101 Uniform account for health institutions - Ostrosky

Hold for fiscal note

HCR 104 - Support for existing health facilities - Ostrosky

Katherine presented the C.S., decided not to do anything with this now.
Brian Saylors not available for explanation.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

MARCH 19, 1976

Present: Parr Hackney Davis
Ose Swanson Sullivan

Testified: Janice Gates, Planning & Research, Dept. H&SS
Noel Smith, Office of Aging
Russ. Gentle, Div. of Pub. Assistance
Roslyn Reeder, Div. of Pub. Assistance

HCR 102 - Availability of health services to public - Ostrosky

Janice Gates, there is allready a Directory publication being printed right now, would be for everybody, not just recipients, docotrs, etc. Maybe this would qualify for this bill. Will have one put in everybodies box next week.

Committee feels that they should postpone any action until they have an opportunity to read the directory from H&SS. HCR 102 tabled for one week.

HCR 104 - Support for existing health facilities - Ostrosky

Janice presented dept. position paper, agrees with resolution

Ose - motion to table HCR 104, passed

HCR 105 - Funds/ programs for medically underservced areas - Ostrosky

Janice - dept. supports the concept.

Hackney - doesn't want us going after any fed grants without going through some sort of state, in house committee. Also would like dept. to research available grants, but not go after them till somebody can decide. State ends up with all these fed grants and as their phazed out, state must pick up tab.

Committee discussion related to all resolutions seemed pretty negative because of what Hackney just stated.

Parr , amendment line 21, insert after services, "within existing resources" this would delte any fiscal implications from dept. They would have to utilize existing personnel.

Amendment passed.

Hackney - amend line 21, delete "prepare and submit an application for" insert, "seek information on"

Hackney amendment - line 22 period after eligible. Add "be it further resolved, that before the Department submits an application for federal grants, or any other, the application be approved by Legislative Budget and Audit Division of Legislative Affairs."

Amendment passed

Move to pass HCR 105 out, moved out with individual recommendations.

HCR 103 - Eligibility for admission to pioneer homes - Ostrosky

Sullivan moves that we hold till we find out if there was a study in 1972 concerning this issue. This was suggested by member. David Freer will get back to us on this issue.

HCR 106 - Health care reimbusement mechanisms - Ostrosky

Russ Gentle, dept. currently looking into this, so they do not feel this resolution is needed

Committee referred to the fact that this resolution is once again asking for more grants, referred to Hackneys problem with this that state usually ends up having to take over.

Committee decided to hold this for awhile/

HCR 101 - Uniform acct and reporting of health institution - Ostrosky

Dept. presented position paper on this.

Committee feels that dept. of admin. should provide a fiscal note on this (contacted dept. of Admin for fiscal note)

Parr amendment, page 2, line 2 "comma" after 93-641 add "to", delet "and"

motion passes

Parr amendment page 1, line 26, after administration , add ,"Comma" add "within existing resources",

Passes

Committee decided to hold bill over.

HB 742 not heard, will hold over

file

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. HCR 101
Title: Requesting a study of a uniform accounting and reporting system for health institutions.
Requested by: House HESS Date: Feb. 24
Return Date Requested: March 1
Agency: Adm/H&SS Program: Adm - Finance; H&SS - Adm. Services

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Department of Administration - Finance

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL		75.0				
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		75.0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		75.0				
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Contractual Services $75,000

Neither the Department of Health and Social Services nor the Department of Administration has the staff to make the requested feasibility study. If a professional consultant is hired, it is estimated it will take at least six man-months and possibly as long as twelve man-months to complete.

The estimate of $75,000 is based on nine man-months of effort at a fee of $40 per hour or a total of $60,000. Travel, transportation and other expenses are estimated at $15,000.

At this time it is not possible to measure the impact of the requested study, if any, on the unifom system that will be established by the Department of Health, Education and Welfare.

IV. ATTACHMENTS

V. DATE: March 24 PREPARED BY: Kellus Sewell/ Bill Mullin

Original: Legislative Finance
cc: Budget and Management 2
Prime Sponsor (First Legislator Named) House HESS
Office of the Commissioner
Division of Finance

H/S 50

HCR 120 - Study of Health Insurance, Catastrophic - HESS

THIS NEEDS a fiscal note.

Amendment, line 19 p. 1, delete "establish a task force whose membership reflects the diversity of geography, socio-economic status, age, sex, and health care professions in the state".

Insert "conduct a study".

Committee decided to have this redrafted as a C.S. since this is a resolution.

Bill passed out with C.S.

HCR

102

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

MARCH 19, 1976

Present: Parr, Hackney, Davis, Ose, Swanson, Sullivan

Testified: Janice Gates, Planning & Research, Dept. H&SS
Noel Smith, Office of Aging
Russ. Gentle, Div. of Pub. Assistance
Roslyn Reeder, Div. of Pub. Assistance

HCR 102 - Availability of health services to public - Ostrosky

Janice Gates, there is allready a Directory publication being printed right now, would be for everybody, not just recipients, docotrs, etc. Maybe this would qualify for this bill. Will have one put in everybodies box next week.

Committee feels that they should postpone any action until they have an opportunity to read the directory from H&SS. HCR 102 tabled for one week.

HCR 104 - Support for existing health facilities - Ostrosky

Janice presented dept. position paper, agrees with resolution

Ose - motion to table HCR 104, passed

HCR 105 - Funds/ programs for medically underservced areas - Ostrosky

Janice - dept. supports the concept.

Hackney - doesn't want us going after any fed grants without going through some sort of state, in house committee. Also would like dept. to research available grants, but not go after them till somebody can decide. State ends up with all these fed grants and as their phazed out, state must pick up tab.

Committee discussion related to all resolutions seemed pretty negative because of what Hackney just stated.

Parr , amendment line 21, insert after services, "within existing resources" this would delte any fiscal implications from dept. They would have to utilize existing personnel.

Amendment passed.

Hackney - amend line 21, delete "prepare and submit an application for" insert, "seek information on"

Hackney amendment - line 22 period after eligible. Add "be it further resolved, that before the Department submits an application for federal grants, or any other, the application be approved by Legislative Budget and Audit Division of Legislative Affairs."

Amendment passed

Move to pass HCR 105 out, moved out with individual recommendations.

HCR 103 - Eligibility for admission to pioneer homes - Ostrosky

Sullivan moves that we hold till we find out if there was a study in 1972 concerning this issue. This was suggested by member. David Freer will get back to us on this issue.

HCR 106 - Health care reimbusement mechanisms - Ostrosky

Russ Gentle, dept. currently looking into this, so they do not feel this resolution is needed

Committee referred to the fact that this resolution is once again asking for more grants, referred to Hackneys problem with this that state usually ends up having to take over.

Committee decided to hold this for awhile/

HCR 101 - Uniform acct and reporting of health institution - Ostrosky

Dept. presented position paper on this.

Committee feels that dept. of admin. should provide a fiscal note on this (contacted dept. of Admin for fiscal note)

Parr amendment, page 2, line 2 "comma" after 93-641 add "to", delet "and"

motion passes

Parr amendment page 1, line 26, after administration , add ,"Comma" add "within existing resources",

Passes

Committee decided to hold bill over.

HB 742 not heard, will hold over

POSITION PAPER/Department of Health and Social Services

POSITION PAPER

HOUSE CONCURRENT RESOLUTION NO. 102

"Relating to the communication of the availability of health services to the consuming public."

The Office of Planning and Research acknowledges the point made in HCR 102 that the multiplicity of health programs has surpassed public knowledge of these programs. Likewise, the Office recognizes the responsibility of the Department of Health and Social Services to inform potential consumers regarding the availability of those programs.

It would be a disservice, however, not to point out that the proper notification of eligibility requirements is no simple task. Requirements change on the federal level with great frequency and the numerous exceptions to flat statements regarding eligibility are often of more import to potential consumers than the generalized statements a booklet might contain. Thus any consumer-oriented booklet would require frequent up-dating and redistribution, of necessity affecting production costs.

The Resolution specifies that local, as well as federal and state, health programs be enumerated in a consumer communication mechanism. The inclusion of local information would require that the Department of Health and Social Services be notified of local program conditions, thus necessitating the creation of a reporting system over which the Department has no enforcement authority. (The Easter Seal Society experience with local reporting may be cited as evidence of the difficulties in this regard.)

In terms of feasibility, therefore, the Office suggests that the scope of HCR 102 be confined to state health programs, as local programs are susceptible to changes difficult to monitor and effectively update, while federal health programs are available to only a portion of the state's population and would thus not be generally helpful. The Office suggests that the booklet prepared by the Health Education Unit of the Division of Public Health be used on a trial basis at least, awaiting consumer reaction before embarking on a new project such as described in HCR 102, due to budget constraints.

Recommended by: Richard Renninger — February, 1976

Richard Renninger, Acting Coordinator
Office of Planning and Research

Date

Approved by: for Louis M. Jones — 3/2/1976

Francis S. L. Williamson, Commissioner

Date

I. REQUEST

Bill No. HCR 102

Title: Relating to the communication of the availablitiy of health services

Requested by: Commissioner's Office Date:

Return Date Requested: 2/26/76

Agency: Health & Social Services Program: Planning & Research

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Planning and Research

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES	-0-	4.5	5.0	5.5	6.0	6.6
200	TRAVEL						
300	CONTRACTUAL	-0-	2.7	2.9	3.1	3.4	3.7
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL	-0-	7.2	7.9	8.6	9.4	10.3

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-0-	7.2	7.9	8.6	9.4	10.3
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/ 2	/ 2	/ 2	/ 2	/ 2
MAN MONTHS (P./T.)	/	/ 3	/ 3	/ 3	/ 3	/ 3

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Staff: Professional, Range 18, Clerk Typist III, Range 8

10% inflation factor used for succeeding years.

Printing and postage based on actual FY 76 costs incurred by Division of Public Health in publishing their "Directory of Public Health Services."

We support the concept, but cannot recommend an increase in the Governor's budget.

IV. ATTACHMENTS

"Directory of Public Health Services"

V. DATE: 3/2/76 PREPARED BY: Richard T. Benning

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

Reviewed by Financial Management

H/S 50

Eugene A. Smith, H&SS Finance Officer

HCR

103

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

MARCH 19, 1976

Present: Parr, Ose, Hackney, Swanson, Davis, Sullivan

Testified: Janice Gates, Planning & Research, Dept. H&SS
Noel Smith, Office of Aging
Russ. Gentle, Div. of Pub. Assistance
Roslyn Reeder, Div. of Pub. Assistance

HCR 102 - Availability of health services to public - Ostrosky

Janice Gates, there is allready a Directory publication being printed right now, would be for everybody, not just recipients, docotrs, etc. Maybe this would qualify for this bill. Will have one put in everybodies box next week.

Committee feels that they should postpone any action until they have an opportunity to read the directory from H&SS. HCR 102 tabled for one week.

HCR 104 - Support for existing health facilities - Ostrosky

Janice presented dept. position paper, agrees with resolution

Ose - motion to table HCR 104, passed

HCR 105 - Funds/ programs for medically underservced areas - Ostrosky

Janice - dept. supports the concept.

Hackney - doesn't want us going after any fed grants without going through some sort of state, in house committee. Also would like dept. to research available grants, but not go after them till somebody can decide. State ends up with all these fed grants and as their phazed out, state must pick up tab.

Committee discussion related to all resolutions seemed pretty negative because of what Hackney just stated.

Parr , amendment line 21, insert after services, "within existing resources" this would delte any fiscal implications from dept. They would have to utilize existing personnel.

Amendment passed.

Hackney - amend line 21, delete "prepare and submit an application for" insert, "seek information on"

Hackney amendment - line 22 period after eligible. Add "be it further resolved, that before the Department submits an application for federal grants, or any other, the application be approved by Legislative Budget and Audit Division of Legislative Affairs."

Amendment passed

Move to pass HCR 105 out, moved out with individual recommendations.

HCR 103 - Eligibility for admission to pioneer homes - Ostrosky

Sullivan moves that we hold till we find out if there was a study in 1972 concerning this issue. This was suggested by member. David Freer will get back to us on this issue.

HCR 106 - Health care reimbusement mechanisms - Ostrosky

Russ Gentle, dept. currently looking into this, so they do not feel this resolution is needed

Committee referred to the fact that this resolution is once again asking for more grants, referred to Hackneys problem with this that state usually ends up having to take over.

Committee decided to hold this for awhile/

HCR 101 - Uniform acct and reporting of health institution - Ostrosky

Dept. presented position paper on this.

Committee feels that dept. of admin. should provide a fiscal note on this (contacted dept. of Admin for fiscal note)

Parr amendment, page 2, line 2 "comma" after 93-641 add "to", delet "and"

motion passes

Parr amendment page 1, line 26, after administration , add ,"Comma" add "within existing resources",

Passes

Committee decided to hold bill over.

HB 742 not heard, will hold over

HCR

104

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 10, 1976

Present: Beirne Sullivan Parr
Hackney Ostrosky Osterback

HB 866 Supplemental Appropriation to H&SS GOV.HESS

Lois Jund gave a better explanation of why the dept. needs this additional $. See dept. poisition paper. Due mainly because of the switch of some programs within the Fed. system to other systems, so a money lag.

Passed out with do pass.

The three licensing bills C.S. were given to everybody to look at over the weekend, if there are not objections they will be sent upstairs, as signed before the C.S. was completely drafted.

CSHB 744 Freedom of choice Beirne

Helen gave an explanation of this C.S., put in the clause "Terminal" rather than serious so noone would be condemend before terminally ill.
Clause relating to temp. or self-destructive declaration., Rodey and Gurening don't feel its necessary because an individual can revoke it at any time.

Committee discusses what "life supporting" means. Drugs and electrical apparatus used in definition section of bill.

Amendment - page 5, line 2 delete "and drugs".
Passed

Glenn concerned that there might be problem with the malpractice issues and this bill. Bill has a referral to Judiciary, they can handle it.

Motion to pass bill out as a new C.S. with amendment, committee decided to have it redrafted including the amendment.

Motion to move out, passed.

HCR 101 Uniform account for health institutions - Ostrosky

Hold for fiscal note

HCR 104 - Support for existing health facilities - Ostrosky

Katherine presented the C.S., decided not to do anything with this now.
Brian Saylors not available for explanation.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

MARCH 19, 1976

Present: Parr, Hackney, Davis, Ose, Swanson, Sullivan

Testified: Janice Gates, Planning & Research, Dept. H&SS
Noel Smith, Office of Aging
Russ. Gentle, Div. of Pub. Assistance
Roslyn Reeder, Div. of Pub. Assistance

HCR 102 - Availability of health services to public - Ostrosky

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Committee feels that they should postpone any action until they have an opportunity to read the directory from H&SS. HCR 102 tabled for one week.

HCR 104 - Support for existing health facilities - Ostrosky

Janice presented dept. position paper, agrees with resolution

Ose - motion to table HCR 104, passed

HCR 105 - Funds/ programs for medically underservced areas - Ostrosky

Janice - dept. supports the concept.

Hackney - doesn't want us going after any fed grants without going through some sort of state, in house committee. Also would like dept. to research available grants, but not go after them till somebody can decide. State ends up with all these fed grants and as their phazed out, state must pick up tab.

Committee discussion related to all resolutions seemed pretty negative because of what Hackney just stated.

Parr , amendment line 21, insert after services, "within existing resources" this would delte any fiscal implications from dept. They would have to utilize existing personnel.

Amendment passed.

Hackney - amend line 21, delete "prepare and submit an application for" insert, "seek information on"

Hackney amendment - line 22 period after eligible. Add "be it further resolved, that before the Department submits an application for federal grants, or any other, the application be approved by Legislative Budget and Audit Division of Legislative Affairs."

Amendment passed

Move to pass HCR 105 out, moved out with individual recommendations.

HCR 103 - Eligibility for admission to pioneer homes - Ostrosky

Sullivan moves that we hold till we find out if there was a study in 1972 concerning this issue. This was suggested by member. David Freer will get back to us on this issue.

HCR 106 - Health care reimbusement mechanisms - Ostrosky

Russ Gentle, dept. currently looking into this, so they do not feel this resolution is needed

Committee referred to the fact that this resolution is once again asking for more grants, referred to Hackneys problem with this that state usually ends up having to take over.

Committee decided to hold this for awhile/

HCR 101 - Uniform acct and reporting of health institution - Ostrosky

Dept. presented position paper on this.

Committee feels that dept. of admin. should provide a fiscal note on this (contacted dept. of Admin for fiscal note)

Parr amendment, page 2, line 2 "comma" after 93-641 add "to", delet "and"

motion passes

Parr amendment page 1, line 26, after administration , add ,"Comma" add "within existing resources",

Passes

Committee decided to hold bill over.

HB 742 not heard, will hold over

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session Ninth Legislature

I. REQUEST
Bill No. House Concurrent Resolution No. 104
Title: Reallocation of existing health facility space
Requested by: Kellus Sewell, Admin. Officer Date: 2/25/76
Return Date Requested: February 29, 1976
Agency: Department of Administration Program: Division of Pioneers' Benefits

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Pioneers' Homes'-Div. of Pioneers' Benefits
A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES	0	0	0	0	0	0
200	TRAVEL	0	0	0	0	0	0
300	CONTRACTUAL	0	0	0	0	0	0
400	COMMODITIES	0	0	0	0	0	0
500	EQUIPMENT	0	0	0	0	0	0
600	LAND & STRUCTURES	0	0	0	0	0	0
700	GRANTS, CLAIMS ETC.	0	0	0	0	0	0
	TOTAL	0	0	0	0	0	0

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0

C. POSITIONS:

PERMANENT/TEMPORARY	0/0	0/0	0/0	0/0	0/0	0/0
MAN MONTHS (P./T.)	0/0	0/0	0/0	0/0	0/0	0/0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
It appears that this Resolution would provide no additional impact on the Department of Administration funds due to the fact that the Department is not involved in health facilities other than the Pioneers' Homes. Sitka, Fairbanks and Palmer recently underwent remodeling and enlargement. Bed capacity was increased from 263 to 371. In addition, the Anchorage Home will be completed in April 1977 with space for 150 residents. Kotzebue is scheduled to be completed in mid 1976 with 20 accommodations.

We anticipate no under utilization of beds. Present vacancies in the three operating Homes are being filled from waiting lists. As of February 1, 1976, there were 69 vacancies in the Homes and 138 on the waiting lists. The Homes being constructed are receiving applications which indicate they will be at capacity soon after opening.

IV. ATTACHMENTS

V. DATE: February 25, 1976 PREPARED BY: Frank C. Sisson

Frank C. Sisson

Original: Legislative Finance
cc: Budget and Management (2)
Prime Sponsor (First Legislator Named)
House Health
Office of the Commissioner

H/S 50

HCR

105

Requesting the submission of applications for funds or programs for Alaska under designation as a medically underserved area.

COMMITTEE REPORT

2/17/76 FINANCE

HOUSE

Mr. Speaker: Date _____

The Committee on HESS has had HCR 105 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS AS AMENDED

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Norm Sullivan _____ _____

_____ _____ _____

Terry Gardiner DO PASS _____ _____

ROSE _____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Norm Sullivan Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: House HESS

To: _____ HOUSE BILL No. HCR 105

SENATE BILL No. _____

PAGE: 1 LINE: 21

after the word services, add "within existing resources"
delete "prepare and submit an application for"
add "seek information on"

line 22 - after the word eligible put a period
delete "under designation as a medically underserved area"

add new paragraph that reads: "Be it further resolved, that before the Deptartment submits an application for Federal grants or any other, the application be approved by Legislative Budget and Audit Division of Legislative Affairs."

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

MARCH 19, 1976

Present: Parr, Hackney, Davis, Ose, Swanson, Sullivan

Testified: Janice Gates, Planning & Research, Dept. H&SS
Noel Smith, Office of Aging
Russ. Gentle, Div. of Pub. Assistance
Roslyn Reeder, Div. of Pub. Assistance

HCR 102 - Availability of health services to public - Ostrosky

Janice Gates, there is allready a Directory publication being printed right now, would be for everybody, not just recipients, docotrs, etc. Maybe this would qualify for this bill. Will have one put in everybodies box next week.

Committee feels that they should postpone any action until they have an opportunity to read the directory from H&SS. HCR 102 tabled for one week.

HCR 104 - Support for existing health facilities - Ostrosky

Janice presented dept. position paper, agrees with resolution

Ose - motion to table HCR 104, passed

HCR 105 - Funds/ programs for medically underservced areas - Ostrosky

Janice - dept. supports the concept.

Hackney - doesn't want us going after any fed grants without going through some sort of state, in house committee. Also would like dept. to research available grants, but not go after them till somebody can decide. State ends up with all these fed grants and as their phazed out, state must pick up tab.

Committee discussion related to all resolutions seemed pretty negative because of what Hackney just stated.

Parr , amendment line 21, insert after services, "within existing resources" this would delte any fiscal implications from dept. They would have to utilize existing personnel.

Amendment passed.

Hackney - amend line 21, delete "prepare and submit an application for" insert, "seek information on"

Hackney amendment - line 22 period after eligible. Add "be it further resolved, that before the Department submits an application for federal grants, or any other, the application be approved by Legislative Budget and Audit Division of Legislative Affairs."

Amendment passed

Move to pass HCR 105 out, moved out with individual recommendations.

HCR 103 - Eligibility for admission to pioneer homes - Ostrosky

Sullivan moves that we hold till we find out if there was a study in 1972 concerning this issue. This was suggested by member. David Freer will get back to us on this issue.

HCR 106 - Health care reimbusement mechanisms - Ostrosky

Russ Gentle, dept. currently looking into this, so they do not feel this resolution is needed

Committee referred to the fact that this resolution is once again asking for more grants, referred to Hackneys problem with this that state usually ends up having to take over.

Committee decided to hold this for awhile/

HCR 101 - Uniform acct and reporting of health institution - Ostrosky

Dept. presented position paper on this.

Committee feels that dept. of admin. should provide a fiscal note on this (contacted dept. of Admin for fiscal note)

Parr amendment, page 2, line 2 "comma" after 93-641 add "to", delet "and"

motion passes

Parr amendment page 1, line 26, after administration , add ,"Comma" add "within existing resources",

Passes

Committee decided to hold bill over.

HB 742 not heard, will hold over

POSITION PAPER/Department of Health and Social Services

POSITION PAPER

HOUSE CONCURRENT RESOLUTION NO. 105

"Requesting the submission of applications for funds or programs for Alaska under designation as a medically underserved area."

This Resolution urges application for grant funds available in support of demonstration and research in health care delivery to underserved rural areas. Grants are funded at a maximum level of $200,000 per year, decreasing in amount for two successive years. It is questionable whether the Department could participate in this grant program this year, as the deadline for submission of applications is March 1, 1976.

National concern with the maldistribution of health care personnel and facilities and with the escalating costs of primary health care services has led to an interest in the demonstration or pilot project as a test of innovative methods of delivering and financing health care services. With the advent of national health insurance on the horizon, it is not unrealistic to assume that more such grant programs will be offered. For this reason, the Department of Health and Social Services favors maintaining a posture receptive to grant program application opportunities.

Specifically, the Department would favor creating a current library of grant information, with responsibility for the dissemination of materials throughout the Department and for technical assistance in the preparation of grant applications attached to it. The proper maintenance of such a library and the coordination of resource materials with appropriate departmental offices and divisions would require a position, at least on a part-time basis, preferably within the Office of Planning and Research in the Commissioner's Office. In this way, the underlying intent of HCR 105, as interpreted by the Department, would be met to the potential benefit of the state as a whole and particularly of the medically underserved areas contained therein.

Although the Department generally favors the concept presented in HCR 105, fiscal implications (as in the attached Fiscal Note) would place the measure outside the Governor's Budget. The Department cannot, therefore, endorse HCR 105.

Recommended by: Richard Renninger
Richard Renninger, Acting Coordinator
Office of Planning and Research
Date: Mar 2, 1976

Approved by: for Lois M. Lund
Francis S. L. Williamson, Commissioner
Date: 3/8/76

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST
Bill No. HCR 105
Title: Requesting the submission of applications for funds for Alaska
Requested by: Commissioner, Department Health & Social Services
Return Date Requested: February 26, 1976
Agency: Dept. Health & Social Services Program: Planning & Research

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Planning & Research

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES	-0-	12.5	-0-	-0-	-0-	-0-
200	TRAVEL		3.5				
300	CONTRACTUAL		2.0				
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL	-0-	18.0	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-0-	18.0	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/ 1	/	/	/	/
MAN MONTHS (P./T.)	/	/ 6	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Part-time position, range 17.

Inflation factor of 10% used for succeeding years.

Travel and telephone charges-to confer with service delivery organization to be included in the applications.

We support the concept, but connot recommend an increase in the Governor's budget.

IV. ATTACHMENTS

V. DATE: March 2. 1976 PREPARED BY: Richard Ranger

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

HCR

106

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

MARCH 19, 1976

Present: Parr, Hackney, Davis, Ose, Swanson, Sullivan

Testified: Janice Gates, Planning & Research, Dept. H&SS
Noel Smith, Office of Aging
Russ. Gentle, Div. of Pub. Assistance
Roslyn Reeder, Div. of Pub. Assistance

HCR 102 - Availability of health services to public - Ostrosky

Janice Gates, there is allready a Directory publication being printed right now, would be for everybody, not just recipients, docotrs, etc. Maybe this would qualify for this bill. Will have one put in everybodies box next week.

Committee feels that they should postpone any action until they have an opportunity to read the directory from H&SS. HCR 102 tabled for one week.

HCR 104 - Support for existing health facilities - Ostrosky

Janice presented dept. position paper, agrees with resolution

Ose - motion to table HCR 104, passed

HCR 105 - Funds/ programs for medically underservced areas - Ostrosky

Janice - dept. supports the concept.

Hackney - doesn't want us going after any fed grants without going through some sort of state, in house committee. Also would like dept. to research available grants, but not go after them till somebody can decide. State ends up with all these fed grants and as their phazed out, state must pick up tab.

Committee discussion related to all resolutions seemed pretty negative because of what Hackney just stated.

Parr , amendment line 21, insert after services, "within existing resources" this would delte any fiscal implications from dept. They would have to utilize existing personnel.

Amendment passed.

Hackney - amend line 21, delete "prepare and submit an application for" insert, "seek information on"

Hackney amendment - line 22 period after eligible. Add "be it further resolved, that before the Department submits an application for federal grants, or any other, the application be approved by Legislative Budget and Audit Division of Legislative Affairs."

Amendment passed

Move to pass HCR 105 out, moved out with individual recommendations.

HCR 103 - Eligibility for admission to pioneer homes - Ostrosky

Sullivan moves that we hold till we find out if there was a study in 1972 concerning this issue. This was suggested by member. David Freer will get back to us on this issue.

HCR 106 - Health care reimbusement mechanisms - Ostrosky

Russ Gentle, dept. currently looking into this, so they do not feel this resolution is needed

Committee referred to the fact that this resolution is once again asking for more grants, referred to Hackneys problem with this that state usually ends up having to take over.

Committee decided to hold this for awhile/

HCR 101 - Uniform acct and reporting of health institution - Ostrosky

Dept. presented position paper on this.

Committee feels that dept. of admin. should provide a fiscal note on this (contacted dept. of Admin for fiscal note)

Parr amendment, page 2, line 2 "comma" after 93-641 add to", delet "and"

motion passes

Parr amendment page 1, line 26, after administration , add ,"Comma" add "within existing resources",

Passes

Committee decided to hold bill over.

HB 742 not heard, will hold over

POSITION PAPER/Department of Health and Social Service

POSITION PAPER

ON

HOUSE CONCURRENT RESOLUTION NO. 106

Requesting the study of experimental health care reimbursement mechanism.

This Division feels that the resolution is unnecessary as investigation into alternative reimbursement systems has been initiated by the Department of Health and Social Services.

Recommended By: _____ 3/3/76

Lawrence J. Sullivan, Director
Division of Public Assistance

_____ 3/9/76

Francis S.L. Williamson, Commissioner
Department of Health & Social Services

HCR

111

Relating to a change in the designation of boundaries of health service areas.

COMMITTEE REPORT

HOUSE

3/10/76

Mr. Speaker: Date April 2, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HCR 111 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

(✓) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan	Do not Pass	
Kathryn Ostroski	" " "	

Members NOT concurring in the Majority report:

Ann Dahlberg recommends: Do not pass

Kathryn Ostroski recommends: No Rec

Charlie Porter recommends: Do Pass

_____ recommends: Do pass

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

APRIL 2, 1976

Present: Hackney Osterback Ostrosky
Beirne Sullivan

Testifying: Kay Smith, Dept. of H&SS
Larry Sullivan, Dept. of H&SS
Jack Chenowith, A.A. Pat Rodey

HCR 111 - Boundary Change in Health Service - Rules

Ramona Kelley - explained reason for this resolution, predominately fiscal justification.

Committee --~~no action~~. pass out - do not pass rec.

HB 790 -Contract Agreements/Adoption Service - Buchholdt

Buchholdt, explained why she introduced the bill and how it could save some state $.

Kay Smith, representing depts. position. Dept. favors this bill for future needs. no $ for FY 77.

SB 011 -Adoption by step parents - Rodey

Jack Chenowith, representing Rodey,

Kay Smith presented dept. poisiton. Would like to define step-parent with the child.

Move to accept Dept.s amendment.

Committee decided to pass bill out with amendment.

HB 467 - Catastrophic illness aid - Beirne

Larry Sullivan, represent dept. position. In favor of concept and favor passage with fiscal note as presented with dept. position paper.
Amend line 25 delete"who has suffered at catastrophic illness"
line 26 & 27 delete "appointed by the gov."
Unanimous do pass for CSHB 467 as amended.

HJR 67 = Medicare and Hemophilliacs - HESS

DO pass, no objection , moved out.

Alaska State Legislature

House

JUNEAU ALASKA

COMMITTEE MEETING HOUSE HESS

MARCH 26, 1976

Present: Sullivan Ostrosky
Parr Beirne Osterback

Testifying:
Elizabeth Shaw, NASW
Janis Price, NASW
Sister Andrea

HCR 111 - Boundary Change in Health Service Area - Rules

Sister Andrea - opposed to the bill- wants three HSA

Renninger, Dept. H&SS, also supports three HSA conceptually and fiscally

Bill not moved on,

HB 367 -Social Workers Licensing - Beirne

Beirne spoke on revised version of the bill, revised with assistance of Sharon Andrews, director of licensing. Went over provisions of the bill with committee Some changes made on the draft

Mr. Price , Dept. H&SS, discussed minor points of bill
Stated that the bill requires all new employees to have MSW or change their title or requirements of certain jobs to hire people. Dept. does not have to fire any S.W. who are employed now or don't have MSW

Discussion around fiscal implications of all these new licensing bills. Probably will add one more full time person to the licensing division.

Motion passed for individual recommendations on the work draft copy to be a Committee Substitute.

HB 744 - Freedom of choice, medical procedures - Beirne

Mr. Heidersdorf, representing Alaskans for Life, not for the entire concept of the bill, feels there are some problems with it.

Committee discussion regarding suicide, also liability regarding disconnecting life sustaining measures, example Quinlan case.

Heidersdorf feels that people have the right to make this decision, but not 20 or 30 years before, people might change their ideas and minds. Also definition of extraordinary means , might change

Beirne would like a chance to rework the bottom of p. 1 , severe distress, etc. too dificult til revoke now. Will let Pat Rodey and Clark Grueing look at the proposed chances.

Committee points out various areas of concern for Helen to take alook at. P. 1. line 19, how about renewal every five years
P. 3 line 27, need rewording, more specific
Alvin suggests time frame, 1 year or so till individual can have a chance to recover.

Hold till middle or end of nexy week, when Helen has it reworked.

HB 772 - Licensure of counselors - HESS

Tabled - dead

SB 554 - Licensing of Phy. & Osteopaths - Croft

Beirne - Croft wanted to work this over with others, make amendments, Helen feels there wasn't enought time, want to make 1 change now
Line 20, Add "the Department shall employ"
Delete "The board shall employ"

Amendments passed

This bill belongs in malpractice, wants it to go to Jud. Recommend it is included in Malpractice package.

Bill - passed

HB 392 - Rehabilitation Counselor - Beirne

Beirne, explanation of bill and discussion
proposed amendment - decided to make a committee substitute of this bill, see draft. Also all reference to counselors should read Vocational Rehabilitation counselor

Delete line 4 - 11 page 4

Helen moved to have this bill moved out.
as a committee substitute

HB 635 - Licensing of Speech Pathologists & Audiologists - Gov.

Beirne, alot of fraud by people coming into Ak. and selling hearing aids and then leaving state.

Committee went over work draft and made changes, P.2, line 25 delete "practice speech path. or audio". line 27, 28 & 29 P4 delete, P. 5 line 1 thru 19 delete. P. 5 line 19, change "social worker" to Speech pathologist & audiologist

Committee recommends Committee Substitute move out, individual recommendations passed out.

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

#

1975 MAR 19 PM 5 36

14 012 NL KODIAK ALASKA 59 03-19 321P AST

PMS MISS SUSAN SULLIVAN CHAIRMAN HOUSE HESS COMMITTEE

6179

STATE CAPITOL BLDG

JUN

THE RESOLUTION INTRODUCED BY MRS RAMONA KELLEY OF ANCHORAGE FOR 1 HSA FOR THE STATE OF ALASKA INSTEAD OF 3 AS APPROVED BY THE SECRETARY DHEW IS IN DIRECT CONFLICT WITH STATED INTENT OF PL 93-641 TO DECENTRALIZE AND PROVIDE MORE COMPREHENSIVE SERVICES FOR RURAL AREAS. REQUEST PUBLIC HEARING BE HELD ANCHORAGE JUNEAU FAIRBANKS

YVONNE ZHAROFF, HEALTH DIRECTOR KODIAK ISLAND NATIVE HEALTH AUTHORITY

HCR

120

Requesting the study of statewide health insurance, particularly catastrophic illness insurance.

COMMITTEE REPORT

3/31/76 HOUSE FINANCE

Mr. Speaker: Date April 10, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICE has had HCR 120 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(✓) recommends it BE REPLACED WITH CS FOR HCR 120 AND THAT CS FOR ____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Laura Sullivan

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Laura Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 10, 1976

Present: Beirne Sullivan Parr
Hackney Ostrosky Osterback

HB 866 Supplemental Appropriation to H&SS GOV.HESS

Lois Jund gave a better explanation of why the dept. needs this additional $. See dept. poisition paper. Due mainly because of the switch of some programs within the Fed. system to other systems, so a money lag.

Passed out with do pass.

The three licensing bills C.S. were given to everybody to look at over the weekend, if there are not objections they will be sent upstairs, as signed before the C.S. was completely drafted.

CSHB 744 Freedom of choice Beirne

Helen gave an explanation of this C.S., put in the clause "Terminal" rather than serious so noone would be condemend before terminally ill.
Clause relating to temp. or self-destructive declaration., Rodey and Gurening don't feel its necessary because an individual can revoke it at any time.

Committee discusses what "life supporting" means. Drugs and electrical apparatus used in definition section of bill.

Amendment - page 5, line 2 delete "and drugs".
Passed

Glenn concerned that there might be problem with the malpractice issues and this bill. Bill has a referral to Judiciary, they can handle it.

Motion to pass bill out as a new C.S. with amendment, committee decided to have it redrafted including the amendment.

Motion to move out, passed.

HCR 101 Uniform account for health institutions - Ostrosky

Hold for fiscal note

HCR 104 - Support for existing health facilities - Ostrosky

Katherine presented the C.S., decided not to do anything with this now.
Brian Saylors not available for explanation.

HCR 120 - Study of Health Insurance, Catastrophic - HESS

THIS NEEDS a fiscal note.

Amendment, line 19 p. 1, delete "establish a task force whose membership reflects the diversity of geography, socio-economic status, age, sex, and health care professions in the state".

Insert "conduct a study".

Committee decided to have this redrafted as a C.S. since this is a resolution.

Bill passed out with C.S.

STATE OF ALASKA

Inter-Department Route Slip

TO:

MAIL STATION NUMBER 3100

DEPARTMENT DF - Dept of Fish & Game

ATTENTION Susan Sullivan

- [ ] Approval
- [ ] Signature
- [ ] Comment
- [ ] Contact Me
- [ ] Prepare Reply
- [ ] For Your File
- [ ] Note & Return
- [ ] Initial & Return
- [ ] Return As Requested
- [ ] Return For Approval
- [ ] Necessary Action
- [x] For Your Information

Remarks:

FROM:

MAIL STATION NUMBER 2500

DEPARTMENT Insurance / Commerce

BY Blake

DATE 4/8/26

02-002 (REV.10/73)

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

April 9, 1976

Alaska State House of Representatives
Health Education and Social Services Committee
In Session
Juneau, Alaska

Attention: Susan Sullivan, Chairperson

Dear Ladies and Gentlemen:

As requested by your letter of April 5th, 1976, I am pleased to provide you with an estimated cost of a properly funded task force to consider the wide range of issues concerning catastophic illness, to be studied pursuant to HCR120.

In considering the potential cost of such a program, I have both taken into account the expenses incurred by the Medical Malpractice Insurance Commission and also considered some of the extra expenses that would necessarily be incurred if a proper study is to be done.

I have assumed that the task force would consist of fifteen members who would meet at least four days each month for a period of four months and that there would be two persons assigned to the task force full time during its existence.

Included are substantial travel, witness fees, printing, mailing, and transcribing expenses, all of which were incurred by the Malpractice Commission as necessary parts of operating a proper task force. In addition, there is included an actuarial consulting fee which would necessarily be a part of any recommendation to the Legislature concerning any state operated health insurance program.

Yours cordially,

Richard L. Block
Director

CATASTRPHIC HEALTH INSURANCE TASK FORCE
SCHEDULE OF PROPOSED EXPENSES*

Per Diem	12,000
Travel	28,800
Transcription	1,600
Facilities	800
Executive Staff	15,000
Clerical Staff	7,000
Witness Travel Fees	5,000
Printing, Mailing & Miscellaneous	5,000
Actuarial Consulting Fees	20,000
Total	83,200

* assume two meetings per month, each meeting to last two days over a period of four months. Assume fifteen members.

HCR

132

Relating to the waste disposal exigencies in Barrow and Bethel.

COMMITTEE REPORT

4/16/76

HOUSE

Mr. Speaker: Date April 24, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HCR 132 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____	_____	Susan Sullivan
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

Ho[illegible]2

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 24, 1976

Present: Parr Ostrosky Osterback
Sullivan Beirne

HJR 70 & HCR 132 - Waste disposal in Barrow and Bethel - HESS

Committee discussed the issues and voted to pass both out with a do-pass.

HB 894 - Practice of Dentistry - HESS

Committee discussed the bill and also whether to include dental hygenists,
Amendment, line 8, page 2 after dentist, add "And Dental Hygenists."
Line 18, page 2, after dentist, add" or dental hygenists"
Line 1, page 3, after dentistry, add " and dental hygeine"

Committee concerned about repealing the advertising section of the statutes. This would enable a dentist to advertise for business, prices, etc. Discussion centered around how the Dental Assoc. felt about this, they were not too concerned, but did feel it would allow non-competent dentists to get more business.

Motion to move bill out with amendment, do pass

HB 457 - Training and Ed. of State Employees - Buchholds

Hold till Monday, get someone here, Patrick Hung from Personnel to testify Helen wants him to

HCR

135

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 26, 1976

Present: Beirne, Swanson Ostrosky
Sullivan Osterback

Testifying: Walt Jones, D.O.C.
Betsy McGuire, Office of Child Advocacy
Noel Smith, Office of Aging
Ada Gleason, Div. of Soc. Services

HCR 135 - Placement of Children outside of Ak. - HESS

Betsy spoke about this resolution and that it did speak to a main issue the the Standards and Goals, which OCA just put together. This included removing all kids from outside facilities.

Amendment, line 25, should read "to place children in out-of-state facilities" passed

Walt Jones feels that corrections is allready doing this when possible and doesn't see a need for the resolution. Reasons they place kids outside is no facilitiy or space available.

This is true for corrections but not so for Soc. Service kids.

Committee decided to hold bill over and get more information.

HB 914 - Licensing of Care Providers - Ostrosky

Kathryn presented this bill,

Ada Gleason read the dept. position paper. They are for it, howev. it has fiscal implications and would not fit into the gov. budget.

Ada feels that p.6 line 2 needs to add other categories, such as children, grandchildren, stepchildren, neices, nephews.

Mr. Smith testified about nursing home residents or just old people who need more than a place to live, boarding homes. He would like to see a definition of "fair" treatment specified in the bill, as well as some requirements that boarding homes would have to live under

Committee also feels there is a need to define "care" and also what "adult" means.. However, if boarding homes become licensed too stringently some very good care providers will be pushed out of business.

Decided to have Kathryn work on this bill a little more, need reasonable protection for care providers. Minimum requirements

02-001B

STATE
of ALASKA

MEMORANDUM

TO: Betsey McGuire
Executive Director
Office of Child Advocacy

DATE : May 7, 1976

FROM: Sam J. Granato
Director
Division of Social Services

SUBJECT: Placement of Children

This is in reply to your memo of April 28 requesting information on children in Outside placement.

1. There are currently 19 children placed in Outside facilities.

2. Care is being provided by the following facilities:

Facility	No. of Children	Cost per month per child
Excelsior - Colorado	12	$1,070.00
Devereux - Texas	4	1,265.00
Albertina Kerr - Oregon	1	900.00
Evergreen - Colorado	1	700.00
Gutman - Oregon	1	574.00

3. The children were placed Outside either because they were not declared delinquent by the court but require a secured setting to enable proper and effective treatment and the facilities in Alaska capable of providing necessary treatment are full. Alaskan facilities are especially lacking for treatment of girls with serious emotional or behavioral problems.

4. The Division does not maintain central records on the ethnic background of children or clients.

02-001B (REV. 08-73)

MEMORANDUM State of Alaska

TO: *Rep. Susan Sullivan, Chr.*
Health & Social Services Committee

DATE: *April 28, 1976*

FILE NO:

TELEPHONE NO:

FROM: *Betsey W. McGuire* BWM
Executive Director
Office of Child Advocacy

SUBJECT:

Attached is some information prepared by Barbara McPherson, Juvenile Justice Planner for Criminal Justice Planning Agency; I thought you might be interested in it, depressing as it may be!

BWM/kh

R6J072

JW Justice

POPULATION DISTRIBUTION

Percent of Total Population Contributed

By the 10-19 Age Group 1970

AGE	TOTAL		MALE		FEMALE	
	Number	%	Number	%	Number	%
10-14	33,636	17%	17,348	10%	16,288	12%
15-19	26,459	9%	13,856	9%	12,603	9%
10-19	60,095	20%	31,204	19%	28,891	21%
All Ages	300,382	100%	163,082	100%	137,300	100%
Under 20	129,463	43%	66,623	41%	62,940	46%

Percent of Teens Out Of School
(Age 14-16)

By Mental Health Catchment Areas
Source: Mental Health Plan 1975

AREA	% Out Of School
Bethel Area	18.70%
Kodiak Area	8.42%
Nome Area	4.70%
Fairbanks Area	10.47%
Ketchikan Area	9.46%
Anchorage Area	9.21%
Juneau Area	6.67%
U.S. TOTAL	7.30%

Average Size of Families in Alaska
Mean Number of Persons Per Family

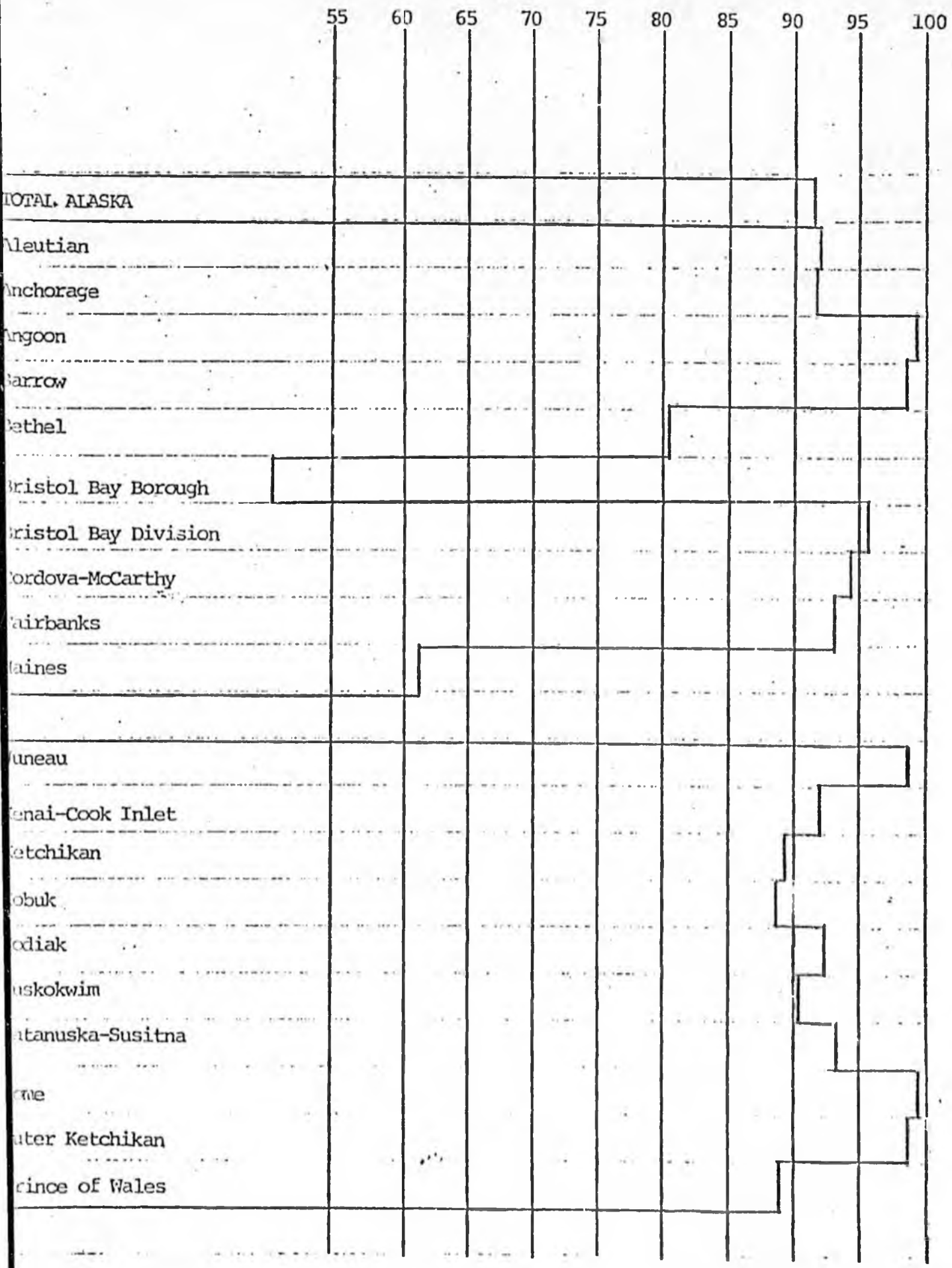
Source: 2C Study

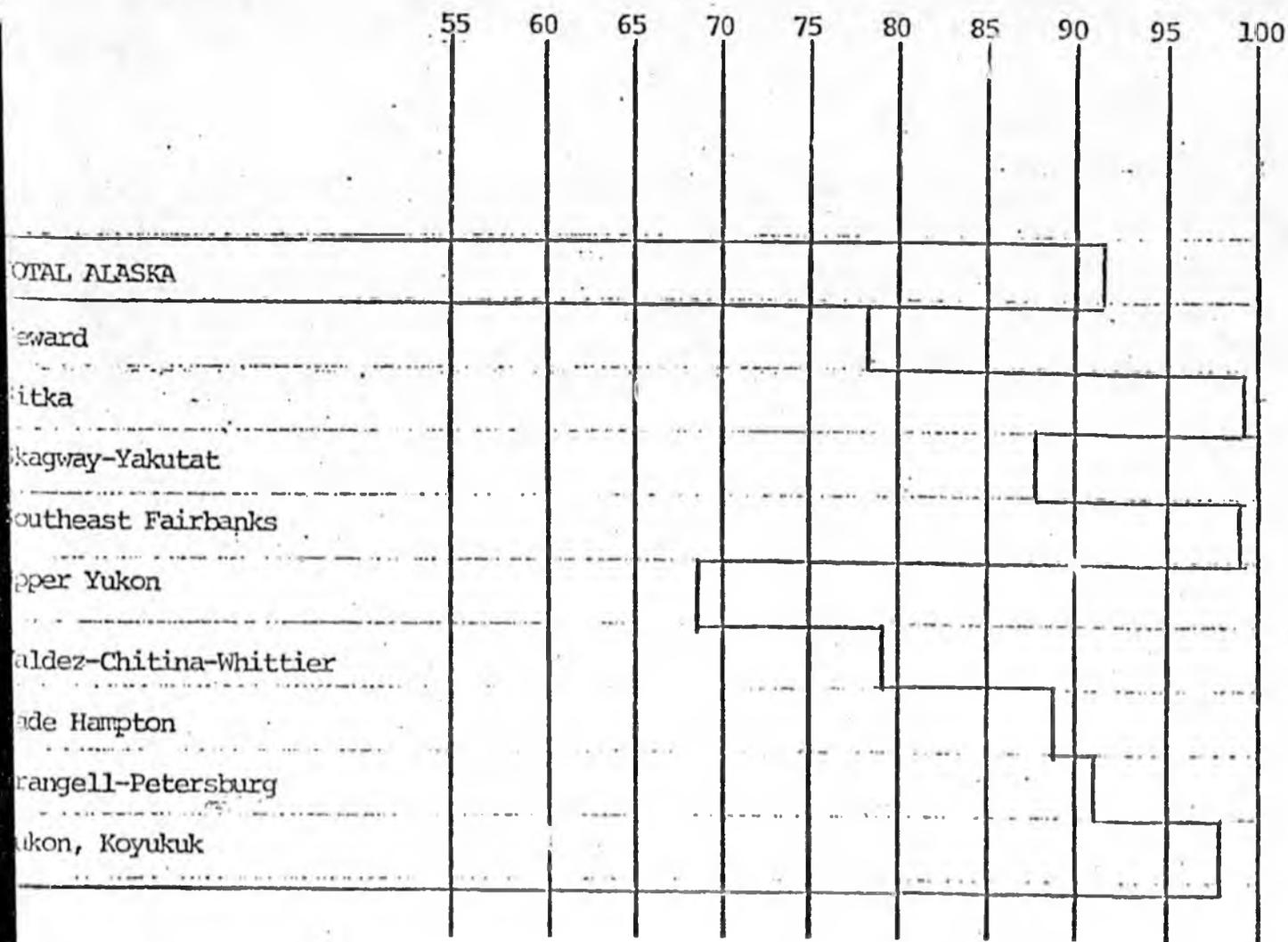
Whites		Natives	
Rural	Urban	Rural	Urban
3.7	3.7	5.7	4.4

Number of People in Selective Age Groups 1970
(Comparison with Persons of All Ages by Race)

Age Group	Total	White	Native	Black	Other
10-14	33,636	25,094	7,574	708	260
% of pop of all ages	11%	11%	15%	8%	9%
% in each racial group	100%	75%	23%	2%	1%
14-19	26,459	20,163	5,623	506	167
% of pop of all ages	9%	8%	11%	6%	6%
% in each racial group	100%	76%	21%	2%	1%
10-19	60,095	45,257	13,197	1,214	427
% of pop of all ages	20%	19%	26%	14%	14%
% in each racial group	100%	75%	22%	2%	1%
All Ages	300,382	237,798	50,816	8,803	2,965
% of pop of all ages	100%	100%	100%	100%	100%
% in each racial group	100%	79%	17%	2%	1%

In summary the 10-19 age group has a greater percentage of Natives than the total population (22% compared to 17%). Correspondingly, the age group 10-19 represents 26% of the total Native population as opposed to 19% of the White population.


55
60
65
70
75
80
85
90
95
100
TOTAL ALASKA
Aleutian
Anchorage
Angoon
Barrow
Bethel
Bristol Bay Borough
Bristol Bay Division
Cordova-McCarthy
Fairbanks
Haines
Juneau
Kenai-Cook Inlet
Ketchikan
Kobuk
Kodiak
Kuskokwim
Matanuska-Susitna
Nome
Outer Ketchikan
Prince of Wales
Percent of Persons 14-17 in School


55
60
65
70
75
80
85
90
95
100
OTAL ALASKA
eward
itka
kagway-Yakutat
outheast Fairbanks
pper Yukon
aldez-Chitina-Whittier
ade Hampton
rangell-Petersburg
ukon, Koyukuk
Percent of Persons 14-17 in School

DIVORCE

Alaska is among the top 6 States in rate of divorce.

DIVORCE RATE ALASKA AND THE U.S.
(Per 1,000 Population) Source: Mental Health Plan

	1971	1972	1973
Alaska	5.6	6.4	6.2
U.S.	3.7	4.1	4.4

DIVORCE BY AREA
RATIO OF DIVORCES (1973) TO POPULATION (1970)
BY PLANNING DISTRICTS Source: Mental Health Plan

Anchorage	1.04	Juneau	1.15
Aniak	.30	Kenai	.91
Barrow	.25	Ketchikan	1.04
Bethel	.16	Kodiak	.95
Bettles	.61	Kotzebue	.16
Cold Bay	.12	McGrath	.24
Dillingham	.51	Nome	.32
Fairbanks	1.00	Seward	1.08
Fort Yukon	.15	Sitka	.80
Galena	.08	Tok	.43
Glenallen	.12	Valdez	.50

SUICIDE

Alaska has one of the highest suicide rates in the country.

SUICIDE RATE
(per 100,000 population)

Source: Mental Health Plan 1975

	1970	1972	1973
U.S. Rate	11.6	11.7	11.6
Alaska	13.5	11.6	18.4
Native	28.8	22.2	36.4
White	10.9	9.9	13.9

AVERAGE ANNUAL AGE SPECIFIC SUICIDE
DEATH RATES FOR ALASKA NATIVES

1970 - 1973 Source: 2C Study

Age Group	Rate
0-14	3.2
15-19	50.0
20-24	170.6
25-34	103.7
35-44	64.4
45-54	32.2
55-64	8.9
over 65	--
TOTAL	40.0

AVERAGE ANNUAL SUICIDE MORTALITY FOR
ALASKA NATIVES 1950-1973
Source: 2C Study

YEAR	Southern Eskimo	Northern Eskimo	Athabascan	Aleut	Tlingit	TOTAL
1950-54	5.5	12.5	26.6	18.1	20.6	14.6
1955-59	4.7	15.9	3.9	3.9	28.4	11.9
1960-64	5.5	12.0	24.8	14.4	21.9	13.8
1965-69	5.9	30.7	38.5	19.2	25.4	20.7
1970-73	17.3	57.2	87.8	29.3	38.5	40.0

SUICIDES BY LOCATION
RATIO OF SUICIDES (1973) TO POPULATION (1970)
BY PLANNING DISTRICTS Source: Mental Health Plan

Anchorage	.80	Juneau	11.72
Aniak	-0-	Kenai	.71
Barrow	-0-	Ketchikan	.36
Bethel	1.73	Kodiak	-0-
Bettles	21.86	Kotzebue	1.14
Cold Bay	-0-	McGrath	8.61
Dillingham	1.09	Nome	5.60
Fairbanks	.97	Seward	-0-
Fort Yukon	-0-	Sitka	.46
Galena	2.70	Tok	-0-
Glenallen	-0-	Valdez	1.29

EDUCATION

Educational Attainment Source: 2C
Notice divergence between education of Natives and Whites.

Median Years of School Completed By Alaskans Over 25 Years of Age -- 1970						
	TOTAL		URBAN		RURAL	
	M	F	M	F	M	F
Native and Other	7.4	7.6	12.0	10.7	6.1	6.0
Whites and Blacks	12.6	12.6	12.6	12.6	12.5	12.5

(Relative Deprivation)

Percent of Population (Over 25) With Various Years of Schooling -- 1970										
	NO SCHOOL	ELEMENTARY				HIGH SCHOOL		COLLEGE		
		1-4	5-6	7	8	1-3	4	1-3	4	5+
Native/Other	13.8	18.7	13.9	7.4	12.0	13.1	13.4	4.8	4.6	0.7
Whites/Blacks	0.4	0.7	1.1	1.4	6.3	15.3	42.0	16.7	8.9	7.4

NUMBER ENROLLEES

Percent of Population (Over 25) Enrolled in Elementary, High School, and College 1970

Population	Elementary	High School	College
100%	19.3%	6.5%	2.0%
300,302	57,990	19,394	5,901
Native	14,058	4,135	385
White	43,932	15,259	5,516

CHILD ABUSE

Source: Mental Health Plan 1975

Alaska has the highest child abuse rate of any state in the nation.

Alaska's FY1972 physical abuse rate was 48 per 100,000 children under 16 years of age.

ALCOHOL ABUSE

The abuse of alcohol is perhaps Alaska's most widespread social problem. Alaska has among the highest per capita consumption of alcohol in the nation - 78% above the national average.

The 1975 Mental Health Provider Survey confirmed that alcoholism is by far considered the most pressing mental health problem (62.3% responded to this effect). Further, alcoholism is among the leading causes of death among Alaska Natives (deaths due to alcoholism = 39.4 per 100,000 for the Alaska Native population).

The impact of alcohol abuse and alcoholism upon crime, child abuse, broken homes, and correspondingly juvenile delinquency must be considered.

CORRECTIONS Placements

AGE	SEX	RACE	HOME TOWN	PRESENT LOCATION
16	M	W	Eagle River	CDYS (Colorado Dept Youth Services
18	M	W	Juneau	CDYS
15	F	W	Fairbanks	NCGO (Neuville, Col.
16	F	W	Kotzebue	NCGO
13	M	W	Juneau	CDYS
16	M	E	Fairbanks	CDYS
14	M	W	Fairbanks	SH (Secret Harbor)
17	M	W	Chisana	DFVT (Devereaux, Tex.
15	M	W	Fairbanks	SH
16	M	W	Sitka	CDYS
16	F	W	Fairbanks	NCGO
15	F	W	Fairbanks	NCGO
15	F	W	Anchorage	NCGO
17	M	W	Anchorage	DFVT
17	M	W	Fairbanks	SH
16	M	W	Fairbanks	SH
16	F	E	Barrow	NCGO
16	F	E	Barrow	NCGO
17	M	W	Anchorage	SH
17	F	W	Fairbanks	NCGO
17	M	A	Anchorage	CDYS
17	M	W	Anchorage	CDYS
16	F	W	Fairbanks	NCGO
16	M	W	Juneau	SH
15	F	W	North Pole	NCGO
17	F	W	Soldotna	NCGO

HCR

139

Relating to the Food Stamp Program.

COMMITTEE REPORT

HOUSE

4/30/76

Mr. Speaker: Date May 7, 1976

The Committee on HESS has had HCR 139 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

Ellen O'Brien _____ _____

Members NOT concurring in the Majority report:

Tom Harding recommends: DO NOT PASS

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 6, 1976

Present: Ostrosku Parr Beirne
Hackney Sullivan

Testifying: Rod Betit

HJR 72 - Food Stamp

Rod is in favor of it, explained problems in the Alaskan food stamp system. New Dept. of Agriculture regulations create greater problems.

Don Clockson, Legal Services, explained other fronts of action on this issue, congress etc.

Committee decided to move out with individual recommendations.

HCR 139 Food Stamp

Rod explained problems regarding food stamps and the people in the rural areas and the need for this resolution.

Motion to move out carries

HB 596 - Local Health Service

Lois Jund, explains changes in the proposed CS and discussed the problems that committee members have with the bill
bill held over till tomorrow.

THE FOLLOWING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

POSITION PAPER/Department of Health and Social Services

POSITION PAPER

ON

HOUSE CONCURRENT RESOLUTION NO. 139

A concurrent resolution relating to the Food Stamp Program.

This resolution appears conveyance of legislative desire to see improved food stamp availability in rural areas through (1) development of a rural oriented application; (2) upgrade of the current fee agent system; (3) return of eligibility determinations to the district office with decisions in no more than 7 days; and (4) sale of food stamps at the village level.

Development of a rural area application is already in process through a recent cooperative agreement between this department and Rural Alaska Community Action Programs (RURALCAP). The department is currently waiting for RURALCAP's recommendations prior to submitting a final rural area application to the U.S. Department of Agriculture for approval.

Upgrade of the current fee agent system would definitely improve the quality of service afforded rural Alaskans, as fee agents are presently not only poorly trained in food stamp matters, but are difficult to retain due to the inadequate payments they receive. A refined statewide training program for approximately 120 fee agents would cost $60,000 annually ($39,000 federal - $21,000 state) and would permit sponsoring training sessions in 10 different locations twice a year. Additionally, at the cost of $50,000 annually the fee agent payment level could be increased from the current $4 to $8 per application, which would produce a more competitive interest among potential fee agents and would insure a higher level of service and stability. The department definitely supports this proposal in concept.

Legislative desire to see food stamp eligibility determinations returned to the district office, coupled with a commitment to render decisions within 7 days from date of application, appears predicated on information that lengthy delays between time of application and receipt of benefits by rural Alaskans currently exist. Although there were recent difficulties in the new regional decision process, they have been resolved at this time. Food stamp decisions are presently rendered well within the 30 day time standard required by federal regulations. For example, 90% of food stamp applications in our Southcentral Region are approved or denied within 10 days after receipt from rural applicants in the districts of Anchorage, Palmer, Kenai, Valdez, Kodiak and Dillingham.

If the department were to deliver decisions from the districts rather than the regions, in fewer than the current 10 day norm, an estimated $2.2 million additional funds for FY 77 would be required. This would escalate the administrative cost required to deliver each dollar of benefits in FY 77 from $0.05 to $.10, doubling the amount currently projected under the regional process. This dramatic increase would result due to the following primary factors:

1. The current complexity within each of the 8 public assistance programs necessitates worker specialization and increased supervision to protect the State of Alaska from severe losses in state general funds due to erroneous payments, as well as to minimize federal fiscal penalties against the state; and

2. at least 40% of all food stamp cases also involve one or more of the remaining 7 public assistance programs. Since food stamp assistance is dependent upon the level of cash assistance awarded under the other division programs, it would be necessary to return all program decisions

POSITION PAPER/Department of Health and Social Services

to the District Offices. This course of action would require an additional 93 new full time positions to develop the worker specialization described in (1) above.

Although the department supports decentralization of public assistance eligibility decisions to its lowest level, at the present time we feel the most cost-effective level exists at the region rather than the district. Regional decision making is most appropriate for the following reasons:

1. Regional decisions cost only half that required for district decisions of the same quality, at a savings of $2.2 million annually.

2. Regional decisions afford the division the ability to work towards increased computer capabilities which will continue to significantly reduce not only time required to render decisions, but will reduce payment delays.

3. Regional decisions afford the division capability to issue the first month's benefits for Food Stamps and Aid to Families With Dependent Children at the regional level, rather than from central office, due to increased fiscal control.

Finally, the sale of food stamps at the village level is not as favorable to the department as eliminating entirely the current practice of paying the purchase price, as proposed in House Joint Resolution No. 72. If eliminating the purchase price were not possible, the department would then support selling food stamps at the village level in concept; however, would recommend that this be initially conducted on a pilot basis to determine if it could be successfully accomplished at a reasonable cost. The House budget currently reflects such a pilot project in the Kodiak area through the Native Corporation.

POSITION PAPER/Department of Health and Social Services

Whereas the department is already engaged in development of a rural area food stamp application; and whereas the department does not at this time find return of eligibility decisions to the district offices a cost-effective course of action; the department recommends that these items be deleted entirely from the resolution.

However, the department does support, in concept, the legislative desire to upgrade the current fee agent system and to sell food stamps at the village level on a pilot basis. However, the department cannot recommend an increase above the Governor's budget to accomplish these 2 desires.

Recommended by: for Rod Betts
Lawrence J. Sullivan, Director
Division of Public Assistance
Date 5/6/76

Approved by: for Lois M. Freed
Francis S. L. Williamson, Commissioner
Department of Health & Social Services
Date 5/6/76

THE PRECEDING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST

Bill No. HOUSE CONCURRENT RESOLUTION NO. 139
Title: A concurrent resolution relating to the Food Stamp Program
Requested by: Date: May 6, 1976
Return Date Requested:
Agency: Dept of Health & Social Services Program: Food Stamp Program

II. FISCAL DETAIL

Budget Request Unit(s) Affected:

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		2,133.0				
200	TRAVEL		75.0				
300	CONTRACTUAL		340.6				
400	COMMODITIES		20.4				
500	EQUIPMENT		56.0				
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		2,625.0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		1,549.0				
FEDERAL FUNDS		1,076.0				
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	93.0/	/	/	/	/
MAN MONTHS (P./T.)	/	1,126/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

V. DATE: 5/6/76 PREPARED BY: Rod Betit

Rod Betit, Food Stamp Program Manager
Division of Public Assistance

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

REVIEWED BY FINANCIAL MANAGEMENT:

EUGENE A. SMITH
DEPUTY DIRECTOR

H/S 52

SITUATION: FAMILY OF 4 PERSONS, WIDOW AND 3 CHILDREN. HUSBAND RECENTLY DIED LEAVING MEDICAL AND FUNERAL EXPENSES NOT FULLY COVERED BY INSURANCE. WIDOW IS EMPLOY^ WITH FOLLOWING INCOME AND EXPENSES. [NO RESOURCES EXIST]

GROSS INCOME

$1200 MONTHLY

MONTHLY EXPENSES

MANDATORY TAXES	– $300
MEDICAL BILLS	– $100
CHILD CARE	– $200
FUNERAL BILLS	– $ 50
MORTGAGE & UTILITIES	– $400

CURRENT FOOD STAMP REGULATIONS			PROPOSED FOOD STAMP REGULATIONS
$1200		gross income	$1200 — gross monthly
(–) 30		work allowance	(–) 100 – Standard deduction
(–) 300		mandatory taxes	$1100 – NET FOOD STAMP INCOME
(–) 200		child care	
(–) 100		medical	DECISION: FAMILY WOULD BE INELIGIBLE FOR FOOD STAMP ASSISTANCE. MUST HAVE NET INCOME OF
(–) 50		burial [Funeral]	
$ 520		Adjusted Gross	
(–) 244		EXCESS SHELTER COSTS	
$ 276		NET FOOD STAMP INCOME	

DECISION: FAMILY WOULD BE ELIGIBLE AND WOULD PAY $77 TO RECEIVE $224 IN FOOD STAMPS.

HCR

143

Relating to a Legislative Affairs Agency study.

COMMITTEE REPORT

5/4/76

HOUSE

~~XXXX~~

FINANCE

Mr. Speaker: Date May 12, 1976

The Committee on H E S S has had HCR 143

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(X) recommends it BE REPLACED WITH CS FOR HCR 143 AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan, Mike _____, _____

_____, _____, _____

_____, _____, _____

_____, _____, _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

A M E N D M E N T

Offered in the HOUSE By HCR 143 House (BDS)

To: _____ HOUSE BILL NO. HCR 143

_____ SENATE BILL NO. ____

AMENDMENT: Page 1 Line 9

Delete "Relating to a Legislative Affairs Agency Study.

Add "Relating to a study of the living conditions of aged and disabled persons".

A M E N D M E N T

Offered in the HOUSE By House HESS

To: _____ HOUSE BILL NO. CSHCR 143

_____ SENATE BILL NO. ____

AMENDMENT: Page 1 Line 25

After the word agency, add "in consultation with the Department of Health and Social Services."

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE AFFAIRS AGENCY

POUCH Y · STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

MEMORANDUM

May 13, 1976

SUBJECT: HCR 143 - Study of Residential Facilities for Aged and Disabled Adults

TO: The Honorable Susan Sullivan
Chairman, House HESS Committee

FROM: Louise Crane
Research Analyst

As you requested, we are submitting herewith a revised fiscal note for HCR 143. In accordance with the Committee's wishes the funding level has been reduced, from $6,300 to $3,200. This reduction is accounted for by a scaling back of the amount of travel. We believe that this study, as outlined in my memo of May 11 to Mr. Erickson (which you reviewed yesterday) and the Resolution, can be accomplished at the level of funding here indicated; the reduction will narrow its scope but should not impair its quality.

We note that this Resolution is not accompanied by an appropriation, and assume therefore that it is your intent that it be financed out of the otherwise unallocated appropriation to the Legislative Council for contract services. We would call your attention to the fact that a number of other resolutions are pending which, if passed, would also require funds from this account. The Legislative Council has the responsibility for allocating these resources.

LC:jm Enclosure

3607

Speediset (R) Moore Business Forms, Inc.

THE LEGISLATURE OF THE STATE OF ALASKA

AMENDED FISCAL NOTE

Amended 5/14/76

Second Session - Ninth Legislature

I. REQUEST

Bill No. House Concurrent Resolution No. 143

Title: "Relating to Legislative Affairs Agency Study"

Requested by: Rules Committee Date: May 3, 1976

Return Date Requested:

Agency: Legislative Affairs Agency Program:

II. FISCAL DETAIL

Budget Request Unit(s) Affected:

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES	0	0				
200	TRAVEL	0	3.2				
300	CONTRACTUAL	0	0				
400	COMMODITIES	0	0				
500	EQUIPMENT	0	0				
600	LAND & STRUCTURES	0	0				
700	GRANTS, CLAIMS, ETC.	0	0				
	TOTAL	0	3.2				

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0	3.2				
FEDERAL FUNDS	0	0				
OTHER	0	0				

C. POSITIONS:

PERMANENT/TEMPORARY	0 /0	0 / 0	/	/	/	/
MAN MONTHS (P./T.)	0 /0	0 / 0	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

100. This project will require a significant commitment of already budgeted Legislative Affairs Agency staff.

Research Analyst Salary: 4 months
Attorney Salary: 6 weeks

IV. ATTACHMENTS

V. DATE: May 14, 1976 PREPARED BY: Louise Crane, Research Analyst
Legislative Affairs Agency

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY

POUCH Y STATE CAPITOL
JUNEAU ALASKA 99811
907 465-3800

MEMORANDUM

May 11, 1976

SUBJECT: HCR 143 - Study of Residential Facilities for Aged and Disabled Adults

TO: Gregg Erickson
Director of Research Services

FROM: Louise Crane
Research Analyst

House Concurrent Resolution 143 directs the Legislative Affairs Agency to study the group living situations of disabled and aged adults. The study is to include a characterization of these group living facilities, a characterization of the special needs of the inhabitants, an analysis of the conditions which could be injurious to the health and safety of disabled and aged persons, and provide recommendations concerning the need for and advisability of state regulations and inspections.

It is perceived that this study will take approximately five months to complete. The cost of the study is estimated at approximately $6,300. The research analyst and attorney that will be involved in the study are already budgeted staff resources of the Legislative Affairs Agency. It is proposed that the staff attorney's efforts will be primarily directed at an evaluation of existing state, local and federal regulations, and meetings with local, state and federal officials. The staff proposes to collect information concerning ordinances, regulations and laws applicable to the facilities in which these disadvantaged persons live and to gain information about the percent of inspections and compliance with current health and safety regulations. The research analyst will be primarily responsible for the on-site survey of facilities.

In preparing this study we would propose to prepare:

1) An inventory of the existing group living facilities available to the aged and disabled.

2) A preliminary analysis of the population (number and location) of aged and disabled persons in need of a group living facility.

3) An assessment of the health and safety needs of the aged and disabled in a group living facility.

4) A review of the literature concerning current practice in the regulation of this type of facility.

5) An assessment about the effectiveness of regulations in this area.

6) Recommendations leading toward the development of a regulatory policy in this area for Alaska.

In the course of the study we would propose to pay particular attention to the opinions and perceptions of:

1) Persons residing in the facilities

2) Potential facility residents

3) Local officials charged with enforcement of existing regulations

4) Facility owners and operators

5) State government personnel that might conceivably become involved in future regulation of these facilities.

In carrying out the study we would be particularly sensitive to the relative advantages of state level or local level regulation.

LC:jm

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. House Concurrent Resolution No. 143
Title: "Relating to Legislative Affairs Agency Study"
Requested by: Rules Committee Date: May 3, 1976
Return Date Requested:
Agency: Legislative Affairs Agency Program:

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Legislative Affairs Agency

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES	0	0				
200	TRAVEL	0	6.3				
300	CONTRACTUAL	0	0				
400	COMMODITIES	0	0				
500	EQUIPMENT	0	0				
600	LAND & STRUCTURES	0	0				
700	GRANTS, CLAIMS, ETC.	0	0				
	TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0	6.3				
FEDERAL FUNDS	0	0				
OTHER	0	0				

C. POSITIONS:

PERMANENT/TEMPORARY	0 /0	0 / 0	/	/	/	/
MAN MONTHS (P./T.)	0 /0	0 / 0	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

100. This project will require a significant commitment of already budgeted Legislative Affairs Agency staff.

Research Analyst Salary:	5 months @ $1,870 =	$9,350
Attorney Salary:	6 weeks @ $1,800 month -	$2,250
Total LAA staff		$11,600

IV. ATTACHMENTS

V. DATE: May 11, 1976 PREPARED BY: Louise Crane, Research Analyst
Legislative Affairs Agency

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 12, 1976

Present: Ostrosky Sullivan Hackney
Parr

Testifying: Gary Sheridan, Div. of Soc. Services
Lee Moeelein, Evergreen Memorial Chapel
Marjorie Gorsuch, League of Women Voters
Robert Lapotnick

HCR 143 - Legislative Affairs Agency Study on aged Housing

Kathryn presented background reasons for her introducing this resolution. Louise Crane and Gregg Erickson, Legisl. Affairs there to answer questions.

Committee does not see why a new study has to be done, Gleen thinks the information is allready been studies and just has to be compiled. Also questioning the travel $$ and why two people needed to travel.

Amendment, p 1, line 25, after agency, add "in consultation with the Department of Health and Social Service".

amendment passed.

Letter of Intent -to be written to indicate that information should be pulled together from various agencies, office of agin, dept, etc. Envision utilizing personnel in other legislative affairs agencies in the state and legislators to accumulate and investigate.

REsolution adopted.

Erickson wants to know if this means reduced or 0 budget from now on regarding this resolution. Committee asks that Gregg redo fiscal note taking all possible economies and report back to committee.

SB 371 am Child protection

Amendment that was adopted last committee meeting regarding the definition of mental was deleted. Bill has one amendment that relates to guardian ad litem.

Motion to move bill - passed

SB 629 - Interstate Compact on Children - Chance

Gary Sheridan explains the need for this and why the Dept. would like to see it passed.

Genie Chance explains how other states have participated and passes around some info collected by other states.

Gary has some proposed amendments, but the committee asks that he present those to the judiciary committee since this bill has another referral.

Motion to move bill out, passes

SB 653 - Child Protection Dept. Philo. on Children

Very little discussion, good bill
Motion to move bill out - do pass

SB 716 am Funeral and Mortuary Science

Lee Moeelein, makes some proposed amendments
p 7, delete (3) propblems with this by adding the cremation clause.
doesn't feel it is needed.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETINH

MAY 13, 1976

Present: Beirne Ostrosky Sullivan
Davis Hackney

HCR 143 - STudy of Housing for Aged & Disabled

Ostrosky amendment to change the title of this study
amendment adopted

bill passed out of committee

SB 628 - Driving while under the influence - Ziegler

Dennis Robertson testified about how this bill affects things, also proposes an amendment which was worked up by the task force group he sits on

Amendments proposed were adopted, he will give me the detailed information on amendments tomorrow.

Bill moved out as amended.

SB 716am - Funderal and Mortuary Science

Sharon Andrews , licensing, has dept's amendments, quite extensive each committee member recieved a copy.

Lisa Rudd testimony about the whole pre-need issue, also related to the committee the testimony received by the commerce committee. Handed out statistical information regarding pre-need and what other states have done. Over 1/2 states have 100% refund on pre need.

Helen will get legality of the bill from Bill Berrier.
Bill is looking at the 17 page amendment to see if it can be incoprorated in regulations rather than as an amendment.

Sharon Andrews also doing research with Dick Block, Ins. regarding the suirty bonding issue.

Helen would like to include a higher educational standard in this bill, as the original S.B. stated.

Also would like to have the following people testifyon this bill if heard again soon. Mr. Peters, Mr. Block, ask Helen for more names.

THE FOLLOWING DOCUMENT(S) MAY NOT FILM LEGIBLY BECAUSE OF POOR QUALITY OF THE ORIGINAL.

HCR NO. 143
COSTS OF TRAVEL AND PER DIEM TO EVALUATE
SITUATIONS INHABITED BY DISABLED AND AGED ADULTS

Staff		Cost of Transportation	Per Diem No. of Days	Per Diem Rate	Per Diem Total	Total Cost
2	Anc	$ 307.54	5	$45	$ 450.00	$ 757.54
2	Anc	307.54	5	$45	450.00	757.54
2	Fai	614.20	5	$44	440.00	1,054.20
2	Bar	718.80	5	$52	520.00	1,238.80
2	Sit	115.40	2	$41	164.00	279.40
2	Ket	171.40	3	$40	240.00	411.40
		$2,234.88	25		$2,264.00	$4,498.88
	Car	$25 =	$ 375.00			$4,873.88
	Con	=	$1,462.16			$6,336.04

HCR

147

Relating to Alaska Methodist University and the University of Alaska, Anchorage.

COMMITTEE REPORT

HOUSE

5/10/76

Mr. Speaker: Date May 21, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HCR 147 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends: _____

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 23, 1976

Present: Sullivan Beirne Hackney
Ostrosky Davis

SB 716am Mortuary and Funderal

Discussion by committee members regarding the amount of education needed to be a funeral home director. Many felt they need alot of training in the human behavior, with courses in psy. counseling, etc.

Testimony from Lee, Evergreen Memorial Home, regarding the background he has had and the educational requirements.

Amendment to include "30 semester credit hours" of related subject matter to be a funeral home director. Motion adopted

Bill Berrier came down, some problems with the Language that Dick Block set up regarding the fund for pre-need sales. Bill will draft a committee substitute and have for the committee soon.

HCR 147 - Relating to Uof A and A.M.U.

Very little committee discussion, bill moved out of committee

HCR

150

Relating to the Eagle River Correctional Center.

COMMITTEE REPORT

5/19/76

HOUSE

Mr. Speaker: Date May 18, 1976

The Committee on HESS has had HCR 150 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan, DeBrus, _____

_____, _____, _____

_____, _____, _____

_____, _____, _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 18, 1876

Present: Sullivan Beirne Parr
Osterback Ostrosky

HCR 150 - Relating to Eagle River Correctional Facility

Committee discussed the need for this resolution and decided to pass it out of committee.

SB 716am - Funeral and Mortuary

Dick Block, Div. of Ins. talked about the pre-need section and how ins. would have to be tied in. This would definately have to be regulated by the div. of ins. Bond would ge good for a certain amount, after that no guarantee. Sees other problems with this bill, but would like to have time to draw up recommendations since he just looked at it recently. Committee interested in protection for consumer and feels that public interest would like to see the pre-need section.

Charlies amendments - passed
Helens amendments - passed

page 2, line 2, delete "or cremation,"
page 2, line 21, delete all of (2)
page 2, line 28, delete "licensed to practice embalming in this state."
add "licensed" between an "an" and "embalmer". on line 28
page 3, line 4, delete all of (2)
page 7, line 9 delete "and cremation"
page 8, line 13, add "s" on casket, add "with" before "a notation"

Committee will hold this bill till we get more information from Dick Block

HJR

6

Relating to federal aid for the elimination of ice fog in the Fairbanks area.

1/31/75

COMMITTEE REPORT

HOUSE

Mr. Speaker: Date _____

The Committee on HESS has had HJR 6 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

February 4, 1975

Dr. Max C. Brewer, Commissioner
Dept. of Environmental Conservation
Pouch O
Juneau, Alaska 99801

Dear Commissioner:

We have, in the Health Education and Social Services Committee, House Joint Resolution 6 which pertains to the ice fog problem in the Fairbanks area. We would like to schedule this bill before our committee in the next few weeks.

If you have any background information that may be useful in our meeting, we would appreciate your sending the material as soon as possible.

Thank you for your immediate response.

Sincerely,

Susan Sullivan

Susan Sullivan, Chairperson
Health Education and Social Services
Pouch V
Juneau, Alaska 99801

SS/lm

HJR

28

Supporting Comprehensive School Health Education Act legislation.

COMMITTEE REPORT

4/14/75

HOUSE

Mr. Speaker: Date 5/7/75

The Committee on HESS has had HJR 28 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HJR 28

HESS COMMITTEE MEETING

May 7, 1975

Members Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Swanson
Osterback	Sullivan

Chairman Sullivan called the meeting to order at 3:15pm.

HB 474 Sheri Gross representing Speaker Bradner
In favor of the bill.

Parr Move the bill be ammended to add "common" in line 11 after the word "whose".
Chairman Hearing no objection to the ammendment, so ordered.

Swanson Move and ask unanamous consent for 'do pass' rec.
Chairman Hearing no objection, so ordered.

CSSB 35 am

There was a motion to replace the language of this bill with that of HB 24.
Hearing no objection, so ordered.

Swanson - Move out
Chairman No objection, so ordered.

SB 133 am

Dr. Dave Canterbury Testified in favor of the bill.
Senator Ziegler - Stated that this was a ASMA bill and also testified in favor.

Dr. Spence Testified in favor of the bill

Beirne - Move and ask unanamous concent.
Chairman Hearing no objection, so ordered.

HJR 28

Hackney Move out of committee.
Chairman Hearing no objection, so ordered.

Adjourned/

HJR

52

Relating to immigration visas for alien children adopted by American citizens.

COMMITTEE REPORT

2/13/76

HOUSE

Mr. Speaker: Date _____

The Committee on HESS has had HJR 52 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: Houne HESS

To: Amend HOUSE BILL No. HJR 52

SENATE BILL No. _____

PAGE: 1 LINE: 28

After the word, "Congress", insert "is respectfully requested to".

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 3, 1976

Present: Osterback, Chairing
Parr Ostrosky
Hackney Swanson

HJR 52 Immigration Visas for Allies Children - Buchholdt

Bucholdt, discussed the dire need for this bill and related examples of when it would be necessary.

Parr - Asked for an amendment that on line 28, after the word "Congress" insert the phrase, "is respectfully requested to".

Amendment voted on and passed

Resolution voted on and passed out with do pass by all members

HJR 53 - Research of drug Laetrile -

Lisa Rudd explained why there is a need for more research by the FDA. Many people in the U.S. now use this drug and are acquiring it from Mexico, where an individual can get a one years perscription.

Vote - do pass, all members

HB 786 - Smoking areas in public schools - Parr

Charlie spoke about the need for this, even though legislation was passed regarding smoking in public places.

Committee discussed the cost implications, fiscal note of $300,000 was submitted.

Parr recommended that it be passed out, individual recommendations on it PARR and Ostrosky, for, Swanson, against.

HB 824 -Licensing of Nurseries for children - Anderson

Nels spoke about the need for this in the rural areas, where people needed to leave their children in day care, but because of the lack of water and housing situations, few people could pass the licensing requirements for day care.

Amendment, line 11, delete 10,000 and insert "5,000.
Passed

Alaska State Legislature

House

JUNEAU ALASKA

Pat Monroe, Dept. of H & SS tesitifed and read the position paper from the dept. on this bill. They are against it, mainly because they are in the process of redoing their regulations, are soon having public hearings for input into the proposed changes.

Committee - concerned about how long the proposed changes will take to implement, Decided that the dept. does not move expediaently.

Bill voted on, do pass with amendment. Passed out.

HJR

53

Directing the Food and Drug Administration to research the drug Laetrile.

COMMITTEE REPORT

2/23/76

HOUSE

Mr. Speaker: Date _____

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES, has had HJR 53 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____	_____	_____
Lyle Lavacek	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 3, 1976

Present: Osterback, Chairing
Parr Ostrosky
Hackney Swanson

HJR 52 Immigration Visas for Allies Children - Buchholdt

Bucholdt, discussed the dire need for this bill and related examples of when it would be necessary.

Parr - Asked for an amendment that on line 28, after the word "Congress" insert the phrase, "is respectfully requested to".

Amendment voted on and passed

Resolution voted on and passed out with do pass by all members

HJR 53 - Research of drug Laetrile -

Lisa Rudd explained why there is a need for more research by the FDA. Many people in the U.S. now use this drug and are acquiring it from Mexico, where an individual can get a one years perscription.

Vote - do pass, all members

HB 786 - Smoking areas in public schools - Parr

Charlie spoke about the need for this, even though legislation was passed regarding smoking in public places.

Committee discussed the cost implications, fiscal note of $300,000 was submitted.

Parr recommended that it be passed out, individual recommendations on it PARR and Ostrosky, for, Swanson, against.

HB 824 -Licensing of Nurseries for children - Anderson

Nels spoke about the need for this in the rural areas, where people needed to leave their children in day care, but because of the lack of water and housing situations, few people could pass the licensing requirements for day care.

Amendment, line 11, delete 10,000 and insert "5,000.
Passed

Alaska State Legislature

House

JUNEAU ALASKA

Pat Monroe, Dept. of H & SS tesitifed and read the position paper from the dept. on this bill. They are against it, mainly because they are in the process of redoing their regulations, are soon having public hearings for input into the proposed changes.

Committee - concerned about how long the proposed changes will take to implement, Decided that the dept. does not move expediaently.

Bill voted on, do pass with amendment. Passed out.

HJR

61

Supporting Comprehensive School Health Education Act legislation.

COMMITTEE REPORT

3/10/76

HOUSE

Mr. Speaker: Date March 11 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had HJR 61 under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Leon Sullivan, Ed Reed

Members NOT concurring in the Majority report:

_____ recommends: DO NOT PASS

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Leon Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 12, 1976

Present: Beirne Hackney
Osterback Ostrosky
Sullivan

HJR 61 - Comprehensive Health Ed. School - HESS

Diane LaResch - Health Ed. Specialist of D.O.E.
Explanation of resolution and the congressional legislation referred to.

Committee discussion

Hackney- motion to move out, no objection - do pass

SSHB 419 Health Education - Sullivan

Diane LaResch, spoke to the importance of health ed. and the lack of it in Alaska

Committee discussion and motion to move out, no objections

HB 712 - Physical and Dental Exams in School - Sullivan

Sullivan explained reason for the bill, it was to add to medical exams for studentens and dental exams.

Diane LaResch responded to questions for the committee.

Hackney - moved to pass out, do pass

HJR

67

Relating to Medicare and hemophiliacs.

COMMITTEE REPORT

4/2/76

HOUSE

Mr. Speaker: Date April 2, 1976

The Committee on ~~HEALTH, EDUCATION AND SOCIAL SERVICES~~ has had HJR 67

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan, Co Pers, _____

Penn Peckham, " " Judy E. Paterson (Apr 2)

_____, _____, _____

_____, _____, _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

APRIL 2, 1976

Present: Hackney Osterback Ostrosky
Beirne Sullivan

Testifying: Kay Smith, Dept. of H&SS
Larry Sullivan, Dept. of H&SS
Jack Chenowith, A.A. Pat Rodey

HCR 111 - Boundary Change in Health Service - Rules

Ramona Kelley - explained reason for this resolution, predominately fiscal justification.

Committee - no action.

HB 790 -Contract Agreements/Adoption Service - Buchholdt

Buchholdt, explained why she introduced the bill and how it could save some state $.

Kay Smith, representing depts. position. Dept. favors this bill for future needs. no $ for FY 77.

SB 611 -Adoption by step parents - Rodey

Jack Chenowith, representing Rodey,

Kay Smith presented dept. poisiton. Would like to define step-parent with the child.

Move to accept Dept.s amendment.

Committee decided to pass bill out with amendment.

HB 467 - Catastrophic illness aid - Beirne

Larry Sullivan, represent dept. position. In favor of concept and favor passage with fiscal note as presented with dept. position paper.
Amend line 25 delete"who has suffered at catastrophic illness"
line 26 & 27 delete "appointed by the gov."
Unanimous do pass for CSHB 467 as amended.

HJR 67 = Medicare and Hemophilliacs - HESS

DO pass, no objection , moved out.

HJR

72

Relating to the Food Stamp Program.

COMMITTEE REPORT

HOUSE

4/30/76

Mr. Speaker: Date May 7, 1976

The Committee on HESS has had HJR 72 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Leon Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends: DO NOT PASS

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Leon Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 6, 1976

Present: Ostrosku Parr Beirne
Hackney Sullivan

Testifying: Rod Betit

HJR 72 - Food Stamp

Rod is in favor of it, explained problems in the Alaskan food stamp system. New Dept. of Agriculture regulations create greater problems.

Don Clockson, Legal Services, explained other fronts of action on this issue, congress etc.

Committee decided to move out with individual recommendations.

HCR 13 Food Stamp

Rod explained problems regarding food stamps and the people in the rural areas and the need for this resolution.

Motion to move out carries

HB 596 - Local Health Service

Lois Jund, explains changes in the proposed CS and discussed the problems that committee members have with the bill
bill held over till tomorrow.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST

Bill No. HOUSE CONCURRENT RESOLUTION NO. 139
Title: A concurrent resolution relating to the Food Stamp Program
Requested by: _____ Date: May 6, 1976
Return Date Requested: _____
Agency: Dept of Health & Social Services Program: Food Stamp Program

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		2,133.0				
200	TRAVEL		75.0				
300	CONTRACTUAL		340.6				
400	COMMODITIES		20.4				
500	EQUIPMENT		56.0				
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		2,625.0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		1,549.0				
FEDERAL FUNDS		1,076.0				
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	93.0/	/	/	/	/
MAN MONTHS (P./T.)	/	1,126/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

V. DATE: 5/6/76 PREPARED BY: Rod Betit

Rod Betit, Food Stamp Program Manager
Division of Public Assistance

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

REVIEWED BY FINANCIAL MANAGEMENT: _____

EUGENE A. SMITH,
DEPUTY DIRECTOR

H/S 50

SITUATION: FAMILY OF 4 PERSONS, WIDOW AND 3 CHILDREN. HUSBAND RECENTLY DIED LEAVING MEDICAL AND FUNERAL EXPENSES NOT FULLY COVERED BY INSURANCE. WIDOW IS EMPLOYED WITH FOLLOWING INCOME AND EXPENSES. [NO RESOURCES EXIST]

GROSS INCOME

$1200 MONTHLY

MONTHLY EXPENSES

MANDATORY TAXES	- $300
MEDICAL BILLS	- $100
CHILD CARE	- $200
FUNERAL BILLS	- $ 50
MORTGAGE & UTILITIES	- $400

CURRENT FOOD STAMP REGULATIONS

$ 1200		- gross income
(-) 30		- work allowance
(-) 300		- mandatory taxes
(-) 200		- child care
(-) 100		- medical
(-) 50		- burial [Funeral]
$ 520		- Adjusted Gross
(-) 244		- EXCESS SHELTER COSTS
$ 276		- NET FOOD STAMP INCOME

DECISION: FAMILY WOULD BE ELIGIBLE AND WOULD PAY $77 TO RECEIVE $224 IN FOOD STAMPS.

PROPOSED FOOD STAMP REGULATIONS

$1200 — gross monthly
(-) 100 — Standard deduction

$ 1100 - NET FOOD STAMP INCOME

DECISION: FAMILY WOULD BE INELIGIBLE FOR FOOD STAMP ASSISTANCE. MUST HAVE NET INCOME OF

POSITION PAPER/Department of Health and Social Services

POSITION PAPER

ON

HOUSE JOINT RESOLUTION NO. 72

A resolution relating to the Food Stamp Program.

This resolution is viewed as an effort by the Alaska State Legislature to persuade the Secretary of Agriculture not to implement recently proposed changes to the Food Stamp Program, while at the same time requesting the Secretary to develop regional benefit levels in Alaska and to eliminate the practice of paying money for food stamps.

Unless stopped or substantially modified, the changes proposed by the Secretary of Agriculture will dramatically impact the present food stamp program by replacing the current eligibility method with one which will do serious harm primarily to low income working households, while causing those who remain eligible for food stamps to pay the maximum permitted by federal law. These proposed changes will cost the state increased administrative expense to perform new, non-cost-effective mandates.

House Joint Resolution No. 72, if heeded by the Secretary of Agriculture, would not only eliminate the adverse impact described above, but would resolve two major problem areas which currently exist in the Alaska Food Stamp Program. These problem areas are 1) the wide disparity in food prices between Northwest - Southwest Alaska compared to the remainder of the State; and 2) the extreme administrative difficulties and delays experienced by recipients, due to the current procedure of purchasing food stamps from rural areas by sending cash to a Division of Public Assistance District Office.

POSITION PAPER/Department of Health and Social Service

No adverse financial impact would result from this resolution if favorably considered by the Secretary of Agriculture.

The Department supports House Joint Resolution No. 72 without change.

Recommended By: for Carl Bitz
Lawrence J. Sullivan, Director
Division of Public Assistance
5/5/76
(Date)

Approved By: for Lois M. Juneau
Francis S. L. Williamson
Commissioner
Department of Health and Social Services
5/6/76
(Date)

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST

Bill No. HOUSE JOINT RESOLUTION NO. 72
Title: RELATING TO THE FOOD STAMP PROGRAM
Requested by: Date: May 5, 1976
Return Date Requested:
Agency: HEALTH & SOCIAL SERVICES Program: DIVISION OF PUBLIC ASSISTANCE

II. FISCAL DETAIL

Budget Request Unit(s) Affected: FOOD STAMP PROGRAM

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL	0	0	0	0	0	0

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0

C. POSITIONS:

PERMANENT/TEMPORARY	0/	0/	0/	0/	0/	0/
MAN MONTHS (P./T.)	0/	0/	0/	0/	0/	0/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

V. DATE: May 5, 1976 PREPARED BY: Rod Betit, Food Stamp Program Manager
Division of Public Assistance

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 53

CSSB

24

"An Act relating to community mental health services; and providing for an effective date."

COMMITTEE REPORT

4/18/75

HOUSE FINANCE

Mr. Speaker: Date April 30/75

The Committee on HESS has had CSSB 24 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

SB 24

HESS COMMITTEE MEETING

April 30, 1975

Members Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Swanson
Osterback	

Vice Chairman Parr called the meeting to order. The first order of business was HB 180.

Bob Gates Dir. Div. of Retirement

This bill would provide changes in the present system. It would allow on an optional basis for the employee to make required employee contributions. The optional portion would be somewhat limited in time. Period of 3 years to collect supply of contributions. I am wondering if this also applies to supplemental contributions? It is unclear in this language.

Osterback Sounds confusing, I think the teachers already get a large enough salary. If the teachers are going;to get this then so should everyone else.

Parr The intent here is that a school board might allow for employee contributions. Am wondering about income taxation here?

Gates If the intent says that no longer the employee contributions are collected if the school board pays it then it would be subject to taxation upon reciept by the member. If you have it optional you still have it to mean teachers mandatory and the teacher would report it as income and pay taxes on it. Have one or the other, this would solve the problems with this bill.

Hackney Questioned return of employer contributions.

Gates This would be reported as taxable earnings in the year they were made. Doesn't change things in the standpoint of funding, our concern would be accountability,if districts handled this seperately they would all be handled differently and this would be confusing.

Parr Perhaps the Legislation needs to be redrafted but why would it cause you any more work?

Gates Rep. Parr is assuming that the contributions are fully repaid. It is possible that we would have to create two seperate processes for each teacher.

Parr The intent of this legislation is that it would be a negotiable item.

Osterback I read the bill that it would cut cut something else ir the monies to allow. for this extra process.

Swanson In agreement with Osterback. Wouldn't it be simplier to say that the State pay for all employee retirement. Could we amend this bill to say 'all state employees'?

Gates No, that is not possible in that particular bill.

Van Houte Position is that if the employer "the payments not be refundable if the teacher resigns". this is an option availbe to him.

Commissioner Lind This would open up another area for negociations, and I see this as a potential problem area. We would not want to see this paid entirely by the state and the employer.

Overstreet In agreement with Lind, Board members are not in favor of this bill.

Hackney Move bill be tabled
Swanson Seconded

Chairman Parr What is the vote?
Yea 3 Nay 2
Motion carries, bill is tabled.

SB 24
Schrader Div. of Mental Health
HB 311 is almost identical, minor change, it defines more specific concept of 9010 Funding for designated poverty areas. Very important Legislation and essential for the operation and development for mental health programs for the State.

Hackney What was the fiscal note for FY76?

Schrader $590,000, $350,000 of that for new funding in the Governors budget. the remainder is to fund programs in Ketchikan and Kodiak.

Ostrosky INquired as to difference of the two bills.

Schrader Barrow, Kotz, Bethel, Tok, Galena, Glenallen, Dillingham, Cold Bay are all poverty areas, the total fiscal impact is not very great here.

Philip Guy Spoke in favor of the bill and offered some amendments which were decided to be unnecessary as the bill covered all these areas already.

Schrader he actual census of the area would not be relevant in one sense. This language is the standard approach to establish a poverty area.

Parr Reservations with the bill. I don't want this to be a loophole to fund any more alcoholism. Too much money is already being spent on alcoholism.

Sen. Chance As far as funding, this will be designated for MH funding.

Swanson Move bill out with individual recommendation
Osterback Seconded

Chairman Hearing no objection, so ordered.

Bill No. SB 24

Title: Community Mental Health Services Act

Requested by: Genie Chance, Legislative Finance Date:

Return Date Requested:

Agency: Health & Social Services Program: Division of Mental Health

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Community Operated Mental Health Centers

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL	8.4	8.4	11.2	11.2	11.2	11.2
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.	211.7	582.5	1239.2	2002.6	2782.0	3560.4
	Projections for CMHC's Ketchikan/Kodiak		(264.4)	(290.8)	(319.9)	351.9)	(387.1)
	TOTAL	220.1	590.9	1250.4	2013.8	2793.2	3571.6

B. FUNDING: (Thousands of dollars)

	GENERAL FUND 90-10	220.1	590.9	1250.4	2013.8	2793.2	3571.6
	FEDERAL FUNDS						
	OTHER	62.2	166.9	368.7	601.5	834.3	1068.2

C. POSITIONS:

	PERMANENT/TEMPORARY	3 /	3 /	3 /	4 /	4 /	4 /
	MAN MONTHS (P./T.)	36 /	36 /	36 /	48 /	48 /	48 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

DATE: 3-11-75 PREPARED BY: Genie L Chance

Original: Legislative Finance

THE LEGISLATURE OF THE STATE OF ALASKA - FISCAL NOTE

The present matching ratio established by policy is to fund 75% of the operating budgets of Ketchikan and Kodiak. In Fiscal Year 1975, the Legislature funded Gateway Community Mental Health Center at 138.4 and Kodiak Aleutian Center at 81.7 for a total of 220.1.

The State also has regional offices in Anchorage, Juneau, and Fairbanks, which operated mental health clinics. In Fiscal Year 1975 the Legislature funded Anchorage at 227.1, Juneau at 175.1, and Fairbanks at 205.3 for a total of 607.5.

In Fiscal Year 1975 a total of 827.6 General Funds were appropriated for community mental health programs in Alaska.

The largest community mental health center is in Ketchikan with an operating budget of 281.2 in Fiscal Year 1976. This center has the only community mental health program in Alaska which we feel has an adequate staff to serve the need of its catchment area (population approximately 20,000). This center has a staff of 5 professionals, 1 aide, 1 administrative assistant, and 2 clerical staff. Contrast this with the state-operated clinic in Anchorage of 5 professionals and 2 clerical personnel responsible for a catchment area population of approximately 158,000.

Although it is anticipated that projections of cost will be unique to each community dependent on its geographical locations, its available manpower, its present mental health and its needs, a rough estimate of the cost of a community mental health program resources for Alaska can be projected.

Assuming the Ketchikan program is adequate and by projecting the figures of 20,000 population and a budget of 281.2 to the entire State would indicate that Alaska could develop a statewide community mental health program for approximately 4,639.8. Using the matching formula in this Bill of 75%, the State's General Fund share would be 3,479.9. The State already has a 827.6 General Fund appropriation for community mental health services. Consequently, an additional 2,652.3 would be required. It has been brought to our attention that the 75% match would be inadequate in poverty areas and a 90% match would be more realistic. Below is a list of mental health planning areas and their designation as poverty or non-poverty areas. 13 of the planning areas are designated as poverty areas encompassing 44,000 persons or 13% of the total population (base 330,000).

Utilizing the 90% - 10% matching ratio in the 13 planning districts would increase the total estimated General Fund cost to 3,571.6 or an additional 92.1.

District	Poverty * Non-Poverty	District Center	July 1, 1973 Population Estimates by Dept. of Labor
1	Poverty	Barrow	2,814
2	"	Kotzebue	4,352
3	"	Bettles	461
4	"	Fort Yukon	934
5	"	Nome	5,682
6	"	Galena	1,862
7	Non-poverty	Fairbanks	52,074
8	Poverty	Tok	649
9	"	Bethel	11,784
10	"	Aniak	1,881
11	"	McGrath	585
12	Non-poverty	Anchorage	158,026
13	Poverty	Glenallen	1,204
14	"	Dillingham	4,858
15	Non-poverty	Kodiak	8,868
16	Poverty	Cold Bay	6,914
17	Non-poverty	Kenai	13,781
18	"	Seward	2,446
19	"	Valdez	3,903
20	"	Juneau	21,102
21	"	Sitka	11,095
22	"	Ketchikan	13,823

* Poverty areas are determined by 15% or more of the population falling under 125% of the O. E. O. Poverty Guidelines (Per 1970 Census Data)

JAY S. HAMMOND
GOVERNOR

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 26, 1975

Document #1

The Honorable George Hohman
Chairman
Senate Health, Education, and
Social Services Committee
Senate
Juneau, Alaska 99801

Dear Senator Hohman:

Please consider this letter testimony from the Department of Health and Social Services and the Office of the Governor in favor of the provisions outlined in Senate Bill 24, An Act Relating to Community Mental Health Services and providing for an effective date.

Both the intent and the provisions outlined in this bill reflect the philosophical and operational recommendations regarding community mental health services as intended by this Administration. However, there are three suggested changes which we would like to recommend that the committee adopt.

1. Under Section 47-30-605(a), line four, the council consists of twelve as opposed to nine members.

2. The following sentence should be stricken since the Health and Social Services Advisory Board is not an official board in existence now.

3. The next sentence beginning on line seven should read no more that four memebers should be providers of direct mental health services.

Although the Administration had planned to submit a Community Mental Health bill, it is now felt that such action is unnecessary since the only provisions which would differ from those contained in Senate Bill 24 are those listed above.

Other than those brief changes it is the Administrative recommendation that the Senate Health, Education, and Social Service Committee approve Senate Bill 24 and recommend its passage.

Sincerely,

Francis S.L. Williamson

Francis S.L. Williamson
Commissioner
Department of Health and
Social Services

HB 34

GREATER ANCHORAGE AREA BOROUGH

P.O. BOX 968 99510
327 EAGLE STREET 99501
ANCHORAGE, ALASKA

DEPARTMENT OF HEALTH

April 4, 1975

Representative Susan Sullivan
Pouch V
State Capitol
Juneau, Alaska 99801

Dear Representative Sullivan:

The Board of Health of the Greater Anchorage Area Borough has unanimously endorsed SB 24, an act to establish community mental health services as a responsibility of the State Department of Health and Social Services. This bill, or similar legislation, is essential if we are to create stable support for assistance to local communities in sharing responsibility for mental health of our citizens.

A number of communities throughout the state have indicated a willingness to assume such responsibilities in cooperation with the State. Members of the Anchorage Board of Health feel that the State should establish a public policy in statute to assure continuing support as local communities move into this relatively new area of health service responsibility.

Our local administration is considering a proposal to the State for transfer of the SouthCentral Regional Outpatient Clinic to the community for operation. The passage of a Community Mental Health Services Act by the State Legislature will provide assurance of continuing State support for local participation in establishing and maintaining community based mental health services.

Your personal attention and support of this legislation is therefore very important to us.

Sincerely yours,

Hugh Gellert

Hugh Gellert, Chairman
GAAB Board of Health

CLEAN AIR • CLEAN WATER • A CLEAN COMMUNITY

CSSB 24

Alaska State Legislature

House

JUNEAU ALASKA

Pouch V
Juneau, Alaska 99801
May 25, 1975

Sue Donahue
Alaska Nurses Association, District I
P.O. Box 4-1681
Anchorage, Alaska 99509

Dear Ms. Donahue:

Thank you for your letter expressing the Alaska Nurses Association's support of CSSB 24, the Community Mental Health Services bill.

Our committee passed this bill out with a unanimous "do pass" recommendation on April 30. It is presently in the House Finance Committee. Our strong support was in recognition of hte need to establish a public policy in statute to ensure continuing support for local mental health programs.

Once again, thank you for contacting me on this matter and please continue to do so when matters concern you in the future.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

SB24
In H. Finance

A.N.A. District I
Anchorage, Alaska
April 28, 1975

TO: The Honorable Susan Sullivan
Chairman, Health, education and Social Services Committee

FROM: Sue Donahue,chairman
Legislative Committee District I Alaska Nurses' Association

District I of the Alaska Nurses" Association has voted to support CSSB 24, the Community Mental HEALTH Services bill. We therefore urge your support and interest in furthering action on this bill during this legislative session.

Sue Donahue/ls

CSSB

28 AM

"An Act relating to the capacity of persons to consent to marriage; and providing for an effective date."

2/10/75

COMMITTEE REPORT

JUDICIARY

HOUSE

Mr. Speaker: Date 2-25-75

The Committee on HESS has had CSSB 28 am under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS AS AMENDED

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: HESS COMMITTEE

To: _____ HOUSE BILL No. _____

SENATE BILL No. CSSB 28 am

PAGE: 1 LINE: 20

Page : 1 Line: 22

(1) After the word 'may' insert:

following determination that it is in the best interest of the minor,

(2) After the word 'license' put a (1) and ~~XXXX~~ insert:
'consent shall be granted by the court pursuant to the rules of childrens procedure'

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE

2-24-75

Members Present:

Beirne
Hackney
Ose
Ostrosky
Parr
Sullivan

Chairman Sullivan called the meeting to order at 3:00. The first order of business was SB 28.

Senator Ziegler is one of the sponsors of CSSB 28 and gave a short briefing of the bill. As the Statute now reads, no one under the age of 19 can be married with or without the consent of the parents unless pregnancy has been determined. This bill was originally intended to lower that age to 18 and any age under that with the consent of the parents. However, with the addition of Sec. C, the intent has been changed and I'm not really sure what that Section means?!

Ose I move and ask we pass this bill out with unanamous consent.

Ostrosky Objection, I am troubled by Section C also and wouldn't want this bill passed out in this form.

Parr In Subsection C, before going to the Judge for permission, would there be a meeting set up between the parents and the Judge to aid him in his decision?

Ziegler I would think this would be an informal meeting. The applicant would probably set up a meeting. There would be no such requirement under this bill. The parents would not have to be contacted.

Beirne I don't think section C helps this bill in any way.

Hackney Would like to hear from a Judge on this matter. Possibly from the Juvenile Courts.

Ziegler Superior Court Judge Harold Butcher in Anchorage would be the most knowledgeable on this subject. Locally I don't know who it would be. One suggestion would be "below 18 they may obtain a license without the consent of the parents if she is pregnant." Thats what the existing law now reads. The damage was inadvertently done to this bill last year so what I ask of you is to clean it up before passing it out.

Sullivan Personally, I have recieved a volume of calls on this subject.

Hackney I fail to see the rush on th's bill.

Parr Perhaps a period after 'license' in line 23 would clear up that section.

Sullivan How about Judge Stewart testifying on this bill?

Ose Prior to last year there was the parental consent to marriage and I've never heard of its being abused. I think we should just pass this thing out, doesn't seem to me there is any big problem here.

Hackney I would still like to hear testimony from a Judge.

The rest of the Committee were all in agreement with Mr. Hackney and it was decided that the bill be put off until such time as a Judge may be contacted and testify on the bill.

Chairman Sullivan also called the Committee Meeting for Tuesday at 10:30 as well as 3:00.

Meeting Adjourned.

McLaughlin Budget
Statistics

Dave Arnold

F313-620
125-600 mf/1666

Dave

Box 433-C SRA
Anchorage, Alaska 99507
February 12, 1975

Re: Adopted Substitute for SB#28

Recommendation: Do pass, unamended as received by your committee from the Senate

Remarks:

We are aware that the present law is an attempt to thwart the minority of parents who, wishing to rid themselves of their children, coerce them into marriage. However, for parents of this caliber the law remaining as it now is, does not prevent the abuse of their children, only the kind they (the children) are subjected to. At the same time, the present law does encourage those under the age of eighteen to lie about their ages. It also encourages premature and unwanted pregnancy.

It is our feeling that in a matter as intensely personal as marriage, a family's judgement is still superior to that of the state. That we would retain for ourselves the right to make our own mistakes.

That having lived in Alaska for seventeen years we find the idea of our daughter being married away from family and friends very repugnant.

The law presently causes hardship and difficulty to the concerned conscientious majority of families, while changing very little the motives and intents of the minority.

Sincerely,
Mr. and Mrs. Charles E. Fuller, Jr

Mr. & Mrs. Charles E. Fuller, Jr

The Committee for Health, Education, and Social Services
Susan Sullivan, Chairwoman
Pouch V
Juneau, Alaska

Alaska State Legislature

House

JUNEAU ALASKA

Pouch V
Juneau, Alaska 99801
May 27, 1975

Cindy Field
2700 Gefford Place
Anchorage, Alaska 99503

Dear Ms. Field:

Thanks for your letter about Senate Bill 28 which changed the age of consent to marriage. As you probably know, this bill was signed into law by the Governor at the beginning of last month. The legislature acted as quickly as possible in this matter as there were several young couples in the State in your position.

Please feel free to contact me in the future if I can be of assistance, and Best Wishes!

Yours truly,

Susan Sullivan

Susan Sullivan, Chairman
House HESS Committee

SS:la

HCR 51?

Cindy Field
2700 Telford Dr.
Anchorage, Alaska
99503

27 Feb. 1975

House Education & Social Services
Pouch V
Juneau, Alaska 99811
attn: Susan Sullivan

Dear Ms. Sullivan,

After calling Chancy Croft's office I found out that you are the head of the House Ed. & Social Ser. Committee. I am planning a wedding in 8 mon. and I need to know about the law you are trying to pass. I know all I can tell you is that I wish it would pass. I would like to know though, are you almost to the point where it (the bill) can be given to the Governer? Will this congress keep the bill till the end of this session? After the Governer gets the bill do they have to have it signed and will this be in a certain amt. of time? I know all this doesn't mean alot to you, but - it does to me because if this bill doesn't pass, my marriage will have to be called off. I'm sure

you can understand my position. I am only 17 and it makes a big difference to me at the moment. How exactly does the bill read?

Thank-you for your time,

Cindy Field

SB

31

"An Act relating to the suspension or revocation of teachers' certificates."

1/23/75

COMMITTEE REPORT

HOUSE

Mr. Speaker: Date Feb 4, 1975

The Committee on HESS has had SB 31 under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

SB 59
HB 93

Alaska Youth Advocates, Inc.

1200 EAST 27TH AVENUE PHONE 274-6541
ANCHORAGE, ALASKA 99504

BOARD OF DIRECTORS
ROBT. H WAGSTAFF, PRES.
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PROGRAM DIRECTORS
SUSAN C. GORDON
MELISSA MIDDLETON

March 24, 1975

Representative Susan Sullivan
Chairperson
Health, Education & Social Services Committee
Pouch V
State Capitol
Juneau, Alaska 99811

Dear Susan,

Enclosed please find our position paper on SB 59, Publishing the Names of Juveniles for Certain Offenses, which I understand is currently before your committee. Alaska Youth Advocates is unequivocally opposed to the passage of this bill, even in the substitute form. For all practical purposes, the substitute is meaningless. Only those juveniles represented by counsel and whose counsel appropriately petitions the court for non-disclosure will benefit from the substituted bill. Our fear is that this will rarely occur and SB 59 as it originally stood will be in practice.

The current Children's Rule 26 allows the court to make the determination as to whether a juvenile's name should be publicized. Coupled with the legal maneuver available through the Waiver of Jurisdiction Statute, whereby a minor may be waived from the jurisdiction of juvenile court and be tried, treated, and sentenced as an adult, our law is now sufficient to allow the court to hold a minor responsible for his actions in an adult manner and to protect the community from serious, nameless delinquents. At the same time, the current system protects those minors who are amenable to rehabilitative treatment and who should be treated in a separate class from adult offenders.

As we will be unable to present testimony before the HESS committee at the public hearing scheduled for March 28th, I would appreciate it if you would read our comments into the record.

Sincerely,

Susan

Susan C. Gordon
Co-Director

Enclosure

CSSB

35 AM

"An Act relating to public education in the unorganized borough; and providing for an effective date."

5/6/75

COMMITTEE REPORT

FINANCE

HOUSE

Mr. Speaker: Date 5/7/75

The Committee on HESS has had CS SB 35am under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR CSSB 35am AND THAT CS FOR CSSB 35am DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Chairman

Alaska State Legislature

House

JUNEAU ALASKA

CSSB 35 am

HESS COMMITTEE MEETING

May 7, 1975

Members Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Swanson
Osterback	Sullivan

Chairman Sullivan called the meeting to order at 3:15pm.

HB 474 Sheri Gross representing Speaker Bradner
In favor of the bill.

Parr Move the bill be ammended to add "commo " in line 11 after the word "
Chairman Hearing no objection to the ammendment, so ordered.

Swanson Move and ask unanamous consent for 'do pass' rec.
Chairman Hearing no objection, so ordered.

CSSB 35 am

There was a motion to replace the language of this bill with that of HB 24.
Hearing no objection, so ordered.

Swanson - Move out
Chairman No objection, so ordered.

SB 133 am

Dr. Dave Canterbury Testified in favor of the bill.
Senator Ziegler - Stated that this was a ASHA bill and also testified in fa

Dr. Spence Testified in favor of the bill

Beirne - Move and ask unanamous concent.
Chairman Hearing no objection, so ordered.

HJR 28

Hackney Move out of committee.
Chairman Hearing no objection, so ordered.

Adjourned/

CSSB

46

"An Act relating to the teachers' retirement system; and providing for an effective date."

5/6/75

COMMITTEE REPORT

FINANCE

HOUSE

Mr. Speaker: Date 5/12/75

The Committee on HESS has had CS SB 46 under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan, Chairman

Members NOT concurring in the Majority report:

Vern Luckey recommends: DO REC

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: HESS COMMITTEE

To: _____ HOUSE BILL No. _____

SENATE BILL No. CSSB 46

PAGE: _____ LINE: _____

Page 1, Lines 12 through 19: Delete all material and insert the following:

"(1) at least 15 years of creditable service, the last five of which have been membership service, except that a member first hired after July 1, 1975, must have eight years of membership service and has attained the age of 55 [60] years, or"

Page 5, Lines 27 through 29: Delete all material and insert the following:
Page 6, Lines 1 through 4:

" (A) completing at least 15 years of creditable service, the last five of which have been membership service, except that a member first hired after July 1, 1975, must have eight years of membership service, and attaining the age of 55 [60] years; or"

Page 6, Lines 13 and 14 Delete all material and insert:

"(A) at least 15 years of creditable service, the last five of which have been membership service, except that a member first hired after July 1, 1975, must have eight years of membership service, or"

AMENDMENT

OFFERED IN THE HOUSE: BY: HESS COMMITTEE

To: _____ HOUSE BILL No. _____

SENATE BILL No. CSSB 46

1) PAGE: 1 LINE: 12-19

2) PAGE: 5 & 6 LINE: 26-29 & 1-3

3) PAGE: 6 LINE: 13-20

1) Delete Item 1 and insert: at least 15 years of creditable service, the last five of which have been membership service, except that a member first hired after July 1, 1975 must have eight (8) years of membership service and has attained the age of 55 years, or

2) Delete all material in item A and insert; completing at least 25 years of creditable service, the last five of which have been membership service, except that a member first hired after July 1, 1975 must have eight (8) years of membership service, and attaining the age of 55 years; or

3) Delete item A and insert: at least 25 years of creditable service, the last five of which have been membership service, except that a member first hired after July 1, 1975 must have eight (8) years of membership service, or

SB 46

The Legislature of the State of Alaska
FISCAL NOTE
First Session - Ninth Legislature

I. REQUEST

Bill No. Committee Substitute for SB 46
Title: An Act Relating to the Teacher's Retirement System
Requested by: Senate HESS Date: 3-11-75
Return Date Requested: ASAP
Agency: Administration-Retirement Program: TRS

II. FISCAL DETAIL

Budget Request Unit(s) Affected: U of A, SOS, DOE, and TRS Match.

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES	-0-	4.2	-0-	-0-	-0-	-0-
200	TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
300	CONTRACTUAL	-0-	7.0	-0-	-0-	-0-	-0-
400	COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500	EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
600	LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700	GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
100	BENEFITS	-0-	624.3	661.7	701.4	743.5	788.1
	TOTAL	-0-	635.5	661.7	701.4	743.5	788.1

B. FUNDING: (Thousands of dollars)

	GENERAL FUND 100%	-0-	635.5	661.7	701.4	743.5	788.1
	FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
	OTHER	-0-	-0-	-0-	-0-	-0-	-0-

C. POSITIONS:

PERMANENT/TEMPORARY	0/0	0/1	0/0	0/0	0/0	0/0
MAN MONTHS (P./T.)	0/0	0/3	0/0	0/0	0/0	0/0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

1. It is assumed that covered payroll will increase at six percent per annum.

2. Increase in the State-Employer contribution rate will be .86%

IV. ATTACHMENTS

Appendix I and II.

V. DATE: March 12, 1975 PREPARED BY: Robert S. Gates

Robert S. Gates, Director
Division of Retirement & Benefits

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named) S/HESS

APPENDIX II -- CS for SB 46

The following administrative funds would be required to implement the provisions of CS for SB 46:

1. Personal Services - one temporary position - Benefit Field Representative (range 16) for a 3 month period.

Monthly Salary - $1,293 x 3 =	$3,879
plus 7¼% benefits	281
	$4,160

2. Modification to data processing system = $7,000

For the Senate HESS Committee

Analysis: C.S. for SB 46 by Bob Van Houte

Section 1 Provides the following changes:

(a) 1. allows a teacher with 15 years of creditable service, the last 5 in membership to retire at age 55 instead of age 60 as in the current law
2. allows a teacher with 8 years of membership service to retire at age 55 instead of age 60 as in current law
3. allows a teacher to retire at any age with at least 20 years of membership service

Section 2(b) Allows early retirement at age 50 for those with either 15 years creditable service or 8 years of membership service. There is up to a 30% penalty for this provision to the retiree.

Section 3 Would place a person who is on disability retirement, upon regular retirement at age 55. Should we add? (or when after age 55 he would be eligible for normal retirement).

Section 4 Makes the technical changes from 60 to 55 to correspond with Section 1.

Section 5 Makes needed technical changes as in Section 4.

Section 6 Makes needed technical changes as in Section 4.

Section 7 Corresponds to Section 3 above. Places a disabled person upon retirement status at age 55.

Section 8 In regard to defined benefits reduces the earliest eligibility age to age 55 and provides the technical language to coincide with the age 55 concept with penalties for earlier retirement. Also continues the provision of applying for retirement benefits before reaching age 70.

Section 12 Makes the needed technical changes to coincide with age 55 concept

Section 13 Makes the needed technical changes to cover spouses benefits in keeping with the age 55 concept.

Section 14 Makes the needed technical changes in the definitions to coincide with the age 55 concept and adds the definition of 20 years membership service.

Section 15 Makes the needed technical changes for the definition of early retirement to age 50 from 55.

SB
76

UNIVERSITY OF ALASKA
FAIRBANKS ALASKA 99701

February 28, 1975

Honorable Bill Ray, Chairman
Senate Finance Committee
Pouch V
Juneau, Alaska 99801

Dear Bill:

In compliance with your request, I am submitting my best estimate of the cost of Senate Bill No. 76, relating to a supplemental appropriation to the University for paying the arbitrated 1975 contract for community college faculty.

This information has been supplied to the union acting as the bargaining unit for the faculty for concurrence, but, as of this date, the information does not contain their input.

I will be out of the state until March 19th and will be unable to provide you with further details until after that date. Should you wish further information, please contact my office and we will certainly try to respond.

The University is supportive of the bill and must receive additional funds to implement the conditions of the contract.

Sincerely,

Max M. Hullinger
Vice President for Finance
and Comptroller

cc: Senator George Hohman
Senator John Sackett

PLEASE REPLY BY AIRMAIL

SENATE BILL NO. 76

SUPPORTING DETAIL

COST ITEMS	FY 75	FY 76	INCREASE ELEMENT
Cost of negotiations	14.9	14.9	
Formal Grievance Procedures	70.0	105.0	Best estimate
Travel	1.7	5.1	Full year
Site visitation	5.7	17.1	Full year
Offices	35.0	35.0	Pledged experditures
Substitutes	54.6	136.5	Full year
Overloads	56.7	125.0	Full year
Summer employment	-0-	56.7	30 courses X 3 credit hours X average salary $630
Less than full-time employment	8.5	17.0	Full year
Placement	189.6	189.6	
Salary Increase	376.8	492.5	Full year
Area cost of living	109.2	109.2	
Parking	8.0	12.0	Normal cost of maintenance and police
Lounge	3.5	1.0	Additional equipment
Continuing education	12.9	33.5	Full year plus estimated increase
Professional leave	-0-	98.7	9 persons at half salary of $18,000 plus 16%
Annual leave	66.1	150.0	Full year plus increase
President of union release time	2.3	4.6	Full year
FY 75	1,015.5	1,603.4	
FY 76 SALARY ADJUSTMENT*		251.4	
		1,854.8	

*Salary items increase by 9.7% for 1-1-76 increase, 6.5% step increase and 1% increase in fringe benefits on total salaries as adjusted.

I. REQUEST

Bill No. Senate Bill No. 76

Title: An Act-Making and Supplemental Appropriation to the University of Alaska

Requested by: Senator Bill Ray Date: February 11, 1975

Return Date Requested: February 19, 1975

Agency: University of Alaska Program: Post Secondary & Adult Education

II. FISCAL DETAIL

Budget Request Unit(s) Affected: All Community Colleges

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES	869.5	1,478.4	1,664.1	1,863.7	2,078.3	2,309.0
200	TRAVEL	37.6	51.5	59.2	68.1	78.3	90.1
300	CONTRACTUAL	92.0	120.5	138.6	159.4	183.3	210.8
400	COMMODITIES						
500	EQUIPMENT	3.5	1.0	1.0	1.0	1.0	1.0
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.	12.9	33.5	63.5	93.5	123.5	153.5
	TOTAL	1,015.5	1,684.9	1,926.4	2,185.7	2,464.4	2,764.4

B. FUNDING: (Thousands of dollars)

GENERAL FUND	1,015.5	1,684.9	1,926.4	2,185.7	2,464.4	2,764.4
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	182/	220./	250/	280/	310/	340/
MAN MONTHS (P./T.)	1638/	1986./	2250/	2520/	2790/	3060/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Personnel in the bargaining unit are expected to increase by 38.7 in FY 76 and by 30 for each of the following years. Salaries will increase 15% plus 6.5 each year for step increases, and 1% of total salaries for fringe benefits. Other expenses will increase at 15% for inflation. Continuing Education will continue to increase at rate of 30.0 per year.

IV. ATTACHMENTS

1. Summary of cost of the contract
2. Detail of the costs

V. DATE: February 28, 1875 PREPARED BY: Mary H. McClenahan

COST ITEMS IN THE CONTRACT

PAGE	ITEM		
5	1.5	Cost of Negotiations	
		Three persons traveling from outside Anchorage 30 trips @ average cost $110 per trip	$ 9,900
		Lodging and meals in Anchorage $50 per day X 100 days	5,000
		TOTAL	14,900
		This cost will be absorbed by the University in individual travel budgets.	
7	4	Grievance and Complaint Procedure	
		It is difficult to develop a cost of the added expense for the staff time required to process grievances and complaints as we have no experience or knowledge of the magnitude of the disputes that may arise.	
9	4I	Formal Grievance Procedure - Step 3	
		Cost of grievances to be settled by arbitration Estimate 20 grievances at an average cost of $1,500 for the arbitrator and $1,000 for legal services. Travel and expenses of staff $1,000	70,000
16	6.4	Assignments Requiring Travel	
		Cost of travel between work stations. 60 unit members traveling 25 times at an estimated distance of 8 miles X 14 cents	1,680
16	6.5	Relocation	
		No change in current policy - Cost covered in budget	
17	6.6	Site Visitation and Bush Courses	
		Estimated 3 courses @ 3 credits each = 9 credit hours 9 X 1/30 X 18,900 (ave. salary) =	5,670
	6.8	Faculty Offices	
		The University has committed $35,000 to be spent on faculty offices in FY 75	35,000
18	6.9	Clerical Support	
		No change in current level of support	

PAGE	ITEM		
	6.10	Substitutes	
		182 members of the unit, estimate an average of one week a semester absence for which a substitute is required. 12 credit hours per week X 182 X $25 (cost of substitute)	$ 54,600
19	6.11d	Overloads	
		30 courses X 3 credit hours X 630 (ave. per credit hour)	56,700
20	7.1	Summer Employment	
		FY 75 is not affected by this condition of the contract as the next summer session falls in FY 76	
21	7.2	Less Than Full-Time Employment	
		10 persons X 3 credit hours = 30 X current part-time rate of $346 per credit hour = $10,380 compared to 30 X $630 1/30 of a credit hour of $630	8,520
23	7.4f8	Retraining	
		No cost in FY 75 or FY 76	
24	8.1e	Placement of Personnel on New Salary Schedule	
		The qualifications of each member of the unit was evaluated by a committee of union and management people and placed on the salary schedule in accordance with the criteria on page 26. Cost $152,810 plus 16% fringe benefits and $12,300 for additional adjustments	189,600
27	8.2	Salary Schedule	
		Based on placement on the salary schedule as established in 8.1e above, it costs an additional $141,642 to place the members on the September 1 schedule and an additional $162,198 to provide for the January 1, 1975 increase and $26,300 for additional adjustments	376,754
31	8.3	Cost of Living Escalator (Note)	
		The base salary for unit members at January 1, 1975 is $3,347,098.12. The cost of living applicable as of March 1, 1975 would be represented by the increase times this amount plus 16% fringe benefits. This increase would also apply against the area cost of living differential (8.4). This adjustment cannot be determined at this time.	

PAGE	ITEM				
	8.4	Area Cost of Living Differentials			
		COMMUNITY COLLEGE	TOTAL SALARIES AT 1-1-75	AREA FACTOR	TOTAL
		Anchorage	$2,567,842	0%	$ -0-
		Kenai	114,013	0	
		Mat-Su	44,473	0	
		Kodiak	73,126	.142	10,384
		Kuskokwim	149,732	.418	62,588
		TOTAL	2,949,186		72,972
		Ketchikan	133,839	.006	803
		Sitka	56,347	.100	5,635
		Juneau	207,726	.071	14,749
		TOTAL	397,912		21,187
		GRAND TOTAL	$3,347,098		$ 94,159
		Plus 16% fringe benefits			$109,224
		Any cost of living increase must be applied against this amount.			
	8.5	Fringe Benefits			
		No change in current practice			
32	8.6a	Parking			
		Cost of installing parking gates, fence and maintenance for preparing the parking lot in Anchorage (estimated)			8,000
	8.6c	Faculty Lounge			
		Cost of furnishing and equiping a faculty lounge at the Anchorage campus			3,500
33	8.6e	Continuing Education			
		90 staff X 3 credit hrs. X $30 = 8,100 40 dependents X 6 credit hrs. X $20 = 4,800			12,900
	9.1	Professional Development Leave			
		No cost in FY 75			
37	9.3	Annual Leave			
		Salary level 3,347,100 X 25% of annual rate of 7.9%			66,105

PAGE	ITEM		
	10.3	Checkoff	
		Cost of deducting and remitting dues is being absorbed within the payroll and accounting office.	
39	10.6	Released Time	
		Union President 1/5 annual salary and benefits 18,135 + 16% + 7.9% (Accrued Leave) 22,698 ÷ 1/10 =	$ 2,270

Campus/Rank	Average Salary[1]	Average Fringe Benefits[2]	Average Compensation[3]
All Senior College Campuses:			
Professor (42)	26,593	2,966	29,559
Associate (67)	21,969	2,702	24,671
Assistant (71)	17,207	2,430	19,637
Instructor (14)	13,474	2,217	15,691
Ave. All Ranks (194)	20,614	2,625	23,239

Campus/Rank	Average Salary[1]	Average Fringe Benefits[2]	Average Compensation[3]
All Community Colleges:			
Professor (2)	23,373	2,782	26,155
Associate (17)	19,204	2,544	21,748
Assistant (84)	16,301	2,378	18,679
Instructor (79)	14,260	2,258	16,518
All Ranks (182)	15,764	2,346	18,110

CSSB 46

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6139

HOUSE OF REPRESENTATIVES

May 19, 1975

Ms. Mary Murphy
P.O. Box 2496
Ketchikan, Alaska

Dear Ms. Murphy:

Thank you for your letter concerning teacher retirement. The House HESS Committee considered Committee Substitute for Senate Bill 46 last week and passed it out with a favorable "do pass" recommendation. The Committee Substitute, which was as result of hearings in Senate HESS, has incorporated into it features of the original Senate Bill 46, and, also, features of several other teacher retirement bills (e.g. SB69, SB75, SB86). I expect this bill will be considered shortly in the House Finance Committee and hopefully, will come to the floor of the House before the end of the session.

Please feel free to contact me about your concerns with legislative matters in the future.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

SB 46
SB 121

Ketchikan, Alaska
Box 2496
February 23, 1975

Rep. Sullivan
Pouch V
Juneau, Alaska

Dear Rep. Sullivan,

Thank you for [illegible] S.B. 121 which looks like a good piece of legislation.

I would like to [illegible] S.B. 46 [illegible] Southeast. Over 95% of the [illegible] in favor of this bill and [illegible] I would [illegible] this bill [illegible] to pass it.

[illegible] to work on the conditions for the next session [illegible] Thank you.

Sincerely,

Mrs. Mary Murphy

CSSB 46

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

May 5, 1975

Cheryl Petersen
305 Stewart Street
Anchorage, Alaska 99504

Dear Ms. Petersen:

Thank you for your letter of April 1 concerning Senate Bill 69. The House HESS Committee has just received Committee Substitute for Senate Bill 46 which was rewritten in the Senate HESS Committee to include many of the provisions of Senate Bills 69, 75, and 86, all dealing with teacher retirement. We hope to be taking up this bill shortly.

I am strongly in favor of offering Alaskan teachers good benefits so that we can attract first rate educators to our schools. This must be done, of course, within the financial restraints of our present fiscal crisis.

I always appreciate letters from my constituents, and try to reflect them in my legislative actions.

Yours truly,

Susan Sullivan, Chairman
House HESS Committee

SS:la

305 Stewart Street
Anchorage, Alaska 99504
April 1, 1975

The Honorable Susan Sullivan
Alaska House of Representatives
Pouch V State Capitol Bldg.
Juneau, Alaska 99811

Honorable Susan Sullivan:

It would be real terrific (wonderful) if SB - 69 would be passed this year. Then I might get a teaching job this Fall, and have an opportunity to work with children such as these older teachers did when they graduated from college.

Naturally, older teachers won't quit until they can retire and I don't blame them; but if they were permitted to retire at 55, I am sure many of them would. There would be more job opportunities for the college graduates like myself.

Legislation to allow voluntary retirement at age 55, would be a real incentive for many teachers to retire and would create many jobs for us who are just entering the field. As a new teacher my salary would be a lot less, too .

Why not help the unemployment problems and give your strong support to SB - 69. Many of us will be ever so grateful.

Sincerely,

Cheryl Petersen

Cheryl Petersen

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586 6159

HOUSE OF REPRESENTATIVES

May 9, 1975

Mr. Andy Johnson, President
Cook Inlet Region, Inc.
2636 Spenard Avenue
Anchorage, Alaska 99501

Dear Mr. Johnson:

Please be assured that I will not support any legislation that would serve to damage the Alaska Native Claims Settlement Act. I will not support an ad valorem tax on oil and gas in place unless it is demonstrated to my satisfaction that it includes adequate protection for the Village and Regional Corporations formed under the Act.

Yours truly,

Susan Sullivan, Chairman
House HESS Committee

SS:la

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

May 9, 1975

Marion L. Petersen
305 Stewart Street
Anchorage, Alaska 99504

Dear Ms. Petersen:

Thanks for your letter of April 14 concerning Senate Bill 69. The House HESS Committee will be considering Committee Substitute for Senate Bill 46 on Monday, May 12. This bill was rewritten in the Senate HESS Committee earlier in the session to include many of the issues dealt with in Senate Bills 69, 75 and 86 which all pertained to teacher retirement.

In the interest of attracting quality teachers to the State, I strongly favor offering to them good benefits.

I appreciate your concern, and will take your letter into consideration in my legislative action.

Yours truly,

Susan Sullivan, Chairman
House HESS Committee

SS:la

305 Stewart Street
Anchorage, Alaska 99504
April 14, 1975

The Honorable Susan Sullivan
Alaska House of Representatives
Pouch V State Capitol Bldg.
Juneau, Alaska 99811

The Honorable Susan Sullivan:

The purpose of this letter is to solicit your active support for SB - 69, which reduces normal teachers' retirement to age 55 and to solicit your active support for passage of the Bill.

Enactment of that legislation will benefit the field of education and the people it serves as well as alleviate the high rate of unemployment of young educator careerists and provide relief to school-budgetary constraints.

Authorized voluntary retirement at age 55 would encourage many of the present teaching staff to retire immediately which in turn would create numerous employment opportunities for the many college graduates seeking teaching careers in an already depressed occupational area.

Also, younger teachers with little or no experience in teaching can be employed at one-half the cost of a teacher with years enough to retire.

Also, a careerist in the present day classroom environment is more than deserving of a retirement opportunity at age 55.

Sincerely,

Marion L. Petersen

Marion L. Petersen

Alaska State Legislature

House

JUNEAU ALASKA

HB 56
SB 46
SB 135

Pouch V
Juneau, Alaska 99801
May 23, 1975

John E. Murphy
3103 W. 32nd Avenue
Anchorage, Alaska

Dear Mr Murphy:

Thank you for your letter of March 13 expressing support for House Bill 56, Senate Bill 46 and Senate Bill 135.

Both House Bill 56, pertaining to recognition of principals and Senate Bill 46 on teacher retirement have been taken up in our committee. With strong support, we passed them out with "do pass" recommendations. House Bill 56 is presently in the Senate HESS Committee, and Senate Bill 46, in House Finance. I will follow the progress of these two bills closely and do whatever possible to expedite their passage.

Senate Bill 135, providing binding arbitration for school district employees has met with considerable discussion in the Senate, resulting in two committee substitutes. The more recent of these, offered by the Rules Committee, provides a mediation process, but reduces the realim of binding arbitration to grievances on already negotiated contracts. This substitute was introduced as it is expected to have a far better chance of passage in the Senate than the original, and would still improve the current negotiating situation. We are presently waiting to see what the Senate finally produces. As the present session is so near its close, this bill may not come to the House until next year.

In the interim, I intend to further research the implications of binding arbitration. Letters from those involved in the education process, such as yours, will be of particular usefulness in this matter.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

P.S. New information indicates SB135 may be sent to the House Monday May 26, if it passes the Senate under reconsideration.

HB 56

3103 W. 32nd Avenue
Anchorage, Alaska 99503

March 13, 1975

The Honorable Susan Sullivan
Alaska State House
Pouch V
Alaska State Capitol Building
Juneau, Alaska, 99801

Dear Representative Sullivan:

The purpose of this correspondence is to advise you of my interest in HB 56 - Recognition of Principals; SB 135 - Binding Arbitration for all Certificated Employees; and SB 46 - 20 Year Retirement. I urge your full support of these very important bills.

I am a principal in Anchorage and your support of HB 56 will give us the official recognition we have needed for years. SB 135 is most necessary as a final and fair step in good faith negotiations and should be an excellent deterrent to any anticipated future employee work stoppages. SB 46 will allow our children to receive the benefit of the most enthusiastic and exciting years of a teacher's career and permit teachers to retire at a reasonable age with fair benefits to more fully enjoy their later years.

Please share the spirit of this correspondence with other members of your committee.

Sincerely yours,

John E. Murphy

JEM:jk

TELEGRAM

ACA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

SB 46

Ø6Ø4Ø NL JUNEAU ALASKA 58 Ø2-23 1Ø35P PDT

PMS REP SULLIVAN

JUN 1109

WE WOULD LIKE TO ASK YOUR SUPPORT OF SENATE BILL 46
FORTY OF OUR TEACHERS HAVE BEEN NOTIFIED THAT THERE
PROBABLY WONT BE ANY FUNDING TO COVER THEIR POSITIONS
NEXT YEAR. IF OPTIONAL RETIREMENT WERE POSSIBLE SOME
POSITIONS WOULD BE AVAILABLE. 95 PERCENT OF OUR TEACHERS
HERE SUPPORT THIS BILL

KAY PEARSON CONNIE GRIFFITH SARAH COLLYER NANCY DAVIDSON
LESLIE BOYD

TELEGRAM

5346

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

1975 FEB 23 PM 4 54

06027 NL TDJU KETCHIKAN ALASKA 50 02-23 0218P PST

PMS REP SULLIVAN

JUN 1385

WE WOULD LIKE TO ASK YOUR SUPPORT OF SENATE BILL 46
95 PERCENT OF THE TEACHERS HERE ARE IN FAVOR OF THIS
BILL. 40 OF OUR TEACHERS JOBS ARE IN JEOPARDY THIS YEAR.
IF TEACHER RETIREMENT WERE POSSIBLE SOME POSITIONS WOULD
BE AVAILABLE. MAY WE COUNT ON YOUR SUPPORT.

MARY MURPHY CARMEN HOLUM WILLA CANARY JUDY ADAMS

SB 46

TELEGRAM

ACA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

#

Ø6Ø56 NL TDJU KETCHIKAN ALASKA 59/51 Ø2-26 621P PDT 1975 FEB 26 PM 7 50

PMS REP SULLIVAN

1682

POUCH V

JUN

WE ASK YOUR SUPPORT OF SENATE BILL 46 WITH ONE AMMENDMENT -
A CHANGE WHICH WOULD HELP MORE TEACHERS NOW AND IN THE
FUTURE. CHANGE SECTION 1-AS14.25.1ØØ PART THREE TO READ:
AT LEAST TWENTY (NOT TWENTYFIVE) YEARS OF CREDITABLE
SERVICE, TEN (NOT LAST 5) OF WHICH HAVE BEEN MEMBERSHIP
SERVICE. ELIMINATE FOUR

CAROL SHARP, DAN MICHAELSEN, KAREN HINES, AND PAT BEAN

TELEGRAM

SB 46

ACA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

.SMMSV

1975 FEB 28 AM 3 15

06054 NV TDJU KETCHIKAN ALASKA 50 02-27 730PST

PMS SULLIVAN

JUN 1939

WE ASK YOUR SUPPORT OF SB46 WITH ONE ADMENDMENT - A CHANGE WHICH WOULD HELP MORE TEACHERS NOW AND IN THE FUTURE. CTION 1 -AS14.25.

100 - PART 3 TO READ; AT LEAST 20 (NOT 25) YEARS OF CREITABLE

SERVICE, 10 (NOT LAST 5) OF WHICH HAVE BEEN MEMBERSHIP SERVICE.

MARY MURPHY, NORMAN STANDLEY, CARMEN HOLUM, DAVE DILLION

AND DAN HILL

CSSB

59

"An Act relating to the publication of the names of juveniles for certain offenses; and changing Rule 26, Supreme Court Rules of Children's Procedure."

COMMITTEE REPORT

3/13/75 HOUSE JUDICIARY

Mr. Speaker: Date Mar. 28, '75

The Committee on HESS has had CSSB 59 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

(V) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan, Chairman

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

3-28-75

Members Present:

Beirne
Davis
Hackney
Ose
Ostrosky
Sullivan
Swanson

Chairman Sullivan called the meeting to order at 3:00.

HB 202, HB 206

Rep. Naughton gave briefing of the bills. They deal with the Board of Regents and the term of office. General these two bills are the same, one being introduced by Rep. Gardiner. Reasoning behind the bill is to provide a wider district of representation on the Board. The U of A is experienc ing a serge of interest in growth throughout the State. This is to insure that because of this growth, two more members will be added.

Hackney What would be the rational behind holding a Regent to two terms?

Naughton There is such keen interest throughout the geographical sections and within these segments throughout the State.

Ostrosky I see this as a healthy change of turnover on the Board.

Naughton The present term is 8 years and then may be reappointed.

Ose How many do we have now?

Naughton We have 8 eight year term members and 1 2 year student member.

Charles Ferguson - U of A Regional
Ose I am concerned with the large representation being from Fairbanks, Anchorage and Juneau, no other geographical areas are represented.

Hackney What is the longest time that anyone has spent on the Board?

Ferguson Region Oneill was on 20 some years, I really couldn't give you that exact answer, I am not sure. We feel that it takes by the end of a four year term to know enough about the University. Under this bill a regent would just be getting familiar with all the problems and his term would be up.

Ferguson From our standpoint this is an extremely complex statewide institution.

Nels Anderson Read a letter he sent to Governor Hammond per Board of Regents. Asked Governor to reconsider the list of appointments and include more geographical areas. I think we should get new blood into the system. And one question is what do we do when a Regent has a poor attendance record? This board should be made up of members throughout the state and should reflect the composition of the entire state, ratial lines and geographical lines.

Ferguson I agree with you Mr. Anderson. My point was that it takes whoeveris appointed several years to understand the process and workings of the U of A. Would like to remind you that it is a single statewide system. Should be representing the U of A without political undertones. If we have added a student to the Board, then why not add a facilty member also? This provides all kinds of problems.

Gardiner I disagree with the 8 year term because of the complexity of the U of A system. I don't see how this could possibly be any more comples than the Finance Committee of the Legislature and there is no 8 year term here. They are simply for two years.

Regent Abel I would ask that you bring this bill up again at a later date in order to give other Regents a chance to speak on this bill. I have only been on the Board a few months and am not yet qualified to speak for all.

Naughton I would like to see a four year term. This is the common practise in a number of other states. My bill asks for a five year term because I couldn't see them going for the four year term from the 8 year.

Beirne Things have changed so much in the last six years. I had the feeling then that this was a prestigeous job. Personally feel 8 years is too long. It should be a good hard working Board knowing what they're getting into etc. I believe a five year term is sufficient.

Ose Do they have any orientation to let you know what you'll be doing?

Regent Abel Not as such. I knew quite abit about it because I am a graduate of the U of A.

Ferguson There are four regular meetings a year with special meetings occuring throughout the year.

Beirne Asked Mr. Naughton if he would consider a 6 year term. He replied that he and Gardiner would have to agree to the 5 year term.

Ferguson I would like to ask that the Regents be brought down to testify to the Judiciary Committee.

Ostrosky I move HB 202 out of the Committee

Swanson I ask unanamous concent with a 'do pass' recommendation.

Chairman Sullivan Without objection, so ordered.

CSSB 59

Chairman Sullivan The major difference between this bill and HB 97 is that the Judge may decide to release the name.

Beirne This is very different than the last bill and makes it almost inocuous. Ose's bill made the releasing of names mandatory and this leaves the protection up to the discretion of the Judge.

Chairman Sullivan Do I have a motion on this bill?

Ostrosky I move we pass this bill out with individual recommendations.

Chairman Sullivan So ordered.

SB59

TELEGRAM

WESTERN ALASKA COMMUNICATIONS, INC.
[illegible]
[illegible] ALASKA 99501

1975 FEB 25 AM 10 09

ø2ø02 ANCHORAGE AK 33 ø2-25 734A AST

PMS REP BILL RAY
JUN 1559

THE UNDERSIGNED SUPERIOR COURT JUDGES ENDORSE AND ARE IN FAVOR OF SENATE BILL 59 AND URGE PUBLICATION OF JUVENILE OFFENDERS NAME ADDRESS AS PER THE BILL

JUDGE RALPH E MOODY JUDGE SEABORN J BUCKALEW JUDGE EDMOND BURKE JUDGE P J KALAMARIDES

Alaska Youth Advocates, Inc.

1200 EAST 27TH AVENUE PHONE 274-6541
ANCHORAGE, ALASKA 99504

BOARD OF DIRECTORS
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PROGRAM DIRECTORS
SUSAN C. GORDON
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Alaska Youth Advocates, Inc. recommends against the passage of Senate Bill 59, and submits the following arguments.

1. Senate Bill 59 is in direct conflict with the concept of the juvenile justice system.

The fundamental philosophy behind the juvenile justice system is the characterization of juvenile proceedings as non-criminal, with its dispositions being rehabilitative and in the best interests of the child, rather than punitive.[1] Weighed against the lack of full constitutional and statutory protections found in the adult court's adversary process is the assurance by the juvenile court that the confidentiality of a juvenile record is safeguarded. If we do not offer the child this protection from publicity, we must insure him full constitutional protection under the criminal justice system.

2. SB 59, the publishing of delinquent minors' names, will serve no rehabilitative function.

As to rehabilitative value, it is generally felt that public disclosure of a delinquent's name and case facts would

interfere with the effectiveness of the court's rehabilitative program.[2] The Standard Juvenile Court Act comments that the purpose of confidentiality is:

> to prevent the humiliation and demoralizing effect of publicity or unnecessary disclosure of private affairs heavily charged with feelings of anxiety, guilt and recrimination. Disclosure would make it more difficult to utilize a child's feeling of self respect in effecting rehabilitation.[3]

A true uniqueness of the juvenile justice system's rehabilitative program is its ability to focus on the problem the child faces -- not on the delinquent's inability to re-enter the community as a respectable citizen. A basic flaw in our adult penal system is that "it fails to provide accessible or effective means of fully restoring the social status of the reformed offender."[4] Through the protection of confidentiality in juvenile proceedings, a minor may be treated for his delinquent or anti-social behavior and then returned to his community without having to struggle with the stigma of being a criminal.

3. The passage of SB 59 will be of no deterrent value.

We address here two considerations: what effect would SB 59 have in deterring an individual from further delinquency, and, what effect would SB 59 have in discouraging others from pursuing the same behavior.

Empirical studies showing that publicity deters crime are non-existent.[5] In fact, the President's Commission's Task Force Report, Juvenile Delinquency and Youth Crime, reports that,

> it is unlikely that publicity serves any . . . deterrent function; among the most intractable cases (when presumably publicity would be used) the publicity only feeds the drives that move these youths and may influence others toward emulation.[6]

Further the Commission states:

> In many cases publicity . . . serves only to provide a deeply troubled youngster with an opportunity to flaunt his unregeneracy.[7]

The majority of arguments to be found on the issue are convincingly clear that "publicity not only fails to deter, but often provides encouragement for further and original delinquency, publicity being the end sought by the delinquent."[8] In the absence of any contradictory evidence, confidentiality should continue to be afforded to the minor.

4. The passage of SB 59 would create the extremely harmful stigma of delinquency.

The public labeling of a child as a delinquent is a self-defeating obstacle to effective rehabilitation and it is one that persists throughout the child's life. The labeling of a child as such often does nothing more than confirm the child in his own delinquency. The adverse consequences of the delinquent stigma are overbearing. In addition to often inaugurating the juvenile into further delinquent careers, the stigma becomes translated into effective handicaps by heightened police surveillance, neighborhood isolation, lowered receptivity and tolerance by school officials and rejections of youth by prospective employers.[9] The armed forces make a juvenile record grounds for rejection. The juvenile accused of a delinquent act often

becomes unable to obtain licenses and bonds. This result of publicity is the labeling of the child as "a type destined for failure."[10]

Our State Supreme Court condemns the publication of the name of the juvenile delinquent on the ground that "it confirms the child in his delinquent identity and impedes his reintegration into law-abiding society."[11]

5. Alaska Statute 47.10.060 is the appropriate avenue to deal with the unrehabilitative minor and at the same time ensure the protection of the community.

To those proponents of SB 59 who argue that confidentiality will turn loose on an unsuspecting public the dangerous and the psychopathic person, the answer is readily available. If the court finds that the public safety would be endangered by a serious delinquent, disposed of in a confidential setting, that the juvenile process will be of no rehabilitative value to the minor, and that it is proper that the juvenile be held accountable, in an adult manner, for his acts, than the court may under AS 47.10.060 (Waiver of Jurisdiction) refer the matter for adult prosecution. The hearing and record would thereby become public and at the same time the minor would have full protection of his consitutional guarantees.

In our opinion, it is most proper that the court be the body to make the determination as to the kind of person it is dealing with. The court may determine to handle the person in a special manner, affording him the protections a child has under the juvenile justice system. Or, if the court determines

that the person is accountable as an adult, then he should be accorded all of the rights of an adult.

If we offer the person only part of the protections due a child under the juvenile system, and only some of the rights due an adult under the adult criminal system, we "expose thousand upon thousands of essentially normal and innocent young people to the damaging consequences of a [public] juvenile court record."[12] If we afflict a young person with a public delinquent record, at the same time denying him equal protection, we may be destroying all chances that person has of becoming a productive law-abiding citizen.

The hazard is too great. Alaska Youth Advocates urges the House HESS Committee to vote against the passage of Senate Bill 59.

March, 1975

Footnotes

[1]Cashman, "Confidentiality of Juvenile Court Proceedings: A Review," Juvenile Justice 24:30-40, August, 1973, at 30-31.

[2]President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Juvenile Delirquency and Youth Crime (1967), at 39.

[3]Standard Juvenile Court Act, Section 33, comment.

[4]Gough, "The Expungement of Adjudication Records of Juvenile and Adult Offenders: A Problem of Status," Washington Law Qtrly, 147, 148, 1966.

[5]Geis, "Publicity and Juvenile Court Proceedings," Rocky Mt. Law Review, Volumn 30, 101 (1958), at 124.

[6]President's Task Force Report, at 38.

[7]Ibid., at 38.

[8]Geis, at 124-125.

[9]President's Task Force Report, at 91.

[10]Ibid., at 92-93.

[11]R.L.R., a Minor, v. State of Alaska, Opinion No. 706, July 9, 1971, at 25.

[12]Cashman, at 40.

COPY ZIEBER
SUSAN SULLIVAN

...TIONS, INC.
...
JUNEAU, ALASKA 99801

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1975 MAR 4 PM 8 13

PMS SEN BILL RAY

0221

JUN

SUPPORT YOUR SB59 RE DISCLOSURE NAMES MINORS FOR SECOND
FELONY VIOLATION

JUDGE EBEN LEWIS 2073 ARLINGTON DRIVE NORTH

ANCHORAGE ALASKA 99503

SB 59

ANSWER ALLENGTH
-COPY ZIEGLER
SUSAN SULLIVAN

REALTOR

YOUR TREASURE IN OUR

VALLEY

REAL ESTATE

Location:
Mile 57½
Anchorage-Fairbanks Highway

Houston, Alaska
Phone: 892-6250

Mailing Address:
Star Route, Box 234-A 2751
Wasilla, Alaska 99687

March 1, 1975

Senator Bill Ray
Pouch "B"
Juneau, Alaska 99801

Dear Senator Ray:

As a member of the Valley Republican Women's Club; a mother of four sons, five step-sons, two step-daughters, and seven foster daughters; grandmother to twenty six; and a concerned citizen of Alaska, I wish to add my feelings to the masses of corrrspondence you have probably already received in regard to your Bill in the Senate, which deals with publishing the names of juvenille offenders.

I agree with you completely! And I sincerely hope it passes!

In raising my own group of young people, (three of them had minor scrapes with the law) I found that the answer to the problem of delinquency was....if they did anything against the law, hit 'em with both barrels, and it didn't happen again. When I was unable to persuade a bleeding heart Judge in Washington state that my son needed to have the "book thrown at him", that son came back for a second time around, but that time the Judge was smarter, and mother would not go Bonny's bail, so it never was necessary again after he sat in jail for 16 days! And if you publish the offender's name, the parents will perhaps be a little more careful of what kind of publicity the child, and they, get!

Sincerely,

Mrs. W. D. Strassburg

COPY ZIEGLER - SUSAN SULLIVAN

HONORABLE BILL RAY
STATE SENATOR
JUNEAU, ALASKA

CHARLES JOHNSON
1345 K ST.
ANCHORAGE, ALASKA

THE UNDER SIGN URGE PASSAGE OF BILL S.B. 59 AND ENDORSE THE PUBLICATION OF NAMES AND ADDRESS.

NAME	ADDRESS
Charles Johnson	1345-K St Anch.
William M. Zipp	4020 E 64th Anchorage
George F. Vezan	3202 Dorbrandt Ave
Leland M Schlect	4117 Spenard Rd Anchorage
Leonard Rauscher	1200 W. Diamond
Kenneth R O'Brien	SRA Box 1870
Thomas Blakely	900 S. Klevin, Anchorage
Dan S Thompson	Box 1234 or 215 2ND AVE, FAIRBANKS
Stephen J Schlect	2732 W. 67TH
Helen Johnson	1345 K St Anch
Joan R Lammers	2510 E 27th ave.
Lou Moore	1343 "K" St. Anchorage.
Daniel J Saupe	1343 K ST Anchorage
Mary Ann Rowe	1343 K Anch.

CSSB

76

"An Act making a supplemental appropriation to the University of Alaska; and providing for an effective date."

5/6/75

COMMITTEE REPORT

FINANCE

HOUSE

Mr. Speaker: Date 5/14/75

The Committee on Joint (HESS) has had CS SB 76 under consideration. A Majority of the members of the Committee

(X) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(X) recommends it BE REPLACED WITH #CS FOR CSSB 76 AND THAT #CS FOR CSSB 76 DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan, Tom Fink, _____

_____, Tom Jacobsen, _____

_____, _____, _____

_____, _____, _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

May 14, 1975

Members Present:

Davis	Sullivan
Hackney	Swanson
Osterback	
Ostrosky	

Chairman Sullivan called the meeting to order at 3:45pm. The Committee met only briefly before going back into the budget caucus.

~~CSHB 76~~ CSSB 76

Ostrosky: Motion to move bill out of Committee

Chairman : Hearing no objection, so ordered.

Meeting adjourned at 3:55pm.

SB 76

I am David Hoke, a mathematics instructor at Anchorage Community College and thus a member of the bargaining unit. I am also Chairman of the University Assembly and am speaking in that capacity today.

The University Assembly is a policy-making body within the University structure and Assembly actions are subject to Presidential approval or veto. The Assembly membership consists of administrators, students, an alumus and faculty members in the areas of instruction, research and public service with representatives from each of the three regions of the University. As Chairman of this body, it is my responsibility to represent as best I can the entire University community rather than any particular unit or group within the University.

In the November 11, 1974 Union newsletter I was severely criticized for representing views other than those of the Union. The criticism was primarily that since I was elected to the Assembly by the community college faculty of the Southcentral Region and since a majority of those faculty had voted to be represented at the bargaining table by the Union, I should represent ONLY UNION VIEWS in my role as Assembly Chairman. It was suggested that since I was not doing that I should either resign or be removed from office. I was particularly criticized for suggesting that the Assembly take a stand on the impropriety of an agency shop within a University, spending of State dollars for strictly Union activities and facilities, and opposing any negotiating on academic policies.

I understand fully the major reasons for the organization of this Union and I appreciate the many hours spent by some Union members in sincerely working to improve salries and working ;conditions, but all that seems somewhat irrelevant now. The Union has gone well beyond the bounds of propriety, certainly within a University.

At an Assembly meeting on the Anchorage campus March 22, 1974, the Union President made the following remark:

> "I think that one of the important points which people of this campus have gradually come to understand as they have read the newsletters that have been put out and have discussed the Union with people who are in the Union is that a Union is really a reflection of the people that are its members, especially those members who bother to work to make the Union go. It's quite possible that a Union could become strong enough and be composed of people cynical enough to bargain for things which would ultimately lead to the detriment of quality education. It's my firm belief and I think that we have demonstrated it by our actions on this campus that the people in this particular Union are interested in quality education."

Unfortunately for the University and for Alaska, the Union has by now exceeded even its wildest dreams in arriving at that level of cynicism mentioned above. I agree that the Union is a reflection og its members and that the newsletters referred to indeed indicate where the Union was headed. Copies of several of those newsletters are attached for your perusal.

In the newsletter printed two days after the one-day strike in October, the following statements appear:

> "Additionally, student support for community college faculty was tremendous. We wish to extend our heartfelt THANK YOU to the thousands of students who supported the strike in many different

ways. Without you, we couldn't have accomplished our immediate objectives with a strike this brief. We're happy to be back in class with you. We encourage everyone involved in the Union's talks with the University - students, faculty, administration, and indeed all Alaskans - to remember the reasons for the strike and the forcefulness which allowed for its prompt conclusion. We also encourage all of those involved to be mentally prepared for another strike. We are returning to our classes as a gesture of good faith."

What happened to that good faith when the second strike was called in spite of the fact that the negotiators were in a marathon session which saw several agreements reached? And what happened to that gratitude for student support after the strike when Union teachers returned to the classrooms announcing that no work would be made up if they were not paid for doing so? What happened to the great concern for students when Union teachers refused to give any credit for work done by students under substitute teachers during the strike?

And what kind of concern for students is expressed when students are threatened by instructors that they had better not make statements against the Union or testify here today? I personally was approached by a student yesterday who was indeed a very frightened individual because he had been told not to make statments against the Union. A second individual whom I requested be referred to me because of tactful remarks made regarding students testifying here today refused to see me because he was afraid somebody would hear about it.

Presently 35 faculty members of the bargaining unit are in the position of possible termination for refusing to authorize a payroll deduction of a fee of $35 per month in order to keep their jobs. These teachers taught during the strike and are opposed for different reasons to many activities of the Union. Paying this fee would amount to supporting to the same extent as Union members all those Union activities which the non-Union faculty members deplore.

The entire University will suffer from this. The Union has requested the firing of twenty-some faculty members from the Anchorage campus, four of the eleven faculty at Kuskokwim, both faculty members at Palmer, one of the four faculty members at Kodiak and the entire staff of the secretarial program at Juneau-Douglas.

Without addressing the amount of the fee, I must address the requirement of any fee regardless of its size. An agency shop - and certainly anything more severe - is entirely out of place in an academic setting. It requires a faculty member's first allegiance to be to the Union in order to even be a faculty member.

If ever there was a situation where, in a collective bargaining process, the bargaining agent should epitomize fairness to all, recognition of basic rights of individuals, responsibility for one's own actions and debts, and the long-term effects of their actions on others as well as themselves, it is in a University where the bargaining is actually done by the faculty members themselves..

And certainly in such a situation, the Union should be able on its own merits and actions to gain the support of the bargaining unit members without having to force the non-Union members to support their efforts.

f the Union was, indeed, working for the good of the faculty, the improvement of the University's ability to serve the students and the State, and the guarantee of academic excellence, the Union would have the support of all or nearly all of its constituency which it supposedly, but at presently questionably represents. The fact that the Union was not guaranteed forced support by all faculty members would serve to continually make the Union more conscientious in its activities.

There are some highly competent instructors who would come to the University and from whose talents this State could benefit, but who will not or cannot support a Union on campus and would therefore refuse to accept an appointment. Can you imagine any faculty or potential faculty member with integrity even considering working here knowing that the Union has forced the firing of even one, let alone 20 or so faculty members solely for refusing to support the Union? The Union will be denying the students and the State the benefit of such instructors. But is is an absolute right of any student to be exposed to instructors who have anti-Union views.

How representative of all its constituents can a Union be when its President informs one of the faculty members that he can join the Union if he "make a moral commitment to work for ACCFT--and most particularly never to work actively against this union for the duration of your membership." That letter was addressed to me and I am providing you with a copy.

And what conscientious faculty member or Union leader would stoop so low as to even suggest that someone with opposing views would agree to commit himself.herself to cease immediately the utterance of inflammatory remarks regarding the Union or the agency fee in exchange for being allowed to finish the semester, but still pay his/her agency fees? That was an option presented to faculty members opposing the agency shop and no apology can ever erase the fact that the statement was made.

To address Senate Bill 76, I begin by stating that there are many inequities in salary within the bargaining unit - some small and some quite gross. These inequities must indeed be corrected immediately. And a substantial raise for all faculty members may be in order, but the raise of roughly 26% over the past 18 months is not to be scoffed at. We received that raise thanks to the efforts in bargaining og the Alaska Public Employees but they have never attempted to assess us a fee for their efforts from which we benefitted. But the 26% raise is not an acceptable answer since it was an across-the-board raise which simply further compounded the inequities.

This University has not really seriously made an effort to correct these inequities or they would not continue to exist. But the Union salary scale and placement criteria - even though they may be an improvement - have one great lack. The only criteria for salary determination are hours spent in class as a student, years standing in a classroom as a teacher or years on a job related to the area of one's present teaching assignment. No weight is given to competence or quality of performance. All one has to do to assure himself of a 5% pay raise each year is to keep his heart beating.

The contract has eliminated tenure academic rank and merit pay from the bargaining unit. This is important for two reasons. First these are the only rewards a University can give for quality performance.

By removing these from the bargaining unit, the Union has denied the University the capability to reward faculty for the very thing which the Union claimed was their primary concern - quality teaching. Secondly the reviews of faculty performance which normally occur when one is eligible for tenure, promotion in rank or is being considered for merit pay have now b een eliminated so that there is no evaluation - at least no meaningful evaluation of the performance of any faculty member in the bargaining unit.

Now for the major thrust of my statement today. I am not going to suggest either passage or defeat of Senate Bill 76. What I wish you to strongly consider is this. The University exists primarily if not exclusively for the students and the citizens of Alaska - not for any group of faculty nor for the faculty or staff in its entirety. Our students and our public are in no way comparable to potential customers of General Motors who have no input into bargaining for the workers who put together the cars. The students are affected at least as much as the faculty by what the Union has done or will do in the University.

These hearings today are not only the last opportunity for any public input into the bargaining, but more importantly it is, in fact, the first opportunity for any such inpu. The public is paying the costs of the contract and a large share of the costs of the actual negotiations. Yox as representatives of this public now have the opportunity and responsibility to see that the public is heard and their interests come first.

Thus I urge that you listen very carefully to the statements today and make your own judgement as to whether the individuals most affected by this contract will be served by the bargaining unit members working under this contract as it presently stands. There is a lot more at stake than a few or a lot of dollars.

Union demands and Union activities indicate quite strongly that the Union's primary concern is protecting the reputation and power of the Union. It is a sad day for education when a University is staffed by faculty members who consider Union security to outweigh in importance human dignity, honesty and individual rights. In no way can such a faculty serve the State when their primary concern is to serve the Union.

I urge that before you approve passage of this bill and by such action imply approval of all that the Union has done this past year, you insist that the Union find solutions to the very serious problems of the present which they have created..

One honorable solution would be for the Union to accept the responsibility for the agency shop clause and the furor it has created, agree with the University to a ammendment to the contract eliminating the agency shop clause for the life of the contract and inviting non-Union members to contribute to the Union a fair share of the costs of negotiations based on salary and other benefits received by each individual. This would be an ideal solution, but it is not necessarily feasible. Whatever compromise may be reached, the Union must recognize that they have not earned the right to determine how any amount of a non-Union faculty member's salary is to be spent.

Finally I urge that you Senators use your influence to demand of the higher echelons of University administration that they begin exercising their management rights and obligations as granted and provided for in the contract.

SB 76

April 3, 1975

Members of the Alaska Legislature:

The enclosed statements were given by me in testimony to the Senate Finance Committee and the Senate Committee for Public Hearing on Senate Bill 76. I wrote these two statements based on my observation of the events surroundig the formation of the Union on the Anchorage Community College campus, Union activities prior to and during the strike, and Union activities since the strike. I have been greatly dismayed at the Union's lack of concern for students and for faculty members who do not approve of Union activities and disagree with Union policies. I request that you read these two statements which have very little overlap and consider my thoughts prior to forming any final opinions regarding passage or defeat of Senate Bill 76. Senate Bill 76, if passed, would fund the financial aspects of the contract between the University of Alaska and the Community College Teachers.

I further urge that you read carefully the statement from the Anchorage Senior College Faculty Association which carefully outlines the possible demise in quality of the education the University can offer as a result of some aspects of the contract, particularly the agency shop provision. I understand that the authors of that statement have sent a copy to each legislator.

I would hope that you give careful thought as to the reasons for the Legislature allowing for agency shops or Union shops for public employees and consider whether the intention was to fire a large number of employees who could not in good conscience support financially the activities of a Union. I hope that you also consider very carefully the difference between a University and industry and the jobs done by the employees. An agency shop or Union shop in a University seems most inappropriate. Likewise the firing of 35 faculty members simply because they cannot in good conscience support the activities of the present Union seems hardly in the public interest.

I urge that you give a great deal of thought to the possibility of ammending the Public Employees collective bargaining statue to exclude agency shop and Union shop from higher education or all educational institutions. A Union in education should be conscientious enough and concerned enough to gain support of bargaining unit members based on its actions and its own merits rather than forcing all members of the bargaining unit to support that Union regardless of what it does.

Sincerely,

David Hoke

David Hoke

CSSB 76

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

May 19, 1975

David Hanrahan, Welding Department
Anchorage Community College
P.O. Box 1505
Anchorage, Alaska 99507

Dear Mr. Hanrahan:

I am writing in response to your telegram of May 10 regarding Senate Bill 76.

As you probably know, the original Senate Bill was cut by a Finance Committee Substitute, which included reducation in both the salary increase and cost-of-living items. Our committee has drawn up a House Substitute for this bill which would appropriate the following amounts:

Placement and salary increase	$659,000
Cost-of-living increases	256,000
Area cost-of-living differential	111,600
	1,026,700

As this House Substitute requests an amount larger than either of the Senate versions, a special conference committee will most likely adapt the bill so as to satisfy both Houses. Hopefully, this will result in provision of the full salary request.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

SB 76

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

1975 MAY 10 PM 10 14

#

02040 NL ANCHORAGE ALASKA 50 05-10 0750P ADT

PMS REP SUSAN SULLIVAN

906

JUN

PLEASE RESTORE SB76 TO ITS FULL SALARY APPRORPRIATION REQUEST OF 624,000 DOLLARS BOTH UNION AND NON-UNION COMMUNITY COLLEGE TEACHERS WHOM I KNOW SUPPORT THIS MEASURE

DAVID HANRAHAN ACC WELDING DEPARTMENT

SRA BOX 1505 ANCHORAGE 99507

Anchorage, Alaska
February 5, 1975

Susan Sullivan, Chairman
Health, Education and Social Services
Pouch V
Juneau, Alaska 99801

Dear Susan:

Congratulations on your becoming chairman of the H, E & S S committee. It is indeed an honor and will require one heck of a lot of work.

Now as you are learning by now that very few very write unless they want something. After all what are you down there for-what a dirty dig.

My wife Cleone is a school teacher and so we are going to be interested in any legislation that deals with education in any way. More particularly we are interested in legilation relating to retirement.

Senate Bill No. 46 is a bill dealing with early retirement for teachers. We are in favor of this bill for we feel that it would be good both for the teaching profession and the education system as well. It will permit older teachers who desire to retire at an earlier age if they desire. This will permit hiring of younger teachers for less money. This will result in a saving of money for teachers and give young people an opportunity to get jobs.

I am sure that this bill will be thoroughly studied in all the committees and it is my hope that all findings will be favorable and the bill will be approved by both houses.

It has been rather quite around here since the election and our legilstures departure for Juneau. I haven't seen your Dad for o some time. I am sure that he is buisy.

Here is wishing you a very succeesful session. If I can help you in anyway, please feel free to call on me. Sorry about my typing for it is not my best talent.

Sincerly yours

Albert C. Hambright
4807 Kent St. Anchorage
99503

SB 76

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

HOUSE OF REPRESENTATIVES

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

May 19, 1975

Ruth Schmidt
1040 C Street
Anchorage, Alaska 99501

Dear Ms. Schmidt:

Thank you for your telegram regarding Senate Bill 76.

The original Senate Bill was cut in the Senate Finance Committee, with reductions in both the salary increase and cost-of-living items. Our committee, in recognition of the need for the full salary appropriation, drew up a House Substitute, requesting the following amounts:

Placement and salary increase	$ 659,000
Cost-of-living increases	256,000
Area cost-of-living differential	111,000
	$1,026,700

As this House Substitute requests an amount larger than does either of the Senate versions, a special conference committee will most likely adapt the bill so as to satisfy both Houses. Hopefully, this will result in provision of the full salary request.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

SB 76

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

02032 POM ANCHORAGE ALASKA 15 05-10 1128A ADT

PMS REP SUSAN SULLIVAN

JUN 897

REQUEST FUNDING FOR CSB76 SALARY INEQUITIES COL TRAVEL

LEAVE BE RESTORED

RUTH SCHMIDT 1040 C STREET 99501

Alaska State Legislature

House

JUNEAU ALASKA

Pouch V
Juneau, Alaska 99801
May 26, 1975

Rick Goodfellow
206 Bunnell Street
Anchorage, Alaska 99509

Dear Rick:

Thank you for your letter on Senate Bill 76 concerning a supplemental appropriation to the University of Alaska for a community college teachers' pay raise.

I agree that the whole University of Alaska needs close scrutiny, especially salary levels. Senate Bill 76, as it was amended in our committee, is something of a compromise between the original version and the Senate version. One of its best virtues, I think, is that it realigns salary and experience levels of the faculty, thus making a more sensible system of pay rates.

The bill is presently in the House Finance Committee. Since there are several widely divergent versions of it, it seems likely that it will go to a conference committee.

Please write again in the future on issues that concern you.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

SB 76

Alaska State Legislature

House

JUNEAU ALASKA

Pouch V
Juneau, Alaska 99801

Diana Berkowitz
3332 Perdue
Anchorage, Alaska 99501

Dear Jason's Mom!

Thank you for your letter regarding Senate Bill 76.

The original Senate Bill was cut in the Senate Finance Committee, with reductions in both the salary increase and cost-of-living items. Our committee, in recognition of the need for the full salary appropriation, drew up a House Substitute, requesting the following amounts:

Placement and salary increase	$ 659,000
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	$1,026,700

As this House Substitute requests an amount larger than does either of the Senate versions, a special conference committee will most likely adapt the bill so as to satisfy both Houses. Hopefully, this will result in provision of the full salary request.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

May 8, 1975 SB 76

Rep. Susan Sullivan
Pouch V
Juneau, Alaska 99801

Dear Rep. Sullivan:

I never thought that I would write a letter against money for education, but I feel very strongly that the proposed raise for the community college faculty is not in the best interests of the university of education.

The U of A system is in need of a thorough shake out. After the deadwood and riff raff have slipped on we should talk about salaries that will attract the best people.

Dr. Heath is off to a fine start and I have confidence in him. I'm afraid that I don't have much confidence in the current community college faculty.

The Senate's reduction of the fringe benefits seems appropriate to me and deserves your support.

Rob Hedlund

Dear Susan, April 19, 1975

Remember me from Busy Bee days? The school has moved to a great big church on Tudor + McGinnis, an ideal location and the kids seem really happy.

I'm writing to request your support for SB 76 to fund the Community College teachers contract. I think it is still in the Finance Committee, but I understand the University budget is in the House. As you probably know, studies show Alaska's community college teachers are paid way below the national norm. If our negotiated contract is fully funded the situation will be remedied.

Senate Bill 76 will fund the contract retroactively for '74-'75 and the University Budget must then be built to include the future negotiated raises. Because I am a two-income family the situation is not critical for me, but most of my fellow teachers are living from check to check and working at unskilled labor jobs in the summer.

I hope you will do your best to see that our contract is fully funded.

Hope to see you back in Anchorage this summer

Sincerely,

Diana Berkowitz
(Jason's mom)

SB 74

TO: GOVERNOR JAY HAMMOND AND THE ALASKA LEGISLATURE

FROM: STUDENT LIASON FOR HIGHER EDUCATION

We implore your attention to the current labor strife on the community college campuses throughout the state. Valued faculty members are being threatened with termination because of their objection to the agency fee of $35.00 per month being imposed by the ACC/AFT, Local 2404, AFL-CIO.

A student group, delegated to attempt a compromise between the two factions last Friday has met with cooperation from the objecting faculty members, however, the AFT has within the past hour refused this group's entry into a meeting between the two sides. As always, students who are most affected by these problems are given no opportunity for representation.

Student feeling on campus is very high and we greatly fear violent student action if this matter is not resolved. Furthermore, such an atmosphere is definitely not conducive to learning, and that is the goal of every student in an educational institution.

This only emphasizes our concern that students should be involved in present and any future negotiations between unions and administration on college campuses statewide. We would like your support, in concept, of our proposal to alter the Alaska State Public Employees Act to include students, by law, in collective bargaining.

STUDENT LIASON FOR HIGHER EDUCATION

KATHY BURGESS, CHAIRMAN

JAY BROWN, CO-CHAIRMAN

DAN COCKLIN

ROBERT HEASLEY

Richard J. Dikkers

Steven E. Clark

Audrey A. Brown, Vice-President Anchorage Student Govt (USUAA)

Sue Ryall

Lonnie R. Trimble, Reg USUAA

Jerry J. Eggen

THE FOLLOWING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

325 - Union
315 - non Union } in arbitration, was $700 / year.

Why couldn't non-union vote on agency fee.

AFT Alaska Community Colleges Proposed Budget

Attach to SB 76 amendment

File SB 76

3 Major Grievances @ $5,000 each	$ 15,000.
15 Minor Grievances @ $750 each	11,250.
President's Release (one course, two semesters)	5,000.
Transportation @ $600/mo.	7,200.
Per Capita	6,000.
Paper and Publicity @ $100/mo.	1,200.
Communications and Social @ $100/mo.	1,200.
Debt Amortization	16,500.
TOTAL	$63,350.

U. has not taken stand re- termination date

Termination April 1

March 14, 1975

ALASKA COMMUNITY COLLEGES FEDERATION OF TEACHERS

LOCAL 2404 AFFILIATED WITH AFL CIO

2533 PROVIDENCE DRIVE ANCHORAGE, ALASKA 99503

Senate Members
Alaska Senate Finance Committee
Pouch V
Juneau, Alaska 99301

Dear Senators:

Alaska Community Colleges' Federation of Teachers wish to thank you for this opportunity to present our suggestions for revisions to Senate Bill No. 76. We feel that our calculations are more broadly based in fact than those of the University administration (Hullinger report: Supporting Detail, Feb. 28), and we hope that our figures because they are fairly well refined, will be useful to you in computing actual dollar appropriations. In our attached report each contract cost is itemized adjacent to the University projected cost so that differentials can easily be identified.

We have attempted to present both the data bases from which our figures were abstracted, and an outline of the computations themselves, in an effort to assist you in understanding the motivation behind our proposals. Copies of supportive data are enclosed.

Because of financial problems which have occurred within the University in the past, we suggest that funds appropriated in this bill be earmarked strictly for expenditure within the Alaska community college bargaining unit. Any transferability provisions should be limited, and preferably limited explicitly to a particular community college.

We would be happy to make ourselves available in Juneau to present this information and explain it to the Finance Committee, if you would so desire. As much advance notice as possible would be greatly appreciated, but we can probably be present on 48 hour notice. Please feel free to call any of us at any time to provide any explanations which would be helpful to you.

Again, thank you for this opportunity to present our suggestions. We hope you find them helpful.

Edie Lynch

Edie Lynch, President, ACCFT Local 2404

Clark Corbridge

Clark Corbridge, ACCFT Chief Negotiator

Joe Connors

Joe Connors, Vice President, ACCFT

Ralph Mc Grath

Ralph Mc Grath, ACCFT Negotiator

Attached:
Office Need Survey (Pond Report)
Summer Session Study (Connors Report)

SENATE BILL NO. 76

ALASKA COMMUNITY COLLEGES' FEDERATION OF TEACHERS

COST ANALYSIS

COST ITEMS	UNION FY 75	UNIV. FY 75	UNION FY 76	UNIV. FY 76
Cost of negotiations	0.0	14.9	11.6	14.9
Formal Grievance Procedures	9.0	70.0	18.0	105.0
Travel	2.4	1.7	7.2	5.1
Relocation	0.0	0.0	0.0	0.0
Site Visitation	5.7	5.7	103.0	17.1
Offices	233.1	35.0	68.8	35.0
Clerical Support	0.0	0.0	43.2	0.0
Substitutes	54.6	54.6	125.3	136.5
Overloads	64.4	56.7	450.5	125.0
Summer Employment	472.0	0.0	1,486.7	56.7
Less than Full Time Employed	8.5	8.5	0.0	17.0
Retraining	0.0	0.0	0.0	0.0
Placement & Salary Increase	624.1	566.4	4,978.2 ++	682.1
Area Cost of Living	111.6	109.2	135.5	109.2
Fringe Benefits	0.0	0.0	0.0	0.0
Parking	0.0	8.0	0.0	12.0
Lounge	3.5	3.5	1.0	1.0
Continuing Education	0.0	12.9	0.0	33.5
Professional Leave	0.0	0.0	101.4	98.7
Annual Leave	325.4	66.1	414.8	150.0
Checkoff	0.0	0.0	0.0	0.0
Union President Release	2.1	2.3	6.9	4.6
FY 76 Univ. Salary Adjustment				251.4
Cost of Living Escalater	292.9	*	999.7	*
TOTALS	2,209.3	1,015.5 *	8,947.4 ++	1,894.8 *

	UNION FY 75	UNIV. FY 75	UNION FY 76	UNIV. FY 76

* The University made no projection for the Cost of Living Escalater and the Union estimate is based on a 7 1/2 % for FY 75 and 20 % for FY 76.

++ The Union figure cited here is the TOTAL COST for bargaining unit member salaries for FY 76. (or is included in the final totals for FY 76.)

PAGE ITEM

5 1.5 Cost of Negotiations UNION ESTIMATE

REACTION: The Union does not feel the University projected cost of 14,900 is accurate or justified. Since 80% of the bargaining unit members are from Anchorage and the contract calls for negotiations to be held in Anchorage it seems inappropriate that " 3 persons traveling from outside Anchorage have to fly in 30 times". Selection of Anchorage negotiators and negotiation sessions of a longer duration would alleviate much of this administrative cost. The costs cited are purely administrative.

UNION PROPOSAL:

That 2 of the 3 University negotiators be from the Anchorage area and that no more than 10 trips are needed for outside travel. Therefore:

FY 75--No cost, negotiations are over with.

FY 75 TOTAL	0

FY 76--One University negotiator travel from outside Anchorage making 10 trips @ average cost $110 per trip $ 1,100

Lodging and meals in Anchorage $50 per day X 30 days 1,500

Cost for 3 Union negotiators substitute teacher (Provided for in the contract) 3 (negotiators) X 100 (sub. pay) X 30 (days) 9,000

Cost for 3 University negotiators should be absorbed as part of their contractual agreement. We calculate that this would be in excess of 14,000.

FY 76 TOTAL	11,600

7 4 Grievance and Complaint Procedure UNION ESTIMATE

REACTION: The contract states that the University-Union objective is "to encourage the prompt and informal resolution of complaints . . ." and thus we find University costs to be excessive--their costs suggest that grievances always go to the final remedy of arbitration. Interestingly, the University's projected cost of $70,000 is in excess of the total monies that will be collected by the Union for its entire operating costs during the life of the contract!

UNION PROPOSAL:

FY 75--One major grievance @ $5,000 $ 5,000

Five minor grievances @ $750 3,750

Travel $250 250

FY 75 TOTAL 9,000

FY 76--Two major grievances @ $5,000 $ 10,000

10 minor grievances @ 750 7,500

Travel $500 500

FY 76 TOTAL 18,000

~~16~~ ~~6.4~~ ~~Assignment Requiring Travel~~ ~~UNION ESTIMATE~~

REACTION: The University management will control this cost by their assignment of bargaining unit members to travel. However, traveling 25 times is unrealistic in view of the 15 week semester with classes meeting 2 Xs a week. Correct figure should be at least 30 trips per bargaining unit members.

The majority of travel will be done in Anchorage and between ACC and the military base campuses at Ft. Richardson and Elmendorf. Thus the average round trip is between 20-30 miles. We use 25 as the realistic average miles and not 8. Also we note that the University is currently paying 16 cents a mile and not 14 as they cite.

UNION PROPOSAL:

FY 75—20 unit members traveling 30 times at an estimated distance of 25 miles X 16 cents	2,400
FY 75 TOTAL	2,400
FY 76—60 unit members traveling 30 times at an estimated distance of 25 miles X 16 cents	7,200
FY 76 TOTAL	7,200

16 6.5 Relocation UNION ESTIMATE

REACTION: Union supports the University analysis

UNION PROPOSAL:

FY 75—no cost	FY 75 TOTAL	0
FY 76—no cost	FY 76 TOTAL	0

REACTION: Again the University management will control this cost by their assignment of bargaining unit members to site visitation. To adequately service the needs of outlying communities we recommend 48 such courses (average of one for every four unit members.

UNION PROPOSAL:

FY 75--Union accepts the University cost 5,670

FY 75 TOTAL 5,670

FY 76--Estimate 48 courses @ 3 credits each = 144 credit hours.
144 X 1/30 X 21,454 (ave. salary) = 102,980

FY 76 TOTAL 102,980

* note: Union average salary figure is set at 21,454 not 18,900 as the University projects. Our figures are based on Salary Placement report and are precise.

17 6.8 Faculty Offices--UNION ESTIMATE

REACTION: Contract language provides that "where space and building design permit, the University will provide every bargaining unit member with a secure office. . . The University agrees to request and spend funds as provided by the legislature for the provision of additional secure offices for all bargaining unit members". Based on the Union's study of office needs (see attached Pond Report) the following costs are projected:

FY 75--Union cost is an additional $233,100 above the University already spent $35,000. 233,100

FY 75 TOTAL 233,100

FY 76--Cost of an additional 39 offices based on University projected increase of 39 new faculty hires. (39 X $1,764 estm.) 68,796

FY 76 TOTAL 68,796

18 6.9 Clerical Support UNION PROPOSAL

REACTION: Based on the University statement we assume that the University does not need additional funds for clerical support and is adhering to 'the contract language " providing clerical support at the rate of approximately one for every ten unit members". However for FY 76 an increase of 39 faculty means an additional 4 clerical support staff to maintain 10-1.

FY 75--Union accepts University no cost position

FY 75 TOTAL 0

FY 76--Add 4 clerical staff @ 10,000 plus 8% fringe benefits.

FY 76 TOTAL 43,200

18 6.10 Substitutes UNION PROPOSAL

REACTION: Current University policy allows for accrual of 1 1/2 days per month per faculty member or 13 1/2 days per academic year (9mo.) The University cost is inadequate as it assumes that the average bargaining unit member will not use more than 74% of his/her accrued sick leave (ie 10 days divided by 13 1/2 = 74%) Union also feels that $25.00 per hour paid to substitute is insufficient based on hours spent in preparation for teaching. Therefore we recommend $35.00.

UNION RESPONSE:

FY 75—Union accepts University cost analysis but suggest it be audited at end of this fiscal year. FY 75 TOTAL 54,600

FY 76—221 unit members (includes anticipated increase of 39 faculty as University has projected) X 12 credit hours per week X $35 (dollar cost of substitute) X $6.75 (1/2 of 13 1/2 days accrued) / (5 days)

FY 76 TOTAL 325,307

19 6.11d Overloads UNION PROPOSAL

REACTION: The University statement of 30 courses for FY 75 is totally inconsistent with the prior practice clause of the negotiated contract and is inconsistent with past offerings of overloads. Since most academic faculty are on 9 month contracts this would greatly affect the community colleges' summer sessions since they are offered on the overload basis. Funding of this is critical in both 75 and 76. Univ. error in cost.

UNION PROPOSAL:

FY 75—30 courses X 3 credit hours X 1/30 (negotiated contract rate) X $21,455 (FY 75 average salary)

FY 75 TOTAL 64,363

FY 76—Union projects a more realistic need for 200 courses per year (an end to self-support student ripoffs)
200 courses X 3 cr. hrs. X 1/30 (negotiated contract rate X 22,526 (FY 76 average salary)

FY 76 TOTAL 450,534

20 7.1 Summer Employment UNION PROPOSAL

REACTION: In an apparent retalitory move 1975 Summer Session offerings have been intentionally cut back excessively (see attached Union findings) from the 1974 level. We propose that a maintenance level of offerings be provided for summer of 1975. At ACC in summer 1974 alone there were 192 courses offered. The Union proposes 220 courses statewide in both FY 75 and FY 76 Summer session. Cost as follows:

UNION PROPOSAL:

FY 75--220 (courses) X 1 month (only June 75 would be charged to the 75 budget) X 3 credit hours X 1/30 X 21,454 (ave. salary FY 75).

FY 75 TOTAL 471,988

FY 76--220 (courses X 2 months (July and August 75 would be charged to the 76 budget) X 3 credit hours X 1/30 X 22,526 (ave. salary FY 76). Total 991,144

and

220 (courses) X 1 month (only June 76 would be charged to the 76 budget) X 3 credit hours X 1/30 X 22,526 (ave. Salary FY 76). Total 495,572

FY 76 TOTAL 1486,716

21 7.2 Less than Full-Time Employment

REACTION: Union accepts for the FY 75 the University cost of 8, 520. We suggest that for FY 76 it is more appropriate to budget for these positions as new hires at the full bargaining unit members salary and therefore find it unnecessary to appropriate any funds for FY 76 in this category.

UNION PROPOSAL:

FY 75--Accept University cost projection

FY 75 TOTAL 8,520

FY 76--No cost as this should be absorbed in new hires.

FY 76 TOTAL 0

23 7.4 f8 Retraining--UNION ESTIMATE

REACTION: The University position is inaccurate and unclear. The Labor-Management Committee (provided for in the contract) has to date recieved at least 14 notices of "University intent not to rehire for FY 76". Retraining of these individuals as provided for in the contract is apparently viewed by the University as a no-cost item.

UNION PROPOSAL: Assuming that the University intends to fulfill its contractual obligations regarding retraining of faculty sent notices of "intent not to rehire" the Union raises no objection at this time.

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24 8.1 e & 8.2 Placement of Personnel on Salary Schedule--UNION ESTIMATE

REACTION: Union agrees with sentence one. However, cost analysis is erroneous. Our basis is taken from the calculated figures of the Union-University Salary Placement Committee.

UNION PROPOSAL:

FY 75--Sept. 1, 1974--June 30, 1975 (and includes the 16% fringe benefit cost)

FY 75 TOTAL $624,042 *

FY 76--July 1, 1975--June 30, 1976 (and includes the 16 % fringe benefit cost) *

FY 76 TOTAL $4,978,246 *

*note: The FY 76 figures includes the estimated 39 new hires projected by the University.

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* Figures worked up from the Union-University Salary Placement Committee study indicate that salary increases from Sept. 1, 1974 through Dec. 31, 1974 total $125,924. Increases from January 1, 1975 through June 30, 1975 total $412,044. These figures are added, and then increased by 16% to reflect the cost of fringe benefits. Thus the total salary INCREASE for FY 1975 is $624,042.

** Assuming one vertical increment and no horizontal movement per bargaining unit member, the average projected salary for a unit member in FY 1976, including fringe benefits, is $22,526. Mullinger's University figures project 221 unit members for FY 1976. Multiplying these two we get $22,526 X 221=$4,978,246 as the total cost for bargaining unit member salaries for FY 1976.

31 8.4 Area Cost of Living Differentials UNION ESTIMATE

REACTION: In calculating Cost of Living the Union used the exact data provided by the Union-University Salary Placement Committee. Figures are included for only those campuses that are entitled to cost-of-living differential

UNION PROPOSAL:

FY 75 COMMUNITY COLLEGE	TOTAL SALARIES AT 1-1-75	AREA FACTOR	TOTAL
Kodiak	73,540	.142	10,300
Kuskokwim	149,732	.418	64,420
Ketchikan	138,096	.006	828
Sitka	56,484	.100	5,648
Juneau	211,320	.071	15,003
		Total	96,199

Plus 16 % fringe benefits

FY 75 TOTAL 111,590 (9 MONTH)*

* The Union is investigating with the chief arbitrator (Tom Mannix) responsible for the contract award to find out if the Cost of Living Differential is effective for 9 or 5 months. We will report on that at the time of the hearings on Senate Bill 76. We are also including the cost based on a 5 month application

Figures based on a 5 month period:

Total 61,994

Plus 16% 9,994

FY 75 TOTAL 71,913 (5 MONTH)

FY 76

$$111,590 \times \frac{222 \text{ (unit members incl. 39 new hires)}}{182 \text{ (unit members previous year)}} =$$

FY 76 TOTAL 135,502 (9 MONTH)

31 8.5 Fringe Benefits UNION ESTIMATE

REACTION: Union accepts the University cost for FY 75. However, the contract does provide for the possibility of a study committee to make recommendations regarding changes in the fringe benefits. This could become a cost item.

UNION PROPOSAL:

FY 75—No cost anticipated

FY 75 TOTAL 0

FY 76—No cost anticipated

FY 76 TOTAL 0

32 8.6 Parking UNION ESTIMATE

REACTION: We question the necessity of this expenditure (unless the University intends to install winter electrical outlet plug ins) and note that no provision is made for the income the University derives from the $30.00 per semester faculty use fee. We suggest a legislative audit of this item to assure that the funds have been appropriately disbursed.

UNION PROPOSAL:

FY 75—Cost of installing parking gates, fence and maintenance might necessitate an initial cost of University estimated 8,000? After that any additional costs should be absorbed in parking fees collected from faculty.

FY 75 TOTAL 0

FY76—Any additional costs should be absorbed in monies collected from faculty parking fee. 0

32 8.6c Faculty Lounge UNION ESTIMATE

REACTION: Union agrees with the University estimate and expects to see the funds allocated for that purpose.

UNION PROPOSAL:

FY 75—Cost of furnishing and equiping faculty lounge

FY 75 TOTAL 3,500

FY 76—Additional furnishings

FY 76 TOTAL 1,000

33 8.6d Continuing Education UNION ESTIMATE

REACTION: The Union does not feel that there is any expense to the University in the continuing education provision. The contract specifically states "without tuition cost".

UNION PROPOSAL

FY 75--No cost to the University

FY 75 TOTAL 0

FY 76--No cost to the University

FY 76 TOTAL 0

33 9.1 Professional Development Leave UNION ESTIMATE

REACTION: The Union agrees that there should be no added cost for FY 75. However, there will be a cost in FY 76.

UNION PROPOSAL

FY 75--No additional cost

FY 75 TOTAL 0

FY 76--9 bargaining unit members Xs $22,526 (ave. salary) Xs 1/2 (recieve up to 1/2 salary) =

FY 76 TOTAL 101,367

37 9.3 Annual Leave UNION ESTIMATE

REACTION: The negotiated contract states that: " bargaining unit members shall be permitted . . . to accrue . . . paid leave. Maximum accumulation is 30 working days. A maximum of 30 days . . . unused accrued leave shall be paid off at the termination of employment.

UNION PROPOSAL:

FY 75--182 bargaining unit members X $21,454 (ave. salary) X $\frac{15 \text{ (days of leave)}}{180 \text{ (Work days per contract)}}$

FY 75 TOTAL 325,386

FY 76--221 bargaining unit members X $22,526 (ave. salary) X $\frac{15 \text{ (days of leave)}}{180 \text{ (work days per contract)}}$

FY 76 TOTAL 414,854

Union assumes 100% funding for all annual leave which possibly could be accrued in FY 75 and FY 76.

38 10.3 Checkoff UNION ESTIMATE

REACTION: Union agrees with University position.

UNION PROPOSAL:

FY 75—Cost absorbed in payroll office

FY 75 TOTAL 0

FY 76—Cost absorbed in payroll office

FY 76 TOTAL 0

---

39 10.6 Released Time UNION ESTIMATE

REACTION: Union costs are based on actual figures for FY 75. FY 76 figure is based on projected cost as the candidates for President are already nominated.

UNION PROPOSAL:

FY 75—Union President 1/5 annual salary and benefits
2,015 (mo. salary) X 4 1/2 (months)
X 1.16 (fringe benefits) X 1/5 (release)

FY 75 TOTAL 2,104

FY 76—Union President 1/5 annual salary and benefits
3,114 (mo. salary) X 9 (months)
X 1.16 (fringe benefits) X 1/5 (release)

FY 76 TOTAL 6,502

---

31 8.3 Cost of Living Escalator UNION ESTIMATE

REACTION: The University made no projection cost for this item. The Union made its projection on a 7 1/2 % for FY 75 and a 20 % for FY 76. We emphasize that this IS A PROJECTED COST. When data from the Bureau of Labor is made available we will update this information.

UNION PROPOSAL:

FY 75—7 1/2 (estm. % increase) X 9 (9 mo. academic year) X $2,384 (ave. mo. salary includes fringe benefits) X 182 (no. of bargaining unit members).

FY 75 TOTAL 292,874

FY 76—20 % (estm. % increase) X 9 (9 mo. academic year) X $2,503 (ave. mo. salary includes fringe benefits) X 221 (no. of bargaining unit members, includes Univ. projected increase of 39 faculty).

FY 76 TOTAL 995,693

2/21/75

TO: Labor-Management Committee

FROM: Bargaining Unit Members Office Survey Committee
Roberta Pond, Chairperson
Paula Guetschow
Bill Mackey
Amy Bollenbach
Doug Veltre

The attached survey of offices of Bargaining Unit Members is complete to our knowledge. A copy of the survey was sent to Broderick, O'Mahoney, Irany, and directors of all outlying community colleges requesting that they verify the information listed for their people. Responses have been received from Ketchikan, Kuskokwin and Sitka to date.

Consistent with the contract all faculty members must be provided with offices that are lockable and secure.

Here are our recommendations regarding office size and placement:

I. Recommended Size and Equipment:
   A. Single Person: a standard private office must be 150 sq. ft., have floor to ceiling walls and exterior window. When an exterior window is not possible, the office must have an interior window of at least 20 sq. ft.
   B. Two people: an office for 2 people must provide 150 sq. ft. per person and a visual barrier to provide similance of privacy within office. Walls and windows will be the same as in individual office.
   C. We cannot recommend offices for more than 2 people because all privacy and security would be forfeited in such an office.
   D. Each Bargaining Unit Member must be provided with the following equipment: desk, executive chair, 4 drawer lockable file cabinet, telephone, approximately 30 ft. of book shelves, 2 extra chairs.

II. We realize that before all Bargaining Unit Members can be provided standard offices, an interim period will elapse during which it will be necessary to have faculty in substandard offices. The following recommendations apply to these facilities:
   A. Size
      1 person - private 100 sq.ft.
      2 people - 225 sq.ft.
      3 people - 350 sq.ft.
      4 people - 475 sq.ft.
   B. Equipment - same as for standard offices.

We recognize that faculty having offices which do not meet these recommendations may prefer to wait for the new offices rather than move to another substandard office which meets the recommended size requirements. However, the University should make every effort to move faculty who do not wish to remain in offices below the recommended square footage.

III. Placement

A. No faculty member shall be moved from a ~~locked~~ lockable office to an unlocked office.

B. Faculty currently in standard offices which are acceptable to them shall remain in those offices.

C. The committee will assemble a list of faculty in substandard offices in order of seniority. As offices are made ready for occupancy they will be offered to list of faculty in order. Faculty members may decline an office without prejudice; faculty members' names remain on the list at the same place.

D. No faculty shall be either assigned an office or moved without consultation.

E. Half-time and part-time faculty members should be provided office space after all full-time faculty have acceptable offices.

OFFICES TO BE CONSTRUCTED

Criteria for temporary adequate office: 1 person (private) - 100 sq. ft.; 2 people - 222 sq.f
3 people - 350 sq. ft.; 4 people - 475 sq. ft.; 5 people - 600 sq. ft.

Criteria for standard office: 1 person - 150 sq. ft.; 2 peopld - 300 sq. ft.

Office Location		Number of People to be Relocated for: Adequate Office	Standard Office
C108	(90 sq. ft.)	OK	1
C103	(99 sq. ft.)	OK	1
C206	(99 sq. ft.)	OK	1
K204	(modular)	1	1
K204	(modular)	1	1
K214		OK	1
K204	(modular)	1	1
K204	(modular)	1	1
K204	(modular)	1	1
K204	(modular)	1	1
B-SW	(storage)	1	1
B-NE	(storage)	1	1
C108		1	1
C	(between 201 & 203		1
K215A		1	1
K202C		OK	1
B102		2	2
*K206A	(will be faculty lounge)	1	1
K104A		OK	2
C106		2	3
K111		OK	2
K140B		1	2
A211	(Appel? BUM?)	OK	1
A211	(Medley)	1	1
A211	(Bohner - BUM?)	OK	1
C211		1	1
C210	(private)	OK	1

Office Location		Number of People to be Relocated for: Adequate Office	Standard Office
C212		1	2
E	Main? Modular	1	2
A104		2	2
F ?	Dopperfied & Eid	1	2
Merrill Field			
A	between 204 & 206	1	2
A	between 206 & 208	1	1
A209		1	2
J	Previts/Neilsen	1	1
G	Pearson/Pannone	2	2
D104		2	3
C213		2	2
E	Miller,Robinson,Lohman	2	3
K140A	modular	OK	4
D101		4	4
C210		3	4
C214		3	4
A207	Knisley	OK	1
A207	Gripne	OK	1
H ?	Hotchkiss	1	1
A207	Congdon/Miller	1	2
J. Bldg.		3	3

Office Location	Adequate Office	Standard Office
A.B.E. Downtown	3	3
Ft. Rich	4	4
Ketchikan		
Library	OK	2
Other	3	3
Kodiak	4	4
Kuskokwim	11	11
Sitka	3	3
Juneau		
Campus	1	5
Downtown	3	3
A.B.E.	3	3
Kenai	5	5
Mat-Su	1	2

SUMMARY OF NUMBER OF OFFICES NEEDED:

Location	Number of adequate Offices 100 sq ft B.O.M.	Number of Standard Offices 150 sq. ft. B.O.M.
A.C.C.		
A. Building	7	14
B. Building	4	4
C. Building	13	22
D. Building	6	7
E. Building	3	5
F. Building	1	2
G. Building	2	2
H. Building	1	1
J. Building	1	1
K. Building	11	21
ABE Downtown	3	3
Ft. Rich	4	4
SUB TOTALS		
A.C.C.	56	86
Ketchikan	3	5
Kodiak	4	4
Kuskokwim	11	11
Sitka	3	3
Juneau	7	13
Kenai	5	5
Mat-Su	1	2
TOTALS	89	127

ESTIMATED COSTS

Cost: (Estimates received from U.A.A. Planning Office)

Construction for 10 X 10 = $1176 per office
Construction for 10 X 15 = 1764 per office
Removing Walls of K Building = $20 per lineal foot

Cost of Needed Offices for B.U.M. (Estimated)

Adequate Offices	89 X	1200 =	$106,800
Standard Offices	127 X	1800 =	228,600
Removal of Walls	20 X	225 =	4,500

SUMMER CLASS OFFERINGS SLASHED

Report by Joe Connors

Various administrative sources at Anchorage Community College have expressed that they are expecting a rather sharp decrease in enrollment this summer (over previous summers.) As one reviews the "unofficial" offerings, I can easily see why their prognostication will no doubt come true. However, the problem goes deeper than the reduction in offerings and includes: (1) the failure to utilize input (faculty and student), (2) increased class size, and (3) poor time assignments for classes.

The figures speak for themselves:

COURSE OFFERINGS BY DIVISION

DIVISION	SUMMER 74	SUMMER 75	% CHANGE
Academic	80	41	-49
Career Education	57	70	+23
Community Services	55	53	- 4

Within the Academic Division, one sees that there are decreases in such areas as:

DISCIPLINE	SUMMER 74	SUMMER 75
Art	4	1
Biology	3	1
Chemistry	1	0
Economics	3	2
French	2	0
Geography	1	0
History	10	3
Math	7	5
Music	2	0
Philosophy	3	1
Political Science	4	2
Sociology	7	4
Speech	7	4
Theatre	4	0

In an attempt to show that it's not all decrease, one can see a few increases within the Carreer Ed and Community Services Divisions in such areas as:

DISCIPLINE	SUMMER 74	SUMMER 75
Corrections	3	5
Electronics	10	16
Law Science	3	6
Police Administration	5	6

I realize that these figures are subject to some error. However, the trend is obvious, regardless of what the specifics are. There is a rather large decrease in summer offerings in the Academic Division, while Community Services is remaining about level, and Car eer Education is increasing. These trends are very interesting when one goes the next step and examines how many students took courses in each of these divisions last summer. Utilizing a copy of the Course Enrollment Report, U of A Southcentral Region, dated 8/30/74, I came up with the following:

DIVISION	STUDENTS ENROLLED	STUDENT CONTACT HOURS
Academics	1,721	5,096
Career Education	534	2,024
Community Service	413	740

FANTASTIC! A new philosophy in education must be emerging which has as its basis that a good summer offering should include reducing the number of courses that attract students and offering more courses that students don't sign up for.

This brings me to my second major area, those issues that compounded the situation and no doubt will add to reduced enrollment this summer.

First, the lack of faculty input. In the discipline of Speech, we had

received requests from two health-occupation programs to offer certain courses and at specific times so that their students could enroll. Vickie Christie (Speech teacher) submitted a memo that included these requests. The administration developed the Speech schedule and the product was four courses in Speech, not one of which matched any of the six that Vickie had asked for. We have unofficially heard that our memo was a day late for the deadline. Very interesting, when other changes have been made after the deadline. I view this rationale as an excuse, but a poor one at best, for not accepting faculty input.

Another example reflecting this same arrogant behavior in developing the schedule is the treatment of the Instructional Advisory Committee formed as a requirements of the Community College faculty contract. At its first meeting last month, the Dean presented the "unofficial" summer schedule. That was on a Thursday afternoon, and the Committee had until Friday to respond. The Committee made various requests in terms of more courses being needed. A couple were added; however, for the most part the decision had already been made and the "unofficial" schedule stood.

As students you should also realize that class size has been increased almost across the board from 30/35 students to 45. This means that you will receive less time and attention by the teacher, since the class size has been increased approximately 50%. While this might be OK for some courses, I feel it will be a disaster in Speech, where individual speaking assignments are a must--we will probably have to reduce the number of assignments proportionally.

Third, another aspect that you should find interesting is the time scheduling of classes. It looks like a majority of the courses in the Academic Division will be in the evening; there is even a speech course from 8:30 to 10:00 p.m., certainly a poor time for students to stand up and do their thing, after they

have either worked or gone to school all day and have to again work the next day. I feel the time scheduling is not responsive to student desires but rather to administrative convenience (it's easier to find part-time teachers from the community to teach at night.)

The total summer schedule is a disaster and is an obvious attempt by the administration to prove their point--enrollment will be low. As a student, you will find the results disastrous, as you will have difficulty finding courses that you need and want and that you can take. However, while this poor offering exists, the administration will be going on their merry way this summer at a cost in excess of $133,000.00 to run these courses.

Students, stand up and be heard; this is an issue that you can do something about. First, contact student government and urge them to get involved. Second, phone or telegraph your legislators and let them know how you feel about this. Third, contact the governor's office here in town at 271-1370.

COURSES OFFERED

CATEGORY	DISCIPLINE	SUMMER 74	SUMMER 75
3	ABE	32	34
2	ACCT	8	7
1	ANTH	4	3
1	ART	4	1
2	AUTO	8	3
2	BA	4	3
3	BS	12	1
1	BIO	3	1
1	CHEM	1	0
2	CIS	5	3
3	CORR	3	5
2	ET	10	16
1	ECON	3	2
1	ENG	8	9
1	FREN	2	0
2	FST	5	5
1	GEOG	1	0
2	HE	1	3
1	HIST	10	3
3	LS	3	6
2	MA	0	3
1	MATH	7	5
2	MATT	2	1
2	MEDT	10	9
1	MUS	2	0
3	PA	5	7
1	PHIL	3	1
1	PS	4	2
1	PSY	9	6
1	SOC	7	4
1	SPCH	7	4
1	THR	5	0
2	SS	4	17
		192	164

COURSE OFFERINGS BY DIVISION

CATEGORY	SUMMER 74	SUMMER 75
(1) Academics	80	41
(2) Career Ed.	57	70
(3) Community Service	55	53
	192	164

BARGAINING UNIT MEMBERS BY DIVISION

Academics	64
Career Ed.	48
Community Services	11
Counseling	5
Outlying Colleges	50
	178

BARGAINING UNIT MEMBERS AND CONTRACT LENGTHS

Less than 9 months	-	8
9 months	-	129
10 or 11 months	-	8
12 months	-	31
		178

BARGAINING UNIT MEMBERS CONTRACT LENGTHS BY DIVISION

ACADEMICS			
Less than 9 months	-	2	
9 months	-	59	
10 or 11 months	-		
12 months	-	3	64
CAREER ED.			
Less than 9 months	-	2	
9 months	-	24	
10 or 11 months	-	2	
12 months	-	20	48

COMMUNITY SERVICES			
Less than 9 months	-	2	
9 months	-	7	
10 or 11 months	-	0	
12 months	-	2	11
OUTLYING COLLEGES			
Less than 9 months	-	0	
9 months	-	33	
10 or 11 months	-	5	
12 months	-	2	40

ENROLLMENT SUMMER 74 BY DISCIPLINE

DISCIPLINE	ENROLLMENT	STUDENT CREDIT HOURS
ABE	148	0
ACCT	218	654
ANTH	63	189
ART	92	276
AUTO	113	276
BA	141	423
BS	70	212
BIO	60	135
CHEM	90	192
CJS	61	183
CORR	24	24
ET	72	227
ECON	98	294
ENG	208	603
FREN	39	116
FST	35	105
GEOG	3	9
HE	15	45
HIST	253	759
LS	39	117
MA	0	0
MATH	134	341
MATS	1	3
MEDT	90	135
MUS	25	75
PA	54	162
PHIL	70	210
PS	79	237
PSY	244	732
SOC	175	525
SPCH	142	426
THR	39	117
SS	2	2

ENROLLMENT SUMMER 74 BY DIVISION

DIVISION	ENROLLMENT	STUDENT CONTACT HOURS	%
Academics	1,721	5,096	65%
Continuing Ed.	534	2,024	36%
Community Services	418	740	9%
			100%

Non-SUM Expense for Summer 75 at ACC

Dean's Office		
Dean	9,023	
Other	8,662	17,685
Career Ed		
Director	6,023	
Asst. Dir.	4,[illegible]55	
Other	17,740	27,640
Community Services		
Director	5,725	
Counselor	4,851	
Other	5,549	16,125
ACADEMIC		
Broderick	6,951	
Ehling	5,539	
Roberts	5,983	
Sears	3,831	
Other	20,957	43,261
CONTINUING ED.		
Director	5,748	
Other	20,929	26,377

G R A N D T O T A L $133,097

Admin. at ACC for Summer 75 from Dean to Directors Level (Note - with one exception does not include Unit Heads & Program Coordinator Expenses)

THE PRECEDING PAGES WERE TREATED AS
A UNIT IN THE ORIGINAL FILE.

THE FOLLOWING DOCUMENT(S) MAY NOT FILM LEGIBLY BECAUSE OF POOR QUALITY OF THE ORIGINAL.

5876

To All ACCFT Bargaining Unit Members

From: ACCFT Executive Board

Subject: Retraction and Apology

The notice you received Wednesday, March 19, pertaining to ACCFT policy on the subject of termination and the agency fee contained the following remarks:

> "The Union has considered the students' request carefully and has adopted the following policy:
>
> ...2. The bargaining unit member will commit himself/herself to cease immediately the utterance of inflammatory remarks regarding the Union or the agency fee."

This part of the statement (2.) did not and does not accurately report Union policy. The Executive Board's discussion clearly reflected a generally felt desire that such rhetoric should cease for obvious reasons. It was not, however, a part of the motion passed by the Executive Board that continuation of service was to be made contingent on such a commitment. It was not ever our intention to ask for a cessation of such "utterances."

It is not the intention of the Union to interfere with anyone's right to the free expression of his/her views or to infringe in any way on anyone's academic freedom.

To all bargaining unit members we therefore extend our sincere apology for the consternation this release has caused.

THE PRECEDING DOCUMENT(S) MAY NOT FILM LEGIBLY BECAUSE OF POOR QUALITY OF THE ORIGINAL.

SB76

ALASKA COMMUNITY COLLEGES FEDERATION OF TEACHERS

LOCAL 2404 AFFILIATED WITH AFL-CIO

2533 PROVIDENCE DRIVE, ANCHORAGE, ALASKA 99503

E Schuster

TO: All Bargaining Unit Members

FROM: Edie Lynch, ACCFT President

SUBJECT: Check-off DATE: 2/26/75

Please sign both of the attached deduction authorizations. The first authorization is for the monthly agency fee, which will be deducted beginning with the March 31, 1975 paycheck. The second authorization is for the retroactive agency fee from August 5, 1974 through February 28, 1975. The retroactive fee will be the amount still owed to the ACCFT on April 1, 1975.

The Community College Faculty Contract states "all bargaining unit members shall, as a condition of employment or of continued employment, provide the University with a written authorization to deduct from each paycheck the Union service fee."

These authorization forms must be returned to Edie Lynch, Dave Lamborn, or the Southcentral Payroll Office no later than Friday, March 7, 1975. A list of all bargaining unit members who have not submitted these authorizations by that date will be forwarded to the Comptroller of the University of Alaska for appropriate action.

Name_____ Social Security No._____
(Please Print)

UNIVERSITY OF ALASKA DEDUCTION AUTHORIZATION

To: University of Alaska

Subject to the limitations of applicable Alaska and federal laws, and pursuant to section 10.2 (checkoff) of the collective bargaining agreement between the University of Alaska and Local 2404 Alaska Community Colleges' Federation of Teachers, I hereby authorize deduction of the service fee of the Union from my pay.

_____ _____
Date Signed Signature of Employee

Received_____ _____
Comptroller Date

Name_____ Social Security No._____
(Please Print)

UNIVERSITY OF ALASKA DEDUCTION AUTHORIZATION

To: University of Alaska

Subject to the limitations of applicable Alaska and federal laws, and pursuant to section 10.2 (checkoff) of the collective bargaining agreement between the University of Alaska and Local 2404 Alaska Community Colleges' Federation of Teachers, I hereby authorize deduction of the applicable service fee from August 5 through February 28 from the check for my retroactive pay increase.

_____ _____
Date Signed Signature of Employee

Received_____ _____
Comptroller Date

Note: No amount shown.

SB 76

7337 Old Seward Highway
Anchorage, AK 99502
February 26, 1975

Ms. Edie Lynch, President
AFT Local 2404
Anchorage Community College
Anchorage, AK 99504

Dear Ms. Lynch:

I have been asked as one of the spokespersons from our association to write this letter requesting clarification on the subject of agency fees. We respectfully request that you send us the following information:

1. The amount of the fee non-union members who are also in the bargaining unit will be assessed by your organization for the period prior to January 1, 1975.

2. The amount of fees you anticipate will be assessed for the periods after January 1, 1975, against non-union members, the monthly amount, the months of the year those fees will be assessed, and the total for the contract period.

3. A rationalization for the above amounts including past and anticipated costs so we can justify benefits conferred.

4. The date you have set as a deadline for payment of these fees, and a note as to whether you intend to request the administration to terminate bargaining unit members who have not made payment or arranged for future payment; and if so, when you anticipate termination will be effective.

We respectfully request that the above information be sent so that we receive the information at least fifteen days before any deadline you have in mind in order that we will have time to make a decision that may drastically affect our professional careers.

Very truly yours,

Max A. Fonger, Spokesperson
Concerned Community College Faculty

ps

cc Dean Eugene Short
Provost Haines

SB 76

ALASKA COMMUNITY COLLEGES FEDERATION OF TEACHERS

LOCAL 2404 AFFILIATED WITH AFL-CIO

2533 PROVIDENCE DRIVE, ANCHORAGE, ALASKA 99503

RECEIVED 3-6-75 4:45PM.

March 6, 1975

Dear Mr. Fonger:

The letter which you sent last week has been thoroughly discussed with the Executive Board of Local 2404. The Committee has instructed me to make the following reply to your letter:

1. Bargaining Unit Members' fees have been set in accordance with an election, the results of which are being announced today. For the period prior to January 1, 1975, such fees will not exceed $65 total. Fees assessed after January 1, 1975 will be $35 per month, to be paid for the first nine months worked in any calendar year.

2. The fee schedule alternatives have been developed as a result of literally hundreds of man-hours of work. It would be impossible to give a complete rationale here.

   Suffice it to say that even the maximum proposed figures reflect a quite conservative projection of the cost of providing for adequate communication with the community colleges outside of Anchorage, and of providing for Union assistance for bargaining unit members who become embroiled in the grievance procedure. Since this will be the first time the bargaining unit members will be living with a collective bargaining agreement, it would be impossible to do an objective justification of benefits conferred before the fact. The major benefits which can be known in advance to bargaining unit members who pay their fees are: a) A negotiated salary increase of approximately 30%. b) The protection of a very rapid grievance procedure, including a provision for binding arbitration as the last step.

3. The deadline which we have established for payment of the monthly agency fee (which must be delivered to the Union Treasurer in person or by certified mail by the 10th of each month) or for submission

5876

of a signed fee checkoff authorization in lieu of payment, is March 10, 1975. Bargaining unit members may either sign and submit the retroactive agency fee authorization form by March 10, 1975 or pay the retroactive agency fee to the Union Treasurer (in person or by certified mail) within 10 working days after the issuance of the retroactive paychecks to bargaining unit members.

It is our intent to require that the administration live up to the contract clause which says "...all members of the bargaining unit shall, as a condition of employment or of continued employment, pay to the Union a service fee..." (article 10.1, paragraph 1). We have been informed by the payroll office that deduction forms received by the payroll office on or before the 10th of the month can be processed for that month's paycheck. Therefore, we shall request termination of any bargaining unit member from whom we have neither received payment nor a dues checkoff authorization on or before the 10th of a given month. Such termination shall be effective the first working day of the following month.

We hope that this information will be of assistance to you, and that the decisions which you make will be the ones which are ultimately the best for you.

Sincerely,

Edie Lynch

Edie Lynch

SB 76

usuaa
2651 providence ave./anchorage, alaska 99504/phone (907) 272-3557

April 2, 1975

Dear Legislator:

We would like to thank you most sincerely for the time you allowed for us to meet with you last week concerning S.B. 76. Your response and expressed concern encouraged us in our endeavor to maintain academic freedom throughout our University system. Although we realize the problem with which you are confronted is certainly not easily resolved, we are confident you will take every measure necessary to uphold the high standards for which we are struggling.

Just to keep you informed with developments on campus regarding the ACCFT and non-union members and especially as this affects students, please allow us to note that the senate hearings held on campus Friday received a great deal of input from both union and non-union faculty. The students, however, were not as well informed (due to lack of time and diversity of students). However, of the total number of students who did speak, only one supported the agency shop clause presently appearing in the union contract. That one student is a wife of a union faculty member attending the college free of charge via the new contract.

The Senior College Faculty Association of UAA as well as the faculty association of the Fairbanks campus and the Arts & Letters Department of that campus have all issued statements supporting the academic freedom and rights of non-union members to remain free from the requirement to support the union in any way.

Beginning this past Monday an ad hoc committee of twenty students began circulating petitions demanding the union withdraw its agency shop clause from its contract. The results of this petition will be sent to you the first part of next week.

Our committee, the Student Government appointed Student Liaison for High Education Committee has documented at least one instance (there have been more, but documentation of such an issue is difficult) of a union faculty member threatening to lower the grade of a student if that person appeared to testify at the public hearings. Also, we have documentation of a union faculty member ending his formal lecture early in order to "informally" denounce those students who came to Juneau last week to speak out on S.B. 76

The officers and Board of Directors of the union have not-to this date- spoken to any member of this committee concerning their interest in resolving the threat to education which they and the administration endorsed. The Union officials have displayed absolutely no public interest in responding to the issue other than maintaining their grounds of being legally "within the law".

JB76

We trust this communication will bring you up to date and may serve to keep you informed on our state's only community college choice.

Again, we were deeply impressed with your sincerity of response to us and trust our relationship will build in quality as we seek to guarantee our education will be free from mandates forbidding the freedom to learn that which we deny when we forbid the right to teach.

Sincerely,

Student Liaison for Higher Education

Jay Brown
Jay Brown

Kathy Burgess
Kathy Burgess

Dan Cocklin
Dan Cocklin

Robert Heasley
Robert Heasley

SB

113 Am

"An Act relating to health care information."

COMMITTEE REPORT

4/30/75 HOUSE JUDICIARY

Mr. Speaker: Date 5/7/75

The Committee on HESS has had SB 113 am under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

SB 113 am

HESS COMMITTEE MEETING

May 7, 1975

Members Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Swanson
Osterback	Sullivan

Chairman Sullivan called the meeting to order at 3:15pm.

HB 474 Sheri Gross representing Speaker Bradner
In favor of the bill.

Parr Move the bill be ammended to add "comma" in line 11 after the word "[illegible]".
Chairman Hearing no objection to the amendment, so ordered.

Swanson Move and ask unanamous consent for 'do pass' as.
Chairman Hearing no objection, so ordered.

CSSB 35 am

There was a motion to replace the language of this bill with that of HB 28[illegible]
Hearing no objection, so ordered.

Swanson - Move out
Chairman No objection, so ordered.

SB 113 am

Dr. Dave Canterbury Testified in favor of the bill.
Senator Ziegler - Stated that this was a [illegible] and also testified in favor

Dr. Spence Testified in favor of the bill

Beirne - Move and ask unanamous concent.
Chairman Hearing no objection, so ordered.

HJR 28

Hackney Move out of committee.
Chairman Hearing no objection, so ordered.

Adjourned/

MEMO May 2, 1975

FROM SENATOR ZIEGLER

TO REPRESENTATIVE SULLIVAN

RE SB 113

House HESS just received the captioned bill which was given a secondary referral to House Judiciary.

I am attaching copies of correspondence which may be helpful to you. It is a good bill, I feel, and one which is badly needed by hospitals, clinics, the medical profession and so on.

It is about the only piece of personal legislation I would like to see fly and, if there's anything you can do to move it along, I would be appreciative.

RHZ/pkz

enc. 3

cc - Representative Gardiner

Ketchikan Medical Clinic

3612 TONGASS
KETCHIKAN, ALASKA 99901

J. W. Mortensen, M. D.
H. J. Henrickson, M. D.
D. E. Johnson, M. D.

Phone 225-5144
Phone 225-5145

March 25, 1975

Senator Robert H. Ziegler
Pouch V
Juneau, Alaska 99811

Dear Senator Ziegler:

I am writing to you in reference to Senate Bill No. 113, regarding the availability of hospital medical audit minutes to the courts.

As a practicing physician and as a participant in the Professional Standards Review Organization for Alaska, I am very concerned that our work in reviewing medical care be done in the most frank and completely honest manner possible. It is only if this is true, that the audit will perform its function in assuring that each patient receives the best possible care.

If audit is not preserved separate and distinct from any external inquiry, physicians will be considerably less than forthright in their analyses, to protect themselves from litigation as well as to protect their colleagues. Audits, then, would simply be an elaborate charade.

Because I believe that auditing is important, I earnestly request that you report out this bill favorably from your committee and that you support it on the Senate floor.

Thank you for your assistance in this matter.

Yours truly,

David E. Johnson, M.D.

DRS. WILSON AND WILSON, P.C.
ARTHUR N. WILSON, M.D.
JAMES A. WILSON, M.D., F.A.C.S.
ARTHUR N. WILSON, JR., M.D.
P. O. BOX 319
KETCHIKAN, ALASKA 99901

March 12, 1975

Senator Robert Zeigler
Pouch V
Juneau, Alaska 99811

Dear Senator Zeigler:

I am writing this letter to express the views of myself and Dr. Arthur Wilson, Jr. with respect to Senate Bill 113. Dr. James Wilson is out of town. He has supported action of the kind outlined for several years during the times that he has been Chief of Staff, on the Executive Board of the Ketchikan General Hospital and an officer in the state Medical Society.

I would say that all of the doctors who are on executive boards of the hospitals in Alaska, or who serve on the various Review Committees want this bill. I have personally spoken to the presidents of the state Medical Society during the last three years--they have told me that attempts have been made to introduce such a bill and have been met with the objection that members of other boards do not get this kind of immunity.

The most recent review board known as the Professional Service Review Organization is being implemented this year. We think there are features of this bill which are unworkable and restrictive, nevertheless it is law and hence must be complied with. Part of the duties of doctors who are on this board will be to look over patients records to determine whether they are getting adequate treatment, whether it is being done on time, whether hospitalizations are unduly prolonged. Any records that show a physician's judgment is faulty, that his treatment is below par, is reported to the Review Board. I think it is obvious that the PSRO member would not want records of their meetings, discussions on cases at hospital staff meetings, available for perusal "in an action brought by a person whose activities have been or are being scrutinized or reviewed by a review organization" to quote the second section of the bill.

Physicians on hospital staffs owe a duty to the patients in the hospital, to the medical profession and the public to see that the practice of medicine is conducted with the utmost skill possible. Physicians who do slip shod work must be corrected. In many instances this can be done quietly, but when it becomes necessary to refuse further hospital privileges to a staff member because of incompetence, the board member who is trying to set high medical standards should be immune from suits. We want these records confidential and not subject to subpoena or discovery as set forth in Section 18-23-030.

42 U.S.C., section 1320c-1 which mentions disciplinary actions by state licensing boards should also have immunity. At the present time they do not have this.

The above are our ideas of what we want, why we want it. We need it because we don't have it. On reading the bill I have not found any objectionable features.

Very truly yours,

Arthur N. Wilson M.D.

Arthur N. Wilson, Sr., M.D.

ANW:kf

CC: Robin Taylor, Attorney
Sister Ellen Caldwell
Rodman Wilson, M.D.

SB 113

Alaska State Legislature

House

JUNEAU ALASKA

Pouch V
Juneau, Alaska 99801
May 29, 1975

Arthur N. Wilson, Sr., M.D.
P.O. Box 319
Ketchikan, Alaska 99901

Dear Dr. Wilson:

Thank you for your letter expressing your support, and the support of Dr. Arthur Wilson, Jr. and Dr. James Wilson for Senate Bill 113.

This bill has passed the Senate and moved rapidly through the House committees. Presently in the Rules Committee, it may come to the House any day now. Our committee took the bill up on May 7, passing it out with a "do pass" recommendation.

I share with you the conviction that Review Board members should be immune from suits, and their records, confidential. I will do whatever possible to ensure the passage of this bill.

Thanks again for writing as the opinions of professionals dealing with health care are particularly useful in assessing such issues.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

SB 113

DRS. WILSON AND WILSON, P.C.
ARTHUR N. WILSON, M.D.
JAMES A. WILSON, M.D., F.A.C.S.
ARTHUR N. WILSON, JR., M.D.
P.O. BOX 319
KETCHIKAN, ALASKA 99901

May 5, 1975

Representative Susan Sullivan
House Health Education and Social Services Committee
House of Representatives
Juneau, Alaska 99811

Dear Representative Sullivan:

I am writing this letter to express the views of myself, Dr. Arthur Wilson, Jr. and Dr. James Wilson with respect to Senate Bill 113. Dr. James Wilson has supported action of the kind outlined for several years during the times that he has been Chief of Staff, on the Executive Board of the Ketchikan General Hospital and an officer in the state Medical Society.

I would say that all of the doctors who are on executive boards of the hospitals in Alaska, or who serve on the various Review Committees, want this bill. I have personally spoken to the presidents of the state Medical Society during the last three years--they have told me that attempts have been made to introduce such a bill and have been met with the objection that members of other boards do not get this kind of immunity.

The most recent review board known as the Professional Service Review Organization is being implemented this year. We think there are features of this bill which are unworkable and restrictive, nevertheless it is law and hence must be complied with. Part of the duties of doctors who are on this board will be to look over patients records to determine whether they are getting adequate treatment, whether it is being done on time, whether hospitalizations are unduly prolonged. Any records that show a physician's judgment is faulty, that his treatment is below par, is reported to the Review Board. I think it is obvious that the PSRO member would not want records of their meetings, discussions on cases at hospital staff meetings, available for perusal "in an action brought by a person whose activities have been or are being scrutinized or reviewed by a review organization" to quote the second section of the bill.

Physicians on hospital staffs owe a duty to the patients in the hospital, to the medical profession and the public to see that the practice of medicine is conducted with the utmost skill possible. Physicians who do slip shod work must be corrected. In many instances this can be done quietly, but when it becomes necessary to refuse further hospital privileges to a staff member because of incompetence, the board member who is trying to set high medical standards should be immune from suits. We want these records confidential and not subject to subpoena or discovery as set forth in Section 18-23-030.

42 U.S.C., Section 1320c-1 which memtions disciplinary actions by state licensing boards should also have immunity. At the present time they do not have this.

The above are our ideas of what we want, why we want it. We need it because we don't have it. On reading the bill I have not found any objectionable features.

Very truly yours,

Arthur N. Wilson, Sr., M.D.

Arthur N. Wilson, Sr., M.D.

ANW:kf

CC: George Holman, Senate HESS Committee
Terry Gardiner, House Judiciary Committee

Alaska State Legislature

House

JUNEAU ALASKA

Pouch V
Juneau, Alaska 99801
May 30, 1975

Sister Ellen Caldwell
Administrator
Ketchikan General Hospital
3100 Tongass Avenue
Ketchikan, Alaska 99901

Dear Sister Ellen:

Thank you for your letter presenting reasons to support Senate Bill 113.

This bill has passed the Senate and moved rapidly through the House committees. Presently in the Rules Committee, it may come to the House any day now. Our committee took the bill up on May 7, passing it out with a "do pass" recommendation.

I share with you the conviction that Review Board members should be immune from suits, and their records, confidential. I will do whatever possible to ensure the passage of this bill.

Thanks again for the writing as the opinions of those dealing directly with health care are particularly useful in assessing such issues.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

Ketchikan General Hospital

3100 TONGASS AVE.
Ketchikan, Alaska 99901

May 5, 1975

Representative Susan Sullivan
Chairman House Health Education & Social Services
Pouch V
Juneau, Alaska 99811

Re: Senate Bill #113

Dear Representative Sullivan:

I understand Senate Bill #113 is being referred to the HESS Committee and I want to strongly urge you to support the Bill.

In the interest of high quality care and cost containment, Medicare/Medicaid and the Joint Commission on Accreditation of Hospitals mandate that a program of on-going self-evaluation and peer review be carried out in hospitals.

The hospital medical and professional staff is organized to monitor the care given patients and does this through various committees, utilization review, medical audit, medical records, infection control, etc. Each committee is responsible for a separate component of quality of care.

For this medical care evaluation process to be effective, the staff must look at its own medical performance objectively, rationally, and nonthreateningly with a means to make changes where changes are needed. It must measure the performance of peers against norms of care and medical criteria which the staff itself has set up. Unless the staff is assured of some degree of confidentiality and of immunity from having the records of these review processes subpoened, it cannot and will not have free, open and uninhibited discussions. Therefore, it is the concern of the Governing Board, Administration and Medical Staff of this hospital that we obtain this immunity.

Thank you very much for your efforts in obtaining the passage of this bill, Senate Bill #113.

Sincerely,

Sister Ellen Caldwell

Sister Ellen Caldwell
Administrator

SEC:ls

CSSB

128 AM

"An Act relating to the transfer of federal agency schools; and providing for an effective date."

5/12/75

COMMITTEE REPORT

HOUSE

Mr. Speaker: Date 5/ /75

The Committee on HESS has had CSSB 128 am under consideration. A Majority of the members of the Committee

( ) reccmmends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

MAY 19, 1975

Members Present:

Bierne
Osterback
Ostrosky
Parr
Sullivan

Testifying Guests:

Morris Johnson, Juneau Wastewater Operator
Jerry Reinwand, Dep. Commissioner, Dept. of Envoronm ntal Conservation
Gonald G. Hansen, Dept. of Environmental Conservation
Don Clocksin, Alaska Legal Services
Bob Cooksey, National Education Association
Alphie Newell, Legislative Staff member

HB 407 Certification of Wastewater Operators

Reinwand: The purpose of this bill is to make certain that once a facility is build, it will be possible to find a competent person to operate it. Our department supports this bill as it is.

Hansen: The bill would set up the requirement that all wastewater operators are certified. As public health is in the hands of these operators, we want to be sure that they are adequately trained. Last year, 170 million dollars was spent on sewerage treatment facilities in the State. 40 million of this was State funds. With so much spent on the facilities, we want them to be run properly. The hiring is presently done at the municipal level. (presents fiscal note) There is a large initial expense which would drop off.

Johnson: I am in charge of the Juneau Borough Wastewater Operators and would like to speak about how this bill would benefit operators. Presently, Alaska has no certification program for waterwater operators, and I believe we are the last state without one. Certification requirements would support the establishment of training programs within the State, and would assist in application for EPA (federal) grants.

The majority signed to pass the bill out with a "do pass" recommendation. As Mr. Parr had arrived late, he chose not to sign until he had heard some testimony, so a quorum was not formed.

CSHB 402 Emancipation of Minors

Clocksin: I support this bill as it is. It provides procedures for a minor to petition the court and become emancipated if he is self-supporting. It is presently not permitted for a minor to petition the court in his or her own name. Age restriction for voting, consumption of alcohol and constitutional stipulations, however, cannot be waived by a court.

The bill was passed out with a "do pass" recommendation, with no objection.

CSSB 128am Transfer of Federal Agency Schools

Cooksey: This bill was drawn up to assist in the transfer of BIA schools to the State system. It provides for the transfer of BIA teachers so that they may receive the benefits currently enjoyed by State teachers, including the same pay scale, accumulated sick leave, tenure, and retirement. The original bill mandated the transfer; this one does not.

Bierne: What would happen in a case where a BIA teacher was not certified?

Cooksey: The bill specified Alaskan certification as a requirement in order to be transferred.

The bill was passed out with a "do pass" recommendation without objection.

HB 500 Halfway House for Female Prisoners

Newell: The 6th Avenue Annex, where female prisoners are presently kept in Anchorage, puts all women, pre-sentenced or post-sentenced into one big cell. This not only allows no privacy, but is not conducive to any rehabilitation program. There are constant interruptions as persons are brought in for such problems as drunk and disorderly conduct. This bill would provide funds to move sentenced prisoners to a half-way house operated by the Salvation Army.

Parr: In accordance with equal rights, why aren't the women sent to Eagle River? There should be no distinction made.

Adams: The present conditions are not equal. For men, there are separate facilities for sentenced and unsentenced persons. Facilities must be maintained for women in five places in the State, while they are awaiting trial, and there are not that many wome.

Osterback: How many women could you take care of for this sum?

Adams: This would provide five beds in Anchorage.

Parr: You still have not answered why the women could not be sent to Eagle River.

Adams: Eagle River was designed specifically as a facility for men. There are no separate units for women, and so physical alterations would be required.

Parr: What does the Salvation Army charge?

Adams: $22 per day.

Parr: What would be the legal responsibility of the Salvation Army under this set-up as they are not legal officials?

Adams: Under statute, we can furlough an individual, so we would be furloughing these individuals to the Salvation Army. If a problem should arise, the Salvation Army would notify us. We don't hold them legally liable.

Sullivan: There would be some sort of program provided for the inmates, is that right?

Adams: They would provide some counseling. Most of these women would be involved in outside activities.

Parr: Why couldn't we have on State facility for all sentenced women instead of having them in five places?

Adams: Particularly with short sentences, it would be a disservice to ship a woman far away from her community.

Bierne: I make a motion to pass the bill out.

The bill was passed out with a "do pass" recommendation, four signing in the majority, and one in the minority.

HB 501 Prisoner Relocation to Anchorage

Adams: This bill would provide for half-way house operations to be moved out of the 3rd Avenue Building so that we can use this as a maximum security facility. The estimated cost is $167,700. This would allow more persons to be housed in the maximum security facility, and would allow some others to get into half-way houses.

Parr: We are not anticipating an increase in the number of prisoners, but will need five more positions. Is that right?

The bill was passed out with a "do pass" recommendation. Four signed in the majority, and one in the minority.

Sullivan: I would like to put together a calendar for the first two weeks of next session before we close. If any of you have any bills you would like to be included, please let me know.

We, the following undersigned Bureau of Indian Affairs teachers, do not want the revised Senate Bill CCSB 128. This bill, which was originally designed to help B.I.A. teachers retain their current employment benefits, if the B.I.A. school is transferred into, or abosrbed by, a new and existing school district, has been so altered by the addition of "...if the school board and the teacher agree to the transfer", that this makes the bill ineffective for us. We want the CSSB 128 Senate Bill as it was originally written, not as revised by the HESS Committee.

Frederick James K. Foo
Dennis P. Johnson
Jeanne Johnson
Albert J. Peacock
Pat Peacock
M D Brown
Geneva B. Brown
Gene Huff
Charles E Wall
John L. Stoker
Roberta A. Stoker
Marion M. Wall
Viola G. Lanham
Delbert D Lanham
Zona K. Hogan
Patsy Hjalmarson
Jean Robb
Sally Monroe
John R Lashua
Joe Dale Sparks
Edward Robb
J. E. Kelly

William R. Carson
Neva Carson
Janet Lashua
Archie L. Reeve III
Andrea G. Reeve
Bjorn Hjalmarson
Rondal G. Hogan
Essie N. Sparks
Mary Ellen Kelly
Judy L. Olson
Shannon Keeny
Winifred L. Hess
J W Holcomb
Jeanne Holcomb

CSSB

130

"An Act relating to grants-in-aid for alcoholic rehabilitation and prevention."

5/8/75

COMMITTEE REPORT

HOUSE

Mr. Speaker: Date 5/15/75

The Committee on HESS has had CS SS SB 130 under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

May 16, 1975

Members Present:

Bierne	Ostrosky
Davis	Sullivan
Hackney	Swanson
Osterback	

CSSSSB 130 Alcohol Rehabilitation/ Grants-in-Aid

Senator Sackett explained that the purpose of this bill was to assist small communities who needed alcoholism treatment services, but lacked the funds to meet the 25% matching requirements.

The bill was passed out with a "do pass" recommendation without objection.

HB 436 Medical Injuries Compensation

The recorded testimony of Dr. Rodman Wilson, President of the Alaska State Medical Association was played. He suggested that the bill be held over for further work. Barbara Walker, member of the Alaska Nurses Association was also in favor of holding it over. Dr. Hedges, a surgeon in Juneau gave some history of the bill and further supported many of Dr. Wilson's statements.

It was agreed that this bill should be held in committee.

SB

132

"An Act relating to the licensing of nursing home administrators."

COMMITTEE REPORT

3/20/75

HOUSE

COMMERCE
JUDICIARY

Mr. Speaker: Date 4/3/75

The Committee on HESS has had SB 132 am under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

(✓) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(✓) recommends it BE REPLACED WITH CS FOR SB 132 AND THAT CS FOR SB 132 DO PASS as amended

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: (H)HESS COMMITTEE

TO: _____ HOUSE BILL No. _____

SENATE BILL No. SCSSB 142am

(1) PAGE: 1 LINE: 17

(2) PAGE: 3 LINE: 4

(1) Delete, "a person from the general public." and insert:
" a consumer of nursing home services."

(2) After period add " This does not apply to the administrators of the Pioneer's Homes."

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 3, 1975

Members Present:

Beirne	Ostrosky
Hackney	Sullivan
Ose	Swanson
Osterback	

Chairman Sullivan called the meeting to order at 3:00pm. The first order of business was SB 132am.

SB 132am by Chance
Senator Chance gave a briefing of the bill. The reasoning for sponsorship of the bill was the requirement under the Federal Regulations that nurses be licensed for Medicade funding. Presently there is no law on the Alaska books. The only law existing is that the Dept. of Health and Social Services had the power of emergency licensing only. Without this law we are taking the chance of loosing Federal funding. This will only affect nursing homes that are recieving funds from the Medicade program.

Ose Objection to the amendment of deleting 'a person from the Pioneers of Alaska Grand Lodge'.

Chance Explained that the bill would not affect the Pioneer Homes because they are not eligible for Medicade assistance anyway because of their discriminatory process.

Hackney How much are we spending under this bill?

Chance The fiscal note is about $24,000.

Hackney Apparently then, we are loosing funding by the Federal regulations in our Pioneer Homes?

Chance Pioneer Homes are a seperate thing entirely. This bill only affects the rest of the nursing homes and in order for the rest of these facilities to get federal funds, they must be licensed.

Hackney If this bill were passed, I see it as a problem to the Pioneers Home and I would ask that we hear from a Pioneer Home representative.

Barbara Walker - Alaska Nursing Asso.
We have no objection to this bill. and have requested an amendment that has already been incorporated in the bill by the Senate HESS Committee. The two main important reasons for the passage of this bill are: 1) to insure Federal funding, and 2) the assurance of competant individuals in charge of these private homes.

Donna Rogers Div. of Medical Assistance
Spoke in favor of the bill. Also in support of all proposed amendments.

Swanson I move and ask unanamous concent to accept all the proposed amendments.
Ostrosky Second the motion.
Chairman Hearing no objection, the amendments are adopted.

Swanson Move and ask unanamous concent to move SB 132am out of Committee as a Committee Substitute for SB132am.

Ostrosky I second the motion.

Chairman Hearing no objection, motion carried. HCS for SB132am has been moved out of Committee.

Chairman Sullivan then made several announcements:
At 7:30am the Committee was invited to breakfast at the Hilton by the State Board of Education.

On Saturday, Confirmation Hearings on the Board of Regents were to be held in the HESS Committee Rm. at 2:00.

Meeting Adjourned.

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 8, 1975

Members Present:

Beirne	Osterback
Davis	Parr
Hackney	Sullivan
Ose	Swanson
Ostrosky	

Chairman Sullivan called the meeting to order at 2:30 to take up the reconsideration of SB132am.

Mr. Vern Perry, Director of Pioneers Homes

Objection to overall administrator. Objection to the bill as written. This would mean that the top man at each Home would have to be a licensed nursing home administrator.

Swanson Proposed an amendment to exempt the administrators of Pioneers Homes.

Ose Second

Chairman Hearing no objection, motion carries.

Hackney Proposed amendment delete "person from the general public" and add "a consumer of nursing home services".

Ose Second

Chairman Hearing no objection, motion carries.

Ose I move and ask unanamous concent to CSSB132 as amended be passed out with unanamous concent of the Committee.

Swanson Second

Chairman Hearing no objection, HCSSB 132as has unanamously passed the Committee.

HB 143

Dr. Sarafian This bill addresses fraud in post-secondary education. It needs to be amended so that it won't prohibit nonfraudulent activities.

Stu Hall Spoke of the present Statutes and how they need to be strengthened.

Sharon Armstrong

The present acreditation system doesn't protect consumers. The FTC wants 50 states to adopt their model bill, HB 143 is in many ways superior.

Mr. Parr asked if this would cover operations that operate by mail from outside and Ms. Armstrong replied that it would.

Mr. Parr then directed a question to both Mr. Hall and Ms. Armstrong asking if this would in any way infringe upon the freedom of religion. The feelings were that this would not create any problems in this area.

Dr. DaFoe Pres. of U OF A

Addressed himself to Beirnes question about Tanana Land Claims College and to Mr. Ose's question about the U of A trying to prevent competition.

Dr. Sarafian
Expressed concern about the load placed on the Post-Secondary Education Commission

Mr. Andrus Local VA
Spoke in favor of the bill

Mr. Bannister Asst A.G.

Gave examples of fraudulent costs. Recommends a Sec. 5 be added at the end of the bill.

Mr. Bill Vaudin

Spoke against bill. Concerned about these standards and am questioning whether or not the people still have a voice. If there would be enough bi-laterial representation, then the intent of this bill may work.
Recommended: Pg. 5 Sec. 060 - 'has or has access to'.
We would like to be allowed by Statute to run our own program.

Eric Ekvall Ak. Native Resource Develop. Corp.
Offered two amendments:
Pg. 5 Line 14 change and to or
Pg. 5 Line 13 add "or has access to provide education of good quality".

Sheldon Jackson College Dr. Bovee
Asked a question in regards to the bonding section and if were actually required.
Referred to Pg. 10 Line 9 the word 'may'.

Hall This would mean it would be permissive but not mandatory.

Beirne Would like to see rewording of the bonding section of this bill. It seems that this is often a prohibitive factor.

Meeting was adjourned at 6:00. Bill to be voted on at a later date.

SB 132

POSITION PAPER
ON
SENATE BILL #132

An act relating to the licensure of nursing home administrators.

This Bill would create a Board of Nursing Home Administrators and spells out the duties and powers of the Board -- a major one being the licensing of nursing home administrators.

Sec. 08.70.020.(b) Indicates that the 5 board members "are appointed by the Governor after consulting with the Executive Board of the Alaska State Hospital Association." It further states that the two nursing home administrators "shall be selected from a list of qualified administrators prepared by the Executive Board of the Association and containing at least five candidates."

It is highly appropriate that the Alaska State Hospital Association prepare a list of persons qualified as nursing home administrators. It is not appropriate, however, for that same Executive Board to propose names of qualified persons to fill the other three board positions. Instead, it is proposed that the Alaska Nurses' Association prepare a list of eligible RN's, that the Alaska State Medical Association prepare a list of qualified physicians, and that the Commissioner of the Department of Health and Social Services prepare a list of persons "from the general public."

Sec. 08.70.100. QUALIFICATIONS OF APPLICANTS indicates in paragraph (2) that the applicant shall "be in sound physical and mental health". The term "sound physical health" is vague, general, and would rule out persons who have physical disabilities or deformities which in no way limit their effectiveness or ability as potential nursing home administrators. It is suggested that the wording read as follows: "be in a sufficiently healthy state, mentally and physically, to be capable of adequately performing the duties and functions of a nursing home administrator."

Under Sec. 08.70.110.(2) The following words should be capitalized since they represent an established service or organization which represents a trade name title. These words are Professional Examination Service, Nursing Home Administrators.

Sec. 08.70.120. EXAMINATION On line 29, replace the word "scheme," the last word in the sentence, with the word "protocol." This language will be more understandable and traditional than the word "scheme."

Sec. 08.70.180. DEFINITIONS (5) defines the meaning of "nursing home." The wording should be consistent with the definition in the State Licensing Act and the Administrative Code which defines "nursing home." This is found in 7 AAC 12 [illegible]10. It varies in the following respect: line 25 reads "ill and not in [illegible] of hospital care," etc.. Line 26 reads "shall be" instead of "is." While [illegible] not radically change the meaning, it is preferable to use the identical [illegible]ition of "nursing home" for purposes of simplicity and clarity.

The changes which are recommended specifically then are as follows:

1. Sec. 08.70.100. QUALIFICATIONS OF APPLICANTS
   (2) [be in sound physical and mental health;], replaced by,
   (2) be in sufficien'ly healthy state, mentally and physically, to be capable of adequately performing the duties and functions of a nursing home administrator;

2. Sec. 08.70.110. LICENSING
   (2) persons who passed the [professional examination service's nursing home administrators], replaced by,
   (2) persons who passed the Professional Examination Service's, Nursing Home Administrators.

3. Sec. 08.70.120. EXAMINATION
   The board determines the content, scope, format, and grading [scheme.] replaced by the word, protocol.

4. Sec. 08.70.180. DEFINITIONS

   Line 25 and 26: [ill but who do require skilled nursing care and related medical services; the term "nursing home" is restricted] replaced by, ill and not in need of hospital care, but who do require skilled nursing care and related medical services. The term "nursing home" shall be restricted ...

With the above recommended changes the department supports this bill.

Recommended By: Ronald L. Freedman — Division Director — 2/20/75 Date

Approved By: Francis S. Williamson — Commissioner — 2-25-75 Date

Comments by Governor's Office:

By: _____ Date

53
132

POSITION PAPER

ON

SENATE BILL NO. 132

"An Act relating to the licensing of nursing home administrators".

This bill provides for the establishment of a Board of Nursing Home Administrators within the Department of Commerce and specifies the composition of the Board's membership. The bill requires that only a nursing home which is supervised by a licensed nursing home administrator may operate in Alaska unless specifically exempted by the Board. Basic requirements for licensure, including written examination, and delineation of who must be licensed are provided. Also included are provisions for provisional licensure, expiration and renewal of licenses, requirements for licensure fees, definitions of unlawful acts, and penalties for violation of the Act.

The Department of Health and Social Services administers the Medicaid program (Title XIX of the Social Security Act) which is funded 50% by the Federal Government. One of the requirements of this federal program is that administrators of skilled nursing facilities be licensed by the State. Region X, DHEW, has advised the Department that this requirement will be extended to include administrators of intermediate nursing homes. In an effort to prevent imposition of financial penalties on the Medicaid program, the Department promulgated emergency regulations in Register 51, July 8, 1974 (7AAC 12.045) establishing a Nursing Home Administrator

Licensing Board. The Board has been functioning since that time under this Department's supervision. However, the Department of Health and Social Services has neither the support staff nor the expertise necessary to provide permanent administration of this Board.

Failure to establish a viable nursing home administrator licensing board could result in significant loss of federal moneys. For FY 74, the federal portion of skilled nursing home services claimed amounted to $765,744. The federal portion claimed for intermediate nursing care was $851,501. However, it is possible for the entire Medicaid program to be found out of compliance with federal law and regulations on this signle issue. In FY 74 the federal share of medical assistance under Medicaid entered as a claim totaled $3,690,739.

The Department recommends the following changes to this bill:

Page 1, lines 14-17 - delete and substitute the following:

"OF OFFICE. (a) The board consists of five members; one nursing home administrator licensed under this chapter and practicing in the State, a registered nurse licensed in the state, a physician licensed in the state, and two persons from the general public." There are only ten persons in the state who are licensed administrators and who are actively practicing. Since these are extr ely busy persons, it is the Department's feeling that there will be difficulty in obtaining two persons from the small numbers eligible who will be able or willing to serve full terms. The administrator, physician, and nurse provide necessary expertise and we recommend two consumer positions in keeping with federal advocacy of consumer representation.

Page 1, lines 18-22 - delete and substitute the following:

"(b) Board members are appointed by the Governor after consulting with the Department. The board members shall be selected from a list of qualified persons prepared by the Department. The Department shall consult with the Alaska State Hospital Association and other interested parties when preparing its list of candidates. There should be at least two candidates for each vacant position." This change is suggested as there are only ten qualified administrators in Alaska to choose from, and it would be difficult to find half of them who could and would serve on the Board. The responsibility for choosing candidates should rest with the Department of Commerce to achieve a broader perspective in selecting all candidates. In addition, the Department of Commerce has had much experience in this field and has numerous lists for potential candidates.

Page 3, line 11, delete "19" and substitute "21". This suggestion is made so that administrators licensed in Alaska will meet standards of other states to ensure granting or reciprocity allowed under Sec. 08.70.110(b) of this act. In addition, in order to enter into binding contracts with the federal government, a person must be at least 21 years of age. An administrator under 21 would face legal problems in this area.

Page 3, lines 18-20 - delete Sec. 08.70.110(a)(2) and substitute the following Sec. 08.70.110(a)(2):

"(2) persons licensed under emergency regulations 7AAC 12.045 promulgated in Register 51, July 8, 1974, who have practiced as administrators since licensure". This recommendation is made to ensure that all persons

licensed by the Board established by the Department of Health & Social Services be recognized for continued licensure. The group mentioned in the bill's (2) is included in this suggested revision.

Page 4, lines 3-10 - delete and substitute the following:
"Sec. 08.70.130 PROVISIONAL LICENSES (a). A provisional license may be granted without examination to a person who meets the standards adopted by the Board under Sec. 50 of this chapter and who is needed to fill a vacancy in an administrative position and no licensed administrator is available to fill the vacancy". Sec. 08.70.130(a)(1) is no longer necessary since these persons are currently licensed.

Page 5, delete line 25 and substitute the following:
but who do require skilled or intermediate nursing care and related medical services;".

Page 5, delete line 27 and substitute the following:
"of which is to provide skilled or intermediate nursing care and related medical ser -".

These last two changes are to anticipate federal requirement of intermediate nursing home administrators licensure and thus prevent need for unnecessary revision. The individuals who might be affected are currently licensed under emergency regulations 7AAC 12.045 and offer no objections to this change.

Page 6 - add a new section entitled:
"Sec. 08.70.200. This act takes effect immediately in accordance with AS 01.10.070(c)". The Department of Health and Social Services is not

and has not been budgeted for the travel, per diem, and clerical support expenses of this Board since its inception and does not have the support staff expertise, nor monies necessary to provide continued administration of this Board.

Thus, Page 1, line 6-7 should be deleted and the following substituted: "For an Act entitled: 'An Act relating to the licensing of nursing home administrators; and providing for an effective date."

The Department supports the Bill with changes recommended above.

Recommended By: _____ Date 3/7/75

Director, Division of
Medical Assistance

Approved By: _____ Date 3/10/75

for Commissioner, Department of
Health and Social Services

Comments by Office of Governor:

By: _____ Date _____

The Legislature of the State of Alaska
FISCAL NOTE
Second Session - Eighth Legislature

I. REQUEST
Bill Identification: S. B. 132
Title: Licensing Nursing Home Administrators
Requested by: _____ Date: _____
Return Date Requested: _____
Agency: Commerce Program: Occupational Licensing

II. FISCAL DETAIL
Budget Request Unit(s) Affected: _____
A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 74	FY 75	FY 76	FY 77	FY 78	FY 79
100	PERSONAL SERVICES		0	0			
200	TRAVEL		1900	700			
300	CONTRACTUAL		500	100			
400	COMMODITIES		0	0			
500	EQUIPMENT		0	0			
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND		2400	800			
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	0 /	0 /	/	/	/
MAN MONTHS (P./T.)	/	0 /	0 /	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

3 board meetings in Anchorage to promulgate regulations @ $250 — 750
1 board meeting in Fairbanks to promulgate regulations - TRAVEL & PER DIEM — 1150
Space rental - advertising - clerical - supplies (for regulations) — 500

This Board will have very minor activity. It will require 4 meetings in the first year to get the regulations promulgated. The regulations now being used under Health and Social Services would need very negligible modification.

After the first year, a maximum of not to exceed 2 meetings per year would be adequate. One would probably suffice. There are fewer than 20 potential licenses involved and would be absorbed into the Division of Occupational Licensing system without additional cost after the first year.

V. DATE: 3-11-75 PREPARED BY: J. Ray Roady
J. RAY ROADY, DIRECTOR

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

CSSB

135

"An Act relating to negotiations with certified employees of school districts and the mediation of disputes; and providing for an effective date."

COMMITTEE REPORT

5/27/75

HOUSE

Mr. Speaker: Date 5/27/75

The Committee on HESS has had CSSB 135 (2d Rules) under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Delisi — Tom Berry

Kathryn Kothmann

Glen Maxey

Ron Pen

Members NOT concurring in the Majority report:

Susan Delisi recommends: Make 130 Pass

Senfronia recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Delisi Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING
May 27, 1975

Members Present:

Bierne	Parr
Davis	Sullivan
Osterback	Swanson
Ostrosky	

CSSB 135 (2nd Rules)

A very brief meeting was held concerning CSSB 135 which relates to negotiations for school district employees. The meeting commenced at 12:15 pm.

Representative Ostrosky moved that the bill be passed out with a "do pass" recommendation. Rep. Bierne seconded the motion. The bill was passed out with five in favor of a "do pass" recommendation, and two with no recommendation.

W.L. ROOT, CPA

7337 OLD SEWARD HIGHWAY
ANCHORAGE, ALASKA

PHONE: 349-2332
349-2911

March 11, 1975

Dear Susan Sullivan,

The above letter was delivered to me today. In my opinion, Union demands for increased wages is and has been one of the major causes of inflation in the United States. I feel that a union contract at the Anchorage Community College Campus which provides teachers with a 30% increase is unconscionable and highly inflationary.

Although my stand will probably result in my forced termination from the staff at Anchorage Community College, I cannot in good conscience sign an agreement which in effect condones this inflationary trend.

I signed a contract with the University of Alaska in which I agreed to avail myself and my talents to the betterment of my students by being in class. I reaffirmed this position when I did not honor a strike which I could see hurt only the students.

A Union Official has said "Let's bury the hatchet.", I personally request that that be done, and that I be allowed to fulfill my obligation to the University and the students by completing this semester of instruction.

My case now rests with the administration of the University and the mercy and good conscience of the Union.

W. L. Root

William L. Root, CPA
Teacher
Anchorage Community College

WLR:lm

To: All Bargaining Unit Members

From: ACCFT Budget Committee and Edie Lynch, president

Re: Agency fee structure and timetable for payment

Date: March 10, 1975

The agency fee structure has been set at $35 per month for the first nine months worked each calendar year. The fee for March 1975 is due and payable today. You may pay directly to the ACCFT Treasurer, Dave Lamborn or you may give a signed fee checkoff authorization form either to Dave Lamborn or to your Regional Personnel Office. Payment or submission of the form must take place no later than 5:00 P.M. March 10, 1975.

For this year only, the Union will make available to all bargaining unit members the opportunity to pay the agency fee in one lump sum. A payment of $175 ($180 for Union members) made on or before April 1, 1975 will pay the agency fee in full from September 1, 1974, through May 31, 1975. Whether or not you intend to avail yourself of this opportunity, you must pay the $35 fee for March no later than March 10, 1975.

Bargaining unit members who pay $35 for their March fee and who opt to pay a lump sum fee must pay the additional $140 on or before April 1, 1975. Union members who paid a $100 lump sum last September and who intend to pay in a lump sum need not pay ant additional fee in March. These people must pay $80 on or before April 1, 1975 to complete fee payment for the period from September 1, 1974 through May 31, 1975.

Please remember: Everyone must either pay $35 or submit a signed checkoff authorization by 5:00 P.M. March 10, 1975 for the March service fee. The only exception is for those Union members who paid a $100 lump sum in September, 1974. Your continued employment with Alaska's community colleges depends on this, so please do not forget.

For your convenience dues authorization forms are available in K222-a between 8 A.M. and 5 P.M.

SB

140

"An Act relating to the Governor's Commission on the Administration of Justice."

COMMITTEE REPORT

3/19/75 HOUSE JUDICIARY

Mr. Speaker: Date May 2, 1975

The Committee on HESS has had SB 140 am under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

May 2, 1975

Members Present:

Beirne
Hackney
Osterback
Ostrosky
Swanson
Sullivan

Chairman called the meeting to order at 3:15pm. The first order of business was SB 140.

SB 140

Susan Gordan - Alaska Youth Advocates
The intent of this legislation is to put the Federal requirement into the Alaska Statutes. Congress passed the Act in 1974. Money will be coming through the State Planning Agency. It is required that each State Commission on Administration of Justice have two juvenile specialists on the Commission. All juvenile monies will come through this Act from now on. This important in terms of grant money for the entire state.

Swanson What type of grants are these, matching?

Gordan No, 90% Federal, we have to match 10% cash funds, 100% Federal money in that sense.

Swanson Move and ask unanamous concent to move bill out of Committee.

Osterback Seconded

Chairman Hearing no objection, so ordered.

CSHB 181 Work shop type discussion on the bill, no witnesses were present at this time.

Ostrosky Move out with individual recommendation.
Beirne Seconded
Chairman Hearing no objection, so ordered.

SB

203 AM

"An Act relating to school attendence."

COMMITTEE REPORT

1/19/76

HOUSE

Mr. Speaker: Date Mar 7/76

The Committee on HESS has had SB 203 am under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 8, 1976

Present: Ostrosky Hackney
Parr Davis
Beirne Sullivan

Testifying: Eric Lee, C&RA, Community Services
Frank Pauls, H & SS, Public Health
Grace Billings, Office on Aging
Glenn Sachs, Office on Aging
M. Dan Plotnick, Office on Aging
Nat Cole, D.O.E.

HCR 97 - Relating to State Purchases of Drugs - Sullivan

Dr. Pauls, feels bill will create a savings to the state. Drugs usually purchases on a bid or blanket contract with drug houses.

Committee questions how you educate state employees to the advantages of drug purchases. Pauls says you work with purchasing agents.

Ostrosky - Vote do pass, unanimous

HB 714 Sr. Citizens nutrition and recreation facility - Parr

Parr expressed the need that the senior citizens of Fabks have for the facility.

Eric Lee - spoke for Community and REgional affairs concerning this project. Felt that the funds would not be of any trouble, just filtered throuch C&Ra.

Hackney- thinks new facility in FBks, under construction right now could speak to the needs and be utilized by the Sr. citizens.

Mr. Plotnick - Brought two staff people to speak to the needs in the FBKS areas. Billings & Sacks. Fbks area - new ASHA housing area for SR. citiznes now under construction, understands there is a kitchen facility to be used. This would give the sr. citizens a place to make their meals.

Sullivan - Feels there is a possibility of putting this new facility near the ASHA project so it can be utilized more often.

Parr - bad idea, there are many sr. citizens in Fbks, who do not live hear that housing development

Hackney - wants to explore possibility of using other facilities rather than building a new one. Suggested the Alaskaland area.

Parr - Amendment - Section 1, period after FBKS.
Section 2, Dept. shall contract with NSC on Aging for purposes specified in Section 1
Section 3, (same as section 2 on the bill)

Amendment voted on do pass

Sullivan moved to pass out
Beirned - requested reconsideration. wants to know whether she can add a section to include the same appropriation for the Anchorage area and to go through the municipality.

Parr says O.K.

Sullivan - must be a committee substitute for HB 714

Voted on - Do pass,

SB 203 AM School Attendance Hohman

Nat Cole, feels that the dept. O.K.s this concept of education and allready basically does give credit for learning experiences, but feels the legislature can express intent by passing this bill.

Committee, wanted to know whether this time counted towards the full 180 days that is required of students, yes.

Voted Do Pass 5

CSSB 272 Operation of vending machines by blind or handicapped

Sullivan spoke to the need of this legislation because blind have very few options for employment and this is one of them. There seems to be no problems with this.

Vote - do pass unanimous

SB

220

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 28, 1975

Members Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Swanson
Osterback	

Vice Chairman Parr called the meeting to order at 3:00pm. The first order of business was SB 220.

SB 220 Senator Hohman Gave briefing of the bill.

Swanson In favor of bill.

Hackney What we are asking for here is a review of the construction by the Legislative Budget & Audit Committee. How often do they meet?

Hohman More frequently than once a month by history.

Phil Thompson - Dept. of Education
Neither the Dept. or SOS goes to bid for the construction projects. Offer an amendment: Pg. 1 Line 16 insert"the Dept. of Public Works". With this amendment, we have no objection to thebill. The bill is not retroactive. Most of the projects have not gone to bid. The Key here is if the Legislative Budget & Audit Committee meets regularily. Core Drillings should be taken and included in the reports to the L. B&A Comm.

Hackney Do you have any objection to perhaps a language change?

Hohman I think this language here is sufficient. It is stated that the Committee will study all reports of construction when they meet.

Parr Move for the adoption of Mr. Thompson's suggested amendment to add Dept. of Public Works.

Swanson Seconded
Parr Hearing no objection, amendment adopted.

Swanson Move bill out with a 'do pass'.
Davis Second
Parr Hearing no objection, so ordered.

HB 415 & HB 419

Jeff Jeffers (HB415) Dept. of Education.

Parr Are these Companion bills?

Jeffers No, they are seperate. HB 415 would place the money with the Dept. of H&SS, it provides a good sum to begin a process that would take longer than one year. We are in favor of the bill.

Beirne Last year this bill did not pass, are we building on what H&SS already has?

Jeffers We agreed that they would hire a person and put them temporary duty with our Dept. A study was done with 314D Funds.

Hackney Were the funds in the Gov's budget?

Jeffers No, they were never there.

Beirne Why should we put it through H&SS again for it to go to the Dept. of Educ?

Jeffers It doesn't provide a continous program the way it is written here. In 415 it doesn't provide for the employment of anyone for the position.

Beirne If we were to change this to the Dept. of Educ. what would it do?

Jeffers It would not in itself establish this position.

HB 419 Would provide a position and enough funds to add to the carriculum teacher training as such. No price tag to this particular bill. Provides a more sustained effort then 415. They treat the same problem however.

Parr Is the Dept. prepared to explain where they are to suggest to the School Districts where to add this extra program....will something have to be deleted?

Jeffers We would not, the wording in the bill takes care of this. A Health Education specialist at range 21 A, about $1800 per month, $26,460 per year. Would only be funded if money were provided. They money in 415 would go to the Dept. of H&SS.

Swanson I don't think this kind of education should be included in Kindergarten.

Larry Sullivan - Juneau School Board
415 & 419....In '68 and '69 they recommended the need for Health Education. I disagree with Mr. Jeffers that Health Education is presently taught in schools. See definite need for this in Alaska. Don't need to drop anything in the cirriculum, it could be added to the Science program. On behalf of the Juneau School Board, we support this bill.

Swanson This bill should have come to us as a bill and as an approp. bill accompanying it.

Parr I question the need for State aid here. With the School leaders being paid what they are, they should be able to originate such important programs.

Parr Proposed amendment, Line 12, Delete Dept. of H&SS and insert Dept. of Education.

Beirne Proposed amendment to HB 415, would say that the funds would flow to the Ept. of Education.

Parr This could be done by amending the Title of the bill.

Ostrosky Line 12 & 13, move for the adoption of amendment: Substitute "Coordination" for "Initial Development".

Parr Hearing no objection, motion passes.

Beirne I would like to get the Comm. of Education to answer to the bills, we need more input here.

Swanson I would like to know more details about the program, what is going to be taught and at what age etc.

Beirne I move to hold up on the bills for Comm. Lind to reply. Fiscal notes etc.
Parr Hearing no objection, motion carries.

HB 421 Don Kemp - Div. of Children & Family Services.
Purpose of the bill is to amend the Ak. Statutes to bring them into conformity with supplemental security income program. This does not effect persons eligibility for help.

Beirne Move out with a 'do pass'
Parr Hearing no objection, so ordered.

HB 426 Dr. Schrader, Dir, Div. of Mental Health
We are in support of this bill. It will allow to claim reimbursement through Title 19 for services that are already provided. It will enable the Dept. of collect approx. $365,000 for the Fed. Government.

Ostrosky Intermediate Care facility?

Schrader For the mentally retarded, the regulation specifically talk about the mentally retarded. Harborview Memorial Hospital in Valdez for example. This will allow us to claim reimbursement for an additional number of residence there.

Hackney It gives me great pleasure to move and ask unanamous concent for the adoption of this bill.
Parr Congratulations, Mr. Hackney. Hearing no objection, so ordered.

HB 427 Roger Lang Dept. of H&SS. 5.2% of the total case load was ineligible for total grants. In each case we are talking on the average of about $270.00.

Hackney Where would you get the money to put this into effect?

Lang We could get a run from the Emply. Sec. Div. based on the SS# from the recipient payrolls and have someone do a physical check where there are discrepincies. To start out we should be able to do it with our exsisting staff. All this bill does is allow us the right to get the information through the Emply. Sec. Div.

Hackney Move out with a 'do pass'
Parr Hearing no objection, so orded.

HB 428

Beirne Offered amendment: Line 15 delete "amount set by the Commissioner" and insert:

0-50 beds	$50.
51-124 beds	$100.
125 or more beds	$150.

No objection to the amendment, motion carries.

Swanson Move HB 428 out with a Committee Substitute and a do pass recommendation.
Parr Hearing no objection, so ordered.

Meeting adjourned @5:30pm.

"An Act relating to review of construction projects under the rural school construction bond issue by the Legislative Budget and Audit Committee; and providing for an effective date."

COMMITTEE REPORT

4/10/75 HOUSE FINANCE

Mr. Speaker: Date April 24 1975

The Committee on HESS has had SB 220 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

(✓) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: HESS COMMITTEE

To: _____ HOUSE BILL No. J

SENATE BILL No. SB 220

PAGE: 1 LINE: 16

After the word System, add "or the Dept. of Public Works"

THE FOLLOWING DOCUMENT(S) MAY NOT FILM LEGIBLY BECAUSE OF POOR QUALITY OF THE ORIGINAL.

DEPARTMENT OF EDUCATION

POSITION PAPER

SENATE BILL #220

"relating to review of construction projects under the rural school construction fund issued by the Legislative Budget and Audit Committee; and . . . ."

BACKGROUND:

In the past, adequate information concerning school construction cost data at various sites throughout the State has not been available or provided by the agencies to the legislature when school construction funding has been requested. Therefore, estimated costs of various projects have been in error. The agencies' attempts to provide accurate cost data when requesting capital funding has been due to the lack of planning funds by which the agencies can assemble such data. Appropriate site data should be provided to the legislature at the time funds are requested. The advance planning revolving fund appropriated to AS05%, Chapter 147, SLA 19 , should allow that agency to assemble realistic information for funding requests in FY 77. Neither the Department of Public Works nor Education have such planning funds available.

WHAT THE PROPOSED LEGISLATION WOULD DO:

By having the Legislative Budget and Audit Committee review and approve construction of projects of the "1974 Rural School Construction Fund", the legislature becomes involved in the administration of construction funds.

SPECIAL PROBLEMS:

Neither the Department of Education nor the Alaska State Operated Schools System goes to bid for construction of a project. AS 35.05.010 provides that the Department of Public Works is responsible for the planning and construction of public works. AS 35.25.020, DEFINITIONS, would include schools constructed for the State by the State. Therefore, it is recommended that Page 1, line 15 and 16, delete "the Department of Education or the Alaska State-Operated Schools System" and insert "Department of Public Works".

There could be some problems with the LBA review and approval, if such does not occur in a timely manner. If the LBA meets on a regular basis, few problems would occur, however, if the Committee meets sporadically, or if the body should not achieve a quorum, an entire construction season could be lost while agencies are awaiting review and approval.

OTHER GROUPS HAVING AN INTEREST IN SB #220:

Alaska State Operated School System
Department of Public Works

AGENCY RECOMMENDATION:

It is recommended that the Legislature examine establishing a priority system and criteria for design of school facilities. Things to be considered could be number of enhanced students, present and future population, community economic stability, adequacy and condition of present facilities, etc.

Name

Director, Management and Finance
Position Title

Date

THE PRECEDING DOCUMENT(S) MAY NOT FILM LEGIBLY BECAUSE OF POOR QUALITY OF THE ORIGINAL.

SB

261 Am

"An Act relating to the evidence in prosecutions for rape and assault with intent to commit rape; changing Rule 43(g)(11), Rules of Civil Procedure; and providing for an effective date."

COMMITTEE REPORT

4/11/75 HOUSE JUDICIARY

Mr. Speaker: Date 4/14/75.

The Committee on HESS has had SB 261 am under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

Lauren Ray _____ _____

Tom Harris _____ _____

Mary Gay _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

POSITION PAPER
ON
SENATE CONCURRENT RESOLUTION # 16

A concurrent resolution relating to the medical and psychological care required of victims sexually assaulted.

This resolution expresses the sense of the Legislature that victims of sexual assault merit maximum help in the form of sensitive care and skilled professional help and urges training for personnel of medical facilities in these areas.

The resolution of itself would not affect the Department of Health & Social Services but would probably generate increased calls for service by some agencies of the Department.

This appears to be a very desirable resolution.

Training for personnel dealing with victims of sexual assault probably should emcompass also both public safety and correctional officials.

The Department favors this concurrent resolution.

Recommended By: David Freedman
Division Director

2/26/74
Date

Approved By: Deputy Frederick McGinnis
Commissioner

3/5/75
Date

Comments by Governor's Office

By: X

Date

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 14, 1975

Members Present:

All members

Chairman Sullivan called the meeting to order at 3:00pm.

SB 261am
Senator Chance, Sponsor of the bill, gave briefing. Bill relates to the project of the year for the American Women's Club and is endorsed by American Bar Association.

Parr There is a house bill by Bradner on the same subject with more specifics.

Hackney I am in favor of the bill.
Ostrosky I Move and ask unanamous concent for a 'do pass' recommendation.
Parr Objection, I would ask for individual recommendations.
Ose Yes, I would vote no rec.

Chairman Sullivan counted the votes and the majority of the members voted do pass.

HB 12
Rep. Beirne gave briefing of the bill and recommended that since it doesn't pertain to this Committee any further, that the bill be passed out as 'no rec' and sent on to Finance where it can be studied in depth.

Hackney I would rather sit on it until next year than to pass it out, that is like saying the bill has our endorsement.

Parr I am in favor of the concept but if the figures on those pages submitted by the Dept. are correct, they are highly incorrect!

Swanson I am not in support of this bill either. I think we should move it out with individual recommendations.

Ostrosky If that is a motion Mr. Swanson, I will second it.

It was voted on that the bill be sent on to the Finance Committee with 'individual recommendations.'

HB 225 Beirne gave briefing of the bill. The same wording which includes the concept of HB 13 is in this bill. It is requesting that all architectural barriers be illiminated over a 10 year period in all government buildings.

Bob McGuire Deputy Commissioner/Public Work
see page two.

McGuire Spoke of the possibilities of the bill.

John Steinman - Chief Architect/Div. of Buildings.
Should clarify that some of our people have gone through these matters and placed priorities which is not what we're suppose to do and I wish to apologise for this. A question I would raise is whether or not this can be our perogative to make judgments on the barriers rather than making it mandatory?

Beirne I am wondering where you got the idea that a handicapped person is one in a wheelchair only?

McGuire This was over simplified abit.

Beirne This is already being mandated on a Federal level. I think you're addressing this in a very small scope. This information you have submitted to Rep. Sullivan is totally irresponsible. I can assure you that unless the State does this now, they will be subject to suits and higher costs to the State at a later date.

Swanson Have we ever been sued in your knowledge with something like this?
McGuire No, not to my knowledge.

Beirne In Anchorage it is a group of handicapped students suing the State. This is a State responsiblity that we put this into law. The Federal laws are based on the US Standards.

Steinman I don't think it is the intent here that is in question, it is the way in which we will have to carry it out.

Beirne I think the bill is very lenient.

Osterback We should start working in the rural areas first where, as you said, the majority of the handicapped people are.

Hackney How would HB 225 affect leased buildings?

McGuire I don't interpret that we would be changing the present buildings already in use. The Dept. of Admin. handles all leasing procedures. We've made requests and they're willing to do anything that we're willing to pay for. These costs to handl the handicapped are considerably higher than the average costs of construction. An expensive proposition!

Steinman In Sec. 4 I would like to suggest an amendment.
Page 2 Line 25 delete 'be planned, designed, financed, constructed, opened to public use, or otherwise placed in operation' and add after be "initiated for planning, design, finance, and construction" unless...

Ostrosky I Move for adoption of the proposed amendment.
Beirne Second
Chairman Without hearing objection, amendment passes.

Beirne Proposed amendments: Pg 1 Line 8, add "ed" to infirm
Pg 1 Line 19, "
Pg.1 Line 17, after the word 'federal' add 'State or other public funds,'

Swanson Move the adoption of Rep. Beirne's Amendments.
Beirne Second
Chairman Without hearing objection, amendments adopted.

Hackney Still not happy as to whether or not this applies to leased buildings.

Beirne Sec 4 Pg 2 Line 27 - I believe this covers Mr. Hackney's problem.

Ostrosky I move to pass this bill out of Committee with individual rec.
Beirne Seconded

Vote= Yea 3 Nay 5

see Committee Report enclosed.

SENATOR GENIE CHANCE

SEXUAL ASSAULT LEGISLATION

SENATE CONCURRENT RESOLUTION NO. 15 - ASSIGNMENT OF POLICEWOMEN TO REPORTED INCIDENTS OF RAPE

Rape victims believe that female officers would be more sensitive to their needs and that more policewomen should be available to respond to calls from rape victims. This concurrent resolution recommends that local law enforcement agencies undertake an affirmative assignment program to place more policewomen in positions which will enable them to respond to rape victims. It states that special efforts should be made to assign female officers to night duty when most rapes occur.

SENATE CONCURRENT RESOLUTION NO. 16 - MEDICAL EXAMINATIONS OF VICTIMS SEXUAL ASSAULT

Emergency medical facilities provide inadequate treatment for rape victims. A woman who has been raped is often beaten and traumatized. The extent of the medical treatment is frequently limited to a vaginal examination for the purpose of gathering potential evidence.

This concurrent resolution recommends to the director of each public medical facility in the state and to each private medical emergency facility in the state having a contractual relationship with the state or local political subdivision that each victim of sexaul assault who is treated by them should be given a thorough examination for both physical and emotional trauma. The staff of such facilities should be instructed on the appropriate care and treatment of victims of sexual assault. In addition, such facilities, as standard operating procedure should inform the victim of venereal disease, pregnancy, and psychiatric services, of the possibility of financial aid from the Violent Crimes Compensation Board, and of any other services or aids available in the community which could serve to alleviate the eventual trauma occasioned by a sexual assualt.

SENATE CONCURRENT RESOLUTION NO. 17 - PEACE OFFICER TRAINING PROGRAMS RELATED TO TREATMENT OF RAPE VICTIMS

The training and instruction police officers receive generally emphasizes the legal elements of the crime of rape. Little, if any, training time is spent discussing the psychological and emotional needs of the rape victim. Consequently, peace officers often display a significant lack of sensitivity in their handling of rape victims.

This concurrent resolution recommends that Alaska Police Standards Council, in conjunction with local community women's organizations and representatives of local medical professions, develop courses of instruction for law enforcement personnel regarding the proper investigation of rape cases, with emphasis on the psychological and emotional effects on the victim.

SENATE CONCURRENT RESOLUTION NO. 18 - TRAINING IN NONAGGRESSIVE SELF-DEFENSE IN SECONDARY SCHOOLS OF THE STATE

With the high incidence of violent crimes against individuals, there is a need for public high schools to include as part of their physical education program training in nonaggressive self-defense. If persons were better able to defend themselves, they would be less vulnerable to rape and other violent bodily assault.

This concurrent resolution requests that each school district ascertain the need for offering physical education classes in nonagressive self-defense and if a need exists to report to the Department of Education by July 1, 1976. It further requests that the Department of Education work with and assist school districts, including the state operated school system, in developing programs in nonagressive self-defense and that the Department should submit a summary an evaluation of its findings to the Tenth Legislature - First Session.

SENATE CONCURRENT RESOLUTION NO. 19 - SPECIAL INVESTIGATIVE UNITS FOR CASES INVOLVING SEXUAL OFFENSES

Most law enforcement agencies have inadequately staffed and trained investigative units for sexual offenses. Special rape investigative units which have been established by a few departments provide more thorough and effective investigation of rape reports.

This concurrent resolution requests the Alaska Police Standards Council to develop a plan for the training of specialists to investigate charges of rape and other sexual assaults and to encourage local law enforcement agencies to develop special investigative units for cases involving sexual assaults.

SENATE BILL NO. 261 - PROVIDING FOR AN INCAMERA HEARING TO DETERMINE THE RELEVANCY OF THE PROSECUTING WITNESS' PREVIOUS SEXUAL CONDUCT

Many times the victim of sexual assault is extensively questioned about his/her sexual history in open court, without a showing that such questioning is relevant to the innocence or guilt of the accused. The fear of such detailed examination about a very personal aspect of an individual's life may deter victims from bringing criminal complaints, and may be a significant factor in the low percentage of reported rapes.

Senate Bill 261 requires that the defense attorney be required, by specified procedures and out of the hearing of the jury, to "lay a foundation" as to the relevancy of the victim's prior sexual history; and that the judge make a determination of the relevancy of the prior history before such evidence is admissible. A showing of relevancy should not be required when the prior sexual activity occurred with the accused. In no event may evidence of previous sexual conduct of the prosecuting witness committed more than one year before the date of the alleged crime be admissible, except previous conduct with the defendant.

SENATE BILL NO. 262 - JURY INSTRUCTIONS IN RAPE CASES

During the last few years there has been great disagreement in various states with regard to the types and content of jury instructions in criminal prosecutions for rape, attempted rape, and assault with intent to commit rape.

There is little doubt that the charge of sexual assault is difficult to defend and to prosecute. The law requires that the jury be informed that the charge is difficult to defend and that the jury must examine the testimony of the prosecution's witness with caution. The question in most cases of sexual assault is whether or not the victim consented to the sexual act.

The jury should not be permitted to draw an inference that a woman who has previously consented to sexual intercourse would be more likely to consent again, except where the previous sexual intercourse occurred with the accused. The jury should be permitted to consider the prior sexual history of the victim, if relevant, only on the issue of whether the victim consented to the alleged rape, and not be permitted to consider such acts in judging her credibility regarding other facts in dispute. The issue of chastity should not be confused with the issue of veracity.

Senate Bill 262 states that a jury may not be instructed that the prior sexual conduct of the complaining witness, in and of itself, may be considered in determining the credibility of the complaining witness. In addition, the Bill states that the jury may not be instructed that it may be inferred that a victim who has previously consented to sexual intercourse with a person other than the defendant is more likely to have consented to sexual intercourse with the defendant.

SENATE BILL NO. 273 - MEDICAL TREATMENT AND COSTS INCURRED BY A VICTIM OF SEXUAL ASSAULT

Often emergency medical facilities provide inadequate treatment for rape victims. A person who has been sexually assaulted is often beaten and traumatized. The extent of the medical treatment is frequently limited to a vaginal examination for the purposes of gathering potential evidence. Many physicians on duty at emergency medical facilities are not experienced in the examining procedures necessary to gather evidence from victims of sexual assault. Cases are dropped for insufficient evidence as a result of inadequate examinations which ignored valuable evidence. Hospital and emergency medical facilities charge victims of rape for costs of the medical examination necessary to compile evidence for possible prosecution. Victims of sexual assault oftentimes go without necessary medical treatment because of its high cost.

Senate Bill 273 requires the Department of Health and Social Services to provide within each organized borough and city that a person experienced in the examination of victims of criminal sexual assaults is available on call 24 hours each day for the examination of reported victims of these offenses.

Each reported victim shall be given a thorough examination for both physical and emotional trauma, shall be provided all treatment indicated as a direct result of either the physical or emotional trauma and shall be informed of available veneral disease, pregnancy, and psychiatric services and of the Violent Crimes Compensation Board.

All incurred costs of examination, treatment and where required to obtain treatment not adequately available locally, costs of transportation to another place where treatment is adequately available and return transporation shall be paid directly by the state.

All costs of treament shall not exceed the normal charges for the service in the locality in which the service is rendered.

SENATE BILL NO.305 - REVISION OF STATUTES INCLUDING RAPE AND SODOMY

With the continual revision of statutes involving crimes of sex and the changing morality of the society, the Alaska statutes pertaining to sex are outmoded and confused.

Sexual acts involving force, specifically forced oral copulation, have recently gone unprosecuted because of this confusion. To remedy this problem and many others, this Senate Bill revises Chapter 11.

Throughout Chapter 11, "rape" is deleted and aggravated sexual assault is inserted in the following sections:

Sec. 11.05.150. Imposing Less than Prescribed Penalities
Sec. 11.15.010 First Degree Murder
Sec. 11.15.160. Assault with Intent to Kill or Commit Rape or Robbery
Sec. 11.15.295 Use of Fire Arms during the Commission of Certain Crimes
Sec. 11.30.040(b)

Chapter 11 is amended by adding two new sections. Section 11.15.125 Petty Sexual Assault and 11.15.127 Aggravated Sexual Assault. The purpose of these new sections is to define categories of sexual contact or sexual intercourse where one of the parties is unable to consent or does not consent to the sexual act.

Sec. 11.15.125 Petty Sexual Assault defines a situation in which a person who has sexual contact with another, not his spouse, or causes the other to have sexual contact with him, without consent, is guilty of petty sexual assaut if (1) he knows that the contact is offensive to the other person; (2) he knows that the other person suffers from a mental disease or defect rendering him incapable of appraising the nature of his conduct; (3) he knows that the other person is unaware that a sexual act is being committed; (4) the other person is less than 16 years old; (5) he has substantially impaired the other person's power to appraise or control his conduct by administering or employing without the other's knowledge drugs, intoxicants or other means for the purpose of preventing resistance; or (6) the other person is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authori ty over him. The offense of petty sexual assault is a misdemeanor. In this section"sexual contact" is any touching of the genitals of the person for the purpose of arousing or gratifying sexual desire.

Sec. 11.15.127 Aggravated Sexual Assault defines a situation in which a person who has sexual intercourse with another person, not his spouse, is guilty of aggravated sexual assault if (1) the other person is compelled to submit by force or by threat of imminent death, serious bodily injury, extreme pain or kidnapping, to be inflicted on anyone; (2) the person substantially impairs the others person's power to appraise or control his conduct by administering or employing without his knowledge or consent drugs, intoxicants or other means for the purpose of preventing resistance; (3) the other person is unconscious; or (4) the other person is less than 16 years old. Aggravated sexual assault is a felony. For the purpose of this section, sexual intercourse includes intercourse by means of the mouth, vagina, or rectum. with some penetration however slight; emission is not required.

Chapter 11 is amended by repealing AS 11.14.120 - 11.14.134 and AS 11.40.120. These amendments create a category of crime called "sexual assault". There are two degrees of crime under sexual assault: Petty Sexual Assault and Aggravated Sexual Assault. Victims of these crimes either do not consent to the sexual act described under the secions or are incapable of consenting to the act. Sexual acts between consenting adults are legal regardless of whether they are for the purposes of arousal or intercourse and involve either oral, anal, or vaginal sex.

Superior Court
State of Alaska
THIRD JUDICIAL DISTRICT
303 K STREET
ANCHORAGE, ALASKA 99501

CHAMBERS OF
EBEN H. LEWIS

TELEPHONE: (907) 274-8611

SB 261

February 11, 1975

Hon. Helen Fischer
Alaska House of Representatives
State Capitol Building
Juneau, Alaska 99801

Dear Helen:

Our efforts last year at obtaining some legislation attacking the criminal problem in our state had only moderate success, you will recall. However, the introduction of the legislation served to get the attention of both legislature and the community in general to the magnitude of the problem. I have another suggested piece of legislation directed toward the various serious crime of rape, of which there have been a great many instances in our community during the past year.

I have presided over four rape or attempted-rape trials since December 1973. Only one has resulted in a conviction. The jury found the defendant not guilty in two of the other cases and in the fourth the jury was unable to agree and was dismissed. That case was set for retrial but the victim refused to undergo the ordeal of testifying the second time around and the state reluctantly dismissed the indictment. Since that time the defendant has left the state and has been involved in a sex crime in Oklahoma, according to information I have received.

SB 261

In each of the acquittals, I am convinced that the jury reached its verdict, not because the defendant was innocent, but because the victim, under existing rules of evidence, was permitted to be presented to them, through cross examination by defense counsel, as a tarnished tart. Probably the jury felt her to be deserving of the treatment she got from her assailant. This is so, because under existing rules of evidence in Alaska, and in most of the states up to this time, it is required that the trial judge allow defense counsel to examine the prosecuting witness as to her prior sexual conduct with other men, even though such conduct has no bearing on the case. Since she then is seriously compromised, in the view of some of the more virtuous-minded jurors, she becomes accordingly less believable and the case simply does not get proven "beyond a reasonable doubt". Of the rape and attempted rape cases I tried last year, had there been no jury, all would have resulted in conviction, based upon the evidence I heard. Thus, justice is being defeated

by the existence of this archaic rule which was more appropriate to Victorian morality. At present, the courts in this state allow evidence of moral character of the prosecuting witness and as to her reputation for chastity and virtue "to aid the jury in determining whether her story is true or false, and the act of intercourse voluntary or against her will". This is upon the theory that "a woman who is chaste and virtuous will be less likely to consent to an act of illicit carnal intercourse than one who is unchaste". (quote from our present jury instructions).

Having personally observed in these trials that the young women who were the victims of the rapes charged were, beyond my reasonable doubt raped, notwithstanding evidence of their rather easy sexual life style, it is my view that such evidence should no longer be allowed in rape prosecutions except in those rare instances where it would be directly relevant to the crime charged. The legislatures of California, Iowa and Michigan, and several other states took it upon themselves in 1974 to abolish this anachronism in the law in order to accomplish necessary justice.

I am concerned that the Supreme Court of this state may not be prepared at this time to accept an appeal from a trial under existing law where the trial judge declined to permit evidence of the prosecuting witness' "virtue" to be scrutinized. The legislature can take this step. It is time Alaska stopped putting the victim in rape cases on trial. I am enclosing xerox copies of the California, Iowa and Michigan Statutes in addition to a draft proposed statue I prepared for your convenience should you wish to file such a bill in the Alaska House. I will be pleased to discuss the matter further with you at any time convenient to you.

Sincerely,

Eben H. Lewis
Superior Court Judge

EHL:b
Encl.
✓cc: Hon. Genie Chance

SB

272 AM

"An Act relating to the operation of food service and concession stands by blind and handicapped persons."

5/9/75

COMMITTEE REPORT

FINANCE

HOUSE

Mr. Speaker: Date Mar 7/76

The Committee on HESS has had CS SB 272 am under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 8, 1976

Present: Ostrosky Hackney
Parr Davis
Beirne Sullivan

Testifying: Eric Lee, C&RA, Community Services
Frank Pauls, H & SS, Public Health
Grace Billings, Office on Aging
Glenn Sachs, Office on Aging
M. Dan Plotnick, Office on Aging
Nat Cole, D.O.E.

HCR 97 - Relating to State Purchases of Drugs - Sullivan

Dr. Pauls, feels bill will create a savings to the state. Drugs usually purchases on a bid or blanket contract with drug houses.

Committee questions how you educate state employees to the advantages of drug purchases. Pauls says you work with purchasing agents.

Ostrosky - Vote do pass, unanimous

HB 714 Sr. Citizens nutrition and recreation facility - Parr

Parr expressed the need that the senior citizens of Fabks have for the facility.

Eric Lee - spoke for Community and REgional affairs concerning this project. Felt that the funds would not be of any trouble, just filtered throuch C&Ra.

Hackney- thinks new facility in FBks, under construction right now could speak to the needs and be utilized by the Sr. citizens.

Mr. Plotnick - Brought two staff people to speak to the needs in the FBKS areas. Billings & Sacks. Fbks area - new ASHA housing area for SR. citiznes now under construction, understands there is a kitchen facility to be used. This would give the sr. citizens a place to make their meals.

Sullivan - Feels there is a possibility of putting this new facility near the ASHA project so it can be utilized more often.

Parr - bad idea, there are many sr. citizens in Fbks, who do not live hear that housing development

Hackney - wants to explore possibility of using other facilities rather than building a new one. Suggested the Alaskaland area.

Parr - Amendment - Section 1, period after FBKS.
Section 2, Dept. shall contract with NSC on Aging for purposes specified in Section 1
Section 3, (same as section 2 on the bill)

Amendment voted on do pass

Sullivan moved to pass out
Beirned - requested reconsideration. wants to know whether she can add a section to include the same appropriation for the Anchorage area and to go through the municipality.

Parr says O.K.

Sullivan - must be a committee substitute for HB 714

Voted on - Do pass,

SB 203 AM School Attendance Hohman

Nat Cole, feels that the dept. O.K.s this concept of education and allready basically does give credit for learning experiences, but feels the legislature can express intent by passing this bill.

Committee, wanted to know whether this time counted towards the full 180 days that is required of students, yes.

Voted Do Pass 5

CSSB 272 Operation of vending machines by blind or handicapped

Sullivan spoke to the need of this legislation because blind have very few options for employment and this is one of them. There seems to be no problems with this.

Vote - do pass unanimous

THIS ☒ BILL ☐ RESOLUTION

has been prepared by the staff of the Legislative Council in response to the request and at the direction of the sponsor. The staff has attempted to place it in proper legal and clerical form subject to any special limitations or instructions of the sponsor. Member requests are kept confidential by the staff and any announcement of intent to have a document drafted or introduced remains the prerogative and responsibility of the sponsoring member in dealing with colleagues and other persons. The Council or its staff may not endorse or comment on policy matters involved in a bill or resolution. The substance and merits of a bill or resolution are the responsibility of the sponsor.

Delivered to sponsor: 3-5-76

National Federation of The Blind of Alaska

325 East 3rd Avenue
Anchorage, Alaska 99501
Telephone 272-0000

file SB272 am

President: Lee Campbell
Vice President: Jimmie Trietsch
Secretary/Treasurer: Jackie Giles

Executive Secretary: Louise Rude

Board of Directors:
Lee Campbell
Jimmie Trietsch
Jenny Jensen
Clarence Hoffman
Charles Ei

February 10, 1976

The Honorable Susan Sullivan
Alaska State Representative
Ninth Alaska State Legislature
Juneau, AK 99811

Dear Representative Sullivan:

Last night the National Federation of the Blind of Alaska met to consider proposed legislation relating to the blind and severely handicapped persons and vending operations in public buildings.

We believe that this proposal will provide more comprehensive protection for blind or severely disabled vending stand operators in the state and will open the door for the development of new vending stand opportunities for those individuals having the potential and interest in Small Business Enterprise operations.

In light of this, the Board moved and passed on the motion supporting this legislation which we hope will become known as the "Little Randolph-Shappard Act".

We do very much appreciate your support and concern for our needs.

Sincerely Yours,

Louise Rude
President

:gw

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF EDUCATION

DIVISION OF VOCATIONAL REHABILITATION

February 5, 1976

Mrs. Susan Sullivan, Chairman
Committee on Health, Education & Social Services
House of Representatives
9th Alaska State Legislature
Juneau, Alaska 99811

Dear Chairman Sullivan;

As a result of our conversations yesterday on S.B. 272, "An Act Relating to the Operation of Food Vending Facilities and Vending Machines by a Blind or Handicapped Person," I am herewith transmitting three (3) documents.

For your consideration on the legislation now pending before the Legislature, I have included a copy of Public Law 93-516, which includes the latest amendments to the federal Randolph-Sheppard Act, now administered by this division. I have also included a copy of the proposed federal regulations issued pursuant to that Act December 23, 1975.

In talking with our Anchorage office, I learned that the reasoning behind the telegram you received from Mrs. Lee Campbell was that they were most desirous of proposing legislation which would parallel the federal Randolph-Sheppard program resulting from the latest changes. Mrs. Campbell had requested from Mr. Dale Reeves, Chief of Special Projects and Blind Services, assistance in trying to accomplish this. Mr. Reeves wrote, in conjunction with Mrs. Campbell, and in consideration of the federal regulations and several other State programs, the proposal that I have enclosed. Mrs. Campbell has indicated to Mr. Reeves her very strong support of this proposal.

The proposal has not yet been reviewed by the Alaska Chapter of the National Federation of the Blind. However, an emergency meeting has been scheduled for next Monday night to review the changes. I believe that the Federation will vote to support it also.

Once again, let me apologize for the confusion in this matter. I was not communicating properly with all of the various segments in the state. If there is anything further we can do to assist you in this or other matters, please do not hesitate to call on me.

Sincerely yours,

Mike Morgan

Michael C. Morgan
Director

cc: Dale Reeves, Chief of Special Projects & Blind Services
Mrs. Louis Rudd, President of the National Federation of the Blind
Mrs. Lee Campbell, Vending Stand Operator

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. HB 714
Title: ...Senior citizens nutrition and recreation facility in Fairbanks...
Requested by: HESS Date: February 13, 1976
Return Date Requested:
Agency: Community & Regional Affairs Program: Development

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Local Government Assistance

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		-0-				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The grant will be monitored similar to the oil impact development grants in fiscal year 1975. The Department would require a proposed budget and periodic reports of facility status and expenditures. Annual audits would be reviewed to determine accountability of project expenditures. Current departmental field staff would complete any on-site monitoring required.

IV. ATTACHMENTS

V. DATE: February 23, 1976 PREPARED BY: Lynn A. Wegener
Lynn A. Wegener
Administrative Officer

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

SB 272

Alaska State Legislature

House

JUNEAU ALASKA

Pouch V
Juneau, Alaska 99801
May 26, 1975

Louise Rude, Executive Secretary
National Federation of the Blind of
Alaska
325 East 3rd Avenue
Anchorage, Alaska 99501

Dear Ms. Rude:

Although the Senate State Affairs Committee offered a substitute for Senate Bill 272 which incorporated the words, "blind and visually handicapped persons", the final outcome of the Senate was Senate Bill 272am. This differs from the original in that it provides for preference in both food service and concession stands, but is the same as the original in the wording, "blind and handicapped persons". This version of the bill has recently come to our committee.

Per your agency's request, previously communicated to us by Senator Genie Chance, we are holding the bill in our committee until the beginning of the next session. This will allow time for further efforts to enact a bill that would meet your acceptance.

Please be assured that the concerns of the National Federation of the Blind of Alaska will be given utmost consideration.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

SB 272

NATIONAL FEDERATION OF THE BLIND OF ALASKA

ANCHORAGE, ALASKA 99501
TELEPHONE 272-

National Federation of the Blind of Alaska
325 East 3rd Avenue
Anchorage, Alaska 99501

May 14, 1975

State House of Representatives
Pouch V
Capitol Building
Juneau, Alaska 99811

Dear State Congressman:

We, the members of the National Federation of the Blind of Alaska, are deeply concerned that Senate Bill No. 272, the Little Randolph Sheppard Act, does not follow exactly the parent Federal Randolph Sheppard Act and its amendments, said amendments being contained in U. S. Senate Bill 2581.

We urge that you make every effort to change the wording of Senate Bill 272 to follow exactly the pattern of the parent Federal Randolph Sheppard Act. The Federal Act was passed exclusively and explicitly for the blind of the nation.

We feel that the one glaring deviation at the end of Senate Bill 272 is dangerous to the livelihood of blind individuals throughtout the State of Alaska. The end of that bill should read "blind and visually handicapped."

We would rather see the bill scrapped than passed in its present form. We would be pleased to work with you in drafting a new form of the bill.

Yours very truly,

Louise Rude

Louise Rude, Executive Secretary
National Federation of the Blind of Alaska

cc: Susan Sullivan
Hugh Malone
Willard Bowman

SB

352

SENATE HESS COMMITTEE

MINUTES

April 14, 1975

Members Present: Hohman, Chance, Colletta, Bradley

Guests Present: Stephanie Scowcroft, Office on Ageing
Gail Roust, Office on Ageing
Bill Overstreet, AASB
Sam Kito, Fairbanks School Board
Bob Van HOute, NEA-Alaska
Don Kirkpatrick, Ass't Superintendent, Kenai School District
Representative Helen Beirne

Senator Hohman called the meeting to order at 1:15 and asked the Committee to consider Senate Bill 352, relating to Community Schools. SB 352

The chair was turned over to Senator Colletta.

Bill Overstreet testified in favor of the bill (see attached testimony). Overstreet

Representative Helen Beirne remarked on the disparity between the fiscal note for HB 179 and that for SB 352, these being identical bills. Mr. Overstreet said that he felt the one on SB 352 which was more recent was the more realistic.

Bob Van Houte testified in support of the bill. VAN HOUTE

Don Kirkpatrick from Kenai testified in support of the bill and discussed the plans in Kenai for a pilot community schools program to meet cultural, recreational, educational and social needs. He sees the community school program dovetailing with the community college program and in response to a question from Senator Colletta indicated that Kenai's budget would dovetail with the Fiscal Note formula for SB 352,

The Governor's bill on community schools, HB 182, has been incorporated into HB 179.

Senator Bradley moved that SB 352 be passed out of committee with a do pass recommendation and asked unanimous consent.

Motion carried.

Senator Colletta adjourned the meeting at 1:45 p.m.

ASSOCIATION OF ALASKA SCHOOL BOARDS
SUITE 3, 204 NORTH FRANKLIN STREET • JUNEAU, ALASKA 99801 • PHONE 586-1083

SB 352

The Community School concept is based upon the belief that each community or neighborhood of larger communities has these three things in common:

1. A number of people of all ages who have educational, recreational, cultural, and social needs that are not being met.

2. A number of people of all ages with the necessary knowledge, skills, and talents to meet their neighbor's needs.

3. A facility (the school) that is grossly underutilized and is convenient to the people of the neighborhood.

Senate Bill No. 352 (CSHB 179 is identical) would address itself to this situation by providing finanical assistance to districts that would seek to improve the quality of life for all its citizens through this concept. The bill would ultimately provide that each district could secure an amount equal to 2% of its public school foundation support to implement community school programs. These funds would be utilized to train and employ "Community School Directors" whose job it would be to keep the schools open evenings and assist the people of the community in developing programs to meet their needs.

To provide that the implementation of this concept be orderly and thorough support would be phased in over a four-year period. The first year districts would receive 1/2 of 1%, the second year 1%, the third year 1 1/2% and thereafter an amount equal to 2% of their foundation support.

Districts would have to submit a plan to the Department for its approval and the plan would have to provide for an advisory council, direction, coordination, and personnel requirements, together with a statement of the number of schools to be operated as community schools.

The act provides for technical service from the Department to any district needing assistance in planning its program.

The concept has been approved by virtually every national organization and study group that concerns itself with education. Many districts in Alaska are doing some of the things advocated but the problem, as I see it, is a kind of tunnel vision that tends to regard such expenditures as "robbing" the K-12 program. Enactment and funding of this legislation would overcome that problem. Actually the Community School concept would probably strengthen the K-12 program more than would allocating an equivalent amount directly to that program by increasing the educational programs to youngsters and by involving their parents in the schools.

SB 352

S ATE JOURNAL

COMMITTEE REPORT

It is the intent of the Senate Health, Education and Social Services Committee, in passing out Senate Bill 352, relating to Community Schools, to support the need for community school programs throughout the State. The Committee recognizes the need for recreational, social and educational programs for persons of all ages in a community which would provide for the use of the school facility other than during the regular hours.

This bill would provide financial assistance to school districts to train and employ community school directors to implement the programs.

George Hohman, Chairman
Senate Health, Education and
Social Services Committee

Genie Chance, Vice-Chairman
Senate Health, Education and
Social Services Committee

4/15/75
Date

PRESS RELEASE
OFFICE OF THE GOVERNOR

February 19, 1975
-86-

Governor Jay S. Hammond has introduced, through the House of Representatives, legislation to provide for a program of community school grants and technical assistance to local school districts involved in community school programs. The legislation has been sought by the Association of Alaska School Boards, the Community Education Task Force, PTA, and other educational associations and citizen groups.

The bill established an "Alaska Community Education Advisory Council" consisting of nine members to be appointed by the State Board of Education. In his letter of transmittal to House Speaker Mike Bradner, Governor Hammond indicated that the Advisory Council would be "responsible for advising the Commissioner of Education on community education matters and will review and make recommendations to the Commissioner on grant applications."

The community education concept has spread rapidly across the United States during the last few years, mainly inspired by grants from the Flint, Michigan based Mott Foundation. The concept broadens the use of school facilities beyond the normal school day, providing courses for both school age children and a chance for continuing educational opportunities for adults.

Governor Hammond emphasized in his letter that "it is intended that local communities will assume responsibility for their community school programs as they move into full operation." Governor Hammond also stated that "the grant fund is to offer 'mini-grants' to local districts to supplement the efforts of the council and the coordinator in assisting the local communities to initiate community school programs."

-30-

FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. Senate Bill 352

Title: Community Schools

Requested by: Senate Hess Date: 4/7/75

Return Date Requested: 4/14/75

Agency: Education Program:

II. FISCAL DETAIL

Budget Request Unit(s) Affected:

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES		26.5	28.6	30.9	33.4	36.1
200	TRAVEL		27.7	29.9	32.3	34.9	37.7
300	CONTRACTUAL		17.0	16.2	17.5	18.9	20.4
400	COMMODITIES		6.5	5.4	5.8	6.2	6.8
500	EQUIPMENT		1.5	1.5	1.5	1.5	1.5
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.		223.1	569.7	1,011.2	1,583.2	1,931.4
	TOTAL		302.3	651.3	1,099.2	1,678.1	2,033.9

B. FUNDING: (Thousands of dollars)

GENERAL FUND		302.3	651.3	1,099.2	1,678.1	2,033.9
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	1 /	1 /	1 /	1 /	1 /
MAN MONTHS (P./T.)	/	12 /	12 /	12 /	12 /	12 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See Attached

IV. ATTACHMENTS

V. DATE: 4/14/75 PREPARED BY: Pat Cole

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

AGENCY COMMENT
SENATE BILL 352
DEPARTMENT OF EDUCATION

Background

There has been a great deal of interest throughout the nation in fuller utilization of public school buildings, particularly for communtiy activities and non-academic kinds of training and interest courses. The community school concept started in Flint, Michigan some years ago and has spread throughout the country. We have had some communtiy school activities in the State of Alaska for several years. The Juneau school district had community school programs throughout the district, however, a year or so ago due to tight fiscal situations the School Board decided to eliminate the community schools program as an economy measure. Anchorage, Fairbanks, some of the State Operated Schools and other school systems are still offering limited programs and in some cases quite a variety of programs through the community schools concept. However, there has not been any state level direction or emphasis given to community schools.

For the first time, the Department of Education's budget and the Governor's allowance contain funds for state level planning and coordination of community schools. The Department's budget contains roughly $57,000 for statewide coordination of planning. This action coupled with two bills that have been introduced to the House of Representatives and Senate Bill 352 definitely indicates an interest on the part of the legislature in exploring the possibilities of community school operations. The community schools subject has been addressed by past legislative sessions, however, no bills have been enacted into law.

Recommendations

The Department of Education recognizes the need for and importance of community schools' activities. Admittedly, the approximately $57,000 in the Department's budget represents a rather limited approach to community schools' needs., However, the Department cannot endorse the grant program as its highest priority to the exclusion of other programs in a limited financial situation such as we presently have in Alaska.

Fiscal Analysis

An estimate of the fiscal impact of SB 352 is attached.

SB 352 Attachment

Sec. 14.36.040

100 Personal Services

Coordinator -- Range 21A

Salary	$22,428
Benefits	4,037
Sub-total	$26,465

Grand Total Personal Services $26,500

200 Travel

For Coordinator

25 trips @ $170 per trip	=	$4,250
Per diem @ $42.00/day x 75 days	=	3,150
Sub-total		$7,400

Sec. 14.36.020

For Communtiy Education Advisory Council Members

9 members x 6 trips x $250 per trip		$13,500
Per Diem 6 trips x 3 days each @ $42.00/day	=	6,804
Sub-total		$20,304

Grand Total Travel $27,700

300 Contractual Services

Coordinator Telephone	=$	1,000
Postage	=$	1,000
Sub-total	$	2,000

Sec. 14.36.030(4)

Talent Bank Services	=$	15,000
Sub-total	$	15,000

Grand Total Contractual Services $17,000

400 Commodities

Coordinator Office Supplies	=$	1,500
Sub-total	$	1,500

Sec. 14.36.030(3)

Clearing House - State Library

Printed materials	=$	2,000
Audio-Visual materials	=	3,000
Sub-total	=$	5,000

Grand Total Commodities $ 6,500

Equipment $ 1,500

Grants Program
Sec. 14.36.060

	FOUNDATION SUPPORT	X % OF SUPPORT	X PROPORTION	= TOTAL
FY 76				
Large Districts	92,303.0	.005	.25	= 115.4
Small Districts	20,061.0	.005	.50	= 50.2
		TOTAL -- FY 76		165.6
FY 77				
Large Districts	100,966.3	.01	.25	= 252.4
Small Districts	22,163.0	.01	.50	= 111.0
		TOTAL -- FY 77		363.4
FY 78				
Large Districts	104,000.9	.015	.25	= 390.0
Small Districts	22,829.5	.015	.50	= 171.2
		TOTAL -- FY 78		561.2
FY 79				
Large Districts	107,118.7	.02	.25	= 535.6
Small Districts	23,513.9	.02	.50	= 235.1
		TOTAL -- FY 79		770.7
FY 80				
Large Districts	110,337.8	.02	.25	= 551.7
Small Districts	24,220.5	.02	.50	= 242.2
		TOTAL -- FY 80		793.9

ASSUMPTIONS:

80% Foundation goes to the 9 largest districts who operate 140 schools. Assume 1/4 schools communtiy schools.

18% Foundation goes to the 22 districts operating 45 schools. Assume 1/2 schools community schools. Assume 3% growth in Foundation Support Program.

FORMULA (Sec. 14.36.060):

FY 76 for the 9 large districts	.005 Foundation Support	x 25%
for the 22 other districts	.005 Foundation Support	x 50%
FY 77	.01	x 25%
	.01	x 50%
FY 78	.015	x 25%
	.015	x 50%
FY 79	.02	x 25%
	.02	x 50%

Sec. 14.36.070 (ASOSS including military schools)

Using the percentages in Sec. 14.36.060 and assuming four years to completely phase into community schools programs.

FY 76: 1/4 x $50,000,000 x .005 = $62,500.00

FY 77: (1/4 x $55,000,000 x .01) + (1/4 x $55,000,000 x .005) = $206,250.00

FY 78: (1/4 x $60,000,000 x .015)+ (1/4 x $60,000,000 x .01) + (1/4 x $60,000,000 x .005) = $450,000.00

FY 79: (1/4 x $65,000,000 x .005) + (1/4 x $65,000,000 x .01) + (1/4 x $65 000,000 x .015) + (1/4 x $65,000,000 x .02) = $812,500.00

FY 80: (1/4 x $70,000,000 x .01) + (1/4 x $70,000,000 x .015) + (1/2 x $70,000,000 x .02) = $1,137,500.00

CSSB

367

"An Act relating to correspondence study; and providing for an effective date."

5/9/75

COMMITTEE REPORT

FINANCE

HOUSE

Mr. Speaker: Date 5/16/75

The Committee on HESS has had CSSB 367 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "othe "

Members signing the Majority report:

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Chairman

TELEGRAM

NCA ALASKA COMMUNICATIONS, INC.
PHONE: 586-6440
JUNEAU, ALASKA 99801

SB 367

1975 FEB 20 PM 4 09

02054 POM ANCHORAGE AK 15 02-20 108P AST

PMS REP SUSAN SULLIVAN

JUN

NEA ALASKA APPRECIATES YOUR EFFORTS TO FINALIZE DECENTRALIZATION

OF SOS MANDATING BASIS INTO BOROUGH ESSENTIAL

TERRY D STIMSON PRESIDENT NEA/ALASKA 1515 EAST TUDOR 99507

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

May 17, 1975

Members Present:

Bierne
Hackney
Osterback
Ostrosky
Sullivan
Swanson

Testifying Guests:

Dr. Price

Chairman Sullivan called the meeting to order at 1:40 pm.

HB 395 Registry of Persons with Impairments

Bierne: The Senate version of this bill, I believe, has met with some problems.

Price: Yes. It has been returned to Senate Committee. They are having problems with who is to be determined as handicapped, and with establishing safeguards to ensure confidentiality. They have cut the list of impairments to be registered to cerebral palsy, mental retardation, epilepsy, and genital transmitted defects. It believe that this cut was a mistake.

Bierne: The bill requires some rewording so that it would ensure that this does not impinge upon individual rights.

Parr: We can only justify voluntary registry.

Price: I'm afraid that with the voluntary thing, we would have nowhere near the potential effectiveness for protection of those individuals with impairments.

Ostrosky: What use is presently made of the register?

Price: When a doctor must treat one of these persons, he can work with a consultant who knows the patient's specific problem. The register can also assist the State in determining where special clinics are needed, and the register can be used in applying for federal funds. This knowledge would also function for prevention in streptococci related impairments.

It was decided that this bill be held in Committee.

HB 329 Pupil Transportation

Ostrosky: I move that line 13 should be changed to " must be based upon two competitive bids" rather that three. There was a problem in our community where there wer only two competitors, and there are no stipulations for this.

This amendment was unanimously passed.

Swanson: I think that we should omit item (g). The department will write negotiating contracts right into it. We need a review committee to go over administrative regulation written by the departments.

The role of the departments in determining regulations was briefly discussed.

Hackney: There is an error in line 23. "Read" should probably be "reach".

This amendment was passed without objection.
HB 329 was passed out with the two amendments. There was no objection.

CSSB 367 Centralization of Correspondence Study

Sullivan: I believe that there are many people who want this bill, so I would like to get it passed out.

Hackney: I would like to hear more testimony. I have heard two conflicting stories.

Ostrosky: I think I have figured it out. The general operating theory of the Department of Education has lately been to decentralize programs. Correspondence Study, however, has been very successful on a centralized basis.

Sullivan: From what I understand, grades 1 - 8 have been handled by S.O.S., and high school grades, more satisfactorily, by Margaret Justice. The intent of the bill is to put them all under Margaret Justice.

Hackney: I am not hung up either way on the bill. I just want to be sure that there is a viable option to the local schools open to those who want one.

Sullivan: The way it is now handled, school districts are being paid for correspondence students.

Hackney: School districts get about $1700 per student, and only $250 reverts to the Department.

Sullivan: I think we should get that excess money out of the boroughs and give a larger amount to the Department for the correspondence program.

Hackney: Why don't we pass this bill out with a letter of intent stating that we want this money to be given to the centralized program.

Sullivan: I agree. In the letter we could state that the school districts should not be funded for correspondence students, and that a larger percentage of that money should go to the Department for correspondence programs.

The bill was passed out with a "do pass" recommendation. One member objected with four concurring. Rep. Bierne had had to lea e prior to the vote.

SB 367

M E M O R A N D U M

February 26, 1975

TO: Representative Susan Sullivan
Chairwoman
House Committee on Health,
Education and Social Services

FROM: Hugh Malone
Chairman
House Finance Committee

SUBJECT: Correspondence Courses and ASOSS

Enclosed for your information is a copy of a letter which I received from a Mr. and Mrs. Tomlinson at Sisters Island. I think they raised a number of points worth investigating. The hearings which they request may very well be justified. I would appreciate any comments which you may have.

HM:kfs

c/o FAA, Sisters Island
P. O. Box 1227
Juneau, Alaska 99802

February 12, 1975

Representative Hugh Malone
Chairman, Finance Committee
State Capitol Building
Juneau, Alaska 99811

Dear Rep. Malone:

Since ASOSS took over the administration of secondary level of correspondence studies, we feel that a great deal more money is being spent and much less service is being rendered the correspondence students. We understand that the Correspondence Study Branch was placed under ASOSS to receive Federal Impact Funds. We signed 2 cards in October. There has been only deterioration in services. Our lessons used to come direct to Juneau from the University of Nebraska to us in about a week. Now they go to Anchorage, to Ketchikan and finally at least a month later to us. High school correspondence students are now permitted to take only one course at a time. This is a gross inequity. How would you feel if your children were permitted to take only one course at a time in a residence school? We are also told that our high school students will not be permitted to take courses from the University of Nebraska's Extension High School but only from the American School which is primarily a trade school. Our son has started with the University of Nebraska, and if he is forced to change, his German could not be continued, the math courses offered by the American School are considerably different, and there would be much wasted motion in the transfer.

We have been visited by an ASOSS coordinator who left a chartered plane sitting on the beach while he told us how much easier the American School is than the University of Nebraska. He was likewise critical of the correspondence division's courses for the elementary level. We are not interested in how easy the courses are, but how much our children learn from them. As federal income tax payers we resent having federal impact funds spent to keep a chartered plane waiting on a beach, and having a representative of the state's educational system attempt to degrade our children's education.

It seems to us the logical means of getting federal impact funds for Correspondence Study Branch would be to make the CSB a school district. We understand there is a desire to place education under local control. This is very fine -- but we do not live in the Juneau borough. We have more in common with residents in an FAA station near Fairbanks or residents of a cannery near Kodiak than we have with residents of any population center.

Furthermore, correspondence study has been used to supplement the curricula of small schools. If the Correspondence Study Branch is retained as a separate entity, a resident of the smallest residence high school in Alaska has available any course offered by the American School or the Extension High School of the University of Nebraska. This presently provides an equality of educational opportunity which exists in no other state to our knowledge. It would be a tragedy to break the Correspondence Study Branch into several local districts dominated by city dwellers whose children have never taken a correspondence course.

Presently the Correspondence Branch is operating on about $500 per child. No other school in the state operates on such a low budget or provides such an excellent education to the children.

We would like to have hearings held by the Education and Finance Committees of both Senate and House. We would like to be permitted to express our views at such meeting along with members of the Correspondence Study Branch and any other interested persons.

We feel that Mrs. Justice and her staff have done and are doing an outstanding job and that correspondence study has been constantly improving. Since ASOSS has taken over, it has degenerated and is continuing to degenerate.

We want the situation to improve so we won't have to send our children outside to a private school.

Sincerely,

J. C. and Virginia Tomlinson

Mr. & Mrs. J. C. Tomlinson

May 17, 1975

To: Honorable Mike Bradner
Speaker of the House of Representatives

From: Susan Sullivan, Chairwoman
House HESS Committee

Subject: CSSB 367

The House Committee on Health, Education, and Social Services has passed out with a "do pass" recommendation Committee Substitute for Senate Bill 367 which would continue the centralized correspondence study program.

The Committee believes that the local school districts should not receive foundation unit payments for students enrolled in correspondence study courses, and, furthermore, holds that a larger portion of this foundation unit money should be appropriated to the correspondence study program within the Department of Education.

It is the request of the House Health, Education, and Social Services Committee to seek your concurrence in establishing this letter as a statement of legislative intent.

Susan Sullivan

SB 367

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

May 18, 1975

Lyman L. Vincent
Eagle River Scout Camp
P.O. Box 82
Auke Bay, Alaska 99803

Dear Mr. Vincent:

Thank you for your letter of March 20 regarding correspondence study funding.

Yesterday, our Committee took up Senate Bill 367, a bill to continue the centralized correspondence study program. This bill was introduced in view of the budgetary provision for decentralization. Sharing with you a recognition of the fine program carried on by the Central Office, we strongly supported this bill, passing it on to the Finance Committee with a "do pass" recommendation. Along with the bill, we sent a letter of intent, expressing our Committee's wish that local districts no longer receive funds for correspondence students, and that a larger portion of these funds be appropriated to the Central Office correspondence program. Hopefully, the House will pass SB 367 before the session's close.

Again, thank you for your letter. As you might infer from yesterday's actions, your letter was given considerable thought.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

SB367

Eagle River Scout Camp
PO Box 82 Auke Bay, Ak
March 10, 1975

Honorable Susan Sullivan
House of Representatives
Juneau, Alaska 99801

Dear Ms. Sullivan:

It has come to my attention that the new state budget for fiscal year 1976 does not allow sufficient funds to expand or even continue the role of the Central Correspondence Study Office; the responsibility instead being given to the local school districts. It is also my understanding that the bulk of state funds already goes to the local districts.

It has been our experience to find that the bulk of services comes from the central office. The staff there provides a thorough, professional, personalized program involving, at times, considerable effort on their own time. The word that fits is dedication! Ask anyone involved in correspondence study, past or present, and I feel you will find general agreement on that point.

I doubt very much if the local school districts can ever provide these comprehensive services. I think it would be an unwanted burden for them, and I think, in fact, already is -

Sound fiscal policy in the state, as well as in the family circle, is most important, and "biting the bullet" is not as difficult as it might seem, as this family knows. It is, I believe, a matter of priorities.

Please support any legislation in the offing that would support and/or expand the central C/S office. We find correspondence study to be a fulfilling family experience and wish it to remain so. In our considered opinion, it is a <u>better</u> way, and cheaper too.

A suggestion: a cut in the allocation for each correspondence student, thereby saving a considerable amount, and then a shift in the bulk of the remaining funds to the central office, so that these <u>more important</u> services need not be curtailed.

Thank You,
Lyman L. Vincent

SB 367

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

May 18, 1975

Mrs. Elizabeth Holloway
Rainbow Valley
Indian, Alaska 99540

Dear Mrs. Holloway:

Thank you for your letter of March 25 regarding correspondence study funding.

Yesterday, our committee took up Senate Bill 367, a bill to continue the centralized correspondence study program. This bill was introduced in opposition to the budgetary provision for decentralization. Sharing with you a recognition of the fine program carried on by the Central Office, we strongly supported this bill, passing it on to the Finance Committee with a "do pass" recommendation. Along with the bill, we sent a letter of intent, expressing our committee's wish that local districts no longer receive funds for correspondence students, and that a larger portion of these funds be appropriated to the correspondence program within the Department of Education. Hopefully, the House will pass SB 367 before the session's close.

Again, thank you for your letter. As you might infer from yesterday's actions, your letter was given considerable thought.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

SB 367

Rainbow Valley
Indian, Alaska 99540
March 25, 1975

Dear Rep. Sullivan,

I understand there is a proposal to decentralize correspondence education and cut its budget. I am adamantly opposed.

If the organized borough handles correspondence education from one of their many offices, then the emphasis of their time and energy is not correspondence, but what the majority of students are involved in -- which is as it should be. At this time, the Dept. of Correspondence Education in Juneau devotes its entire time and effort to those students in their program. Their special problems are considered and dealt with - I don't think this would be the case under decentralization. In Anchorage, where we reside, correspondence education is looked upon more as old-fashioned, out-dated. This outlook would undermine the program already in existence.

If cost is a consideration, and it should be; then correspondence is a far less expensive way to educate a student than through the traditional public school. The Anchorage Borough currently pays the state correspondence program $500 per student. While the borough receives approximately $1500 from the state for each student, the other $1000 is <u>not</u> spent on correspondence students - it is absorbed into the overall borough education budget. I would rather see that $1000 sent to the state correspondence program in order to stregthen it.

Alaska has long offered a good correspondence program to its citizens as there has been - and still is - an obvious need. Placing correspondence education under the University of Alaska, as proposed by Thelma Buchholdt, makes sense. If the Dept. of Education can not support a good program such as this, then take it away from them before they destroy it. As a former public school teacher, with a Masters in Education, I feel the correspondence program is educationally sound. Academically, I feel my son is ahead; and the time he saves by eliminating the "non-educational" activities of school allows him time for other constructive activities.

In a time of rising costs and problems in the public schools, Alaska's correspondence program should be strengthened, adequately funded, and placed under the direction of those who believe in it. It's ironic that a staff that has worked well, according to parents and students, now faces the prospect of being replaced, "decentralized" as a reward for their good efforts. When government finds an agency that works well and is supported by that part of the public is serves -- when all too often, some agencies do not -- that agency should be supported in the legislative as well as the judicial branch.
I hope you will support correspondence education.

Sincerely,
Elizabeth Holloway
Mrs. Elizabeth Holloway

cc. Governor Jay Hammond
Marshall Lind, Commissioner of Education
Bob Van Haute, Executive Secretary, NEA - Alaska
Sue Green, Special Assistant to the Governor
Rich Guthrie, Legislative Affairs
Members House Finance Committee
Members House Health, Education & Social Services Committee
Members Senate Finance Committee
Members Senate Health, Education, & Social Services Committee
Rep. Willard Bowman
Mrs. Margaret Justice, Director Correspondence Education
Mrs. Lynn Williams, Teacher, Correspondence Education

SB 367

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-8412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

May 18, 1975

Mr. and Mrs. Guy Geraghty
Tokeen, Alaska 99901

Dear Mr. and Mrs. Geraghty:

Thank you for your letter of March 31 regarding the decentralization of the correspondence study program.

Yesterday, our committee took up Senate Bill 367 which provides for a continuation of the centralized correspondence study program. In view of the need you share with other parents for a viable alternative to the local school districts, our committee strongly supported this bill, passing it on to the Finance Committee with a "do pass" recommendation.

Sharing with you as well a recognition of the need to expand the centralized program, we sent, along with the bill, a letter of intent, expressing our committee's wish that local school districts no longer receive funds for correspondence students, and that a larger portion of these funds be appropriated to the correspondence program within the Department of Education. Hopefully, the House will pass this bill before the session's close.

Again, thank you for your letter. As you might infer from yesterday's actions, your letter was given considerable thought.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

SB 367

Tokeen, Alaska 99901
March 31, 1975

The Honorable Susan Sullivan
House of Representatives
Juneau, Alaska 99801

Dear Representative Sullivan:

The arbitrary decision made by Dr. Marshall Lind of the Department of Education to dissolve the Correspondence Study branch of that department and put such studies under local control is, in our opinion, both retrogressive and blatantly unfair to correspondence students.

We assume you are already acquainted with the justifications presented by Correspondence Study for not only retaining this centralized agency but for also greatly expanding its scope and responsibilities. As the parents of three children who are exempt from compulsory school attendance laws because of our remote location, we are vitally and constantly concerned with the education they receive and with the cooperation and assistance of their advisory teachers and the entire staff of the Correspondence Study branch. We feel that local control would be totally inadequate and would merely be a means of furnishing school districts with undeserved funds for non-existent services. In these days of acknowledged educational failure of numerous public school systems and increasing parental concern, it would seem that Alaska could make an in-depth study of this unique alternative education, correspondence study, and offer its experience in the field to educators throughout the Nation. Instead, Alaska is considering abolishing this successful system and substituting an untried and unwanted method.

If there is genuine concern with the results of correspondence study, then it would seem far wiser to appoint a committee composed of interested legislators, educational professionals, and parents of students enrolled in the system. This committee could study the situation and make recommendations for a year or two in the future rather than the ridiculous July 1, 1975 deadline proposed by Dr. Lind. Are we as parents less deserving of participation in a decision such as this because we do not live in an urban area, or are our children less important than other Alaskan children merely because they do not attend a regular public school?

We urge you to study this proposal carefully considering the welfare of the students first, reject the local control plan and expand the existing Correspondence Study branch.

Sincerely yours,

Guy & Sylvia Geraghty

Mr. and Mrs. Guy Geraghty

SB 367

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 586-6159

HOUSE OF REPRESENTATIVES

March 18, 1975

Frank and Carol Walter
Box 106
McGrath, Alaska 99627

Dear Mr. and Mrs. Walter:

Than you for your letter of April 4 regarding centralization of the correspondence study program.

Yesterday, our committee took up Senate Bill 367, a bill to continue the centralized correspondence study program. This bill was introduced in opposition to the budgetary provision for decentralization.

In recognition of the fine program carried on the the Central Office under Mrs. Margaret Justice, we strongly supported this bill, passing it on to the Finance Committee with a "do pass" recommendation.

Along with the bill, we sent a letter of intent, expressing our committee's wish that local district, no longer receive funds for correspondence students, and that a larger portion of these funds be reverted to the Central Office. Hopefully, the House will pass Senate Bill 367 before the session's close.

Again, thank you for your letter. As you might infer from yesterday's actions, your letter was given considerable thought.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

SB 367

FRANK WALTER
REGISTERED GUIDE & OUTFITTER
BOX 106
MCGRATH, ALASKA 99627

April 4, 1975

The Honorable Susan Sullivan
The House of Representatives
Juneau, Alaska 99801

Dear Sir:

Our family would like centralization of the State Correspondence Study under Mrs. Margaret Justice's office. All Foundation Support should be used by the Juneau office for state wide services.

Sincerely,

Frank & Carol Walter

Susan Sullivan
ALASKA STATE LEGISLATURE

7330 MARGE COURT
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797
RESIDENCE 566-6159

HOUSE OF REPRESENTATIVES

SB367

May 20, 1975

Mr. Jack H. Wheat
Entrance Island, Hobart Bay
Via Pouch C
Petersburg, Alaska 99833

Dear Mr. Wheat:

Thank you for your letter on correspondence study. This past Friday, the House HESS Committee passed out Committee Substitute for Senate Bill 367 which now reads identically to House Bill 443. We chose to pass out this bill as opposed to the House version because we believe it has a better chance of passage this session. I intend to do my best to see that this happens.

Please feel free to contact me if I can be of help in the future.

Yours truly,

Susan Sullivan

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

HB443

Jack H. Wheat
Entrance Island, Hobart
Bay
Via Pouch C
Petersburg, Alaska 99833
May 1, 1975

Representative Sullivan
Chairman H.E.S.S. Comm.
House of Representatives
Juneau, Alaska 99801

Dear Representative Sullivan:

Thank you for your sponsorship of H. B. #443, it is urgently needed. The enclosed Memo Reply Form and the following explanation is offered in further support of your action. Please feel free to use it in any way you may determine to be best.

Enclosed is a copy of a Reply Memo from the Anchorage office, Alaska State Operated School System, which for the past year has been endeavoring to provide correspondence schooling in the Unorganized Borrough. An explanation thereof, should illustrate just one of the many typical problems that correspondent students and parents have been confronted with since the initial move toward de-centralization was started.

1. The #DP 70027, to the best of our knowledge, refers to a course of study entitled Canadian History which is no longer available. Naturally Juneau did not pay for a non-existent course nor did we receive it. We were notified of this situation last fall and a course available was substituted by Anchorage. Work in the substituted course (World Geography) is in progress and grades have been acknowledged by this same office.

2. The course in Psychology has been completed, a final grade has been issued and credits for same have already been posted by this same Anchorage Office. This occured many months ago!!

3. The American Literature Course mentioned has been completed with the exception of a final examination shortly due to be mailed. The grades for this course have been similarly posted, recorded and forwarded to us by this same Anchorage office (ASOSS) many months ago.

4. The inefficiency above represented is not the unusual but rather the norm of what we have all had to contend with since the move toward de-centralization was started. There is a complete lack of understanding of the problems confronted by correspondence students which has never occured under the centralized format. This was functioning

as a well organized efficient and knowledgable unit.

As a parent with approximately fourteen year of experience in the correspondence program and as a taxpayer who deplores the extreme waste of duplication of effort which certainly would be the result of a decentralization program, I sincerely request your efforts to return correspondence study to a Central Office and urge you to expedite.

Sincerely & Respectfully,

Jack H. Wheat

Jack H. Wheat

Enc.
JHW/la

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02.006

REPLY MEMO

State of Alaska

CORRESPONDENCE STUDY

cc: John Garland

MESSAGE	REPLY
Mrs Wheat DATE 4-14-75	TO Karen Closek DATE 4-30-75
Paul Hilburn informed me that Juneau never paid for #DP 70027 because they never received notice of receipt of shipment. I know Canadian History was dropped, but did you receive Am. Literature and Psychology? Please reply	In reguard to #DP 70027 you must mean Canadian History which he never received. He is doing World Geography instead. In Psychology you have given him a final grade - credit for the course - In Am. Lit. he has the final to mail in. Both courses have been finished for months. His marks have been returned by your office. I would suggest you check!
SIGNED Karen Closek	SIGNED Joanne Wheat

1. KEEP YELLOW COPY. 2. SEND WHITE AND PINK COPIES WITH CARBON INTACT

1. WRITE REPLY. 2. DETACH STUB. KEEP PINK COPY. RETURN WHITE COPY TO SENDER.

SB

371 AM

"An Act relating to child protection, and providing for an effective date."

COMMITTEE REPORT

3/8/76 HOUSE JUDICIARY

Mr. Speaker: Date May 11, 1976

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had SB 371 am under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

Susan Sullivan Chairman

A M E N D M E N T

Offered in the HOUSE By House HESS

To: _____ HOUSE BILL NO. _____

_____ SENATE BILL NO. 371 am

AMENDMENT: Page 1 Line _____

line 10 section (e) shall read "In all actions taken by the department or a health and social services agency of a local government under this chapter, that result in a judicial proceeding, the child shall be represented by a guardian ad litem in such proceedings."

~~Page 2, delete "child" and "neglect" insert, "or mental" between "physical" and "injury"~~

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 12, 1976

Present: Ostrosky Sullivan Hackney
Parr

Testifying: Gary Sheridan, Div. of Soc. Services
Lee Moeelein, Evergreen Memorial Chapel
Marjorie Gorsuch, League of Women Voters
Robert Lapotnick

HCR 143 - Legislative Affairs Agency Study on aged Housing

Kathryn presented background reasons for her introducing this resolution. Louise Crane and Gregg Erickson, Legisl. Affairs there to answer questions.

Committee does not see why a new study has to be done, Gleen thinks the information is allready been studies and just has to be compiled. Also questioning the travel $$ and why two people needed to travel.

Amendment, p 1, line 25, after agency, add "in consultation with the Department of Health and Social Service".

amendment passed.

Letter of Intent -to be written to indicate that information should be pulled together from various agencies, office of agin, dept, etc. Envision utilizing personnel in other legislative affairs agencies in the state and legislators to accumulate and investigate.

REsolution adopted.

Erickson wants to know if this means reduced or 0 budget from now on regarling this resolution. Committee asks that Gregg redo fiscal note taking all possible economies and report back to committee.

SB 371 am Child protection

Amendment that was adopted last committee meeting regarding the definition of mental was deleted. Bill has one amendment that relates to guardian ad litem.

Motion to move bill - passed

SB 629 - Interstate Compact on Children - Chance

Gary Sheridan explains the need for this and why the Dept. would like to see it passed.

Genie Chance explains how other states have participated and passes around some info collected by other states.

Gary has some proposed amendments, but the committee asks that he present those to the judiciary committee since this bill has another referral.

Motion to move bill out, passes

SB 653 - Child Protection Dept. Philo. on Children

Very little discussion, good bill
Motion to move bill out - do pass

SB 716 am Funeral and Mortuary Science

Lee Moeelein, makes some proposed amendments
p 7, delete (3) propblems with this by adding the cremation clause.
doesn't feel it is needed.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETINGS

MAY 2, 1976

Present: Beirne Parr Hackney Sullivan
Ose Osterback Ostrosky

Testifying: Dave Walker, legislative attorney
Dr. Pauls, Dept. H&SS, Public Health
Gary Sheridan, H&SS Title XX expert
Ed Smith, NorthWest Foundation for Human Services, Dept. H&SS Consultant

HB 881 - Physician Patient Relationships

Dave Walker testifying aabout the C.S. he drew up. stated there are many cases now on appeal regarding laetrile. Concurs with Hugh Fleischer that there is no reason why the bill can't begin "no person, etc.

Amendment, line 9 delete, "The legislature declares, etc."
passed

Amendment, delete the words limited to board
passed

line 13, after drug insert "as so prescribed and admmin."
passed

many little amendments which Dave will include in the committee substitute.

Testimony from the research analyst regarding more cases involving interstate commerce and laetrile.

Committee spoke about whether the bill should specify that the Medical board is subject to the A.P.A. most everybdoy thought it allready,
vote to decide if it should be included in bill, yes, include it

Does this exclude hospitals from interfering in the administration of laetrile in their hospital??? Walker, yes, you can not legislate that.

Include Charlies language for the second section of the bill
"No physician may be subject to disciplinary action by the State Medical Board of PSRO for prescribing or administering laetrile upon request by a patient under his care, unless the State Medical Board, after a hearing conducted in accordance with the Admin. Proced. Act has made a formal finding that laetrile is harmful."

Dr. Pauls, would like to see the generic name for laetrile inserted in the bill, passed.

Walker, state med board would not have capabilities of making decisiions, must have clinical evaluation.

Mr. Parr amendment to create a new sec one, replacing existing bill
motion fails

Motion to pass out bill with individual recommendations, having sect. one and two. (after walker drafts)
Passed

SB 371 am Child Protection - Chance

Bill identical to one that the House passed out last year with two exceptions this bill deleted mental and emotional.

Susan would like to put these two back in, committee discusses this for sone time.

Gary Sheridan, for including these two words because we would not be entitled to Title XX money if it is not included, about $25,000. Committee does not feel that that is relevant and will not let it influence their decision.

Ed Smith, reinforces Sheridans points, but adds more about the need for inclusing of some form.

Delete , line 25 "child" and "neglect", insert "or mental" between physical and injury, line 25
amendment passed

Adopt language in HB for guardian ad litem, - passed

Amendment, motion to include "or mental" - passed
Amendment, motion to include, "emotional or" - fails

Charlie proposes definition to "mental abuse"
He will give to next committee meeting

SB 492 - Nursing bill

Testifying for the dpet., in favor of bill, approx 400 RN now
Nursing association in favor of this. All it does is raise some fees.

Motion to pass bill out bill a do pass- passes

FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. Senate Bill #371

Title: An act relating to child protection

Request By: Chance Date: 5-30-75

Return Date Requested: 5-30-75

Agency: Dept. of Health and Social Services Program: Div. of Family and Children Svcs.

II. FISCAL DETAIL

Budget Request Unit(s) Affected:

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Senate Bill #371 brings the Alaska Child Protection Statute into compliance with Federal Regulations. There are no fiscal implications in this bill.

IV. ATTACHMENTS

Amended on floor no additional fiscal note

POSITION PAPER/Department of Health and Social Servi

POSITION PAPER

ON

SENATE BILL NO. 371 am

"An Act relating to child protection; and providing for an effective date."

This bill would appear to require that a guardian ad litem represent the child in "all actions" taken by the department or a health and social services agency of a local government; would make it a misdemeanor to divulge confidential information, unless acting in accordance with department regulations; and, changes the definition of child abuse or neglect to include sexual abuse and maltreatment, and extends the definition to cover the threat of harm.

The requirement that a guardian ad litem represent the child in "all actions" taken by the department seems impractical and unneccessary. Impractical in that the receipt of a report of abuse or neglect, the investigation of the report and protective action which may be necessary would all come within the purview of "all actions." No guardian ad litem would be appointed or known during this phase of action.

(4) should only have guardian ad litem if there were Judicial proceedings

As a public agency given legal authority to act to protect the child's rights, the department is both charged and authorized to represent the child's best interest, and is answerable for its actions not only to the Governor and Legislature, but to the people. The guardian ad litem is charged to assume a role as representative of the child's interests in relation to legal proceedings. We believe that this is proper. However, when that role is broadened as is provided for in the Bill, confusion regarding planning and service for the child will result. We believe that this would constitute a great disservice to the child and his/her parents.

The department has no objection to the amendment of AS 47.17.040(b), making it a misdemeanor to divulge confidential information, except as provided for in departmental regulations; nor does the department object to the expanded definition of child abuse or neglect, except that the proposed definition which concerns a "child under the age of eighteen" is in conflict with AS 47.17 070 (2), defining a child as "a person under 16 years of age. Objection is raised to the expansion of the role of the guardian ad litem.

(3) Repeal or change 070 (2) to AS 18

The department does not support the Bill.

Recommended By _____ 3/16/76
(Director) (Date)

Approved by _____ 3/18/76
(Commissioner) (Date)

Comments by Governor's Office:

By: _____
(Date)

SB

476 AM

"An Act relating to the Alaska longevity bonus; and providing for an effective date."

COMMITTEE REPORT

HOUSE

2/2/76 FINANCE

Mr. Speaker: Date Feb 4, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had SB am 476 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

FEB. 3, 1976

Present Swanson Osterback
Beirne Davis
Ose Sullivan
Hackney

Testifying: Rose Palmquist, citizen
Vernon Perry, Pioneer Benefits Div.
Marie Swanson, citizen
David Freer, DFCS

SB 476am Longevity Bonus increase Kerttula

Palmquist - brought up question of those individuals who are disabled and have not reached 65, can this be amended to include them?

Freer- Pub. Law 202, states that individuals receiving long. bonus do not have to pay state income tax on this, only fed. That is the same as public assistance, it is not taxable. There are 5400 people now recieving long. bonus, 1200 also receiv old age assistance, but that money is usually for basic needs.

Committee - discussion ensued concerning the possibility of changing it to 30 year residents, continual residency; broken service affect; having a five year clause for those individuals leaving state and returning.

Perry- bill in senate now to have total 30 year residents receive $125. SB 533. This will speak to some of the issues of continual service, etc.

Committee- decided that there could be many amendments and changes to this bill, but that it would change the whole meaning and intent, thus they voted down an amendment proposed by Beirne.

Freer - right now there are over 420 people, over 65 in state who would be eligible for this long. bonus and are not collecting it. Committee asks that he get this info., who they are, why they are not collecting.

Committee - decided to vote as is.

Sullivan - Vote do pass - 7

SB

492

"An Act relating to nurses."

COMMITTEE REPORT

HOUSE

3/18/76

Mr. Speaker: Date May 3, 1976

The Committee on HESS has had SB 492 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

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( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETINGS

MAY 2, 1976

Present: Beirne Parr Hackney Sullivan
Ose Osterback Ostrosky

Testifying: Dave Walker, legislative attorney
Dr. Pauls, Dept. H&SS, Public Health
Gary Sheridan, H&SS Title XX expert
Ed Smith, NorthWest Foundation for Human Services, Dept. H&SS Consultant

HB 881 - Physician Patient Relationships

Dave Walker testifying aabout the C.S. he drew up. stated there are many cases now on appeal regarding laetrile. Concurs with Hugh Fleischer that there is no reason why the bill can't begin "no person, etc.

Amendment, line 9 delete, "The legislature declares, etc."
passed

Amendment, delete the words limited to board
passed

line 13, after drug insert "as so prescribed and admmin."
passed

many little amendments which Dave will include in the committee substitute.

Testimony from the research analyst regarding more cases involving interstate commerce and laetrile.

Committee spoke about whether the bill should specify that the Medical board is subject to the A.P.A. most everybdoy thought it allready,
vote to decide if it should be included in bill, yes, include it

Does this exclude hospitals from interfering in the administration of laetrile in their hospital??? Walker, yes, you can not legislate that.

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motion fails

Motion to pass out bill with individual recommendations, having sect. one and two. (after walker drafts)
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Charlie proposes definition to "mental abuse"
He will give to next committee meeting

SB 492 - Nursing bill

Testifying for the dpet., in favor of bill, approx 400 RN now
Nursing association in favor of this. All it does is raise some fees.

Motion to pass bill out bill a do pass- passes

Position Paper
on
Senate Bill No. 492

An act relating to nurses.

This bill corrects a restriction in granting licensure to foreign nurse graduates and increases the nurse licensure fees. The existing statute limits licensure to graduates of professional and practical nursing education programs from another state or territory. The amendment proposed in this bill permits the Alaska Board of Nursing to consider applicants for a professional or practical nursing license outside the state. This would include nurses from other countries as well as states and territories.

The impact on the department will not be significant as in recent years it has been possible to recruit public health nurses within the state or in other states if experienced candidates were not available in Alaska.

The licensure fees have been increased to partially cover the costs of processing applications, renewing biennial licenses, verifying licenses by endorsement and to and from other states. Over $30,000.00 is collected from these fees annually but today it does not cover the salaries of the executive officer, secretary of the Alaska Board of Nursing nor board member activities. This fee increase will be fiscally advantageous to the State.

The Department supports the bill without change.

Recommended By: Frank P. Paul, D.P.H. — 2/2/76
Acting Director
Division of Public Health
Date

Approved By: Lisa M. Fund — 2/4/76
Commissioner
Date

SENATE HEALTH, EDUCATION & SOCIAL SERVICES
EXHIBIT NO. 1
DATE 2/5/76

CSSB

542

"An Act relating to medical assistance for needy persons; and providing for an effective date."

COMMITTEE REPORT

3/8/76 HOUSE FINANCE

Mr. Speaker: Date May 3, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had CSSB 542 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends: _____

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 5, 1976

Present: Hackney Parr Osterback
Ostrosky Beirne Sullivan

Testifying: Frank Pauls, Dept. H&SS,
Dr. Schrader, Director, Mental Health
Debbie Staack, legislative affairs, research

HB 881 - Physician Patient Relationship

Committee looked at the CS which this committee had drawn up, decided to move out with no objection.

SCR 84 Ownership of state owned facility - Craig

Dr. Pauls testified for the dpet. They are against transferring of ownership. The facility was built with G.O. bond. Dept. feels it is a breech of contract to turnover to city of Craig. Attorney Generals office felt it was also a breech of contract, problem being that there would be a chare for services.

Committee disccuses putting in clause that would revert ownership back to state if conditions no met. Conditions being that it must be used as a health care facility,

bill moved out. (Doug is having the amendment drafted upstairs)

CSSB 542 - Medical Assistance for Needy Persons

Dr. Schrader, presented the Dept. position regarding this bill

Debbie explained the fiscal impact

Helen Beirne, moved out with do pass- passed out

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. CSSB 542

Title: An Act relating to medical assistance for needy persons and providing for an effective date

Requested by: the Governor Date: February 18, 1976

Return Date Requested: February 23, 1976

Agency: Health & Social Services Program: Medicaid

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Medicaid Contractual; General Relief-Medical Contractual; State-Operated Community Mental Health Services;Community Mental Health Services

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES	0	0	0	0	0	0
200	TRAVEL	0	0	0	0	0	0
300	CONTRACTUAL	0	234.4	517.34	689.05	757.9	833.75
400	COMMODITIES	0	0	0	0	0	0
500	EQUIPMENT	0	0	0	0	0	0
600	LAND & STRUCTURES	0	0	0	0	0	0
700	GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
	TOTAL	0	234.4	517.34	689.05	757.9	833.75

B. FUNDING: (Thousands of dollars)

GENERAL FUND	(156.7)	(386.0)	(490.6)	(605.27)	(696.0)	(857.5?)
FEDERAL FUNDS	156.7	620.4	1,007.6	1,294.3	1,453.9	1,691.3
OTHER	0	0	0	0	0	0

C. POSITIONS:

PERMANENT/TEMPORARY	0/0	0/0	0/0	0/0	0/0	0/0
MAN MONTHS (P./T.)	0/0	0/0	0/0	0/0	0/0	0/0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

SEE ATTACHMENTS FOR ANALYSIS OF FISCAL NOTE.

FY-76 - 156.70 General Funds monies to be transferred from the General Relief-Medical BRU to the Medicaid BRU.

FY-77 - 386.00 GF monies to be transferred from GR-Med BRU to the Medicaid BRU.
59.64 GF monies to be transferred from the State-Operated community mental health services BRU to the Medicaid BRU.
174.76 GF monies to be transferred from the Community-Operated mental health services BRU to the Medicaid BRU.

FY78-81 - GF monies will continue to be transferred from SOCMHS and COMHS BRU's to the Medicaid BRU.

IV. ATTACHMENTS

V. DATE: February 18 1976 PREPARED BY: Donald Kinney

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

DATE February 19 1976 APPROVED BY Walter N. Noerenberg

H/S 50

Analysis for Fiscal Note

on

Senate Bill No. 542

Addition of new group of Medicaid eligibles

Assumptions and Calculations

This bill would make it possible for the State of Alaska to extend Medicaid to aged, blind and disabled persons who are in Long Term Care Facilities.

There are presently 35 cases that would be affected by this bill. Payment for care of these recipients is currently funded by General Relief-Medical, a state funded program. Therefore, if the bill is passed by March 31, 1975, the state could claim 50% of the $313,390, (cost of care for 35 persons in long term care facilities during last two quarters of FY-76), in federal matching funds. No additional expenditures by the state will be necessary because funds for care of these individuals is budgeted in the General Relief-Medical BRU.

Projected costs were determined using the following formula:

FY-76 35 cases X $48.40* per day X 182 days = $313,390

Fy-77 est. increase of 3 new cases

38 cases X $55.66 ($48.40 + 15%)** 365 days = $772,004

FY-78 est. increase of 4 new cases

42 cases X $64.01 ($55.66 + 15%) X 365 days = $981,273

FY-79 est. increase of 3 new cases

45 cases X $73.70 ($64.01 + 15%) X 365 days = $1,210,548

FY-80 maintenance of 45 cases

45 cases X $84.75 ($73.70 + 15%) X 365 days = $1,392,018

FY-81 maintenance of 45 cases

45 cases X $97.46 ($84.75 + 15%) X 365 days = $1,600,780

No new positions will be necessary by passage of this bill.

* Average combined ICF and SNF rate for FY-76

** Nursing Home rates increase by Approx. 15% each year

Senate Bill No. 542

Addition of a new group of Medicaid eligibles

	Cost of Option	Transfers	Additional Cost (+) or Savings to State (-)
FY-76 (third & fourth quarters only)	$ 313,390	$ 313,390 (GR-M Contractual ser.)	$ -156,695
FY-77	772,004	772,004	-386,002
FY-78	981,273	981,273	-490,637
FY-79	1,210,548	1,210,548	-605,274
FY-80	1,392,018	1,392,018	-696,009
FY-81	1,600,780	1,600,780	-857,568
Funding			
FY-76	$156,695 State 156,695 Federal	$ 313,390 State	
FY-77	386,002 State 386,002 Federal	772,004 State	
FY-78	490,637 State 490,637 Federal	981,273 State	
FY-79	605,274 State 605,274 Federal	1,210,548 State	
FY-80	696,009 State 696,009 Federal	1,392,018 State	
FY-81	857,568 State 857,568 Federal	1,600,780 State	

All transfers are from the General Relief-Medical budget and are found under nursing home services.

Analysis for Fiscal Note
on
Senate Bill No. 542

Clinical Services Option

	Cost of Option	General Fund Transfers From Mental Health	Federal Medicaid Match
FY 77	468.8	234.4*	234.4
FY 78	1,034.68	517.34	517.34
FY 79	1,378.1	689.05	689.05
FY 80	1,515.8	757.9	757.9
FY 81	1,667.5	833.75	833.75

Currently the State is paying 100% for a majority of the mental health clinical services rendered to Medicaid eligibles seen at Community Mental Health Centers. By adding a clinical services option and limiting it to State-approved outpatient Mental Health Clinics in receipt of Grant money under AS 47.30.520 - 620 (Community Mental Health Enabling Act) and State Operated Clinics, the State can claim 50% Federal match for those services currently rendered to Medicaid eligible clients.

Funding would be based on a cost-related basis with each clinic billing according to their budget. At the end of the fiscal year cost-settling for Medicaid would occur as well as with the State Grant monies. Under AS 47.30.520 - 620 the matching formula for the clinics is based on 75% State funding and 25% local funding with poverty areas as 90% State funding and 10% local funding. Eligible expenses for matching would then be computed by subtracting any federal grants from the actual expenditures allowing a maximum of 25% of the Medicaid receipts collected by the clinic as local match and stipulating that local match remain at least the same dollar amount as when the clinic first adopts the Title XIX clinical service option.

Example: Based on the budget for FY 77 for the Anchorage Mental Health Clinic they will spend $559,750. According to their statistics the clinic will see about 1,300 clients of which 221 will be eligible for Medicaid. (Each client is seen on the average of 5.5 times at a rate of $47.00 per hourly visit.) On the basis of these computations, 17% of the case load is Medicaid eligible accounting for $95,156-General Fund monies of which 50% or $47,578 could be federally matched. The following year only $23,789 of the Medicaid monies received by the clinic can be used for local match. According to their projected budget, they will need $140,625 local monies.

If outpatient community mental health centers services are Medicaid reimbursable, it is conceivable that the percentage of Medicaid clients served by the clinics would increase the first year as services become available in rural areas and then level off as a greater percentage of the eligible clients are served. As of January 1976, there were 15,604 Medicaid eligibles in the State. (It is expected that 10% or 1,560 of them would be in need of mental health services in any one year. That would meet a theoretical maximum of $468,000 of service which would be 50% Federally reimbursable at $234,000.)

*In FY 77 approximately 59.64 General Fund monies would be transfered from the State-Operated Mental Health Centers BRU and 174.76 from the Community-Operated Mental Health Centers BRU to the Medicaid BRU.

Clinic	XIX Eligibles	FY 77 Cost of Operation	FY 77 Federal Money Available	FY 78 Cost of Operation	FY 78 Federal Money Available	FY 79 Cost of Operation	FY 79 Federal Money Available
Anchorage (2	18%	559,750	47,578	562,500	47,812	625,000	53,125
Barrow (3	75%	25,740	9,652	55,000	20,625	82,500	30,937
Bethel (3	75%	64,460	24,172	121,000	45,375	143,000	53,625
Fairbanks (5	25%	299,200	37,400	350,000	43,750	400,000	50,000
Ketchikan	20%	243,000	24,300	375,000	37,500	437,500	43,750
Homer (Kenai) (2	20%	44,000	4,400	62,500	6,250	93,750	9,375
Juneau	18%	247,100	22,239	312,500	28,125	375,000	33,750
Kodiak	13%	132,000	8,580	181,250	11,781	212,500	13,812
Kotzebue (3	75%	38,720	14,520	77,000	28,875	116,000	41,250
Nome (3	75%	83,820	31,432	110,000	41,250	143,000	53,625
Seward (2	20%	44,000	4,400	62,500	6,250	93,750	9,375
Sitka (2	18%	44,000	3,960	62,500	6,250	93,750	8,437
Skagway-Haines (4	18%	19,625	1,766	37,500	3,375	62,500	5,625
Palmer (4	18%			62,500	5,625	125,000	11,250
Tanana Chiefs (4	75%			110,000	41,250	165,000	61,875
Aniak (4	75%			49,500	18,562	71,500	26,812
McGrath (4	75%			49,500	18,562	71,500	26,812
Glennallen (4	75%			55,000	20,625	88,000	33,000
Dillingham (4	75%			49,500	18,562	71,500	26,812
Cold Bay (4	75%			82,500	30,937	110,000	41,250
Valdez (4	18%			56,250	5,062	81,250	7,312
Cook Inlet	75%			82,500	30,937	110,000	41,250
TOTAL FEDERAL			234,399		517,340		669,059

1) Cost of operation is based on 75% State funding and 25% local match - in poverty areas 90% State funding 10% local match as projected in budget.

2) Statistics received from these clinics are based on 3 to 4 months of operation.

3) Statistics received from these clinics are based on discussions with representatives of these poverty areas - currently the U.S.P.H.S. is providing services free of charge and if clinical services were offered to Medicaid Eligibles, the percentage of those seen at the Mental Health Clinics would probably increase 75% or to 80% because of the availability of services for the Medicaid Eligibles.

4) Not in operation so no statistics are available. Using average percentage of XIX Eligibles as 18% non-poverty areas and 75% poverty areas.

5) State Operated Clinics.

POSITION PAPER/Department of Health and Social Service

POSITION PAPER
ON
SENATE BILL NO. 542

"An Act relating to medical assistance for needy persons; and providing for an effective date.

Passage of Senate Bill No. 542 would make three significant changes to the present Medicaid program. Amending AS 47.07.020 (b) by adding a new paragraph (6) would make a new group of persons eligible for Medicaid. Amending AS 47.07.030, medical services to be provided, will add prescribed drugs and clinic services to those services available to Medicaid eligibles.

Amending AS 47.07.020 (b) by adding paragraph (6) makes persons in hospitals and nursing homes eligible for Medicaid. The State can then claim 50% of the cost of care for these individuals in federal matching funds. This will mean a savings to the State, as the cost of care for these individuals is now paid for from the General Relief Medical Program, a State funded program.

The second proposed change to the Medicaid program is the addition of "prescribed drugs" to those services covered by Medicaid. It is recommended that the bill be changed in the following way:

Page 1, line 24 - delete words "prescribed drugs".

This action is requested because of new federal regulations affecting reimbursement and upper limits of payment for drugs under the Medicaid program. The new federal regulations were published after submission of proposed legislation from this Division to the Commissioner's Office.

Preliminary study of the new regulations indicates that administrative costs of development and implementation of the drug option under Medicaid will be high. Because interpretive guidelines on the new regulations have not been published yet, exactly what requirements states must meet is not known.

Therefore, in view of the fact that an adequate, successful drug program is presently operating in the State, it is recommended that the drug option be deleted from Senate Bill No. 542. This option will be further studied for possible inclusion in the Medicaid program at a future date.

The third proposed change to the Medicaid program is the addition of "clinical services", defined as State-approved outpatient community mental health services, outpatient alcoholism and alcohol abuse services and outpatient drug abuse services. This will enable the State to claim 50% federal matching monies for the cost of seeing Medicaid eligible persons at the clinics. At present, the State is paying 100% for these clinical services rendered to Medicaid eligible persons on a limited basis through General Relief Medical, as well as indirectly through Grant-in-Aid monies to the communities.

POSITION PAPER/Department of Health and Social Services

Senate Bill No. 542

It is recommended that the bill be amended to read:

Page 1, line 28, 29 - page 2, line 1,2 delete and substitute the following: (3) "clinic services" means services which are restricted to State-approved outpatient community mental health services in receipt of Grant monies under AS 47.30.520-620, and State-Operated Mental Health Clinics.

This action is requested because of the lack of available statistics to make an accurate projection of the fiscal implications for Alcoholism and Alcohol Abuse and Drug Abuse clinics and because of the need to limit mental health services to those in receipt of Grant-in-Aid monies.

Recommended: _____ Division of Public Assistance — Date 1/30/76

Concurrance: _____ Division of Mental Health — Date 1/30/76

Approved: _____ for Francis S. L. Williamson, Commissioner, Department of Health & Social Services — Date 1/30/76

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No.: Senate Bill No.542
Title: "An Act relating to medical assistance for needy persons; and providing for an effective date."
Requested by: the Governor Date: January 3[illegible] 19[illegible]6
Return Date Requested:
Agency: Health & Social Services Program: Medicaid

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Medicaid-Contractual; General Relief-Medical Contractual; State-Operated Community Mental Health Services; Community-Operated Mental Health Services

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES	0	0	0	0	0	0
200	TRAVEL	0	0	0	0	0	0
300	CONTRACTUAL	0	0	0	0	0	0
400	COMMODITIES	0	0	0	0	0	0
500	EQUIPMENT	0	0	0	0	0	0
600	LAND & STRUCTURES	0	0	0	0	0	0
700	GRANTS, CLAIMS, ETC.	156.7	616.7	1,023.9	1,294.3	1,453.9	1,69[illegible].3
	TOTAL	156.7	616.7	1,023.9	1,294.3	1,453.9	1,69[illegible].3

B. FUNDING: (Thousands of dollars)

	GENERAL FUND	0	0	0	0	0	0
	FEDERAL FUNDS	156.7	616.7	1,023.9	1,294.3	1,453.9	1,69[illegible].3
	OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	0/	0/	0/	0/	0/	0
MAN MONTHS (P./T.)	0/	0/	0/	0/	0/	0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

This fiscal Note on Senate Bill No. 542 does not include any monies for the drug optior. The position paper on this bill requests that the bill be amended to delete the drug option from Medicaid services.

See attachments for analysis of Fiscal Note.

IV. ATTACHMENTS

V. DATE: [illegible] PREPARED BY: [illegible]

Original: Legislative Finance
cc: Budget and Management
Prin. Sponsor (First Legislation Named)

FY 76 on 25

SB

554

"An Act relating to licensing of physicians and osteopaths; and providing for an effective date."

COMMITTEE REPORT

2/6/75

HOUSE

Mr. Speaker: Date _____

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had SB 558 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: House HESS

To: _____ HOUSE BILL No. _____

SENATE BILL No. SB 554

PAGE: 1 LINE: 20

Page 1, line 20

Delete "board"
Insert "Department"

Alaska State Legislature

House

JUNEAU ALASKA

COMMITTEE MEETING HOUSE HESS

MARCH 26, 1976

Present: Sullivan Ostrosky
Parr Beirne Osterback

Testifying:
Elizabeth Shaw, NASW
Janis Price, NASW
Sister Andrea

HCR 111 - Boundary Change in Health Service Area - Rules

Sister Andrea - opposed to the bill- wants three HSA

Renninger, Dept. H&SS, also supports three HSA conceptually and fiscally

Bill not moved on,

HB 367 -Social Workers Licensing - Beirne

Beirne spoke on revised version of the bill, revised with assistance of Sharon Andrews, director of licensing. Went over provisions of the bill with committee Some changes made on the draft

Mr. Price , Dept. H&SS, discussed minor points of bill
Stated that the bill requires all new employees to have MSW or change their title or requirements of certain jobs to hire people. Dept. does not have to fire any S.W. who are employed now or don't have MSW

Discussion around fiscal implications of all these new licensing bills. Probably will add one more full time person to the licensing division.

Motion passed for individual recommendations on the work draft copy to be a Committee Substitute.

HB 744 - Freedom of choice, medical procedures - Beirne

Mr. Heidersdorf, representing Alaskans for Life, not for the entire concept of the bill, feels there are some problems with it.

Committee discussion regarding suicide, also liability regarding disconnecting life sustaining measures, example Quinlan case.

Heidersdorf feels that people have the right to make this decision, but not 20 or 30 years before, people might change their ideas and minds. Also definition of extraordinary means , might change

Beirne would like a chance to rework the bottom of p. 1 , severe distress, etc. too dificult til revoke now. Will let Pat Rodey and Clark Grueing look at the proposed chances.

Committee points out various areas of concern for Helen to take alook at. P. 1. line 19, how about renewal every five years
P. 3 line 27, need rewording, more specific
Alvin suggests time frame, 1 year or so till individual can have a chance to recover.

Hold till middle or end of nexy week, when Helen has it reworked.

HB 772 - Licensure of counselors - HESS

Tabled - dead

SB 554 - Licensing of Phy. & Osteopaths - Croft

Beirne - Croft wanted to work this over with others, make amendments, Helen feels there wasn't enought time, want to make 1 change now
Line 20, Add "the Department shall employ"
Delete "The board shall employ"

Amendments passed

This bill belongs in malpractice, wants it to go to Jud. Recommend it is included in Malpractice package.

Bill - passed

HB 392 - Rehabilitation Counselor - Beirne

Beirne, explanation of bill and discussion
proposed amendment - decided to make a committee substitute of this bill, see draft. Also all reference to counselors should read Vocational Rehabilitation counselor

Delete line 4 - 11 page 4

Helen moved to have this bill moved out.
as a committee substitute

HB 635 - Licensing of Speech Pathologists & Audiologists - Gov.

Beirne, alot of fraud by people coming into Ak. and selling hearing aids and then leaving state.

Committee went over work draft and made changes, P.2, line 25 delete "practice speech path. or audio". line 27, 28 & 29 P4 delete, P. 5 line 1 thru 19 delete. P. 5 line 19, change "social worker" to Speech pathologist & audiologist

Committee recommends Committee Substitute move out, individual recommendations passed out.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAR 1, 1976

Present: Davis Beirne Osterback-Chairing
Hackney Swanson

Testifying: Sharon Andrews, Director, division of licsneing
John Jensen, representing himself
Harvey Pitts,

HB 772 Licensure of Counselors - HESS

Sharon Andrews, supports concept of relicensing standards, opposed to broadening areas covered by licensing

John Jensen - concerned that the statute as it presently reads, would prohibit him from advertising services as a counselor.

Committee felt that the statute would not do this and that it did not say this..

SB 554 Licensing of Phy. and Osteopaths - Croft

Sharon Andrew, Dept. supports the concept, but would like this bill to be considered with the entire malpractice package.

Sub committee of Helen Beirne appointed to look into all of the licensure bills, especially HB 772

SB

585

" An Act providing for the issuance of general obligation bonds in the amount of $10,000,000 for the purpose of paying the cost of constructing alcoholic treatment facilities; and providing for an effective date."

COMMITTEE REPORT

2/13/76

HOUSE

FINANCE

Mr. Speaker: Date _____

The Committee on HESS has had S.B. 585 under consideration. A Majority of the members of the Committee

(X) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

(X) recommends it BE REPLACED WITH CS FOR S 585 AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 11, 1976

7;00 p.m.

Present: Susan Sullivan Hackney
Osterback Ostrosky
Beirne

HB 745 - Alcohol Detox Center - Pt. Woronzof - HESS

Committee had heard this bill before, hada short discussion on it and decided to vote

Hackney - move bill out - no objection

SB 585 - Bonds , Alcoholic treatment facility - Croft, Sackett

Paul Wasserman- Office of Alcoholism presented depts. position paper regarding this bill.

Committee discussed possibility of letter of intent to incorporate thrust of position paper . Question raised as to who builds and who operates the center.

Decided not to move yet.

LETTER OF INTENT

It is the intent of this Legislation, if accepted by the voters, that the grants will be given as block grants to the communities indicated. The utilization of the grants shall be determined by the Municipalities in conjunction with the local Health Planning Agencies.

It is not intended that the State enter into the operation of the facilities.

POSITION PAPER/Department of Health and Social Services

February 2, 1976

Senate Bill No. 585 State Office of Alcoholism

The Office of Alcoholism is basically in favor of passage of this bill. There is a statewide shortage of Alcoholism Detoxification Centers and enforcement agencies are hardpressed to make an effective and humane disposition of public inebriate cases in most communities.

However, the Office has a number of questions regarding this bill. First, what sort of programs does the bill propose. There are several levels of health facilities construction requirements in Alaska and principal facility use will in part determine per bed construction costs.

Secondly, the Office would like guidance on whether the intent is, or could be, to purchase rather than build space. If so, there is some chance that savings could potentially result.

Thirdly, is the intent to provide funds for alcoholism facilities only? What about joint resolution #70, in which legislative intent was to "integrate" Alcohol, Drug Abuse and Mental Health. Should these facilities be multi-purpose?

Fourth, there is obviously a need for similar facilities in Ketchikan, Sitka, Valdez, Seward, Barrow, Kodiak and Dillingham. There may be a similar need soon in Cordova and Yakutat because of OCS development and impact. Could the bill be expanded to include those communities.

Fifth, could the bill be tied to Certification of Need legislation, which requires demonstration of need for health facilities construction?

Sixth, the Department needs to be allowed some discretion in making the proposed grants. It must assure itself, for example, that health, fire and safety codes are met in the construction plans.

Seventh, these facilities should all have provision for security for acutely intoxicated patients.

Finally, there should be some mechanism for ensuring that all these facilities, if built, will be staffed by trained personnel on a permanent basis.

In sum, the Office supports the bill, but feels that some of the questions raised in this position paper need to be answered during the period while this bill is under consideration.

Robert L. Cole 2-2-76

Coordinator, Office of Alcoholism — Date

Concurrence:

P1 l8, l11 P2 l9

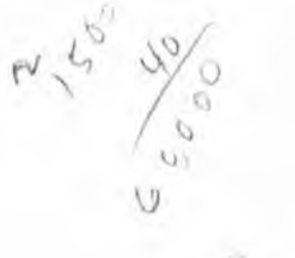
Change "constructing" to "establishing"

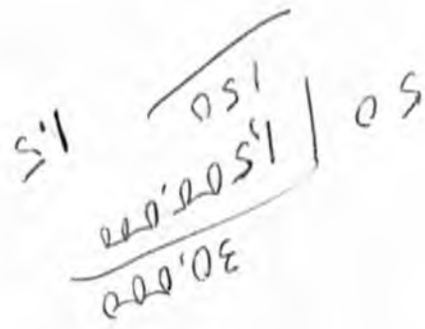
Who will build, own and operate?

17000
7000
4500
2000
3500
5000
1200
50200

Bush facilities in particular should just include a sleep-off fac. + not to much more.

Money should go to municipalities.





STATE
of ALASKA

MEMORANDUM

TO: David Freer
Special Assistant to Commissioner
DEPT. H. & S. S.

DATE : February 10, 1976

FROM: Liz Rivers
Assistant Coordinator
OFFICE OF ALCOHOLISM

SUBJECT: Your request/Fiscal note on SB585

The cost per bed unit in the areas designated by SB585 has been broken down representing two types of facility. Each type facility per-bed cost represents a fully equipped building, including all necessary appliancing except consumable supplies.'

Figures # 1 in each area is the construction "estimate", based on Feb. 1976 construction and materials cost, for a building which would meet specification and requirements for an intermediate nursing facility.

Figures # 2 in each area is for a building which would be considered a detoxification treatment center. There are no regulations promulgated at this time addressing actual building specifications for a detoxification/rehabilitation building. However, for the purpose of construction cost estimates, a detoxification center, by definition of its role in housing ambulatory, semi-independent persons, would cost less to construct than an intermediate facility.

The following is a break-down by area and amount as outlined by SB585:

Anchorage $3,000,000
Intermediate facility:
$75,000 per bed = 40 beds
Detoxification unit:
$60,000 per bed = 50 beds

Fairbanks $3,000,000
Intermediate facility:
$80,000 per bed = 37.5 beds
Detoxification unit:
$62,000 per bed = 48 beds

Kotzebue $400,000
Intermediate facility:
$90,000 per bed = 4 beds
Detoxification unit:
$85,000 per bed = 4.5 beds

MEMORANDUM

Nome $600,000
Intermediate facility:
$90,000 per bed = 6 beds
Detoxification unit:
$85,000 per bed = 7 beds

Bethel $1,000,000
Intermediate facility:
$90,000 per bed = 11 beds
Detoxification unit:
$85,000 per bed = 11.5 beds

The costs arrived at in the Kotzebue, Nome and Bethel areas are based on the actual construction costs of the Pioneer Home in Kotzebue. This facility, a lesser one in terms of specifications for residential living as opposed to intermediate or detoxification building needs, is factored at a cost of $78,147 per bed.

LR:jk

SB

586

"An Act relating to alcoholic treatment facilities."

COMMITTEE REPORT

2/24/76 HOUSE FINANCE

Mr. Speaker: Date April 12, 1976

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had SB 586 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Leon Sullivan

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Leon Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTTEE MEETING

APRIL 12, 1976

Present: Beirne Parr Hackney Sullivan
Ostrosky Osterback Davis Ose

Testifying: Dove Kull, Ak. Homemakers Service
Jack Chenowith, A.A., Pat Rodey
Bob Cole, Alcohol, Dept H&SS

SB 640 am Appropriation for Foster Grandparents Rodey

Dove Kull spoke in favor of bill and her own experiences with foster grandparents. Also the fact that many of these foster grandparents work with no salary. This bill would give them a small income.

Jack Chenowith, previous program in state only in Anchorage, funded federally

Motion to move bill - do pass - unanimous

SB 586 Alcoholic Treatment Facilities

Bob Cole, here to answer questions on this bill. This bill has been heard before and was waiting for a new fiscal note. The bill is the vehicle for the bond CSSB 585, which was passed by the legislature, if the bond issue passes the voters, this bill would help to implement it.

Committee decided to pass out with a do pass.

HB 602 - Intoxicated persons treatment - Gov.

This bill has been heard before, needed new fiscal note, which is now here. It was $300,000 now is $112,000.

Committee discussion on the amendment which Art Peterson, Dept. of Law recommended. Definition of intoxicated persons, Committee decided to put in "extreme" where it was deleted.
Motion to accept amendment, passed
Motion to move the bill out, passed - do pass.

Meeting adjourned

SB

611

"An Act relating to adoption by step-parents."

COMMITTEE REPORT

3/1/76 HOUSE JUDICIARY

Mr. Speaker: Date April 5, 76

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had SB 611 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

(X) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

[illegible]	_____	_____
[illegible]	[illegible]	_____
[illegible]	[illegible]	_____
[illegible]	Susan Sullivan	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

AMENDMENT

OFFERED IN THE HOUSE: BY: HESS

To: _____ HOUSE BILL No. ~~611~~

SENATE BILL No. 611

PAGE: 1 LINE: 19

on page 1, line 19, add the following:

In paragraph A of ~~this section~~ subsection, "step-parent" is defined as the spouse of a natural parent of the child residing in the same household.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSES HESS COMMITTEE MEETING

APRIL 2, 1976

Present: Hackney Osterback Ostrosky
Beirne Sullivan

Testifying: Kay Smith, Dept. of H&SS
Larry Sullivan, Dept. of H&SS
Jack Chenowith, A.A. Pat Rodey

HCR 111 - Boundary Change in Health Service - Rules

Ramona Kelley - explained reason for this resolution, predominately fiscal justification.

Committee - no action.

HB 790 -Contract Agreements/Adoption Service - Buchholdt

Buchholdt, explained why she introduced the bill and how it could save some state $.

Kay Smith, representing depts. position. Dept. favors this bill for future needs. no $ for FY 77.

SB 611 -Adoption by step parents - Rodey

Jack Chenowith, representing Rodey,

Kay Smith presented dept. poisiton. Would like to define step-parent with the child.

Move to accept Dept.s amendment.

Committee decided to pass bill out with amendment.

HB 467 - Catastrophic illness aid - Beirne

Larry Sullivan, represent dept. position. In favor of concept and favor passage with fiscal note as presented with dept. position paper.
Amend line 25 delete"who has suffered at catastrophic illness"
line 26 & 27 delete "appointed by the gov."
Unanimous do pass for CSHB 467 as amended.

HJR 67 = Medicare and Hemophilliacs - HESS

DO pass, no objection , moved out.

SB

628

"An Act relating to driving a motor vehicle while under the influence of intoxicating liquor."

COMMITTEE REPORT

3/1/76 HOUSE JUDICIARY

Mr. Speaker: Date May 14, 1976

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had SB 628 under consideration. A Majority of the members of the Committee

(X) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

A M E N D M E N T

Offered in the HOUSE By House HESS

To: _____ HOUSE BILL NO. _____

_____ SENATE BILL NO. SB 628

AMENDMENT: Page_____ Line_____

Page 1, Line 2: after "chapter" put a comma and add "and that his refusal may be used as evidence in a court of law".

Page 2, Line [illegible] add a new subsection as follows

"Sec. 4. AS 28.35.032 is amended by adding a new subsection to read:

(e) If a person under arrest refuses to submit to a chemical test under the provisions of this chapter, evidence of refusal shall be admissible in a civil or criminal action or proceeding arising out of acts alleged to have been committed in violation of Sec. 10 of this chapter."

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETINH

MAY 13, 1976

Present: Beirne Ostrosky Sullivan
Davis Hackney

HCR 143 - STudy of Housing for Aged & Disabled

Ostrosky amendment to change the title of this study
amendment adopted

bill passed out of committee

SB 628 - Driving while under the influence - Ziegler

Dennis Robertson testified about how this bill affects things, also proposes an amendment which was worked up by the task force group he sits on

Amendments proposed were adopted, he will give me the detailed information on amendments tomorrow.

Bill moved out as amended.

SB 716am - Funderal and Mortuary Science

Sharon Andrews , licensing, has dept's amendments, quite extensive each committee member recieved a copy.

Lisa Rudd testimony about the whole pre-need issue, also related to the committee the testimony received by the commerce committee. Handed out statistical information regarding pre-need and what other states have done. Over 1/2 states have 100% refund on pre need.

Helen will get legality of the bill from Bill Berrier.
Bill is looking at the 17 page amendment to see if it can be incoprorated in regulations rather than as an amendment.

Sharon Andrews also doing research with Dick Block, Ins. regarding the suirty bonding issue.

Helen would like to include a higher educational standard in this bill, as the original S.B. stated.

Also would like to have the following people testifyon this bill if heard again soon. Mr. Peters, Mr. Block, ask Helen for more names.

LAW OFFICES OF
ZIEGLER, ZIEGLER & CLOUDY
P. O. BOX 979
KETCHIKAN, ALASKA 99901

AREA CODE 907
225-4145

ROBERT H. ZIEGLER, SR.
CHARLES L. CLOUDY
CLIFFORD H. SMITH
EDWARD G. KING
HAROLD M. BROWN

A. H. ZIEGLER
1915-1972 (DECEASED)

April 29, 1976

SB 628

Representative Susan
Sullivan
Chairman, House of
Representatives
Hess Committee
Pouch Y
Juneau, Alaska 99802

Re: SB-628.

Dear Ms. Sullivan:

I was advised by Terry Gardiner on March 18, 1976 that Senate Bill 628, regarding an amendment to the implied consent law had been referred to your committee, after which time the bill would be sent to the house judiciary committee.

I am writing this letter in the hopes that something can be done on this bill during this legislature because of what I think to be an area of abuse in the present interpretation of our present implied consent law. AS 28.35.032 states in pertinent part that if a person refuses to submit to a chemical test after arrested for driving while under the influence, he shall be advised by the officer that his refusal will result in suspension, denial or revocation of his license. That portion of the statute has been interpreted by the Alaska State Troopers, including the Ketchikan District Attorney's office to mean that no advice of a persons right to refuse to take the test need be given until the person actually refuses to take the test. After arrest he is immediately hustled to the State Office Building where he is placed on video tape and told to submit to a breathalizer examination. This procedure, I believe, does not reflect the intent of the legislature. The implied consent statute was meant to impress the stamp of

validity upon use of certain chemical tests and to promote their use upon penalty of loss of license in the event refusal occurred. It was not the intent of the legislature to require submission to the breathalizer examination, otherwise the legislature would simply have so provided.

The intent of the amendment is to provide clearly that police officers are to inform defendants of their right to refuse to take the breathalizer and the results of their refusal, should they choose to do so. In other words they should be advised of their right to refuse and the consequences of refusal before the test is administered.

I would appreciate anything you can do to cause this bill to be reported out favorably. If you need any more information please let me know. I do believe that the problem is important enough to cause the present implied consent law to be amended.

Sincerely

ZIEGLER, ZIEGLER & CLOUDY

By Harold M. Brown
Harold M. Brown

HMB:if

SECOND SESSION / NINTH STATE LEGISLATURE
1976

BILL NO. HB (SB) 628
(circle one)

SUBSTANCE OF BILL: Establishes a right to refuse breathalyzer test when arrested for driving while intoxicated (dwi) and requires that officer's advisement include the driver's right to refuse testing at the officer's direction and to have additional tests as prescribed by AS 28.35.033(e).

BACKGROUND OF BILL: Sponsored by Sen. Ziegler. (The Senator is out of town until next week and no meeting of Sen. Judiciary are scheduled until then)

RECOMMENDATION:

(1) Wherever the Senator proposes to add the word "right", add an 's' to pluralize the word because the current and proposed law speak of the right to 'refuse' and the right to have additional tests made. [However, if Sen. Ziegler's proposal is for one conjunctive right wherein a person may refuse-and-be additionally tested, may allow the allegedly 'guilty' person to await sobriety before having the additional tests; thus affecting considerably the potential for conviction.

(2) Like in the AS 28 interim committee draft (which addresses a problem of the Alaska Court System), the officer's advisement should also include a statement that a person's refusal to submit to testing at the direction of the officer may be used as evidence in a court of law.

(3) Although Senator Ziegler would expectedly oppose a broadening of the implied consent law (as ascertained in conversations with him about AS 28 interim committee's thinking to also include tests of blood, urine, and other bodily substances), this may be the proper time and place to suggest legislative consideration of broadening 'implied consent' to cover driving under the influence of drugs (which society may only expect to increase in all probability) and therefore proper methods of collecting urine samples (in that urinanalysis is currently the only reliable testing procedure for presence of drugs in the body

NOTE. Dr. Louis Nauman of Alaska Medical Laboratories (Anch.) should perhaps testify on this bill and the general subject (as he did before the interim committee in Dec. 75)

ASSIGNED TO: Dennis Robertson DR Division: ~~[illegible]~~ Date: 11 Feb. 76

PLEASE NOTE, EVEN IF YOU DO NOT HAVE COMMENTS, PLEASE RETURN THIS FORM TO US SO WE CAN KEEP OUR RECORDS STRAIGHT.

Distribution: 1 copy for writer's files
1 copy for commissioner's office, Juneau

SUPPLEMENTAL BILL ANALYSIS

SB 628

HISTORY: Implied consent, refusal to submit to chemical testing, chemical analysis of blood, and the period of revocation sections of the current statutes (AS 28.35.031-034) were all enacted as *Sec. 1 of ch. 83, SLA 1969. None of these sections have been amended since that time.

CURRENT LAW: The right of refusal to chemical testing exists already in the current law by virtue of the presence and substance of AS 28.35.032 which provides that upon driver-refusal, a police officer is to advise that refusal will result in loss of driving privileges, and then the test 'shall not' be given [NOTE that use of 'shall not' prohibits mandatory testing, but that tests may still be administered at officer's discretion if driver changes his position in that the words 'may not' are unused]. The remainder of this section governs loss of license, court appeal, and situations involving OMVI conviction within previous two years. AS 28.35.034 provides for surrender of license and for court modification/nullification of license suspension/revocation.

Subsection (e) of AS 28.35.033 establishes a driver's right to additional tests (current law). Failure or inability to obtain such additional tests does not preclude admission of evidence pertaining to test taken at direction of police officer; failure/inability to obtain additional tests is admissible in court proceeding. The remainder of this section provides for presumptions, reporting and introduction of evidence, supply of information to driver/his attorney upon driver-request, and presumption of validity of tests if tests are shown to comply with standards/methods prescribed by the Department of Health & Social Services.

SB 628: Senator Ziegler's bill (passed Senate unanimously) simply requires the additional officer-advisement that a person has the right to refuse the 'implied consent test' and has a right to additional tests when driver refuses to submit to chemical testing and officer advises that his license will be suspended/revoked/denied. SB 628 amends both the implied consent and the 'refusal' sections of the current law (including the subsection on scope of judicial review of loss-of-license appeal). Conceivably, SB 628 has no other affect than to broaden the advisement given by a police officer during arrest for driving/operating motor vehicle while intoxicated (OMVI).

See bill analysis submitted with respect to SB 628, dated 11 Feb 76 (submitted to commissioner's office).

... of his right to refuse the test and that, having taken the breath test, he has the right to have additional tests administered..... (SYDNAM'S suggested wording)

D.R.

SB
629

"An Act relating to the enactment of the Interstate Compact on the Placement of Children; and providing for an effective date."

COMMITTEE REPORT

4/12/76 HOUSE JUDICIARY

Mr. Speaker: Date May 11, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had CSSB 629 under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 12, 1976

Present: Ostrosky Sullivan Hackney
Parr

Testifying: Gary Sheridan, Div. of Soc. Services
Lee Moeelein, Evergreen Memorial Chapel
Marjorie Gorsuch, League of Women Voters
Robert Lapotnick

HCR 143 - Legislative Affairs Agency Study on aged Housing

Kathryn presented background reasons for her introducing this resolution. Louise Crane and Gregg Erickson, Legisl. Affairs there to answer questions.

Committee does not see why a new study has to be done, Gleen thinks the information is allready been studies and just has to be compiled. Also questioning the travel $$ and why two people needed to travel.

Amendment, p 1, line 25, after agency, add "in consultation with the Department of Health and Social Service".

amendment passed.

Letter of Intent -to be written to indicate that information should be pulled together from various agencies, office of agin, dept, etc. Envision utilizing personnel in other legislative affairs agencies in the state and legislators to accumulate and investigate.

REsolution adopted.

Erickson wants to know if this means reduced or 0 budget from now on regarding this resolution. Committee asks that Gregg redo fiscal note taking all possible economies and report back to committee.

SB 371 am Child protection

Amendment that was adopted last committee meeting regarding the definition of mental was deleted. Bill has one amendment that relates to guardian ad litem.

Motion to move bill - passed

SB 629 - Interstate Compact on Children - Chance

Gary Sheridan explains the need for this and why the Dept. would like to see it passed.

Genie Chance explains how other states have participated and passes around some info collected by other states.

Gary has some proposed amendments, but the committee asks that he present those to the judiciary committee since this bill has another referral.

Motion to move bill out, passes

SB 653 - ~~Child Protection~~ Dept. Philo. on Children

Very little discussion, good bill
Motion to move bill out - do pass

SB 716 am Funeral and Mortuary Science

Lee Moeelein, makes some proposed amendments
p 7, delete (3) propblems with this by adding the cremation clause.
doesn't feel it is needed.

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. Senate Bill No. 629
Title: An Act relating to the Interstate Compact on Placement of Children
Requested by: _____ Date: _____
Return Date Requested: _____
Agency: SS Program: Social Services

II. FISCAL DETAIL
Budget Request Unit(s) Affected: Program Services

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		0				
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Senate Bill No. 629 will have no significant impact on the Program Services BRU

IV. ATTACHMENTS

V. DATE: 2/27/76 PREPARED BY: Mary Eldemar

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

H/S 50

Sullivan

MEMORANDUM State of Alaska

TO: Eric Lee, Director
Division of Community Services

DATE: April 6, 1976

FILE NO:

TELEPHONE NO:

FROM: F. Harvey Pitts
Child Care Programs
Coordinator

SUBJECT: Need for legislation to comply with Federal Regulations regarding AFDC recipiants.

As you know, we have encountered a problem in implementing both the legislative intent and AS 44.47.280 with regard to coordinating day care recipiants with those receiving benefits under Aid To Families with Dependent Children. The problem lies with the refusal by the Department of Health and Social Services to allow us access to their recipiant files in order to assure that there is no duplication of client population. Inasmuch as federal regulations prohibit such access, it appears that the Department of Health and Social Services are justified in their refusal.

The appropriate federal regulations do provide for an exception to the confidentialilty under special circumstances. In discussing our problem with Ron Lorensen of the AG's office he pointed out that paragraph 205.50 sub-paragraph (e) "exception" provides that an exception can be made with respect to strict confidentiality "by reason of the enactment or enforcement of State legislation, prescribing any conditions under which public access may be had to records of disbursement of funds or payments under such titles within the State, if such legislation prohibits the use of any list or names obtained through such access to such records for commercial or political purposes.

In essence what we need is legislation allowing us access to the confidential files covered by federal confidentiality requirements. Attached is a proposed amendment which would, according to Ron Lorensen, accomplish that purpose under the exceptions allowed. The amendment could be attached to HB 560 which is currently in free conference committee.

FCC-HB560

AMENDMENT

To: HOUSE BILL NO. 560 am S

AMENDMENT: PAGE 2 BETWEEN LINES 14 and 15:

Insert a new Section 3 to read as follows:

"AS 44.47 is amended by adding a new section to read:

Sec. 44.47.285. RELEASE OF INFORMATION. For the purpose of implementing subsections (1) and (4) of sec. 280 of this chapter, the Department of Health and Social Services shall release to the department the names of persons receiving assistance under title I, IV-A, XIV and XVI of the Social Security Act, 42 U.S.C. Secs. 301-1397. In processing these names the department shall be subject to standards of confidentiality which are comparable to those of the Department of Health and Social Services."

Re-number Sections 3 through 8 accordingly.

POSITION PAPER
ON
CS FOR SENATE BILL 629

"An Act relating to the enactment of the Interstate Compact on the Placement of Children; and providing for an effective date."

This bill would join Alaska in compact with thirty-four other States who have already passed such legislation, and possibly the eleven additional States presently giving consideration to similar legislation this year, under the Interstate Compact on the Placement of Children.

The Interstate Compact on the Placement of Children establishes agreed procedures to be followed in the making of placements among states party to it. They apply alike to placements made by public agencies, private agencies, and, where the laws of a particular jurisdiction allow, by private individuals. However, placements of children made between very close relatives of the child (e.g., by the mother of the child with an adult grandparent, uncle or aunt) are excluded from the operation of the Compact and left to take place as normal family relationships.

The placements to which this Compact apply are those made to secure foster care and those which are preliminary to a possible adoption of the child; also, placements in appropriate institutions located in other states, to provide services for a particular child or delinquent juvenile, when such services are not available within Alaska.

This Compact requires a pre-placement investigation to be made to determine whether a proposed placement is likely to provide the child with suitable conditions in the home or institution. In the absence of this Compact, such investigations often are not forthcoming from other states. Also, necessary supervisory services during the continuance of the placement would be assured under Compact while they are often unavailable on an interstate basis at the present time. Participation in the Compact would enable us to effectively monitor the services and benefits received by children and adolescents for whom we find it necessary to make an out-of-state placement because the Compact requires a public official (Compact Administrator) in the receiving state to provide us with investigations and evaluations of proposed placement

POSITION PAPER/Department of Health and Social Services

facilities. Such service from the receiving state is extended as a matter of right under the Compact. At present, it is provided only as a courtesy. In effect, we will be in a position to determine whether or not placements are successful, practical and worth the expenditure.

At the present time, thirty-four (34) states have enacted the Interstate Compact on the Placment of Children. A list of these thirty-four (34) states now party to this Compact is presented at the end of this statement. Additionally, there are eleven (11) states which already have or plan to introduce enabling legislation to enact the Compact in the 1976 legislative sessions. These are: Alabama, Arizona, District Of Columbia, Idaho, Indiana, Kansas, Michigan, Mississippi, South Carolina, Virgin Islands and Wisconsin. The following states are not in regular session in 1976, but have made a commitment to introduce enabling session in 1977: Arkansas, Nevada and New Mexico.

In respect to the fiscal impact of this legislation, it is noteworthy that in the case of the thirty-four (34) states currently party to this Compact, the fiscal analysts of those states have determined that participation in Compact has no significant cost implications and requires no special appropriation. According to a recent analysis, experience in those states which have been operating under the Compact for up to fifteen (15) years supports this.

The Compact makes sound interstate placements easier and forestalls many which are likely to deteriorate.

As of February, 1976, the following states are party to the Interstate Compact on the Placement of Children:

California
Colorado
Connecticut
Delaware
Florida
Illinois
Iowa
Kentucky
Louisiana
Maine
Maryland
Massachusetts
Minnesota
Missouri
Montana
Nebraska
New Hampshire
New York
North Carolina
North Dakota
Ohio
Oklahoma
Oregon
Pennsylvania
Rhode Island
South Dakota
Tennessee
Texas
Utah
Vermont
Virginia
Washington
West Virginia
Wyoming

OSHTHON RAPPER/Department of Health and Social Services

The Department supports the Bill without change.

Recommended By: Ken J. Brandt 5/11/76
(Director) (Date)

Approved By: Lois M Jurd 5/11/76
(Commissioner) (Date)

Comments by Governor's Office:

By: _____ _____
(Date)

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

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Bill No. Senate Bill No. 629
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Requested by: _____ Date: _____
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Budget Request Unit(s) Affected: Program Services
A. EXPENDITURES: (Thousands of dollars)

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	TOTAL		0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

CS for Senate Bill No. 629 will have no significant impact on the Program Services BRU

IV. ATTACHMENTS

SENATE BILL NO. 629

For an act entitled: "An Act relating to the enactment of the Interstate Compact on the Placement of Children; and providing for an effective date"

34 states have adopted the Interstate Compact on the Placement of Children. Senate Bill 629 proposes the addition of that compact to Alaska State Statutes. In order to determine other states' experience on this issue, a survey letter was forwarded to each state which had adopted the compact. The specific areas of interest included:

(1) Uses and advantages of the compact by the state,

(2) problem areas of implementation noted by states,

(3) unforeseen costs of implementation,

(4) Information and referral services available to compact states,

(5) general conclusions about experience with program.

12 states (35%) responded to the survey.

STATE	YEARS IN PROGRAM*
California	2
Colorado	1
Florida	2
Iowa	not stated
Kentucky	16
Louisiana	8
Minnesota	3
Missouri	1
New Hampshire	11
North Carolina	5
Oregon	1
Wyoming	13

* Rounded to nearest year.

The analysis that follows outlines the experience of these states in utilizing the Interstate Compact. Probably the most positive statement received to date was that forwarded by the Commonwealth of Kentucky:

> We in the Commonwealth of Kentucky can state without reservation that we would recommend the passage of this compact as enabling legislation for the State of Alaska, thus providing the administrative and operational structure to make a more adequate delivery of services to the eligible clients under the Interstate Compact on the Placement of Children.

It should be noted that Kentucky speaks from 16 years of experience in the program, the longest of any respondent to the survey.

SURVEY FINDINGS

OF 12 COMPACT STATES' EXPERIENCE

WITH AGREEMENT

I. Uses and Advantages of Compact by State

A. Better Protection for Dependent Children Placed Across State Lines.

The Interstate Compact on the Placement of Children was established to insure better protection for dependent children being placed across state lines. The Interstate Compact gives recognition to the needs and rights of children to be protected and insures safeguards by establishing a system for responsible planning.

The Compact provides guidelines for member states working together cooperatively to provide for communication and written summaries between the sending and receiving states prior to the children's placement. It insures that dependent children will be placed in a suitable environment and that they receive supervision by the receiving state.

The purpose of the Interstate Compact on Placement of Children is designed to effect cooperation among member states to insure that:

1. Each child requiring placement will receive the maximum opportunity to be placed in a suitable environment.

2. Appropriate agencies in the state where the child is to be placed can determine the full circumstances of the proposed placement, thereby promoting the protection of the child. 3. Appropriate

3. Appropriate agencies in the state from which the child is being sent can obtain the most complete information on the proposed placement and evaluate the placement before it is made.

4. Jurisdictional arrangements for the care of the child to be placed are appropriate.

B. Definition of Responsibility

The Compact clearly defines who is financially and legally responsible for the child and under what circumstances these responsibilities may be transferred or terminated. These reponsibilities are placed in statute by adopting state carrying that level of authority for enforcement.

C. Uniformity of Procedures

Each adopting state approves a basic compact agreement. This uniformity in law simplifies transactions. Rather than state dealing with each individual states' unique statutes and laws, all states approving the compact agree to one standard set of procedures. Prior to the compact, individual states had no central authority. Practices often lacked coordination. The compact is one means of minimizing problems in these interstate procedures.

D. "Spirit of Cooperation"

Most of the states responding to the survey noticed a renewed interest in cooperation between states on placement of children since adoption of the compact. Planning for proper placement of child often involves much discussion and correspondence in order to find most appropriate situation for him.

E. Designated Person in Each Compact State to Coordinate Placements with Compact Adoption.

Persons were designated in each state to coordinate placements across state lines. These people were held responsible for implementing the compact and thus became knowledgeable in interstate laws, including their requirements and limitations. Prior to the compact, many states had no single individual designated with these responsibilities.

F. Retention of Jurisdiction included in Compact

Many states that have adopted the compact find that specification of jurisdiction is invaluable to safety and proper placement of children in a mobile society. This provision allows compact states to monitor care of dependent children currently placed out of state. Specific examples included reviewing care of abused or neglected dependent child returned to his family on a "trial basis", when that family has moved to another state. The original state would retain jurisdiction in that situation.

II. Problem Areas of Implementation Noted by States

A. Administrative

1. Adjustment of agencies to new forms and procedures.

2. Informing those individuals or agencies receiving children of provisions of compact.

3. Re-education of staff in preparation of referrals to process them in a timely manner to insure that studies are completed by the time the scheduled placement is to occur.

4. Creation of more paperwork than anticipated to monitor placements.

5. Insufficient state funding to adequately implement the program.

B. Medical

Reluctance of other states medical communities to provide medical care for children from other states.

C. Legal

No amendment or adverse legal decision since passage of compact in two states

III. Unforeseen Costs of Implementation

A. Survey Results:

RESPONSE	# OF RESPONSES	% OF RESPONSES
No Appreciable Additional Cost	6	50%
Program Not Implemented due to Legislative Freeze on New Programs	1	8%
Cannot be determined	1	8%
No Comment	4	34%
Total	12	100%

B. Areas of Expenditure:

1. Staff from 0 additional in New Hampshire to 2 additional in California

2. Long Distance Telephone

3. Training of Staff

4. Printing and distribution of forms and manuals

IV. Information and Referral Services Available to States

a. Compact itself does not provide specific information but serves as a vehicle to obtain such information.

B. No state provides actual planned education activities to inform others in compact of available services.

C. Compact states provide specific information, evaluation, and recommendations regarding institutions, and other placement facilities, upon request.

V. General Conclusions About Experience with Program

A. Survey Results:

Responses	# of Responses	Category Total
"Favorable Response"		10
"Useful and affords children better care and protection"	6	
"Very pleased"	2	
"Feeling of confidence with placements"	1	
Recommend passage of compact "without reservation"	1	
"Neutral" Response		2
"No comment"	1	
"Not implemented yet, due to legislative freeze on new programs"	1	
Total:	12	12

ALASKA LAW AND THE INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

Alaska is in a situation that is both materially similar to and substantially different from that of the contiguous forty-eight states. As in any of these other jurisdictions, the Alaska State Government bears the public responsibility for the welfare of children. It is up to state law to fix the procedures and responsibilities attendant on adoption, foster care, and the institutional placement of juveniles under adjudication of delinquency.

Like other states, Alaska has a large number of people who have come from or will go to other states, often accompanied by their own natural children or those for whom they are caring on some other basis. Movement of adults also means the certainty that situations will occur in which children who have been deprived of normal home environments with their natural parents are or should be placed into Alaska from other states or are the subjects of placements from Alaska to other jurisdictions.

Every state has found that it is not and cannot be a closed and self-sufficient child care community. At any given time, there are children in the state for whom no appropriate placement resources can be found locally or for whom there are better ones elsewhere. Conversely, there inevitably are instances in which children in other states do or should come to Alaska for preadoptive placement, foster care, or post delinquency adjudication placement.

In attempting to deal with these situations, Alaska finds itself in an unusual situation. Its own population is small, thereby decreasing the likelihood of a local balance between children needing placement and adults or institutions willing or anxious to provide them. Furthermore, the noncontiguous position of Alaska makes every interstate placement a long distance

affair, and so one in which the parties are confronted with even greater than normal difficulties in ascertaining the facts about the present and intended environment for the child and in providing or making arrangements for placement supervision and child care services.

Alaska statutes recognize the importance of interstate arrangements to the state, but they do not sufficiently provide the basis for the necessary interstate relationships and procedures. To make this point clear, it is desirable to examine each of the several statutes and to indicate its coverage and limitations.

The Interstate Compact on Juveniles. (Ala. Stat. 47.15.010 et seq.)

All fifty states, including Alaska, are parties to the Interstate Compact on Juveniles. This compact is sometimes confused with the Interstate Compact on the Placement of Children, but their coverages are different. The Juvenile Compact deals with interstate runaway children and with parole and probation supervision for juveniles adjudicated delinquent. The Interstate Compact on the Placement of Children covers preadoptive placements, foster care placements, and institutional placements of adjudicated delinquents.

Article X of the Juvenile Compact authorizes the making of agreements between compact states for the institutional care and confinement of adjudicated delinquents and Alaska is one of the few states which have made significant use of its provisions. This has been done in the past because of Alaska's relative lack of appropriate facilities and specialized juvenile reformative or correctional programs. However, the provisions of Article X make it difficult or impossible to use the Juvenile Compact properly for placements in private child caring institutions. Thus major resources in other states for child care (particularly where specialized programs are needed) cannot be utilized under that compact. The Interstate Compact on the Placement of Children remedies this deficiency.

Another recognition in Alaska statutes of the need for interstate arrangements for child welfare is a seemingly very broad authorization to the Department of Health and Social Services to make reciprocal agreements with other states. Section 47.05.010(11) of the Alaska Statutes provides that the Department has a duty to enter into reciprocal agreements with other states relative to ... welfare services ... which are considered advisable. While this appears to be an appropriate provision to cover most placement services provided by the Department or other public agencies, and even services procured from out-of-state private agencies by public agencies in Alaska, such is not actually the case. The problem is that the statute is only authorizing in character. As a unilateral act of the Alaska Legislature, Section 47.05.010(11) may be enough to allow the Department to negotiate for services from persons and agenc in other jurisdictions who are both authorized and willing to provide them to children and public agencies of other states. For welfare departments and other public agencies in other states, this means the ones which have sufficient authorization from their own legislatures and which are also willing to commit staff time on a voluntary basis. In other words, Section 47.05.010(11) can be useful for such purely voluntary cooperation as Alaska may be able to secure from other states. The amount of such cooperation is certainly worthwhile, but it is far from sufficient. In the absence of the compact, each public agency in every state often feels impelled, and sometimes is statutorily restricted, to provide for its purely intrastate placement situations and to give lesser or no attention to interstate placements. While this circumstance is understandable, it seriously diminishes opportunities for needed placements, lessens the quality and quantity of available protective and other children's services, and results in deprivation for children in Alaska and elsewhere.

Alaska law presently provides for the support of a child by parents or other responsible private persons in some circumstances where placements have been made. (Ala. Stat. 47.10.120) So long as all the parties involved are in Alaska, such statutory requirements can be enforced. However, where either the obligated adults or the child are in other states, such responsibilities are now enforced either with great difficulty or not at all. This is especially true when the liability is or should be that of a nonrelative because provisions of the Uniform Reciprocal Enforcement of Support Laws do not apply.

Experience has shown that no state can rely entirely on its own internal resources to take care of the placement needs of its children. Also, it is clear that every state needs the support of law and appropriate administrative processes in other states if interstate placements are to be properly supervised and services assured. These are the reasons why thirty-four states have already enacted the Interstate Compact on the Placement of Children. Of particular interest to Alaska is the fact that all three of the states of Washington, Oregon and California are in the Compact. However, this is by no means the limit of its significance for Alaska. Experience has shown that in our presently mobile society, interstate placements are made among even the most distant jurisdictions.

Value of the Compact.

This memorandum has identified several problems relating to the interstate placement of children. It should also be emphasized that the public policy of no state prohibits interstate placements of children, nor could it constitutionally do so. Such placements occur among states, whether or not they have the Compact. Indeed, as population and mobility continue to increase, the numbers of such interstate placements also are bound to increase. However, the Compact makes known many interstate placements which, in its

absence, remain outside the knowledge of public authorities and so largely beyond the protection of the law.

The Compact either cures entirely or provides substantial help in overcoming each of the deficiencies and omissions noted earlier. Notably, it makes the obtaining of home studies and supervisory services in other states a matter of right rather than of uncertain voluntary cooperation; it removes confusion as to responsibilities in interstate placement situations and makes them enforceable; it opens up the resources of private institutions and programs in other states on a legally protected basis for the placement, care and treatment of adjudicated delinquents who need special facilities and programs.

The Interstate Compact on the Placement of Children accomplishes all of these objectives to an extent impossible for the ordinary statutes of Alaska because enactment of it makes the Compact law on a multilateral basis in all of the party jurisdictions. Consequently, both ends of the interstate placement transaction, all parts of the process, and all of the individuals and agencies involved with the placements have the Compact as part of the statutory framework in their own jurisdictions.

Susan Sullivan
ALASKA STATE LEGISLATURE

1131 LALANDE
ANCHORAGE, ALASKA 99504
333-6412

POUCH V
JUNEAU, ALASKA 99801
465-3797

HOUSE OF REPRESENTATIVES

Dear

Dear

It is my understanding that your state is one of the 34 which have adopted the Interstate Compact on the Placement of Children. The state of Alaska has used the services and institutions of other states in the past and we are researching the possibility of adopting this compact. Thus we are seeking any information regarding the uses that your state has had in relation to the compact, as well as any problem areas that have arisen during its use; and the unforseen costs which might be incurred by passage of this compact. Another area of concern is whether the compact enables the states involved to be educated as to the services of the institutions involved.

We would appreciate the above information and any other that you feel is relevant . Because our legislature is in session now and has a relatively short session, your expediency in this matter is urged.

Sincerely

Sharon Macklin
Staff Assistant

STATE OF IOWA

Department of Social Services

LUCAS STATE OFFICE BUILDING DES MOINES, IOWA 50319

ROBERT D. RAY
Governor

KEVIN J. BURNS
Commissioner

February 25, 1976

Ms. Sharon Macklin
Staff Assistant
House of Representatives
Alaska State Legislature - Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

Mrs. Turnbull, our Adoption Specialist, has requested that I reply to your letter of February 10, 1976, as Deputy Administrator of the Interstate Compact on the Placement of Children and the Interstate Compact on Juveniles.

It has been our experience in Iowa that both these compacts have greatly assisted us in planning for our children when they are out of the jurisdictional boundaries of our state. We have found these states to be very responsive and there is a cooperative effort between these states in planning for children. One of the significant factors in this cooperation is that there are specific designated persons in these states who are responsible for seeing that the placement laws are adhered to and in dealing with interstate laws. The law related to the Compacts is a uniform one, and these persons are knowledgeable of its requirements and also of its limitations.

Unless a state is a member of the Interstate Compact on the Placement of Children and the child is placed through the Interstate Compact, the jurisdictional boundary ends at the state line. Whereas, when a child is sent through the Compact, the laws of the sending state apply to that child.

The Interstate Compact on the Placement of Children does provide for placement of the delinquent child through this Compact and such a child could be placed in a private institution in another state. However, after-care service for the delinquent child, either on probation or parole, would be placed through the Interstate Compact on Juveniles. If your state has not inacted Article X of that Compact, which is the Out-of-State Confinement Amendment, placement in a public institution in another state would have the same jurisdictional limitations as mentioned above even with your being signatory to the basic Compact of the Interstate Compact on Juveniles. We have placed children from Iowa through the Interstate Compact on the Placement of Children in private institutions in our bordering states through a purchase of service contract; but, although we have the Out-of-State Confinement Amendment of the Juvenile Compact, we have never placed a juvenile in a public institution in another state or received one in Iowa.

I would certainly encourage your Legislature to become signatory to the Interstate Compact on the Placement of Children as I am sure every other state that is a member would. My experience, in the five years I have been in this position and worked with the Compact, has been very positive and I can think of no negative reason to give to you. I would certainly encourage you to contact Mr. Brendan V. Callanan, Project Director, Interstate Compact on the Placement of Children, American Public Welfare Association, and Mr. Mitchell Wendell, the Compact's legal consultant. I guess I would also like to add that one of the additional side effects of this Compact for member states is the spirit of cooperation between the states and also, when we have problems, we have a designated person within the other state with whom we can discuss the matter and come to some agreement and resolution.

You also requested some information regarding unforeseen costs that might be incurred by passage of this Compact. I am rather uncertain how to respond to this question. If your state is already purchasing services for care of children in jurisdictions outside of your state and see as your responsibility on-going planning and financial support in the area of services, there would be no additional expense. Usually the person designated as the Compact Administrator probably should be appointed by your Governor as the Administrator of your Department of Social Services and the alternate would be someone at your state level who already is involved in placement planning for children. Therefore, the additional cost that I could probably see would be the expense of printing forms and procedures and staff development which is already a component of your Department of Social Services.

I hope this information will be helpful to you and I would be glad to reply to any additional specifics you may have.

Sincerely yours,

Jane C. McMonigle

Jane C. McMonigle
Deputy Administrator
of Interstate Compacts

JCM/djr

cc: C. O.
Debra S. Dahab, Research Analyst
Iowa Legislative Service Bureau

State of New Hampshire
DEPARTMENT OF HEALTH AND WELFARE
DIVISION OF WELFARE
8 LOUDON ROAD
CONCORD 03301

February 25, 1976

Sharon Macklin, Staff Assistant
House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

Your letter of February 10 regarding the Interstate Compact on the Placement of Children to Arthur G. Marx, Office of Legislative Services, was forwarded to me for reply.

New Hampshire has made considerable use of the Compact and of course as states join in, more use will be made of it. The Compact speaks for itself in terms of the protection of the children and all parties involved in the placement. It clearly defines who is financially and legally responsible for the child and under what circumstances these responsibilities may be transferred or terminated.

Another advantage is that the procedure for implementing the Compace are uniform and therefore simplify transactions between member states (one procedure instead of one for each state).

In respect to education as to the services of the institutions (or family home) involved, the Compact does not speak to this specifically. However, when a particular placement is selected for a child, it is done so on the basis of whether the institution's or home's program can meet the child's need,and professional staff must know what the home's program is.

Your question as to the possibility of unforeseen cost is not difficult to answer. All states make interstate placements, whether members of the Compact or not, and in this regard the Compact simply unifies the procedure. New Hampshire was one of the first states to join the Compact (1965) and no new staff has been added for Compact purposes since that time. Since things run smoother under the Compact, there should be reduction of cost in interstate placements.

I hope this helps in your deliberation.

Sincerely yours,

Arthur Roberge, Assistant Chief
Bureau of Child and Family Services

AR:s

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RENEE P. HILL
DIRECTOR-ADMINISTRATOR

JUNE P. STALLINGS
DEPUTY ADMINISTRATOR
PHONE: 919-829-4622

STATE OF NORTH CAROLINA

INTERSTATE COMPACT ON JUVENILES

DEPARTMENT OF HUMAN RESOURCES

DIVISION OF SOCIAL SERVICES

325 N. SALISBURY STREET RALEIGH 27611

March 4, 1976

The Honorable Susan Sullivan
House of Representatives
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Ms. Sullivan:

Your February 10, 1976 letter regarding the Interstate Compact on the Placement of Children was referred to us for response. We were pleased to hear that Alaska is considering enactment of the Compact. Each additional state participant strengthens the Compact and further ensures that dependent children will be adequately protected as they move into placement across state lines.

North Carolina became a member of the Interstate Compact on the Placement of Children in 1971. (We had joined the Interstate Compact on Juveniles in 1963). Through the years we had operated more or less successfully in interstate placement situations involving dependent children on the basis of North Carolina's unilateral interstate placement statute. Success depended, however, on the degree of cooperation the other state was willing to give.

The growing nation wide evidence of the scope of abuse and neglect situations served as an impetus to us to seek support from the public and the Legislature to enact the Interstate Compact on the Placement of Children into North Carolina Law.

First of all we asked the Attorney General to verify for us that the Compact would not be in conflict with other North Carolina Statutes.

We then pointed out reasons we believe the Compact would provide greater protection to our children than previously existing unilateral Interstate Placement Laws.

We saw as the major benefit of the Compact over North Carolina law, Article V relating to Retention of Jurisdiction. We cited three types of cases to support our position favoring enactment of the Compact.

The first kind of situation involved abused or neglected children being returned to parents or relatives, but remaining in the legal custody of the placing agency. It is generally recognized that families receiving protective services are quite mobile. We argued that surely children who have been victims

of abuse or neglect need maximum protection when returned to their families for trial placement, especially when the families have moved to another state and cannot be closely followed by the agency holding court custody of the children. Retention of jurisdiction would facilitate removal of the children from the home in the receiving state, should conditions warrant such action.

The second type of case which was pointed up as needing the authority of Article V of the Compact behind it involved the child who is allowed to move to another state with agency foster parents. As an illustration, we used the case of foster parents who were permitted to take two children in agency custody with them when they moved to another state. A unilateral interstate agreement was made. The foster parents filed abandonment proceedings against the children's parents and petitioned to adopt the children in the other state without the North Carolina's agency knowledge or consent. The adoption was upheld in spite of North Carolina's protest.

The third kind of situation which caused us concern involved children placed for adoption with families who then left the state before the legal adoption was finalized and custody remained with the placing agency. The example used here was where an infant was placed with a military family. The father was ordered overseas shortly after the petition for adoption was filed. The mother moved the baby to another state to await her husband's return. Neighbors there reported to the out-of-state agency providing courtesy supervision that the adoptive mother was abusing the child. This was confirmed and plans were made for the child to be returned to North Carolina. In the meantime, the adoptive father came home, carried the case to court, and the court in the other state overruled the North Carolina court, allowing the child to remain in the adoptive home.

We have found that the statutory weight of the Compact has served to strengthen cooperative relationships with other states and has afforded us the opportunity to intervene legally in crisis situations involving dependent children who have moved into or out of North Carolina under its provisions. Rather than causing problems relative to the interstate movement of children, the Compact has helped to avoid or overcome problems. We can think of at least one case involving the proposed placement of Alaskan children in North Carolina where the Compact could have provided additional needed protection. The fact that 20 states have enacted the Compact since 1971 attests to its benefits.

Since Alaska already has staff in the Family and Children's Services Division of the Department of Health and Social Services responsible for coordinating child welfare services with other states, there should be no appreciable additional costs to the state in implementing the Interstate Compact on the Placement of Children.

Compact states provide information, evaluation and recommendations regarding institutions and other child placement facilities upon request.

Mr. Brendan Callanan, Project Director of the Interstate Compact on the Placement of Children with the American Public Welfare Association in Washington can answer any additional questions you may have and can also provide technical assistance and legal consultation relative to legislation. Mr. Callanan's mailing

address is: 1155 Sixteenth Street, N.W., Washington, D. C. 20036. He can be reached by telephone at (202) 833-9250.

Hopefully this information will be helpful to you as you plan for enactment of the Compact in Alaska. Good luck.

Sincerely,

Renee P. Hill
Director-Administrator

June Stallings
June Stallings
Deputy Administrator

RPH:JS:dvh

cc: Mr. Brendan Callanan

STATE OF MISSOURI
DEPARTMENT OF SOCIAL SERVICES
DIVISION OF FAMILY SERVICES

ADULT SUPPLEMENTATION
AID TO DEPENDENT CHILDREN
GENERAL RELIEF
AID TO THE BLIND
BLIND PENSION
MEDICAID
SOCIAL SERVICES
CHILD WELFARE SERVICES
SERVICES TO THE BLIND
FOOD STAMP PROGRAM

LAWRENCE L. GRAHAM, DIRECTOR
DEPARTMENT OF SOCIAL SERVICES

EWING B. GOURLEY, DIRECTOR
DIVISION OF FAMILY SERVICES

BROADWAY STATE OFFICE BLDG.
JEFFERSON CITY, MISSOURI
65101

March 2, 1976

Ms. Sharon Macklin, Staff Assistant to
Representative Susan Sullivan
Alaska House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

This letter is in response to your inquiry of February 10, 1976, to Mr. Frank Masters, Committee on Legislative Research regarding the adoption of the Interstate Compact on the Placement of Children by Missouri. As of September 1, 1975, Missouri became a member of the compact. We are still in the implementation stage therefore, we have very little documented information to give you.

You have been provided with a copy of the House Bill Number 254. The unforeseen costs which might be incurred by passage of this compact is impossible to pinpoint. The main cost appears to be the printing and distributing of all the necessary material to be used in educating those involved with the interstate compact. There would be additional forms and manual material that should go to all public and private agencies and institutions.

Surely, you have been provided information by the American Public Welfare Association, Brendan Callanan, Project Director, Suite 201, 1155 16th Street NW, Washington, D.C. 20036. Mr. Callanan helped Missouri a great deal with our questions when the compact was being considered.

Our main problem area has been the education of the public and private agencies as to the actual procedures to go through to complete an interstate placement according to the compact. As I stated, Missouri passed the bill and it became effective September 1, 1975. Very little prior knowledge about procedures used by other compact states was known to many of the public and private agencies in Missouri. We have not yet distributed manual material which gives specific instructions which can be followed by workers. Therefore, interstate correspondence comes in many different stages of placement other than a desired step by step procedure. This will all be ironed out soon hopefully, by planned meetings and manual material distributed.

The question "whether the compact enables the states involved to be educated as to the services of institutions involved" was not clear. This is translated to ask if member states take part in educating each other of their services provided. There is an Interstate Compact for the Placement of Children Manual provided by the APWA to member states such as: directions for correspondence, licensing requirements, state law on independent placements, adoption petition, age of majority and court jurisdiction.

However, there is no actual planned education of services available in member states that we know of presently. We have had no difficulty getting information needed regarding services, programs, procedures etc. from other states. Most of the time this is done by the Compact Administrators of the two states involved over the telephone.

Being a member of the compact gives us a feeling of confidence and willingness to help one another in our interstate placements. Knowing and agreeing to what is expected of us and other member states makes the interstate placements proceed much more efficiently.

I hope this information is helpful in Alaska considering the adoption of the Interstate Compact on the Placement of Children.

Sincerely,

Mary Ann Hall

Mary Ann Hall,
Child Placement Coordinator

MAH:eb

cc: Frank M. Masters

STATE OF FLORIDA

DEPARTMENT OF
Health & Rehabilitative Services

Reubin O'D Askew, Governor

5920 ARLINGTON EXPRESSWAY P.O. BOX 2050 JACKSONVILLE, FLORIDA 32203

REFER TO-SES

March 4, 1976

Mrs. Sharon Macklin
Staff Assistant to
Representative Susan Sullivan
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Mrs. Macklin:

This is to acknowledge your correspondence of February 10, 1976, regarding the Interstate Compact On the Placement of Children.

Florida has been a member of the Compact for approximately two years. The Compact provides better protection for children being placed across state lines.

Please find attached a copy of manual material developed by our agency. We hope this information will be of some help to you.

Sincerely,

Barbara J. McGriff

(Mrs.) Barbara J. McGriff, Consultant II
Protective Services, Bureau of Children's Services

BJMcG:zf
Attachments

STATE OF FLORIDA DIVISION OF FAMILY SERVICES

MANUAL TRANSMITTAL LETTER

October 14, 1974

Number 2156

To: Region Directors

From: E. Douglas Endsley, Director

Re: Interstate Placement of Children

The attached manual material will become a part of the new Social Services Manual and is effective immediately upon receipt and is the program implementation of Laws of Florida 74.317, passed in the 1974 Legislative session. The procedures outlined represent a marked change in current practice and will require careful review.

Child Welfare Manual Chapter XIV, Interstate Placement of Children, dated March, 1961 (Operations Letter 906, 3-07-61) is obsolete upon receipt of this material.

EDE:br

Distribution:
Lists V and VI

INTERSTATE PLACEMENT OF CHILDREN

DEFINITION AND PURPOSE

Interstate placement is defined as the movement of children, by social agencies or authorized individuals, from one state to another on a planned basis.

The Interstate Compact on the Placement of Children was established to insure better protection for dependent children being placed across state lines. The Interstate Compact gives recognition to the needs and rights of children to be protected and insures safeguards by establishing a system for responsible planning.

The Compact provides guidelines for member states working together cooperatively to provide for communication and written summaries between the sending and receiving states prior to the child(ren)'s placement. It insures that dependent children will be placed in a suitable environment and that they receive supervision by the receiving state.

During the 1974 session, the legislature enacted House Bill 1836, establishing Florida as a member of the Interstate Compact on Placement of Children and providing the structure and limits for such placement. The Division of Family Services was designated the "appropriate public authority" for the establishment of guidelines.

Under the Compact, an Administrator is appointed by the Governor of each member state to coordinate planning for the placement of children within the guidelines of the Compact. The Director, Division of Family Services, has been appointed the Administrator of Florida's program. The Assistant Chief, Bureau of Children's Services, has been appointed Deputy Compact Administrator. The Compact applies to all children under the age of 18 whom a party or state or state sub-division, officer, employee, court or person, corporation, association, charitable agency or other entity sends, brings or causes to be sent or brought to another party state.

Children included under the Interstate Compact are:

a. Children placed with relatives
b. Children placed with non-relatives or foster families
c. Children placed in child caring institutions
d. Children placed in adoptive homes
e. Children placed through independent adoption placement

Children excluded from the Interstate Compact are:

a. Child(ren) brought or sent to another state by his parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or guardian and placed with such relatives or any non-agency guardian

b. Children placed in institutions providing care for the mentally ill, mentally defective, epileptic, etc.

c. Children placed in educational institutions

d. Children placed in a hospital or other medical facility

As of the present time, twenty-three (23) states have enacted legislation enabling them to become members of the Interstate Compact:

Connecticut	Maine	North Dakota
Delaware	Massachusetts	Oklahoma
Florida	Minnesota	Pennsylvania
Illinois	Nebraska	Rhode Island
Iowa	New Hampshire	South Dakota
Kentucky	New York	Tennessee
Louisiana	North Carolina	Vermont
		Washington
		Wyoming

The purpose of the Interstate Compact on Placement of Children is designed to effect cooperation among member states to insure that:

a. Each child requiring placement will receive the maximum opportunity to be placed in a suitable environment.

b. Appropriate agencies in the state where the child is to be placed can determine the full circumstances of the proposed placement, thereby promoting the protection of the child.

c. Appropriate agencies in the state from which the child is being sent can obtain the most complete information on the proposed placement and evaluate the placement before it is made.

d. Jurisdictional arrangements for the care of the child to be placed are appropriate.

Requests to and from member states of the Interstate Compact on the Placement of Children will be handled according to the procedures established under the Compact. All correspondence will be forwarded through the Deputy Compact Administrator in the State Office.

In the interest of consistency, requests to and from non-member states will also be handled according to Compact procedures. The Deputy Compact Administrator maintains responsibility for assignment, routing, and consultation for all requests involving interstate placement originating in the regions or from out-of-state agencies.

Requests from individuals will not be accepted, unless the individual is a physician or attorney licensed to practice in Florida, who is acting as an Intermediary in an independent adoption. Usually, individuals will be referred back to the appropriate placement authority in their state.

PROCEDURES

I. Referrals from Agencies in Other States for Service in Florida

A. Method of Referral

The Compact Administrator of the state that wishes to place a child in Florida (hereafter called the "sending state") submits to the Florida Compact Administrator in quadruplicate the Request to Place Child (ICPC-100A) form along with additional summary information on the child (ICPC-101) and the prospective receiving family (ICPC-102) in Florida, if this latter is appropriate. This information is reviewed by the State Office and three copies of the Request to Place Child form (ICPC-100A), together with two copies each of the ICPC-101 and 102 summaries, are routed to the appropriate region office to request a recommendation within 30 days on the suitability of the placement. Additional information may be requested by the Florida Compact Administrator from the sending state prior to forwarding the request to the regions.

B. Approval of Placement Plan - Interstate Placement Agreement

Upon completing the study, using the ICPC-102 as a guide, the local office submits its summary and recommendation within the 30 day limit to the Florida Deputy Compact Administrator in the State Office. One copy of the ICPC-100A is to be used as a transmittal form for the summary submitted by the local office. After review, the Deputy Compact Administrator writes to the sending state either agreeing to or disagreeing with the proposed placement plans and attaching copies of the study summary. If the proposed placement plans are approved, the sending state will be asked to complete the Interstate Placement Agreement for DFS-S-2067. Copies of the correspondence are distributed by the two Compact Administrators to their appropriate local offices.

C. Finalization of Placement Plans

Details for the actual placement of the child can be worked out between the original requesting agency in the sending state and the appropriate regional office. Copies of all correspondence between the original requesting agency in the sending state and the appropriate regional office should be forwarded to both the sending and receiving states' Compact Administrators. Copies of all subsequent correspondence and supervisory reports are to be forwarded to both Compact Administrators.

D. Termination of Interstate Agreement

The Compact placement may be terminated by legal adoption or by other kind of discharge. When this occurs, the Compact Administrator of both states should be notified by forwarding of the Interstate Compact Report on Placement Status of Child form (ICPC-100B).

II. Referrals from Florida Agencies for Service in Other States

A. Method of Referral

When a Division region office or other individual or child placing agency in Florida wishes to seek approval for an interstate placement plan, that office or individual will forward five (5) copies of the Request to Place Child form (ICPC-100A) to the Florida Compact Administrator in the State Office. Accompanying the request will be summary information on the child (ICPC-101), as well as the most complete information known on the prospective receiving family (ICPC-102). The Florida Compact Administrator requests through the Compact Administrator of the state to which the child is to be placed, (hereafter called the receiving state), those services required by the region office or other individual or child placing agency.

B. Approval of Placement Plan

Upon receiving the request, the receiving state Compact Administrator will forward the request to the appropriate local agency in the receiving state. The requested information and recommendations will be returned within the thirty day limit to the receiving state Compact Administrator who will agree or disagree to the placement plan and will notify the Florida Compact Administrator, attaching copies of the study summary.

C. Finalization of Placement Plans - Interstate Agreement

If approval of the placement plan is granted by the receiving state, the Florida Compact Administrator will notify the region office or other individual or child placing agency, through copies of the original ICPC-100A form, and copies of the study summary, that approval has been granted. The region office or other individual or child placing agency will then proceed to complete details for the actual placement with the appropriate local agency in the receiving state. The receiving state may request the Division or sending agency to sign an interstate placement agreement. Appropriate sections of the agreement should be completed on the local level and then forwarded to the State Office for return to the receiving state. Copies of all correspondence to the local agency in the receiving state should be routed to the State Office and to the Compact Administrator in the receiving state.

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February 18, 1976

Ms. Sharon Macklin
Staff Assistant
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

The Colorado General Assembly adopted legislation in the 1975 session (H.B. 1266) permitting the Governor to execute a compact on the placement of children. The compact serves as an added protection for children who are involved in transfers across state lines.

There has been a freeze on the implementation of new programs and the hiring of personnel. Thus Colorado has not implemented the compact to date. The Department of Social Services is in the process of hiring an administrator for the compact and one clerical assistant also will be available. The department simply does not have the experience necessary to comment upon your letter.

Enclosed is a copy of the compact language as adopted in Colorado.

Very truly yours,

David F. Morrissey
Assistant Director

DM/po

WYOMING COUNCIL FOR CHILDREN AND YOUTH
1614 GARFIELD AVENUE
LARAMIE, WYOMING 82070

ED HERSCHLER
GOVERNOR

EVERETT LANTZ
EXECUTIVE-SECRETARY

February 23, 1976

Sharon Macklin, Staff Assistant
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Ms Macklin:

The Honorable Nels J. Smith, House of Representatives, State of Wyoming, referred your letter concerning the Interstate Compact on Placement of Children to me. I am pleased to respond for Mr. Smith.

Wyoming is one of 34 having adopted the Interstate Compact. Other states are giving consideration to the plan. Kansas approved their version of the Act today.

Wyoming adopted its Compact Act, Section 14-52.1, in 1963. No amendments nor counter decisions have been made since that time. Authority and responsibilities for enforcement were placed with the Division of Public Assistance and Social Services.

Mr. John Steinberg, adoption Consultant Division of Public Assistance and Social Services, Hathaway Building, Cheyenne, Wyoming 82002, is Compact Administrator for Wyoming. Mr. Steinberg could provide first hand information should you wish to talk with him. His telephone number is 307-777-7657.

Wyoming views the Interstate Compact as a positive factor. The Act goes into effect when a child crosses a state line. Wyoming presently has 47 children envolved in the Interstate Compact program. Basically, a child receiving assistance in a Compact State can not be taken into another Compact State without the knowledge and consent of the Compact Administrator. The state involved must write to the Administrator for permission. Thus providing information as to who is responsible for the child. This is definitely protection for the child, the family, and the state. It appears to be a desirable program for Wyoming.

Should you desire additional information, please let me know.

Cordially yours,

Everett D. Lantz
Executive Secretary

EDL:mea
cc: Nels J. Smith
John Steinberg

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC WELFARE
CENTENNIAL OFFICE BUILDING
ST. PAUL, MINNESOTA 55155

OFFICE OF THE COMMISSIONER
612/296-2701

GENERAL INFORMATION
612/296-5117

February 27, 1976

Susan Sullivan
House of Representatives
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

ATTENTION: Sharon Macklin, Staff Assistant

Re: Interstate Compact on the Placement of Children

Dear Representative Sullivan:

I have been asked by our Senate Research Staff to respond to your letter of February 10, 1976, with questions concerning the Interstate Compact on the Placement of Children. Minnesota became a Compact member in 1973, and we feel very fortunate in having three of our four adjoining states as Compact members.

Minnesota, like most states, has for some time had specific statutes concerned with the importation-exportation of children for the purpose of adoption or placement in foster care. Operating under such statutes with individuals or agencies in other states often proves frustrating because of the lack of coordination, central authority and conflicting statutes. Requests for information or service were often ignored or greatly delayed with courts and local agencies acting autonomously in some states. The Compact, although not a panacea for all interstate placement problems, does provide a uniform statutory base and a designated individual responsible for administering placements.

Minnesota has made extensive use of the Compact for adoption and foster care placements. Present Minnesota Statutes do not require our Commissioner's consent for children either leaving or entering the state for placement in residential treatment facilities. For member states, the Compact does provide for the Compact administrator's approval for residential placements, giving us, for the first time, an opportunity to review the propriety of such placements. Our experience with the Compact has been positive and our expectations as envisioned under the Purpose and Policy in Article I of the Compact have been fulfilled.

Although dealing with other Compact states is not without problems, the problems are more easily reconcilable under the Compact. New states, including our

own, appear to have problems in adjusting to new forms and procedures, and informing those individuals or agencies placing or receiving children of the provisions of the Compact. Time and experience usually reconcile these problems and the Secretariat has been more than willing to provide technical assistance.

I am not aware of any unforseen costs incurred because of our membership in the Compact. Article V of the Compact does establish the sending state's continuing responsibility for the child, and this may pose a problem for those states that refuse to pay for children outside of that state.

It is my understanding that the purpose of the Compact is not to provide specific information concerning services of individual institutions, but rather, the Compact provides a more efficient and uniform vehicle for obtaining such information.

Although Minnesota has been a Compact member for only a short time, I feel the Compact is the best response to the interests of children being placed between states and our local agencies have expressed faith in placements made under the Compact.

If I can be of any service, please feel free to contact me.

Sincerely yours,

Gary Koehler
Protective Services Specialist
Division of Social Services

GK:rj

LOUISIANA LEGISLATIVE COUNCIL
BOX 44012, CAPITOL STATION
BATON ROUGE, LOUISIANA 70804
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ACTING ASSISTANT DIRECTOR

February 27, 1976

The Honorable Susan Sullivan
State Representative
Pouch V
Juneau, Alaska 99081

Dear Ms. Sullivan:

In response to your request received on February 17, 1976, I have enclosed a copy of the applicable Louisiana statutes concerned with the Interstate Compact on the Placement of Children. This statute was enacted in 1968 and there have been no amendments nor court cases dealing directly with the statute.

I spoke with Mrs. Weinstein in the Division of Family Services concerning your request as to the uses, problem areas, and unforseen costs of the statute. She informed me that the compact is used only with other states which also have adopted the Interstate Compact on the Placement of Children. The Interstate Compact is applied to children who have been abused, neglected, or exploited, but it does not apply if the child is being sent from one relative to another, it applies only if the child is being sent to an institution. Information concerning institutions available under the compact in the various compact states may be obtained upon request from the respective states.

This was all she could tell me without any specific request for information. If you want to receive more information or have any questions concerning the operation of our interstate compact, you may get in touch with the Deputy Commissioner of the Interstate Compact for the Placement of Children. You may write her at the address listed below:

Mrs. Wilma Salmon
Division of Family Services
Box 44065
Baton Rouge, Louisiana 70804 Phone: (504) 389-5571

If this office can be of further assistance to you, please do not hesitate to let us know.

Sincerely,

FOR THE DIRECTOR
Thomas L. Tyler
Thomas L. Tyler
Staff Attorney

TLT/rs
encl.

DEPARTMENT OF HUMAN RESOURCES
CHILDREN'S SERVICES DIVISION

PUBLIC SERVICE BUILDING • • SALEM, OREGON • • 97310

March 1, 1976

ROBERT W. STRAUB
GOVERNOR

Richard A. Davis
Director

• • •

DEPARTMENT OF
HUMAN RESOURCES

FRED SEGREST
Administrator

DIVISIONS
Children's Services
Corrections
Employment
Health
Mental Health
Vocational Rehabilitation
Welfare

SPECIAL PROGRAMS
Aging
Camps
Economic Opportunity
Multi-Service Centers

Ms. Sharon Macklin, Staff Assistant
Alaska State Legislature
House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

Your letter to Mr. Thomas G. Clifford, Office of Oregon's Legislative Council, requesting information on Oregon's experience as a Compact State on the Placement of Children has been referred to me for reply. My assignment is as the Deputy Administrator for the Compact. This entails coordinating plans between the local office and/or private agencies in Oregon with other member states and plans from other states with our local offices and/or local private agencies. I review and sign the agreements on placements in Oregon and the requests for placement in other states.

Our experience with the Compact is somewhat limited in that the program became operational on September 13, 1975. Other states that have been members for a longer period of time could undoubtedly give you a better view of the Compact's effectiveness. So far we have found the Compact useful in providing information about resources in other states and affording children better care and protection in supervised placements.

The American Public Welfare Association has recently published a Compact Administrators Manual prepared by Mr. Brendon V. Callanon and Ms. Maureen H. Herman which provides in the first chapter the pros and cons of an Interstate Placement Law.

So far our biggest problem has been in reluctance of other states medical communities to provide medical care for children from other states. This has also been a problem in our own state in some locations securing medical care. Another problem has been in the re-education of staff in preparing referrals in sufficient time so that studies, etc. can be completed by the time the scheduled placement is to take place.

If we can be of further service to you, please feel free to contact us.

Sincerely,

INTERSTATE COMPACT ON PLACEMENT OF CHILDREN
Fred Segrest, Administrator

Clyde Bale

Clyde Bale, Deputy Administrator

cc: Thomas G. Clifford

DEPARTMENT FOR HUMAN RESOURCES
COMMONWEALTH OF KENTUCKY
FRANKFORT 40601

BUREAU FOR SOCIAL SERVICES

February 26, 1976

Ms. Sharon Macklin
Staff Assistant
Alaska State Legislature
House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

The Interstate Compact on the Placement of Children was enacted by the Legislature of the Commonwealth of Kentucky in their 1960 session. At the same time, the Interstate Compact on Juveniles was ratified by the legislature, and there is a relationship between these two compacts, as well as the Interstate Compact on Mental Health.

As Alaska has ratified the Interstate Compact on Juveniles, it would certainly be appropriate to supplement this legislation by ratifying the ICPC as there are instances when these compacts can be used together so that one supplements the other one. Even if these two compacts were to be administered by different state agencies, by cooperation the maximum benefits in the delivery of services to children could be made possible by combining the services available under the compacts. This is particularly applicable to the runaway provisions of the Interstate Compact on Juveniles, and I am sure that these provisions are well known in your state.

This Compact can also be utilized to affect the return of a foster child or other children who have not been adjudicated as being delinquent. The runaway provisions of the ICJ are especially likely to provide support for placements under the ICPC. As brought out in the manual of procedures, another opportunity to use both compacts in tandem is presented by juveniles adjudicated delinquent and placed in institutions in receiving states pursuant to Article VI of the Interstate Compact on the Placement of Children. If such juveniles escape from the institutions and flee to a third state, the mechanism which provides for their return is Article V of the Interstate Compact on Juveniles.

We here in Kentucky have found that the delivery of services in the placement of children into all types of residential facilities for children, other than those having been committed as delinquent, becomes a realistic and workable plan on a purchase of care agreement between the sending and receiving agencies. The utilization of the ICPC would eliminate the possibility of the placement of a child into an unlicensed setting and would insure services to the sending state by the monitoring of a case by the receiving state agency delegated the mandated responsibility for the administration of the ICPC.

The secretariat services to the Interstate Compact on the Placement of Children is provided by the American Public Welfare Association, and I am taking the liberty of sending a copy of your request for information, and my reply, to Mr. Brendan V. Callanan, Project Director, American Public Welfare Association, 1155 Sixteenth Street, N.W., Suite 201, Washington, D.C. 20036. A copy is also being sent to Mr. Mitchell Wendell, Legal Consultant, American Public Welfare Association, 1155 Sixteenth Street, N.W., Suite 201, Washington, D.C. 20036. These two gentlemen were instrumental in the preparation of the manual on the Interstate Compact on the Placement of Children and as a part of project services prepared to provide states with information and technical assistance towards legislative enactment and administrative implementation of the Interstate Compact on the Placement of Children. I am sure you might wish to contact either of them; however, I am requesting that they forward you pertinent information, via a copy of this letter, as quickly as possible because of the relatively short session of the legislature in your state.

I would like to assure all concerned that the enactment of this Compact should not in any way create problem areas, and in our state it has eliminated to a great degree many of the tragic circumstances surrounding the placement of children without proper agency controls. Our experiences have also shown that no unforeseen costs have developed by the enactment of this Compact and, without presenting any specific statistical data, should enable your state to provide a delivery of services to children more compatible with the needs of the eligible clients in your state.

Information regarding the programs of licensed private facilities, as well as information regarding public or governmental facilities would be available from each individual state which has ratified the Compact.

We in the Commonwealth of Kentucky can state without reservation that we would recommend the passage of this Compact as enabling legislation for the State of Alaska, thus providing the administrative and operational structure to make a more adequate delivery of services to the eligible clients under the Interstate Compact on the Placement of Children.

Sincerely yours,

Jack C. Lewis

Jack C. Lewis
Commissioner

nt

cc: Ms. Dianna McClure
Mr. Raymond T. Lathrem
Mr. Brendan V. Callanan
Mr. Mitchell Wendell

Airmail

C A L I F O R N I A L E G I S L A T U R E

SENATE OFFICE OF RESEARCH

SENATE P.O. BOX 47, STATE CAPITOL SACRAMENTO, CALIFORNIA 95814
(916) 445-1727

William [illegible]ier, Director

February 19, 1976

Ms. Sharon Macklin
Staff Assistant
Alaska State Legislature
House of Representatives
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

California adopted the Interstate Compact on the Placement of Children in 1974. The statute went into effect in 1975; therefore, the state's experience with the use of the compact is somewhat limited. However, I am pleased to share with you what knowledge we have on the matter.

The Family and Children's Services Unit and the Adoptions Unit of the Social Services Division of the State Department of Health have shared responsibility for implementing the compact. In general, both units are pleased to have the compact as it provides protection for children that was previously lacking.

They have found that the compact has created more of a workload than they originally estimated. Initially they assumed that one-half time of one person in the Family and Children's Unit and one-half time of one person in the Adoptions Unit would be sufficient. But, the workload has required nearly the full-time of the two persons.

One reason for this is, as you might imagine, the paperwork involved. When a child and family comes into the state, a copy of the child's case study and a copy of the placement family's study must be obtained, reviewed and approved. The procedure reverses itself when a child and family leave the state. If a California child is placed for adoption or foster care outside the state, the responsibility on this end is to send a copy of the child's case study to the receiving state. Simultaneously, the receiving state is requested to send the placement family's case

study for California to review and approve. The reverse is also true in this instance. As you can see from these examples, paperwork is considered crucial to the process and additional paperwork can be expected.

Some additional direct costs appear likely to also be incurred. It is difficult to determine just what those costs are in detail without some longer experience. It can be determined, for instance, that long distance telephone calls must be an anticipated cost. On the other hand, it is questionable whether the compact will have any noticeable effect on California's adoption and foster care caseload costs.

California's adoption and foster care laws clearly state that no child-in-need can be refused; and that certain adoption and foster care costs are to be paid out of the state's general fund money. So, whatever the caseload costs per year are, that is what the state pays, regardless of why the caseload exists. The caseload has fluctuated greatly since 1971, thus making it quite difficult to focus on "additional" costs (if any).

Lastly, a consultant from the American Public Welfare Association who is paid from a special fund (federal, I believe) acts as project coordinator of the Interstate Compact on the Placement of Children for the Department of Health, Education and Welfare. He has proven to be helpful to California in implementing the compact. His name is Brendan V. Callanan (telephone number, 202-833-9250) and he can be reached in Washington, D.C.

I hope this information will be timely for you and of some value. Please let me know if you have further questions.

Very truly yours,

Rita Gordon

Rita Gordon
Consultant

RG:jav
Enclosure

State of Maryland

CARL N. EVERSTINE
DIRECTOR

TELEPHONES:
301/267-5561
301/269-0511

DEPARTMENT OF LEGISLATIVE REFERENCE
16 FRANCIS STREET—P.O. BOX 348
ANNAPOLIS, MARYLAND 21404

February 17, 1976

Ms. Sharon Macklin
Staff Assistant
Alaska State Legislature
Pouch V
Juneau, Alaska 99801

Dear Ms. Macklin:

In your letter of February 10, you inquired about the administration of the Interstate Compact on the Placement of Children.

In Maryland, the administrative agency for this Compact was designated as the Department of Human Resources. I am forwarding your letter to the Secretary of that department with the request that he ask a member of his staff to answer it.

Sincerely,

Carl N. Everstine

Director

CNE/mh

cc: Mr. Richard Batterton

SB

640 Am

"An Act making a special appropriation to the Lieutenant Governor's Office, Office of Volunteer Services, for the Foster Grandparent Program; and providing for an effective date."

COMMITTEE REPORT

HOUSE

3/2/76

FINANCE

Mr. Speaker: Date April 12, 1976

The Committee on H E S S has had SB 640 am under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends: _____

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTTEE MEETING

APRIL 12, 1976

Present: Beirne Parr Hackney Sullivan
Ostrosky Osterback Davis Ose

Testifying: Dove Kull, Ak. Homemakers Service
Jack Chenowith, A.A., Pat Rodey
Bob Cole, Alcohol, Dept H&SS

SB 640 am Appropriation for Foster Grandparents Rodey

Dove Kull spoke in favor of bill and her own experiences with foster grandparents. Also the fact that many of these foster grandparents work with no salary. This bill would give them a small income.

Jack Chenowith, previous program in state only in Anchorage, funded federally

Motion to move bill - do pass - unanimous

SB 586 Alcoholic Treatment Facilities

Bob Cole, here to answer questions on this bill. This bill has been heard before and was waiting for a new fiscal note. The bill is the vehicle for the bond CSSB 585, which was passed by the legislature, if the bond issue passes the voters, this bill would help to implement it.

Committee decided to pass out with a do pass.

HB 602 - Intoxicated persons treatment - Gov.

This bill has been heard before, needed new fiscal note, which is now here. It was $300,000 now is $112,000.

Committee discussion on the amendment which Art Peterson, Dept. of Law recommended. Definition of intoxicated persons, Committee decided to put in "extreme" where it was deleted.
Motion to accept amendment, passed
Motion to move the bill out, passed - do pass.

Meeting adjourned

SB 640

MEMO

To: Sharon Macklin,
House HESS committee

Fr: Jack Chenoweth

Re: SB 640 am, appropriating for the Foster Grandparents Program.

Federal ACTION funds -- approximately $ 113,000 this fiscal year -- support 45 foster grandparent positions in the Anchorage area. Grandparents are assigned to work exclusively with handicapped children at

Denali Street School	API
Alaska Treatment Center	Hope Cottage
Alaska Retarded Childrens Center	Whaley Center

Grandparents receive $ 32.00 per week (based on a 20 hour work week), a daily meal, transportation to and from the facility and an annual physical examination. Costs appear to average $ 2200 per grandparent per year.

Captain Cook Jaycees are sponsors of the program for the facilities listed. Federal support is allocated on the basis of a contract between ACTION and the Jaycees, with direct payments remitted from ACTION's Seattle regional office to the Jaycees.

I understand that there are no additional federal dollars available for expansion of the program in Alaska during the current or forthcoming federal fiscal years, Congress having placed a lid on the total appropriation for the program nationally. Thus, at least at present, new grandparent positions would be State-supported.

I assume, then, that a $ 25,000 appropriation would allow employment of approximately 10 - 12 senior citizens in the program assuming no redirection of any portion of the appropriation to cover incremental administrative costs.

Recent expressions of interest in the program have come from Harborview Hospital (Valdez) and Catholic Charities (Juneau), with Henri House (Juneau) also a possibility.

SB
653

"An Act concerning the philosophy of the Department of Health and Social Services' approach to treating children."

COMMITTEE REPORT

3/15/76 HOUSE JUDICIARY

Mr. Speaker: Date May 11, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had SB 653 under consideration. A Majority of the members of the Committee

(✓) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 12, 1976

Present: Ostrosky Sullivan Hackney
Parr

Testifying: Gary Sheridan, Div. of Soc. Services
Lee Moeelein, Evergreen Memorial Chapel
Marjorie Gorsuch, League of Women Voters
Robert Lapotnick

HCR 143 - Legislative Affairs Agency Study on aged Housing

Kathryn presented background reasons for her introducing this resolution. Louise Crane and Gregg Erickson, Legisl. Affairs there to answer questions.

Committee does not see why a new study has to be done, Gleen thinks the information is allready been studies and just has to be compiled. Also questioning the travel $$ and why two people needed to travel.

Amendment, p 1, line 25, after agency, add "in consultation with the Department of Health and Social Service".

amendment passed.

Letter of Intent -to be written to indicate that information should be pulled together from various agencies, office of agin, dept, etc. Envision utilizing personnel in other legislative affairs agencies in the state and legislators to accumulate and investigate.

REsolution adopted.

Erickson wants to know if this means reduced or 0 budget from now on regarding this resolution. Committee asks that Gregg redo fiscal note taking all possible economies and report back to committee.

SB 371 am Child protection

Amendment that was adopted last committee meeting regarding the definition of mental was deleted. Bill has one amendment that relates to guardian ad litem.

Motion to move bill - passed

SB 629 - Interstate Compact on Children - Chance

Gary Sheridan explains the need for this and why the Dept. would like to see it passed.

Genie Chance explains how other states have participated and passes around some info collected by other states.

Gary has some proposed amendments, but the committee asks that he present those to the judiciary committee since this bill has another referral.

Motion to move bill out, passes

SB 653 - Child Protection Dept. Philo. on Children

Very little discussion, good bill
Motion to move bill out - do pass

SB 716 am Funeral and Mortuary Science

Lee Moeelein, makes some proposed amendments
p 7, delete (3) propblems with this by adding the cremation clause.
doesn't feel it is needed.

POSITION PAPER/Department of Health and Social Servic

POSITION PAPER

ON

SENATE BILL NO. 653

B'6

"An Act concerning the philosophy of the Department of Health and Social Services' approach to treating children."

This Bill would delete AS 47.10.280 and add a new section, AS.47.05.060, expressing the general purpose and policy relating to children which would govern actions of the Department of Health & Social Services.

The Department supports the Bill without change.

Recommended by _____ (Director) 2/27/76 (Date)

Approved by _____ (Commissioner) 3/1/76 (Date)

Comments by Governor's Office:

By: _____ (Date)

EFFECT OF SENATE BILL NO. 653 am

"An Act Concerning the Philosophy of the Department of Health and Social Services"

PRESENT STATUTE SECTION REPEALED	NEW SECTION ADDED	COMMENTS
Sec. 47.10.280. Purpose of chapter. The purpose of this chapter is to secure for each minor the care and guidance which is as nearly as possible equivalent to that which should be given him by his parents. The principle is recognized that minors under the jurisdiction of the court are wards of the state, subject to its discipline and entitled to its protection, and that the state may act to safeguard them from neglect or injury and to enforce the legal obligation due to them and from them. (§ 2 art I ch 145 SLA 1957)	Sec. 47.05.060. PURPOSE AND POLICY RELATING TO CHILDREN. The purpose of this title as it relates to children is to secure for each child the care and guidance, preferably in his own home, that will serve the moral, emotional, mental, and physical welfare of the child and the best interests of the community; to preserve and strengthen the child's family ties whenever possible, removing him from the custody of his parents only as a last resort when his welfare or safety or the protection of the public cannot be adequately safeguarded without removal; and, when the child is removed from his family, to secure for him adequate custody and care.	New section emphasizes two main new issues: (1) Preference to keep children in own home and to preserve family ties, removing child from home only as last resort. (Present statute recognizes only responibilities of state in placing children outside of the home.) (2) Importance of moral, emotional, mental, and physcal welfare of children and best of interest of community in placement of children. (Present statute emphasizes protection of children only.)

SB

654 Am

"An Act relating to statewide coordination, development, and planning for the delivery of social services."

COMMITTEE REPORT

5/15/76

HOUSE

FINANCE

Mr. Speaker: Date May 6

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had SB 654 am under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

Susan Sullivan — [illegible] — _____

[illegible] — [illegible] — _____

[illegible] — _____ — _____

_____ — _____ — _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman

Alaska State Legislature

House

JUNEAU ALASKA

LETTER OF INTENT

It is the intent of the House HESS Committee that SB 654 am give the Department of Health and Social Services the flexibility to have the public hearings and meetings within the first half of the fiscal year, rather than in the first quarter. The Committee feels that the time restrait would not allow the Dept. to prepare, recruit, select and train staff.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 18, 1976

Present: Beirne Ostrosky Sullivan
Parr Swanson

Testifying: Lois Jund, Dept. H&SS
Sharon Osborne, Planner for Dept. H&SS
] Gary Sheridan, Program Coordinator, Dept. H&SS
Sam Granato, Dept.

SB 654 am - statewide coordination, development and planning for delivery of services

Gary Sheridan, stated need for this kind of study.

Committee feels the dept. allready does this, however Gary says no, that they don't have the staff to do this. Also curious as to how much money now being spent in the dept. for planning grants.

Committee concerned over 200,000 in fiscal note for contractual services. Dept. feels that they cannot get the amount of staff on board to provide the study so will have to contract out, which is much more expensive.

Sam Granato, reinforced the need for this kind of study.

Committee, still feels other groups are doing similar studies in their own areas, such as task force groups etc.

Lois Jund, says two new positions now in health planning, howeve none for overall planning of hsocial services.
Also states that it would take them quite awhile to gear up for this and especially the public hearings, bill gives them no latitude must have public hearings in first quarter.

Committee decides to have a letter of intent go along with the bill stating that they would like the dept. to have the flexibility to have public hearings in the first half of the year.

Committee decided to move bill out with individual recommendations.

POSITION PAPER/Department of Health and Social Service

Position Paper

on

Senate Bill 654

"An Act relating to statewide coordination, development, and planning for the delivery of social services."

The Bill provides for expansion of social service planning, presently required of the department for use of federal funds available under Title XX, Social Security Act, to encompass the full range of social service needs and services in the State, including services of other public agencies and private agencies. The bill further requires that a State Plan for social services be submitted annually to the legislature, describing analyzed needs; identifying existing and needed services, providing certain information about each service; and proposing an annual implementation plan for social services, including a prioritization, a describtion of service delivery, an analysis of costs, and any recommended statute changes required. Public meetings are to be conducted to gather information and recieve testimony and public hearings are to be held for review of the proposed Plan.

The Bill, as proposed, is not basically inconsistent with planning presently required on a more limited scale in relation to use of federal Title XX, SSA, funds; the more comprehensive approach described in the Bill, however, has significant cost implications and raises certain questions, as follows:

1. The goals established in Sec. 47.70.010 of the Bill are consistant with those which are presently proposed as National Goals under Title XX, SSA. When and if National goals or statutes change, affecting use of federal funds, will it be necessary to amend the statute? This is also reflected in 47.70.020 (b) which specifically mentions Title XX,SSA.

2. Public meetings required under Sec. 47.70.030 shall be held in the first quarter of each fiscal year. Should the Bill became law, there will be insufficient time for the department to recruit, select and train staff, and prepare for public meetings within the first quarter of FY77. Because of the importance of establishing a strong, well-documented first Plan, it would seem advisable to allow sufficient lead time to ensure that the public meetings are an effective instrument for planning. It is proposed, therefore, that a subsection be added to this section providing that the public meetings to be held for the first fiscal year after passage, be held within the first half of the fiscal year.

3. The definition of "social services", as proposed, encompasses a wide range of activities, including both those

under the administration of the department and those administered by other agencies of the State. In addition, provisions of Sec. 47.70.020 (a) (3) extend the definition to include activities of "local governments, nonprofit and charitable organizations, and profit corporations and partnerships..." This would require the department to become the planning body re: social services, for the entire state, both the public and private sectors. While such consolidation of planning can be argued favorably, the full cooperation of other departments, agencies, and offices will be required, and without proper financial support and staffing, the undertaking will fail to achieve its potential.

While the department suppcrts the concept proposed in the Bill, the cost of implementation would exceed the budget for the department as proposed by the Governor.

Recommended By: _____ (Director) 3/2/76 (Date)

Approved By: _____ for (Commissioner) 3/2/76 (Date)

Comments by Governor's Office:

By: _____ (Date)

POSITION PAPER/Department of Health and Social Service

SOCIAL SERVICES PLANNING BILL

SB 654

STATE PLAN

PREPARATION OF THE STATE PLAN WOULD REQUIRE THE FOLLOWING ACTIONS:

A. IDENTIFICATION OF THE SOCIAL SERVICES NEEDS IN EACH COMMUNITY IN ALASKA

B. PUBLIC HEARINGS TO OBTAIN INFORMATION FROM EACH COMMUNITY AS TO WHICH SERVICES THEY DEFINE AS THEIR PRIORITY NEEDS.

C. ANALYSIS OF THE PRECEDING TWO POINTS AND PREPARATION OF A PLAN FOR THE DELIVERY OF SERVICES BASED ON THESE IDENTIFIED AND PRIORITIZED NEEDS.

D. PUBLIC HEARINGS TO OBTAIN COMMENTS ON WHETHER THE PROPOSED STATE PLAN REFLECTS THE COMMUNITIES' DEMANDS.

E. REFINEMENT AND PRESENTATION OF THE STATE PLAN TO THE LEGISLATURE INCLUDING:

1. THE PRIORITIZED LISTING OF SERVICES TO BE DELIVERED BASED ON AVAILABLE STATE AND FEDERAL FUNDING.

2. THE PRIORITIZED LISTING OF SERVICES IDENTIFIED AS NEEDED BUT UNAVAILABLE DUE TO INSUFFICIENT FUNDING RESOURCES.

SENATE BILL NO. 654

PROPOSED TIMELINE FOR PREPARATION OF
STATE PLAN, BUDGET AND COMMENTARY FROM PUBLIC TO LEGISLATURE

July - September	Public Meetings to Prepare State Plan for Following Fiscal Year Each fiscal year, department shall hold public meetings in each region for purpose of gathering information and testimony on availability and need of Social Services. Public notices shall be published in local newspapers to inform citizens of meeting time and place.
July - September	Formulation of State Needs Analysis The department would be required to annually inventory and assess requirements of state in Social Serices area. Input may be from any number of sources including public meetings held throughout the state.
By 3rd Week in October	Proposed State Plan for Following Fiscal Year Released to Public and Legislature Department shall prepare proposed state plan based on public input and needs analysis.
3rd Week in October to 3rd Week in January	Public Input Hearing Public hearings shall be held for purposes of obtaining comment on state plan.
By 3rd Week in January	Submission of State Plan, Budget and Commentary From Public to Legislature Department shall submit state plan and supporting commentary to legislature. Budget shall be submitted for proposed expenditures in conformity with state plan. Also, department shall submit budget and analysis of those priorized needs which were addressed in needs analysis or hearings but not included in published state plan as a result of fiscal or legal constraints.

The Legislature of the State of Alaska
FISCAL NOTE

Second **Session — Ninth Legislature**

-REVISED-

I. REQUEST

Bill No. Senate Bill 654

Title: "An Act Relating to Statewide Coordination, Development, and Planning for the Delivery of Social Services

Requested by:

Return Date Requested:

Agency: Department of Health & Social Ser Program: Div. of Social Services

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Administration and Support

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100	PERSONAL SERVICES			63.0			
200	TRAVEL			2.5			
300	CONTRACTUAL			200.5			
400	COMMODITIES			1.5			
500	EQUIPMENT			2.4			
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL			271.9			

B. FUNDING: (Thousands of dollars)

GENERAL FUND			271.9			
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	3 /	/	/	/
MAN MONTHS (P./T.)	/	/	36 /	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Personal Services include 1 Chief Planner, 1 Statistical Analyst, 1 Clerk-Typist; Contractual represents expectation of contracting during FY 77 for a major portion of the needs analysis and public meetings.

IV. ATTACHMENTS

V. DATE: 3-4-76 PREPARED BY: Sam J. Granato

Director, Division of Social Service

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

Reviewed by Financial Management

Eugene A. Smith, H&SS Finance Officer

SB

716 AM

"An Act relating to funerals and the practice of mortuary science; and providing for an effective date."

COMMITTEE REPORT

4/20/76

HOUSE

Rules

Mr. Speaker: Date May 21, 1976

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had SB 716 am under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR SB 716 am AND THAT CS FOR SB 716 am DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 24, 1976

Present: Hackney Sullivan Beirne
Davis Kubosky

Testifying: Dick Block, Div. of Ins.
Billy Berrier, Legis. Affairs

SB 716am Mortuary and Funerals

Dick Block and Bill Berrier went over the proposed amendments for the committee substitute. Several diferences arose regarding proper wording and the definition of insurance.

Eventually a consensus by the committee was reached and they voted to pass the bill out as a committee substitute.

Bill Berrier will have it drafted and ready to read across tomorrow morning.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 23, 1976

Present: Sullivan Beirne Hackney
Ostrosky Davis

SB 716am Mortuary and Funderal

Discussion by committee members regarding the amount of education needed to be a funeral home director. Many felt they need alot of training in the human behavior, with courses in psy. counseling, etc.

Testimony from Lee, Evergreen Memorial Home, regarding the background he has had and the educational requirements.

Amendment to include "30 semester credit hours" of related subject matter to be a funeral home director. Motion adopted

Bill Berrier came down, some problems with the Language that Dick Block set up regarding the fund for pre-need sales. Bill will draft a committee substitute and have for the committee soon.

HCR 147 - Relating to Uof A and A.M.U.

Very little committee discussion, bill moved out of committee

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETINH

MAY 13, 1976

Present: Beirne Ostrosky Sullivan
Davis Hackney

HCR 143 - STudy of Housing for Aged & Disabled

Ostrosky amendment to change the title of this study
amendment adopted

bill passed out of committee

SB 628 - Driving while under the influence - Ziegler

Dennis Robertson testified about how this bill affects things, also proposes an amendment which was worked up by the task force group he sits on

Amendments proposed were adopted, he will give me the detailed information on amendments tomorrow.

Bill moved out as amended.

SB 716am - Funderal and Mortuary Science

Sharon Andrews , licensing, has dept's amendments, quite extensive each committee member recieved a copy.

Lisa Rudd testimony about the whole pre-need issue, also related to the committee the testimony received by the commerce committee. Handed out statistical information regarding pre-need and what other states have done. Over 1/2 states have 100% refund on pre need.

Helen will get legality of the bill from Bill Berrier.
Bill is looking at the 17 page amendment to see if it can be incoprorated in regulations rather than as an amendment.

Sharon Andrews also doing research with Dick Block, Ins. regarding the suirty bonding issue.

Helen would like to include a higher educational standard in this bill, as the original S.B. stated.

Also would like to have the following people testifyon this bill if heard again soon. Mr. Peters, Mr. Block, ask Helen for more names.

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 12, 1976

Present: Ostrosky Sullivan Hackney
Parr

Testifying: Gary Sheridan, Div. of Soc. Services
Lee Moeelein, Evergreen Memorial Chapel
Marjorie Gorsuch, League of Women Voters
Robert Lapotnick

HCR 143 - Legislative Affairs Agency Study on aged Housing

Kathryn presented background reasons for her introducing this resolution. Louise Crane and Gregg Erickson, Legisl. Affairs there to answer questions.

Committee does not see why a new study has to be done, Gleen thinks the information is allready been studies and just has to be compiled. Also questioning the travel $$ and why two people needed to travel.

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amendment passed.

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REsolution adopted.

Erickson wants to know if this means reduced or 0 budget from now on regarding this resolution. Committee asks that Gregg redo fiscal note taking all possible economies and report back to committee.

SB 371 am Child protection

Amendment that was adopted last committee meeting regarding the definition of mental was deleted. Bill has one amendment that relates to guardian ad litem.

Motion to move bill -- passed

SB 629 - Interstate Compact on Children - Chance

Gary Sheridan explains the need for this and why the Dept. would like to see it passed.

Genie Chance explains how other states have participated and passes around some info collected by other states.

Gary has some proposed amendments, but the committee asks that he present those to the judiciary committee since this bill has another referral.

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Motion to move bill out - do pass

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Lee Moeelein, makes some proposed amendments
p 7, delete (3) propblems with this by adding the cremation clause.
doesn't feel it is needed.

The Legislature of the State of Alaska
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST

Bill Identification: SB 716
Title: An Act relating to funerals and the practice of mortuary science
Requested by: House H&SS Date: April 21, 1976
Return Date Requested:
Agency: Commerce Program: Licensing Professions

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Regulating and Licensing of Professions

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		19.0	38.0			
200	TRAVEL		1.5	3.0			
300	CONTRACTUAL		2.0	4.0			
400	COMMODITIES		.5	1.0			
500	EQUIPMENT		3.0				
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL		26.0	46.0			

B. FUNDING: (Thousands of dollars)

GENERAL FUND		26.0	46.0			
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	2 /	2 /	/	/	/
MAN MONTHS (P./T.)	/	12 /	24 /	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Division cannot absorb additional licensing/enforcement functions with existing staff services. We have assumed responsibility for five additional boards in the last three years without increasing staff.

IV. ATTACHMENTS

V. DATE: April 21, 1976 PREPARED BY: Sharon Andrew, Director

REVIEWED BY:

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

POSITION PAPER/Department of Health and Social Services

POSITION PAPER
ON
SENATE BILL NO. 716

An Act relating to funerals and the practice of mortuary science.

This bill establishes qualifications for, and the licensing of, embalmers and funeral directors, transfers licensing responsibility of embalmers from the Department of Health & Social Services to the Department of Commerce and Economic Development, covers reciprocity in licensing and sets grounds for suspension and revocation of licenses. The bill also requires permits to operate a funeral establishment, requires disclosure of funeral costs and covers the establishment of trust funds for prepaid funeral plans.

This bill will transfer licensing responsibility of embalmers from the Department of Health & Social Services to the Department of Commerce and Economic Development. Responsibility for environmental health sanitation inspections of funeral establishments will remain with the Department of Health and Social Services. Past Departmental experience, in licensing approximately 65 embalmers with related administrative responsibilities, has shown to require roughly two-man months of clerical time and one-man month of professional staff time per year.

Senate Bill 716 will have no fiscal ramifications for the Department of Health & Social Services. Responsibility for sanitation inspections will continue. Time presently spent in licensing can be more effectively used in handling administrative aspects of other environmental health and sanitation programs.

The following general comments are provided with respect to this bill:

1. No reference is made to license fees for embalmers, funeral directors or the funeral establishment permit. We recommend that license fees be established by statute. For example; embalmer $25.00, funeral director $35.00 and funeral establishment permit $50.00.

2. Page 2, Section 08.42.030. It is recommended that the word "shall" be deleted with substitution of the word "may". The department should have flexibility in deciding whether or not to hold an examination. Our experience has been that the need for an examination to be held in Alaska with its reciprocity provision is seldom, if ever.

3. Page 6, Section 08.42.100. FUNERAL ESTABLISHMENT PERMIT. We recommend that the Department of Commerce and Economic Development be required to obtain the approval of the Department of Health & Social Services for sanitary aspects of an establishment before issuing a permit under this Section. Also, serious violation of the sanitation provisions of the Department of Health & Social Services should be considered sufficient cause for suspension or revocation of the funeral establishment permit.

4. Page 7, Section 08.42.110(1). "department" means the Department of Commerce and Economic Development.

The Department of Health & Social Services supports Senate Bill 716 with the changes recommended above. We strongly support the transfer of licensing responsibility to the Department of Commerce and Economic Development as well as the dual licensing concept for embalmers and funeral directors.

Recommended By: Frank P. Pauls, Jr. P.H. — 4/30/76
Acting Director, Division of Public Health — Date

Approved By: [signature] — 4/30/76
Actg Commissioner — Date

Bruce Funeral Home

P.O. Box 2351
Anchorage, Alaska 99510

April 21, 1976

Representative Susan Sullivan
Alaska House of Representatives
Pouch V
Juneau, Alaska 99811

ATTN: Susan Sullivan or Doug Schoenberg

Dear Susan and Doug:

Thank you for giving a copy of SB 716 am to Jim Parsons to bring to me. It was considerably differenc from what I had even with the partial senate amendments.

Attached are line item changes that we find that need to be changed. Some of the amendments that were placed in the bill created a monopoly that we did not want to see, i.e. the areas mentioned about cremation. We realize that Mr. Barrier is going to fight the increasing of definitions but that is going to be vital to the future of the bill and the elimination of later interpretation in the courts.

We were very suprised to seethat the college requirements were totally taken out. This is something we did not want to see. We are hoping to upgrade the standards, not to maintain the present ones we have, but only placed in statute rather than administrative code.

Please advise us on how this bill is going. We know that you know how we feel and what we would like to see. Again, if you think I could help by coming to Juneau, I will be glad to fly down.

Thanks for your help.

Very truly yours,

F. J. Wizzleben

(907) 279-1963

TO: ALASKA STATE SENATE
ATTN: CHANCY CROFT - PRESIDENT
CAPITAL BUILDING
JUNEAU, ALASKA

IN VIEW OF THE FACT THAT FUNERAL SERVICE PERSONNEL THROUGHOUT THE STATE HAVE SPEND MANY LONG HOURS TESTIFYING AND WORKING WITH LEGISLATORS TO DEVELOP COMPREHENSIVE FUNERAL SERVICE LEGISLATION, WE FEEL IT UNFORTUNATE AND IN EXTREMELY POOR TASTE FOR SEN. TILLION TO MAKE THE UNJUSTIFIED AND SWEEPINGLY DEROGATORY STATEMENTS HE DID ABOUT THE FUNERAL PROFESSION. TO SAY THAT IT'S "LESS HONORABLE AND MORE COSTLY THAN PROSTITUTION" IS SUPREMELY IRRESPONSIBLE AND TOTALLY UNBECOMING AN ELECTED REPRESENTATIVE OF THE PEOPLE. WE STRONGLY FEEL THAT A PUBLIC APOLOGY IS IN ORDER.

F. J. WITZLEBEN, PRESIDENT
DIVISION OF FUNERAL DIRECTORS
ALASKA ALLIED FUNERAL SERVICES ASSOCIATION, INC.

Telegram Sent to Croft 4/20/74

SUGGESTED CHANGES BY ALASKA ALLIED FUNERAL SERVICE ASSOCIATION TO SB 716 am:

Page 1, Line 19

The word "restore" needs to be defined, so as not to preclude some-one who is a hair dresser from working on a deceased individual.

Page 2, Line 1

Subparagraph (c) has lost it meaning and also gives monopoly to licensed individuals (embalmers and/or funeral directors) to control cremation and crematories. The old meaning in no way gave a monopoly to funeral establishments, but only gave the department control over those unlicensed individuals (i.e. village chiefs, health aids) who might wish to care for the dead in areas not served by licensed funeral service personnel the right to do so and be compensated. It additionally in no way said that a funeral establishment HAS to be contacted when a death occures and still gives the family the right to do-it-yourself, if they so desire, in either the bush areas or municipalities. The original subparagraph (c) was taken directly from what has been in the Alaska Administrative Code for years. Reference 7AAC35.010(d).

Recommend the following change: Page 2, Line 2. After the word "cremation," insert "in areas of the state not served by a person licensed to practice mortuary science," (This might be an amendment that Sen. Tillion might accept.)

Page 2, Line 12

Delete period at end of sentence and add ", or as the need arises." (Frequently there is no need to give an examination and therefore would be costly to the state to have to advertise the examination as is required by law.)

Page 2, Line 29

Add new subparagraph (6) as follows: "(6) have satisfactorily completed at least one year at an accredited college or university (30 semester credit hours)."
(We have requested that our standards be raised, but objected to the two year college requirement. If we are to bring our standards up to minimum requirements of the other states, we need to include one year of college, other than mortuary college. This will give the future licensee an opprotunity to broaden his field of knowledge in other areas, i.e. Business Administration, Accounting, Management, etc.)
(The one year educational requirement for college will also make the Alaska License requirements equal with other states and allow the Alaska Licensee to meet reciprocal requirements of other states if he so desires.)

Page 3, Line 10

Add new subparagraph (5) as follows: "(5) have satisfactorily completed at least one year at an accredited college or university (30 semester credit hours)."
(The same justification is used for this addition as in the above justification for the embalmers license.)

Page 3, Line 25

Delete the word "use" and insert the word "recognize"
(The change of the two words will allow the state to recognize as well as use the national conference examination, which is given upon completion of mortuary science college. It would additionally reduce future expenses to both the licensee and the state for the administration of the examination thus reducing duplication.) (In utilization of the conference examination the state will not have to draft its own examination, thur further reducing the cost of administration of this portion of the statute.)

Page 4, Line 9

Add a new subparagraph (e) as follows: "(e) If the applicant has successfully passed the Conference of Funeral Service Examining Boards of the United States, Inc. examination, he will be exempted from subjects other than state laws."
(This addition would further reduce the time and money spent by both the licensee and the state in the administration of examinations, in as much as the conference examination is given at all colleges of mortuary science upon completion of the schooling requirements. Additionally costs could be reduced.)

Page 4, Line 17

After the word "except" delete "for the apprenticeship and"
(If a license is going to be recognized from another state and that person is duly licensed, there is no reason that he should be required to serve an apprenticeship. This is just one way to obtain cheap help at the expense of an already qualified person and would make it more difficult to attract labor to this state.)

Page 4, Line 19

After the word "practiced" delete "mortuary science" and insert "under said license". After the word "year" insert a semi-colon ";"
(The term must be changed to be consistent with the existing wording in the above section when it refers to embalmer and funeral director. There are too many different terms being used and will only create confusion.)

Page 4, Line 20

Delete "in a state where he is licensed"
(This wording is just being redundant about the license. Additionally many people work under said license in various states without being licensed in that state, for short periods of time, combined totaling a year before settling down. This area is going to further restrict the reciprocity of a license when someone is duly licensed in another state, and reduce the availability of labor to local business.)

Page 5.

Before Sec. 08.42.090 an entire new section on Apprenticeship should be included. (See Attached recommendation.) (ALL subsequent sections will have to be re-numbered.)

SUGGESTED CHANGES BY ALASKA ALLIED FUNERAL SERVICE ASSOCIATION TO SB 716 am PAGE -3-

Page 5, Line 22

Delete the words "while death is" and insert "immediately before an" and after the word "impending" add the word "death"
(This change brings the other amendments that were made in to total consistance. Subparagraphs (8), (9), (10) were changed in the Senate before the bill was passed, but this subparagraph was overlooked.)

Page 6, Line 18

Add before the word "After" the markings for a subparagraph "(a)"
(To keep consistance with the adding of a new subparagraph (b) which follows.)

Page 7, Line 2

Add a new subparagraph "(b)" as follows: "(b) This permit shall be issued with credit applied to the business license, with the permit fee not to exceed $25.00."
(This provision was included because members of the association, felt that this was just going to create additional expenses, over and above the cost of two licenses. Presently payment of the embalmers license fee is credited against the business license. These professional licenses can be personally deducted from income tax, but an establishment permit cannot be other than through the business. Presently like all businesses we pay large amounts of taxes even before income tax is computed.)

Page 7, Line 9

This subparagraph (3) should be deleted entirely and definitions for "Embalming", "Embalmer","Funeral Directing", and"Funeral Director".
(The present definition is trying to be all inclusive when in fact it cannot. Additionally, we see that it has been amended to include cremation of dead human bodies, when infact cremation has nothing to do with the practice of mortuary science, but in fact is a method of final disposition, such as burial, entombment, etc. This provision again would be giving a monopoly to funeral establishments to operate a crematory.) (See Attached definitions for substitution.)

Page 7, Line 13

This subparagraph (4) should be deleted entirely and a definition for "Apprenticeship" be included. "(4) Apprenticeship means a person engaged in learning the practice of embalming and/or funeral directing under the direct supervision of an individual licensed to practice embalming and/or funeral directing under the laws of this state. An Apprentice must be registered with the department in order to receive credit for time served."

Page 7, Line 20

Add a definition for "Restore"
"Restore means those areas of reconstructive surgery (plastic surgery and demi-surgery) applied to a dead human body. This does not include Cosmetology or Hairdressing (Barber/Beautician).

Page 8, Line 4

After the word "of" delete "rendering the service or"
(continuted)

This is an area that has been debated since the bill was intruduced as HB509 over a year ago. the words "rendering service" are ambiguous - does it mean rendering any type of service or funeral services meaning the ceremony. We contend that this confusion will lead to future court problems. From the time we first answer the telephone and are informed of a death, we as funeral service personnel are rendering service. We strongly agree that before the time of the funeral ceremony and before the time of providing merchandise that a written contract must be completed, but this cannot be accomplished before we render any services. If completed arrangements are to be made before any services (of any type) are provided, then the State of Alaska and the Hospitals will have to provide removal services of remains to a state or hospital morgue, pending completed arrangements with a funeral establishment, thus incressing costs to the state of having to have personnel and facilities staffed and available when a death occures.

SB 216 13

PRE-NEED MERCHANDISE AND SERVICES TRUST FUND

Section 1. Definitions.

As used in this Act:

(a) "Agent" means an individual authorized by a seller to offer, or sell or solicit the purchase of a pre-need contract on behalf of the seller.

(b) "Beneficiary" means the person for whose benefit funeral and/or cemetery merchandise or services are furnished or performed pursuant to a pre-need contract, whether it be the buyer of such a contract or someone else designated by the buyer.

(c) "Buyer" means the purchaser of a pre-need contract.

(d) "Cemetery Company" means any individual, partnership, corporation or association, owning or controlling cemetery lands or property and engaged in the operation of cemetery business in this state.

(e) "Cemetery merchandise" means those items normally supplied by a cemetery company under a pre-need contract, including urns, vases, grave liners, burial vaults, crypts, memorial bases, and other similar merchandise, but does not include the sale of interment, entombment or inurnment space.

(f) "Cemetery services" means those services normally performed by a cemetery company under a pre-need contract for the opening and closing of graves, crypts and niches, foundation installation, and other services in relation thereto.

(g) "Department" means the Department of Commerce.

(h) "Funeral establishment" means any individual partnership, corporation or association owning or controlling a properly licensed funeral home engaged in operation in this state.

(i) "Funeral merchandise" means those items normally supplied by a funeral establishment under a pre-need contract, including caskets, burial vaults, clothing and other similar merchandise.

(j) "Funeral services" means those services normally performed by a funeral establishment under a pre-need contract, for funeral services.

(k) "Person" includes natural persons, partnerships, firms, associations, and corporations residing in or doing business in this State.

(l) "Pre-need contract" means a contract for the purchase of funeral and/or cemetery merchandise or services to be furnished or performed at a future date for a specific consideration which is paid in advance by one or more payments in one sum or by installment payments.

(m) "Seller" means any person selling a pre-need contract.

(n) "Trust fund" means funds deposited with a trustee by a seller pursuant to a pre-need contract.

(o) "Trustee" means any state or national bank, trust company, or federally insured savings and loan association authorized to transact such business in the State of Alaska, and designated as trustee of the trust fund in a pre-need contract.

Section 2. Application.

Except as hereinafter provided, no person or other legal entity shall, directly or indirectly, solicit or enter into a pre-need contract for the sale of funeral and/or cemetery merchandise or services which may be used in connection with the final disposition, burial or commemoration of the memory of a deceased human

being if delivery of the funeral and/or cemetery merchandise or services thereunder is to be made at an uncertain future date, such as at death, or more than one hundred and twenty (120) days after receipt of the final payment under such pre-need contract.

Section 3. Seller's Certificate of Authority: Application Contents; Supporting Documents; Fee.

(a) No person shall sell pre-need contracts without first obtaining a certificate of authority from the Department as hereinafter provided.

(b) The proposed seller or appropriate corporate officer of the seller shall make application in writing to the Department for a seller's certificate of authority, showing:

(1) The proposed seller's name and address and his occupation during the preceding five (5) years;

(2) The name and address of the proposed trustee;

(3) The names and addresses of the proposed performers, specifying what particular services, supplies and equipment each performer is to furnish under the proposed pre-need contract; and

(4) Such other pertinent information as the Department may reasonably require.

(c) The application shall be accompanied by:

(1) The applicant's fingerprints on a form furnished by the Department;

(2) A copy of the proposed trust agreement and a written statement signed by an authorized officer of the proposed trustee to the effect that the proposed trustee understands the nature of the proposed trust fund account and accepts it;

(3) A copy of each contract or understanding, existing or proposed, between the seller and performers relating to the proposed pre-need contract or items to be supplied under it;

(4) A copy of each document relating to the proposed seller, trustee, trust, or pre-need contract, as may be required by the Department; and

(5) A fee of twenty-five ($25.00) dollars, no part of which is refundable.

Section 4. Seller's Certificate of Authority: Issuance; denial.

(a) If the Department finds that the application is complete, that the seller is in compliance with all requirements therefor, that the applicant otherwise qualifies under the provisions of this chapter, and upon satisfactory evidence that a funeral and/or cemetery merchandise and service trust fund has been established, he shall issue a seller's certificate of authority to the applicant.

(b) The Department shall refuse to issue a seller's certificate of authority to any applicant who does not comply with or otherwise meet the requirements of this chapter. Upon such refusal, the Department shall give written notice thereof to the applicant setting forth the reasons for such refusal.

Section 5. Seller's Certificate of Authority: Expiration; Renewal; Renewal Fee.

(a) Each seller's certificate of authority issued pursuant to this chapter shall expire at midnight on April 30 next following its date of issuance.

(b) The Department may renew from the seller, accompanied by a renewal fee of twenty-five ($25.00) dollars, if he finds that the seller is, at that time, in compliance with all applicable provisions of this chapter.

Section 6 Seller's Certificate of Authority: Revocation; Suspension.

(a) After giving written notice of charges to the to the seller, not less than thirty (30) days in advance of hearing, the Department may, after hearing, revoke the seller's certificate of authority if the seller:

(1) Obtained his certificate of authority through misrepresentation or concealment of a material fact;

(2) Is no longer qualified for such certificate of authority; or

(3) Violates any provision of this chapter or any lawful order or rule or regulation of the Department.

(b) If a seller is found guilty under paragraph (3) of subsection (a), the Department may, in lieu of revocation, suspend his seller's certificate of authority for a period not to exceed ninety (90) days.

Section 7. Surety Bond.

(a) Prior to the issuance of a certificate of authority to a seller, the seller shall post with the Department and thereafter maintain in foce a bond in the principal sum of fifty thousand ($50,000.00) dollars issued by an authorized corporate surety in favor of the State of Alaska, or a deposit made up of cash or negotiable securities. If a deposit is made in lieu of a bond, the deposit shall at all times have a market value of not less than the amount of the bond required by the Department.

(b) In lieu of posting the entire amount of the bond or deposit required under subsection (a), the Department may approve the posting of a bond or deposit in the amount of five thousand ($5,000.00) dollars or

multiple thereof, not to exceed fifty thousand ($50,000.00) dollars, if he finds that the circumstances and status of the applicant's business do not immediately war ant the posting of a bond or the full amount of the bond or deposit for the purposes provided in subsection (c). If less than the amount of the bond or deposit is posted by the applicant, the Department may require him to post an additional bond or deposit of five thousand ($5,000.00) dollars or multiple thereof each following year until the required maximum of fifty thousand ($50,000.00) dollars is met. The Department may require a quarterly report if no bond is required.

(c) The bond or deposit shall be held for the benefit of buyers of pre-need contracts and other persons as their interests may appear, who may be damaged by misuse or diversion of moneys by the seller or his agents, or to satisfy any judgments against the seller for failure to perform a pre-need contract. The aggregate liability of the surety for all breaches of the conditions of the bond shall, in no event, exceed the sum of such bond. The surety on the bond shall have the right to cancel such bond upon giving sixty (60) days' notice to the superintendent and thereafter shall be relieved of liability for any breach of condition occuring after the effect date of such cancellation.

(d) The Department:

(1) Shall release the bond or deposit after the seller has ceased doing business as such and the Department is satisfied of the nonexistence of any obligation or liability of the seller which the the bond or deposit was held; or

(2) May reduce the bond or deposit in five thousand ($5,000.00) dollar increments if he finds that the circumstances and status of the applicant's business warrant such reduction.

Section 8. Agent's License: Requirement; Exception.

(a) It is unlawful for any person to solicit the sale of pre-need funeral and/or cemetery merchandise and service contracts in this State on behalf or a seller unless he holds a valid Agent's license issued by the Department.

(b) This section does not apply to a seller who is an individual holding a valid seller's certificate of authority.

Section 9. Agent's License: Application; Fee.

(a) To qualify for an agent's license, the applicant shall execute and file a written application with the Department on forms furnished by the Department.

(b) The application shall:

(1) Require information concerning the applicant's identity, address, personal background and business, professional or work history;

(2) Contain such other pertinent information as the Department may require.

(3) Be accompanied by a filing and license fee of five ($5.00) dollars, no part of which is refundable.

Section 10. Agent's License: Issuance; Temporary Permits.

(a) If the Department finds that the application is complete after all investigation not to exceed thirty (30) days, it shall issue at the request of the holder of a valid seller's certificate of authority an agent's license to the applicant.

(b) An applicant for an agent's license may receive a temporary agent's permit, for a period of not to exceed thirty (30) days, at the request of a holder of a valid seller's certificate of authority, provided that each sales agreement sold by a temporary agent shall be cosigned by a licensed agent of a valid seller's certificate of authority.

Section 11. Agent's License: Expiration; Renewal; Renewal Fee; Voiding.

(a) Each agent's license issued pursuant to this chapter shall expire at midnight April 30 next following its date of issuance.

(b) An agent's license may be renewed at the request of the holder of a valid seller's certificate of authority upon filing a written request for renewal accompanied by a five ($5.00) dollar renewal fee.

(c) An agent's license becomes void unless he is employed by a holder of a valid seller's certificate of authority.

Section 12. Pre-Need Contracts: Content; Entire Agreement; Rescission.

(a) All pre-need contract forms offered or sold in this State shall contain:

(1) The names and addresses of the seller, buyer, beneficiary, and trustee;

(2) A clear and unambiguous statement of the services and merchandise to be supplied and by whom;

(3) The purchase price of each item of supply or service and how payable;

(4) The date and place of execution;

(5) The full percentage of sales commission to be retained by the seller;

(6) The seller's or his agent's signature on the original contract and his identification by name and title on any duplicate copy of such contract given to the buyer;

(7) A provision in 10-point boldface type or larger, stating in substance that the buyer shall be permitted to return the contract within ten (10) days of its delivery to the buyer and to have the full purchase price or amount paid thereon refunded if the buyer is not satisfied with it for any reason;

(8) In print on its face sheet, in 10-point boldface type or larger, a notice stating, "This is not an insurance contract."; and

(9) Other reasonable and appropriate provisions.

(b) The written contract, when signed, shall constitute the entire agreement between the parties relative to its subject matter. All obligations of both parties shall be fixed, and enforceable by the other parties to the contract.

(c) Any provision in a written contract that allows the seller to escalate the purchase price due to inflation or rising costs or otherwise shall be void, and of no force and effect unless the buyer is furnished at least six months prior to performance of a pre-need contract with written notice by the seller of his intention to escalate and the amount of the escalation does not exceed an amount sufficient to cover extra-ordinary cost increases in excess of the normal cost of living increases experienced by the seller. Such notice of escalation shall be effective five (5) days

after receipt thereof by the buyer.

(d) If the buyer, pursuant to the provision required by paragraph (7) of subsection (a), returns the contract to the seller at its branch or home office or to the agent through whom it was purchased, the contract shall be void from the beginning and the parties shall be returned to the same position they occupied before the contract was entered into.

Section 13. Pre-Need Contracts: Approval; Disapproval of Forms.

(a) A seller shall not offer, sell or deliver in this State any pre-need cemetery contract unless the form of such contract has been filed with and approved in writing by the Department.

(b) The Department shall disapprove any such form of contract which he finds:

(1) Printed or reproduced in such a manner as to be substantially illegible in whole or in part;

(2) Contains ambiguous or misleading provisions, clauses or titles.

(3) Does not comply or is inconsistent with any applicable requirement of this chapter; or

(4) For other good cause shown.

(c) No amendment or modification of any such form shall be made unless the amendment or modification has been filed with and approved in writing by the Department.

(d) Each filing is subject to a waiting period of up to thirty (30) days before it becomes effective.

(e) A filing shall be deemed to meet the requirements of this chapter unless disapproved by the Department within the waiting period or any extension thereof.

Section 14. Pre-Need Contracts: Credit Life Insurance.

The seller may make available to buyers, under deferred payment, pre-need contracts for credit life insurance on a form and terms filed with and approved by the Department. The buyer must be provided with a certificate of such credit insurance as otherwise required by the Department.

Section 15. Funeral and/or cemetery merchandise and service trust fund: Payments to trust; amounts required; administration; duty of care.

(a) Any cemetery company, funeral establishment or other seller entering into a pre-need contract wherein the delivery of the funeral and/or cemetery merchandise or services is to be made at an uncertain future date, such as death, or more than one hundred twenty (120) days after receipt of the final payment under such contract shall deposit into a trust fund established for that purpose fifty percent (50%) of the gross receipts, less sales taxes, for the sales of such funeral and/or cemetery merchandise or services. Upon proper certification of costs to the Department, any cemetery company, funeral establishment or other seller with the written approval of the Department may deposit into the trust fund an amount comprising one hundred and ten percent (110%) of such cost in lieu of the fifty percent (50%) requirement.

(b) Each deposit herein required shall be paid into the trust fund so established within twenty (20) days after the close of the month of receipt from the buyer by the cemetery company, funeral establishment or other seller, except that the entire amount required to be deposited based upon the sales price, less sales taxes, shall be so deposited in trust within seven (7) years from the date of the original sale, regardless of whether or r all amounts due therefor shall have actually been

(c) The trust fund shall be administered by a trustee in accordance with a written trust instrument.

(d) The trustee shall, with respect to such trust funds, exercise the judgment and care under the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, c sidering

the probable income as well as the probable safety of their capital; provided however that the cemetery company, funeral establishment or other seller may appoint an individual or committee of two or more irdividuals to act in an advisory capacity with the trustee in the investment of the trust fund and that the cemetery company, funeral establishment, or other seller with the consent of the Department, may change the trustee of the trust fund. Within the limitations of such standards, and subject to any express provision or limitation contained in any particular trust instrument, a trustee is only authorized to acquire and retain fixed investments specifically including, but not limited to, certificates of deposits, bonds, debentures and other corporate obligations, which men of prudence, discretion and intelligence acquire or retain for their own account.

(e) Each deposit into any such trust fund shall be identified by the cemetery company, funeral establishment or other seller by furnishing the trustee and the buyer with the name of the buyer, the amount of the retail sales price, and the amount of money required to be deposited, together with a copy of the contract of sale. The cemetery company, funeral establishment or other seller shall allocate to each separate account its share of the total income earned in each calendar year, based upon the proportion that the principal balance in each said account bears to the total principal balances in all such accounts. For this purpose each deposit made before June thirtieth of each year shall be considered as having been made on the first day of the year, but deposits made after June thirtieth shall not participate in the distribution of income earned during that calendar year. The trustee may commingle the deposits in such trust fund for purposes of the management thereof and the invest-

ment of funds therein. Annually, the trustee shall advise the cemetery company, funeral establishment or other seller of the amount of income received by the whole fund for that calendar year. The cemetery company, funeral establishment or other seller shall keep detailed records of the amount of money deposited from time to time.

(f) In the administration of the trust fund, the trustee shall be liable only for bad faith and wanton negligence, and shall be entitled to rely upon advice of independent counsel; and upon doing so in good faith, such trustee shall have no liability for such acts or actions.

Section 16. Funeral and/or cemetery merchandise and service trust fund: Withdrawals from trust; inability of seller to perform; default of buyer.

(a) The funds shall be held in trust both as to principal and income earned thereon, and shall remain intact, except that the costs of operation of the trust may be deducted from the income earned thereon, until delivery of the merchandise is made or the services are performed by the cemetery company, funeral establishment or other seller or until the death of the beneficiary. Upon delivery of said merchandise or performance of the services, the cemetery company, funeral establishment or other seller shal. certify such delivery or performance to the trustee and the amount of money plus income on deposit with trustee to the credit of that particular contract. Upon such certification, or in case of death prior to such certification, and upon submission of a certified copy of a death certificate, the amount of money on deposit to the credit of each particular contract, including principal and income earned thereon shall be forthwith paid to the cemetery company, funeral establishment or other seller. The trustee may rely upon all such certifications herein required to be made and shall not be liable to anyone for such reliance.

(b) If for any reasen a cemetery company, funeral establishment or other seller that has entered into a contract for the sale of funeral and/or cemetery merchandise or services and has made the deposit into the trust fund as herein required to be made cannot or does not provide the funeral and/or cemetery merchandise

or perform the services called for by the contract within a reasonable time after request in writing to do so, the buyer or his heirs or assigns or duly authorized representative shall have the right to provide such funeral and/or cemetery merchandise or services, and, having done so, shall be entitled to receive the deposit to the credit of that particular contract. Written instructions to the trustee by the cemetery company, funeral establishment or other seller directing the trustee to refund the amount of money on deposit, or an affidavit by either the buyer or one of his heirs or assigns or duly authorized representative, stating that the funeral and/or cemetery merchandise or services were not provided, shall be sufficient authority for the trustee to make refund of the funds on deposit to the person submitting the affidavit. The trustee shall not be held responsible for any such refunds made on account of the cemetery company's, funeral establishment's, or other seller's written direction or an affidavit submitted in accord with this section. However, nothing herein contained shall relieve the cemetery company, funeral establishment or other seller from any liability for non-performance of the contract terms.

(c) If the cemetery authority or other seller cannot deliver the funeral and/or cemetery merchandise sold because of a national emergency, the provisions of subsection (b) shall be suspended for the duration of said emergency and for fifteen days following the termination thereof.

(d) If the buyer defaults in making payments, the cemetery company, funeral establishment or other seller shall have the right to cancel the contract and to withdraw from the trust fund the entire balance to the credit of the defaulting buyer's account as liquidating damages. In such event, the trustee shall deliver said balance to

the cemetery company, funeral establishment or other seller upon its certification, and upon receiving said certification the trustee may rely thereon and shall not be liable to anyone for such reliance.

Section 17. Funeral and/or cemetery merchandise and service trust fund: Payments to purchaser; change of domicile.

If after final payment a buyer moves his domicile to a point that makes delivery of the funeral and/or cemetery merchandise or services impossible or impractical, the trustee shall refund to the buyer the principal amount of money on depo to the credit of that particular contract, including the income earned thereon. In the event that the amount refunded hereunder is less than seventy-five (75%) percent of the principal amount paid by buyer under the terms of the pre-need contract then seller shall pay to buyer the difference between the amount refunded and seventy-five (75%) percent.

Section 18. Trust funds exempt from attachment, other process.

In the absence of fraud, all trust funds held or invested in accordance with the provisions of this chapter are not liable to attachment, garnishment or other process, or to be seized, taken, appropriated or applied to pay any debt or liability of the seller, buyer or beneficiary by any legal or equitable process or by operation of law.

Section 19. Records and reports of sellers, trustees.

(a) Every seller shall keep accurate accounts, books and records of all transactions, copies of all agreements, dates and amounts of payments made and accepted, the names and addresses of the contracting parties, the persons for whose benefit such funds are accepted and the names of the depositories in which such funds are deposited. Every trustee handling trust funds under the provisions of this chapter shall

file with the Department quarterly, a financial statement for each trust account required to be maintained by the seller, on forms prescribed and adopted by the Department. Every annual report shall be accompanied by a fee of $10. If such statement is not received by the Department as required he may, after giving 10 days' notice, revoke the seller's certificate of authority.

(b) The seller shall keep within this state, at the address shown upon the certificate of authority, complete records of all transactions under his certificate of authority. Such records and the affairs of the seller shall be subject to audit and examination by the Department at any reasonable time.

(c) The seller shall keep such records for a period of not less than 5 years after the completion of all transactions to which they relate.

Section 20. Nonwaiver of provisions; retroactive effect; penalties.

(a) Any provision of any contract for the sale of personal property or the performance of services herein contemplated which waives any of the provisions of this chapter shall be void.

(b) Anything herein to the contrary notwithstanding, the provisions of this chapter shall apply only to contracts that are entered into subsequent to July 31, 1974.

(c) Any cemetery company, funeral establishment or other entity, as defined in this chapter, failing to make the required deposits to the trust fund or otherwise violating the provisions of this chapter shall be guilty of a misdemeanor, punishable by fine of not less than two hundred dollars or more than one thousand dollars, or by imprisonment of not less than thirty days nor more than one year, or both, and each violation of this chapter shall constitute a separate offense.

Attachment 5-19

A M E N D M E N T

TO: SB 716 am

Page 9, line 29 - page 10, line 2: delete all matter and insert:

(d) The department shall issue or deny, renew, revoke, or suspend certificates of authority as it determines necessary to safeguard the health and welfare of the public.

(e) Before the issuance of a certificate of authority the applicant shall post and thereafter maintain in force with the department a surety bond or deposit in the form, on the conditions and in the amount established by regulation but not to exceed $50,000. The bond or deposit shall be held for the benefit of buyers of pre-need contracts and other persons as their interests may appear.

(f) No person other than a person who is the individual holder of a certificate of authority issued under this section may solicit sale of pre-need funeral contracts without a license issued by the department.

(g) All pre-need funeral contracts shall be in the form and upon the terms prescribed by the department by regulation. A seller may not offer, sell, or deliver a pre-need funeral contract unless the terms and form of the contract and credit life insurance sold together with the contract has been filed with and approved in writing by the department. A contract that has not been approved as required is voidable at the option of the buyer or beneficiary.

(h) A seller entering into a pre-need funeral contract shall deposit into a trust account in a financial institution whose deposits are insured by an instrumentality of the federal government 50 per cent of the gross receipts from each contract or, with the written approval

of the department, 110 per cent of the cost of furnishing all services required under the contract. Trust funds deposited or held under the provisions of this section are not liable to attachment or other process and may not be seized, taken, or appropriated or applied to pay any debt or liability of the seller, buyer, or beneficiary. The seller, buyer, and trustee shall conform to standards and procedures for the refund and withdrawal of trust funds that the department determines necessary to safeguard the public health and welfare.

(i) The seller and trustee shall maintain the records and make the reports the department determines necessary to safeguard the public health and welfare.

(j) A provision of a pre-need funeral contract which violates any of the provisions of this chapter or regulations adopted under this chapter is void.

(k) The department shall adopt and enforce regulations necessary for the performance of its functions under this section.

(l) A person who violates or aids a person in violation of this section or of regulations under this section is guilty of a misdemeanor and upon conviction is punishable by imprisonment for not more than one year, or by a fine of not more than $1,000, or by both.

(m) In this section

(1) "department" means the Department of Commerce and Economic Development;

(2) "pre-need contract" means a contract for the purchase of funeral or cemetery merchandise or services to be furnished or performed at a future date for a specific consideration which is paid in advance by one or more payments in one sum or by installment payments.

02-0013 (REV 06-73)

MEMORANDUM State of Alaska

TO: The File

DATE: May 11, 1976

FILE NO:

TELEPHONE NO:

FROM: Sharon Andrew
Director

SUBJECT: SB 716 am

Page 1, line 12

after the word "science" insert "and sales of funeral merchandise and services"

Page 1, line 14

after the word "science" delete the period and insert "and sales of funeral merchandise and services."

Page 6, line 26

after the word "department" delete the period and insert "and upon a showing of compliance with applicable law."

Page 6, line 28

after the numeral "90", insert "or 140"

Page 7, line 28 & 29

delete all material and renumber accordingly

Page 8, line 1

change section number from "45.45.120" to "08.42.140"

Page 8, line 29

delete all material and renumber accordingly

Page 9, line 1

change section number from "45.45.125" to "08.42.150"

Page 9, line 4

after the word 'department" delete "as herein after provided" and insert "in accordance with this chapter and regulations adopted by the department. All certificates of authority expire on December 31 of each year and may be renewed for successive one-year terms."

Page 9, line 27 & 28

Delete all material

Page 9, line 29

Delete paragraph (d) and insert new paragraphs

(d) Pre-need contract means a contract for the purchase of funeral and/or cemetery merchandise or services to be furnished or performed at a future date for a specific consideration which is paid in advance by one or more payments.

(e) The department may establish by regulation such other requirements as may be necessary to reasonably assure that the interests of a purchaser under a pre-need contract are adequately safeguarded.

5 states either forbid or almost forbid –

24 states 100%

28 states 100%

23 states 100%

APPENDIX X

Basic Data on State Pre-Need Trust Laws

STATE	PRE-NEED STATUTE	STATE CONTROL AGENCY	PERMIT REQUIRED	AMOUNT OF PAYMENTS PUT IN TRUST	AMOUNT OF INCOME PART OF TRUST	AMOUNT BUYER CAN WITHDRAW
1. ALABAMA	no law					
2. ALASKA	no law					
3. ARIZONA	yes	yes	no	100%	100%	100%
4. ARKANSAS	yes	yes	yes	100%	100%	none
5. CALIFORNIA	Funeral directors only	yes	no	100%	Used to pay expenses and forfeitures	100% of payments
6. COLORADO	yes	yes	yes	85%	Up to 15% of contract	Amount of payments & interest accrued.
7. CONNECTICUT	Insurance law govern	yes	yes			
8. DELAWARE	Participation in such activities considered grounds for suspension of revocation of license					
9. DISTRICT OF COLUMBIA	no law					
10. FLORIDA	yes	yes	yes (only licensees can arrange)	100%	100%	100%
11. GEORGIA	yes	yes	yes	100%	100%	100%
12. HAWAII	no law					
13. IDAHO	yes	no	no	100%	100%	100% less cost of operating trust
14. ILLINOIS	yes	yes	yes	95%	95%	Amount in trust account less 25% or $35.00 whichever is greater.
15. INDIANA	yes	yes	yes	100% less trustee's expense	100% less trustee's expense	Amount in trust account less 10% or $35.00 whichever is greater
16. IOWA	yes	no	no	80%	100%	Amount in trust account on mutual consent

9 states from 70-90%

STATE	PRE-NEED STATUTE	STATE CONTROL AGENCY	PERMIT REQUIRED	AMOUNT OF PAYMENTS PUT IN TRUST	AMOUNT OF INCOME PART OF TRUST	AMOUNT BUYER CAN WITHDRAW
17. KANSAS	yes	no	no	100%	100%	100%
18. KENTUCKY	yes	yes	yes	100%	100%	100%
19. LOUISIANA	Participation in such activities possible grounds for revocation of license.					
20. MAINE	yes	no	no	100%	100%	100%
21. MARYLAND	yes	no	Licensed funeral director and embalmer only	100%	100%	100%
22. MASSACHUSETTS	no law					
23. MICHIGAN	yes	no	no	100%	100%	100%
24. MINNESOTA	yes	no	no	100%	100%	100%
25. MISSISSIPPI	Pre-need contracts limited severely and controlled by Insurance Commissioner					
26. MISSOURI	yes	yes	no	80%	none	73%
27. MONTANA	yes	yes	no	100%	100%	100% on mutual consent
28. NEBRASKA	yes	yes	no	100%	100%	100%
29. NEVADA	Life insurance law governs					
30. NEW HAMPSHIRE	no law	Burial associations prohibited				
31. NEW JERSEY	yes	no	no	100%	100%	100%
32. NEW MEXICO	Life insurance law governs					
33. NEW YORK	yes	yes	no	100%	100%	100%
34. NORTH CAROLINA	yes	yes	yes	100%	100%	100%

STATE	PRE-NEED STATUTE	STATE CONTROL AGENCY	PERMIT REQUIRED	AMOUNT OF PAYMENTS PUT IN TRUST	AMOUNT OF INCOME PART OF TRUST	AMOUNT BUYER CAN WITHDRAW
35. NORTH DAKOTA	yes	yes	Can be engaged in only by operators of licensed funeral establishments	100%	100%	100%
36. OHIO	yes	no	no	100%	100%	100%
37. OKLAHOMA	yes	yes	yes	90%	100%	100% of amount paid into trust fund
38. OREGON	yes	no	no	100%	100%	100%
39. PENNSYLVANIA	yes	yes	no	last 70%	100% on deposit	last 70% of payments
40. RHODE ISLAND	no law – Pre-need arrangements may be grounds for suspension or revocation of license					
41. SOUTH CAROLINA	no law – funeral directors may not collaborate with life insurance companies in this area					
42. SOUTH DAKOTA	yes	no	no	100%	100%	100%
43. TENNESSEE	yes	yes	no	100%	100%	100%
44. TEXAS	yes	yes	yes	90%	100% less trust expenses	All of payments held in trust – no interest
45. UTAH	yes	yes	yes	at least 75%	100% of trust	90% of the amount placed in trust
46. VERMONT	no law					
47. VIRGINIA	yes	no	no	100%	100%	Mutual consent
48. WASHINGTON	Insurance law governs					
49. WEST VIRGINIA	yes	yes	no	95%	95%	Amount in trust less 25% or $35.00 whichever is greater

STATE	PRE-NEED STATUTE	STATE CONTROL AGENCY	PERMIT REQUIRED	AMOUNT OF PAYMENTS PUT IN TRUST	AMOUNT OF INCOME PART OF TRUST	AMOUNT BUYER CAN WITHDRAW
50. WISCONSIN	yes	no	no	100%	100%	100%
51. WYOMING	Commissioner of Insurance sets out rules and regulations					

SCR

18

Relating to training in nonaggressive self-defense in secondary schools of the state.

COMMITTEE REPORT

HOUSE

Mr. Speaker: Date _____

The Committee on _____ has had _____ ___

under consideration A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 11, 1975

Members Present:

Beirne	Parr
Hackney	Sullivan
Ott	Stanson
Osterbrock	Davis

Chairman Sullivan called the meeting to order at 3:00. The first order of business was HB 181.

HB 181 - Support Wolf, Advisory Board Creation

Spoke of the history of the Wolf Advisory Board. Spoke in opposition to all amendments. Would like to see this on the Div. of Fish and Wildlife Services Advisory Board. Would like to see proposed to establish Sport [illegible] to defray up. HB 553 (1974) projected expenses based on current costs, [illegible] than $15,000. The Board exists now but is having trouble being funded by the [illegible] because of no registration legislation.

Swenson Wolf will be [illegible]

Wolf $10,000.

Beirne It is my experience that the Board [illegible] very helpful in Anchorage.

Hackney What kind of problems are brought [illegible] Board's public hearings?

Wolf In favor of HB 553, (1974 legislation)

C. Goldstein Director Assoc. of Social Workers. The Governor's Welfare Advisory Board will become DHSS, Div. of Family & Children Services [illegible] with the creation of DHSS. The board provides invaluable [illegible] Advisory Board need to be necessary in order to get Federal funds, [illegible] should be retained.

Senator Wm Williamson [illegible] in favor of the bill. Spoke [illegible] with state legislation regarding [illegible] HB 553(1974) for the first [illegible] with [illegible] Commissioner.

Beirne [illegible] adopt HB 553 [illegible] copy.
Ott [illegible]

Chairman [illegible] asked for [illegible] Board, HB [illegible] needs [illegible] Committee.

REF to
Sen [illegible]

SCR 16 Senator Chance gave briefing of the bill. Emergency medical facilities are necessary in bringing attention to the need for special training to deal with rape victims.

Hackney Motion to move bill out with 'do pass'
Ostrosky Second

Chairman Sullivan, hearing no objection, announced bill out of committee with unanimous concent.

SCR 18 Senator Chance gave briefing of the bill. No aggressive self defense techniques can be taught that aren't applicable to aggressive action.

Ose Motion to move bill out with unanimous 'do pass'
Hackney Second

Hearing no Objection, SCR 18 passed the Committee.

Adjourned.

DEPARTMENT OF EDUCATION
AGENCY COMMENTS
SCR #18

Senate Concurrent Resolution #18 - relating to training in nonaggressive self-defense in secondary schools of the state.

Background

Self-defense tactics are now taught to some degree in Alaska secondary schools, although the actual scope is unknown. In all probability, whatever classes are offered can be attributed to the current popularity of Judo and Karate.

It can be assumed a person who is reasonably well trained in self-defense could be expected to be less vulnerable to bodily assault; however, we believe it would be advisable to obtain the opinions of persons involved with public safety as to the potential effectiveness of such a training program.

Proposed Legislative Change

The resolution requests (1) each district to "ascertain the need for offering physical education classes in nonaggressive self-defense" and report its determination to the Department by July 1, 1976; (2) that the Department work with districts "in developing programs in nonaggressive self-defense;" and (3) that the Department submit a summary and evaluation of the findings (of district schools), along with a progress report to the first session, Tenth Legislature.

Problems

From a Department of Education point of view, it is unknown to what extent physical education teachers are prepared to teach "nonaggressive self-defense" or what logistical problems they might face in instituting a mass training program.

The Department could carry out the intent of the resolution within the established time frame.

Nathaniel H. Cobe

Deputy Commissioner

March 7, 1975
Date

SCR

75 Am

Relating to the development of a children's code.

COMMITTEE REPORT

HOUSE

Mr. Speaker: Date _____

The Committee on _____ has had _____

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 14, 1976

Present: Parr, Ostrosky, Sullivan, Swanson, Hackney, Beirne, Ose, Osterback

Testifying: Betsy McGuire, Office of Child Advocacy
Genie Chance,

SCR 75 - Development of a Childrens Code

Betsy presented the reasons and need for the development of this code.

Parr, concerned about line 27, which refers to Ak. Family Law. Does this deal with Children & Family Law??? If so the name of the act does not reflect that.

Hackney - why are we contracting with an attorney (fiscal note 27,000) to do this job when we have attorneys allready on contract in legislative affairs?

Genie, because the attorney that has worked on this bill all year with O.C.A. developing the children's code will no longer be with legislative affairs and we would like to keep him on. Andy Brown

Committee decided to change "children's code" to "family law code" on line 5. Have it redrafted as a Committee substitute.

Do pass out

HB 666 - Statewide Coordination of Health Planning

This bill has been heard before, we are dealing with a C.S.. Discussion among committee members and Lois Judd and Jan Gates about provisions of this latest draft.

Amend- P5 line 12, after $1,000 delete "or" , add "The"
P. 5 line 13, delete "sec. 7161" add, "sec. 81 (e). will have the committee substitute redrafted rather than make amendments to this.

Move out with individual recommendations.

THE LEGISLATURE OF THE STATE OF ALASKA

FISCAL NOTE

Second Session - Ninth Legislature

I. REQUEST

Bill No. SENATE CONCURRENT RESOLUTION NO. 75

Title: "RELATING TO THE DEVELOPMENT OF A CHILDREN'S CODE"

Requested by: Date: February 24,,1976

Return Date Requested:

Agency: LEGISLATIVE AFFAIRS AGENCY Program:

II. FISCAL DETAIL

Budget Request Unit(s) Affected: LEGISLATIVE AFFAIRS AGENCY

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES		0				
200	TRAVEL		3.5				
300	CONTRACTUAL		23.5				
400	COMMODITIES		0				
500	EQUIPMENT		0				
600	LAND & STRUCTURES		0				
700	GRANTS, CLAIMS, ETC.		0				
	TOTAL		27.0				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		27.0				
FEDERAL FUNDS		0				
OTHER		0				

C. POSITIONS:

PERMANENT/TEMPORARY	/	0 /0	/	/	/	/
MAN MONTHS (P./T.)	/	0 /0	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

SEE ATTACHED BUDGET FOR FY 77.

IV. ATTACHMENTS

V. DATE: February 24, 1976 PREPARED BY: LEGISLATIVE AFFAIRS AGENCY

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)

BFS 30

PROJECTED BUDGET FOR
CHILDREN'S CODE PROJECT
FOR FY 77

Attorney's Contract $23,544

This contract would supply necessary legal services and research for the project. Coordinates efforts to review existing law relating to children and family in general. Recommends necessary revisions to harmonize conflicts, supply omission, and clarify law.

$10,800	FY 76 salary for 6 months of service
x2	(6 month periods)
$21,600	TOTAL cost FY 76
1,944	9% salary increase
$23,544	TOTAL cost for FY 77 for 12 months service

Travel $3,460.80

Extensive travel required to research and receive input on children laws. Attends monthly meetings of Children's Code Task Force to discuss problems and receive recommendations on revisions.

$1,840.80 Travel (12 at $153.40)

$1,620.00 Per Diem (36 at $45.00)

TOTAL $27,004.80

STATEMENT TO HOUSE HESS COMMITTEE ON SENATE RESOLUTION 75 RELATING TO THE DEVELOPMENT OF A CHILDREN'S CODE

APRIL 14, 1976

MY NAME IS BETSEY MCGUIRE; I AM EXECUTIVE DIRECTOR OF THE OFFICE OF CHILD ADVOCACY AND WAS APPOINTED CHAIRPERSON OF THE LEGISLATIVE COUNCIL'S TASK FORCE ON THE DEVELOPMENT OF A CHILDREN'S CODE.

THIS EFFORT IS A RESULT OF 2 CONFERENCES SPONSORED BY THE OFFICE OF CHILD ADVOCACY IN 1974 ON THE CHILD AND THE LAW AT WHICH TIME THE OVERWHELMING RECOMMENDATION WAS THAT A CHILDREN'S CODE SHOULD BE DEVELOPED IN ALASKA. THROUGH THE COOPERATIVE EFFORT OF THE LEGISLATIVE COUNCIL, THE OFFICE OF THE GOVERNOR AND OUR OFFICE, THE TASK FORCE WAS APPOINTED AND MET ON A REGULAR BASIS ALL FALL TO PRIORITIZE THEIR CONCERNS AND DEVELOP SENATE BILL 572. WITH THE LEGAL EXPERTISE OF OUR ATTORNEY, ANDREW BROWN, A THOROUGH EXAMINATION OF ALASKA'S STATUTES CONCERNING CHILDREN, AS WELL AS THOSE OF OTHER STATES WAS MADE.

FOR YOUR INFORMATION, ATTACHED IS A LIST OF THE MEMBERS OF THE LEGISLATIVE COUNCIL'S TASK FORCE WHICH REPRESENTS A BROAD SPECTRUM OF URBAN AND RURAL PEOPLE AS WELL AS LAY AND PROFESSIONAL INDIVIDUALS AND GROUPS.

THE CHILDREN'S CODE ALSO HAS THE ACTIVE SUPPORT OF THE ALASKA LEAGUE OF WOMEN VOTERS AND THE NATIONAL ASSOCIATION OF SOCIAL WORKERS, ALASKA BRANCH.

WE WISH TO BE ABLE TO CONTINUE THIS EFFORT AND COMPLETE THE TASK.

BWMc

4/14/76

TELEGRAM

RCA ALASKA COMMUNICATIONS, INC.

PHONE: [illegible]

JUNEAU [illegible] 01

1976 APR 22 AM 10 33

32012 POM ANCHORAGE AK 15 04-22 815A AST

PMS REP SUSAN SULLIVAN

3260

JUN

PLEASE ACT FAVORABLY ON SCR 75 DEVELOPMENT OF CHILDRENS

CODE AS SOON AS POSSIBLE

CECELIA KLEINKAUF 4201 MCINNES ANCHRAGE AK 99504

SCR
84

Requesting the Governor to direct the transfer of ownership of the state-owned health facility in Craig to the City of Craig.

COMMITTEE REPORT

HOUSE

Mr. Speaker: Date _____

The Committee on _____ has had _____

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report.

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

A M E N D M E N T

TO: SCR 84

BY THE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

IN THE HOUSE

Page 1, line 18: before the period insert the following:

"with the condition that the property would revert to the state if it ceased to be used by the city as a health facility."

AMENDMENT

OFFERED IN THE HOUSE: BY: _____

TO: _____ HOUSE BILL No. _____

SENATE BILL No. 8

PAGE: _____ LINE: _____

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MAY 5, 1976

Present: Hackney Parr Osterback
Ostrosky Beirne Sullivan

Testifying: Frank Pauls, Dept. H&SS,
Dr. Schrader, Director, Mental Health
Debbie Staack, legislative affairs, research

HB 881 - Physician Patient Relationship

Committee looked at the CS which this committee had drawn up, decided to move out with no objection.

SCR 84 Ownership of state owned facility - Craig

Dr. Pauls testified for the dpet. They are against transferring of ownership. The facility was built with G.O. bond. Dept. feels it is a breech of contract to turnover to city of Craig. Attorney Generals office felt it was also a breech of contract, problem being that there would be a chare for services.

Committee discouses putting in clause that would revert ownership back to state if conditions no met. Conditions being that it must be used as a health care facility,

bill moved out. (Doug is having the amendment drafted upstairs)

CSSB 542 - Medical Assistance for Needy Persons

Dr. Schrader, presented the Dept. position regarding this bill

Debbie explained the fiscal impact

Helen Beirne, moved out with do pass- passed out

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 29, 1976

Present: Sullivan Davis Parr
Hackney Beirne Ostrosky Osterback

Testifying: Pat Hung, Div. of Personnel

SCR 94 - Licensing of Nursing Home Administrators - Rules - passed out, do pass
SCR 84 -Ownership of stateowned health facility
Depts. position is that they are against it for various reasons. Mainly that the city would use it as incentive for a Phy. assistant to come in and charge fees. Agains the states policy. Many legal problems.

Committee wants to know if public health nurses could still come in and use the facility????

Amendment line 19, pl

"Be it further resolved that the transfer document guarantee continued availability of space for state medical personnel at no cost to the state"

Committee decided to hold this bill over till we can get someone to testify on it regarding the questions raised by the committee

(amendment was not voted on)

CSHB 457 - Training & Ed. of state employees- Buchholdt

Pat Hunt - testifying regarding this bill and how it would affect the state employees. Fiscal implications hard to figure out. Depts now do some educating of employees, but mainly those who are minority hire.

The true purpose of bill to allow professional people to follow their chosen profession by continuing education.

Committee concerned that the ed. process will override the job. Bill needs clarification of things, such as "shall" creat a program.

Amendment p.2 line 5 delete the word "shall", and "may as funds permit"

additional project.

Hold bill over for more information.

HB 578 - Interchange with Phy/pt Iowa relationship

Bill Hofstader, attorney for many cancer patients interested in laetrile. Make serious recommendation a for this bill. change word drug to "substance"

POSITION PAPER / Department of Health and Social Services

POSITION PAPER

ON

SENATE CONCURRENT RESOLUTION 84

Senate Concurrent Resolution 84 requests the Governor to direct the transfer of ownership of the State-owned health facility in Craig, to the City of Craig.

The intent of the resolution is to enable the City of Craig, through transfer of ownership of the health center, from the State to the city, to enter into a contract with the National Health Service Corps (NHSC) for the placement of a physician's assistant on a fee basis, in the community.

The Department does not wish to hinder the City of Craig's efforts but there are legal and program questions raised that will have impact on all other State constructed health centers. Before the resolution is acted upon, serious consideration must be given to the questions raised.

The Craig Health Center was constructed with State tax money, under a Capitol Improvement Bond issue. The voters approved the bond issue on the understanding that the health centers were to be for the use of the public health nurses in support of the established public health programs of the State, with provision of services at no cost to the public. To turn the Health Center over to the City of Craig for an entirely different usage and with a fee schedule, in our opinion, would be a violation of the voter's intent with regard to the bond issue. The Attorney General's Office verbally concurred in this opinion and further stated that the issue would have to be voted on at a regular state-wide general election.

The program concerns involve usage and availability of space for the public health clinic activities, overlapping of functions with a fee for service by the physician's assistant versus no fee by the public health nurse and reassignment of personnel. There is further concern over the guaranteed availability of current and future space, at no cost to the State, if the building is turned over to the city.

The Department, for the reasons stated above, therefore cannot support SCR 84.

Recommended By: Frank P. Pauls — 4/1/76

Frank P. Pauls, Dr. P.H.
Acting Director

Date

Approved By: for Francis S. L. Williamson — 4/1/76

Commissioner

Date

April 6, 1976

Rep. Susan Sullivan
Chairman, HESS

Susan:

I believe SCR 84 was referred to your committee so I'm forwarding back-up material supplied by Senator Ziegler.

Oral Freeman

April 5, 1976

Mr. Marvin Yoder
Mayor
City of Craig
Box 23
Craig, Alaska 99921

Dear Mayor Yoder:

SCR 84, the resolution pertaining to transferring title from the state to the City of Craig for your medical facility, passed the Senate unanimously on April 2nd.

By copy of this letter to Representative Freeman, I am advising him of that fact, and I am enclosing with his copy of the letter all the back-up material I have.

With any luck at all, he can shepherd it through the House, and thereafter one hopes the state will actually reconvey the subject property to the City of Craig.

Regards,

Robert H. Ziegler, Sr.

RHZ/pkg

cc - Representative Freeman

CITY OF CRAIG

P.O. Box 23

CRAIG, ALASKA 99921

Phone: 826-3232

March 22, 1976

Senator Robert H. Ziegler, Sr.
Pouch V
Juneau, Alaska 99811

Dear Bob,

Thank you for your letter in reference to the State transfer of title to the medical facility here in Craig.

I have asked the local Health Council to draft an informational letter for you, which you should have received by now.

The following is some information that I have been able to gather, hope it is helpful to you. The building size is 42'x25' and is worth approximately $60,000. The building is setting on lot #1, Blk.#14, (I was unable to find a legal description) The State owns the property upon which the buliding sits. It was turned over to them by the City at the time of construction of the building. The building is currently being used by our Health Aide program and also is used when the PHS itinerant doctors and Dentists come to Craig.

I hope that this information, along with the letter from our Health Council, is useful to you.

Sincerely,

Marvin Yoder

Marvin Yoder
Mayor

MY/md

February 23, 1976

Mrs. Marie Olson
Executive Director
SEACAP
Box 440
Juneau, Alaska 99802

Dear Mrs. Olson:

The Legislative Affairs Agency is in the process of drafting a resolution which would request the state to convey title to the health facility in Craig to the City of Craig.

I don't anticipate too many problems with the resolution, and I hope I can move it.

Very truly yours,

Robert H. Ziegler, Sr.

RHZ/pkc

SOUTHEASTERN ALASKA COMMUNITY ACTION PROGRAM

JUNEAU CENTER
P.O. BOX 449
JUNEAU, ALASKA 99802
PHONE 907 586-1990

February 5, 1976

Robert H. Ziegler, Sr.
House of Representatives
State Capitol
Pouch Y
Juneau, Alaska 99811

Dear Senator Ziegler:

The Board of Directors of the Southeastern Alaska Community Action Program on January 27, 1976 unanimously passed the attached resolution requesting that the State of Alaska deed the ownership of the health facility located in Craig, Alaska to the City of Craig in order that this community be able to contract a Physician's Assistant. In the interest of improving the quality of health care in the community of Craig we urge your careful consideration of this resolution. We look forward to your advice and supportive action on this matter.

Sincerely,

Marie Olson
Executive Director

AM:ew

1-7-74

RESOLUTION NO. 7

Entitled: Requesting that the State of Alaska deed the ownership of the Health facility located in Craig to the City of Craig.

WHEREAS, the City of Craig is desiring to contract a Physician's Assistant; and

WHEREAS, the contract depends on the City ownership of a Health facility; and

WHEREAS, the State of Alaska owns a health facility in Craig.

NOW THEREFORE BE IT RESOLVED, that the State of Alaska deed the ownership of the Health facility to the City of Craig.

Signed: _____
Steve Hotch, President
SEACAP Board of Directors

Signed: Judy Mears
Judy Mears, Secretary
SEACAP Board of Directors

March 1, 1976

Mayor Marvin L. Yoder
City of Craig
Box 23
Craig, Alaska 99921

Dear Marvin:'

I know you're in the process of getting me some backup material on the Sea Lion resolution. I need your help on another matter.

Enclosed is a copy of a resolution whereby we request the state to transfer title to the medical facility there to Craig. If the resolution gets to the floor, I should have some more background material as concerns this particular structure.

For example, how big is the building? What is its worth? What is the legal description of the property on which it sits? Has it ever been assessed for purposes of taxation (it probably hasn't since it's state owned)? Is it currently being utilized?

What I seek, in essence, is enough information to be able to discuss the proposal intelligently on the floor of the Senate.

Regards,

Robert H. Ziegler, Sr.

RHZ/nkg

enc.

MEMO March 22, 1976

FROM SENATOR ZIEGLER

TO SENATOR RAY

RE SCR 84

Bill--Under date of May 10th in 1972, the city of Craig conveyed to the state of Alaska all and entire Lot 1, Block 14, U.S. Survey 1430, Craig Townsite. There was no consideration for the conveyance. It was, as the quitclaim deed provides, "a donation of the property hereinafter described to the grantee."

The city would like to have the state reconvey title; this is not because the city of Craig is an Indian giver, if you'll pardon the expression, but merely because if they regain title to the health facility, they will be able to do many cool things in the field of health care for the community.

I attach a copy of a letter written me by the president of the Craig Health Council.

As far as I know, the resolution is harmless and costs nothing.

RHZ/pkg

One.

Craig Health Council
Craig, Alaska 99921

March 16, 1976

Senator Robert H. Ziegler, Sr.
Pouch V
Juneau, Alaska 99811

Dear Senator Ziegler:

I am writing you on behalf of the Craig Health Council in response to your letter dated March 1, 1976.

The City will be corresponding with you providing information regarding the legal status of the property assessment for taxation purposes and size of the building.

Presently the clinic is being utilized by the village health aide, Margaret Hatch, R.N., who holds daily clinics Monday through Friday. The clinic is also utilized for emergency purposes on a 24 hour basis. The Alaska Native Health Service Public Health doctors utilize the clinic during their visits to the community, which is approximately four times a year for 5-7 day clinics. A Public Health Social Worker utilizes the clinic on his routine visits. Biannual visits are made by the Public Health Dentist for two weeks at a time.

The clinic is used by the Intinerant State Public Health Nurse each month when she visits the community of Craig. In addition, special clinics such as Optometry, Ear, Nose and Throat, Audiology and the annual Chest X-ray clinic utilize these facilities.

The Craig Health Council uses the clinic building to hold their regular monthly meetings. Community meetings, with individuals concerned with health care, are also held in the Craig Health Center.

The Craig Health Council is in the process of becoming incorporated. The purpose of the incorporation is to apply to the National Health Service Corps for the services of a Physician Extender to upgrade the quality of health care to the citizens of the community of Craig. In order for the Health Council to engage in an agreement with the National Health Service Corps they must own a facility adequate to meet the health needs of the community and to house the facilities necessary for a Physician Extender to meet these needs.

The National Health Service Corps, in addition to providing a trained Physican Extender, provides equipment to local facilities in order to meet the health needs of the community. The services of the Physician Extender and the necessary equipment cannot be provided in our community unless the facility is locally owned and controlled.

Monies are available on a grant basis to construct such facilities but it seems ludicrous to apply for such grants when a facility that is adequate, to meet the needs, presently exists.

The problem arises however in that the facility is owned by the State of Alaska and therefore no person who collects fees for health care can provide services or operate within the Craig Health facility.

The National Health Service Corps will provide monies to establish a Physician Extender with the agreement that the Physician Extender become self supporting within 2 to 4 years. This, of course, necessitates service on a fee basis which in our present facility is not allowed.

Originally in late 1971 negotiations for a health facility between the City of Craig and the State of Alaska began. In May of 1972 the City of Craig relinquished a lot to the State to construct a health center. A contract was let to construct a facility 42 feet X 25 feet, for the State of Alaska, for approximately $60,000.00.

During the negotiations, Margaret Bixby, a State of Alaska Health Aide, indicated that after one calendar year, if the City of Craig could maintain this facility, it would be turned over to the City for local control and operation. The facility was completed in January of 1973 and has been utilized, as previously stated, since that time.

In January of 1976, Mayor Marvin Yoder and Dr. Donald Hatch, visited with Margaret Bixby in Juneau concerning the transfer of the health facility in Craig from the state to the city. At that time Mrs. Bixby indicated that their office would explore with the State Administration the feasibility of such a move.

As of April 1st a State Public Health Nurse will be stationed in Craig. Margaret Bixby has expressed a concern about the nurse being able to operate out of the clinic should the city own the title to the clinic. The Craig Health Council has assured Mrs. Bixby that there will always be room for the nurse to operate out of the Craig Clinic, without rental charges to the State.

Mayor Yoder and Dr. Hatch met with Sue Green and Jessie Dodson, Special Assistant to Governor Hammond and expressed our requests and concerns. Their assistance and cooperation, together with your support, has resulted in Senate Concurrent Resolution No. 84.

The Craig Health Council respectfully requests your total support of this measure and thanks you for your concern and introduction of this resolution to the Judiciary Committee.

If you feel it would be beneficial for an individual from Craig, to testify, on behalf of this resolution please notify us.

Thank you for your assistance and concern. We look forward to bigger and better things for the West Coast of Prince of Wales Island.

Sincerely,

Enclosure: Senate Claim Bill
Lot 1, Block 3, U.S. Survey 4130
Craig, Alaska 99921

cc: The Honorable Jay Hammond, Governor
Mayor Martin Yoder, Craig
Ted Grey Kisley, Juneau
Sue Green, Juneau
Jo Jo Hudson, Juneau
Bonnie Gardiner, Juneau
Carl Brossman, Juneau
Frank Larson, Juneau

QUITCLAIM DEED

THIS INDENTURE, made this 19th day of May, 1972, between the CITY OF CRAIG, Alaska, hereinafter called Grantor, and the STATE OF ALASKA, hereinafter called Grantee,

WITNESSETH: That the said Grantor, for and in consideration of the determination of the Common Council of the City of Craig, Alaska, that a donation of the property hereinafter described to Grantee would be advantageous to the best interests of the city and the community, does by these presents quitclaim unto the said Grantee all the right, title, equity, interest, claim, and demand which the said Grantor has in and to the following described property situate in Craig, Alaska, to-wit:

All and entire Lot One (1), Block Fourteen (14), U. S. Survey [illegible], Craig, Alaska Townsite;

together with all [illegible] thereon; together with the [illegible] belonging or in [illegible]

TO HAVE AND TO HOLD [illegible] unto the said Grantee, and [illegible]

IN WITNESS WHEREOF, [illegible] instrument [illegible] executed in [illegible] officers, and its corporate seal [illegible] and year first above written.

ATTEST:

[illegible]

STATE OF ALASKA)
) ss:
First District)

THIS IS TO CERTIFY that on this 19th day of May, [illegible]

ZIEGLER, ZIEGLER & CLOUDY
Phone 225-4145
P. O. Box 979
Ketchikan, Alaska
99901

1972, before me, the undersig... a United States Postmaster in and for the United States of Ame...a, duly commissioned and sworn, personally appeared STANLEY L. B...PUS and FRANCES J. SHAPLEY, to me known to be ...e Mayor and Cit... Clerk respectively of the CITY OF CHAIG, a municipal corporation, the corporation which executed the above and foregoing instrument; and who on oath stated that they were duly authorized to execute said instrument and affix the corporate seal thereto on behalf of said corporation, and that the seal affixed thereto is the corporate seal thereof; and acknowledged that they signed the same freely and voluntarily on behalf of said corporation for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate first above written.

SEAL MAY 19 1972 ALASKA

United States Postmaster

ZIEGLER, ZIEGLER & CLOUDY
Phone 225-4145
P. O. Box 979
Ketchikan, Alaska
99901

CLC:st

SCR

94

Annulling a regulation adopted by the Department of Health and Social Services pertaining to the licensing of nursing home administrators.

COMMITTEE REPORT

HOUSE

Mr. Speaker: Date _____

The Committee on _____ has had _____ ___ under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

APRIL 29, 1976

Present: Sullivan Davis Parr
Hackney Beirne Ostrosky Osterback

Testifying: Pat Hung, Div. of Personnel

SCR 94 - Licensing of Nursing Home Administrators - Rules

Depts. position is that they are against it for various reasons. Mainly that the city would use it as incentive for a Phy. assistant to come in and charge fees. Agains the states policy. Many legal problems.

Committee wants to know if public health nurses could still come in and use the facility????

Amendment line 19, p1

"Be it further resolved that the transfer document guarantee continued availability of space for state medical personnel at no cost to the state"

Committee decided to hold this bill over till we can get someone to testify on it.regarding the questions raised by the committee

(amendment was not voted on)

CSHB 457 - Training & Ed. of state employees- Buchholdt

Pat Hunt - testifying regarding this bill and how it would affect the state employees. Fiscal implications hard to figure out. Depts now do some educating of employees, but mainly those who are minority hire.

Thelma- purpose of bill to allow professional people to follow their chosen profession by continuing education.

Committee concerned that the ed. process will override the job. Bill mandates alo f things, such as "Shall" creat a program.

Amendment p.2 line 5 delete the word "shall", add "may as funds permit."

amendment passed.

Hold bill over for more information.

HB 881 - Interference with Phy/patient relationship

Hugh Fleischer, attorney for many cancer patients interested in laetrile. made various recommendation s for this bill. change word drug to "substance" Numerous studies which support laetrile.

POSITION PAPER/Department of Health and Social Servi

POSITION PAPER

ON

SENATE CONCURRENT RESOLUTION NO. 94

"An Act relating to annulling a regulation adopted by the Department of Health and Social Services pertaining to the licensing of nursing home administrators."

The Department of Health and Social Services concurs with this resolution.

Recommended By:

Catherine M Lloyd 4/12/76

Francis S.L. Williamson, Commissioner Date
Department of Health & Social Services

Lawrence J. Sullivan 4/14/76

Lawrence J. Sullivan, Director Date
Division of Public Assistance

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
Second Session - Ninth Legislature

I. REQUEST
Bill No. Senate Concurrent Resolution No. 94
Title: Annulling a regulation adopted by the DH&SS pertinent to nursing home admin.
Requested by: Department of Health & Social Services Date: 4/12/76
Return Date Requested:
Agency: Program:

II. FISCAL DETAIL
Budget Request Unit(s) Affected:

A. EXPENDITURES: (Thousands of dollars)

	OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100	PERSONAL SERVICES						
200	TRAVEL						
300	CONTRACTUAL						
400	COMMODITIES						
500	EQUIPMENT						
600	LAND & STRUCTURES						
700	GRANTS, CLAIMS, ETC.						
	TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0

C. POSITIONS:

PERMANENT/TEMPORARY	/ 0	/ 0	/ 0	/ 0	/ 0	/
MAN MONTHS (P./T.)	/ 0	/ 0	/ 0	/ 0	/ 0	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

IV. ATTACHMENTS

V. DATE: 4/12/76 PREPARED BY:
Lawrence J. Sullivan, Director
Division of Public Assistance

Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislative Name)

Reviewed by Financial Management:

BAS

SJR

4

COMMITTEE REPORT

HOUSE

Mr. Speaker: Date _____

The Committee on _____ has had _____

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT

CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____

COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

SJR-4

JOHN L. MC CLELLAN, ARK., CHAIRMAN

WARREN G. MAGNUSON, WASH.
JOHN C. STENNIS, MISS.
JOHN O. PASTORE, R.I.
ROBERT C. BYRD, W. VA.
GALE W. MC GEE, WYO.
MIKE MANSFIELD, MONT.
WILLIAM PROXMIRE, WIS.
JOSEPH M. MONTOYA, N. MEX.
DANIEL K. INOUYE, HAWAII
ERNEST F. HOLLINGS, S.C.
BIRCH BAYH, IND.
THOMAS F. EAGLETON, MO.
LAWTON CHILES, FLA.
J. BENNETT JOHNSTON, LA.
WALTER D. HUDDLESTON, KY.

MILTON R. YOUNG, N. DAK.
ROMAN L. HRUSKA, NEBR.
CLIFFORD P. CASE, N.J.
HIRAM L. FONG, HAWAII
EDWARD W. BROOKE, MASS.
MARK O. HATFIELD, OREG.
TED STEVENS, ALASKA
CHARLES MC C. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.
HENRY BELLMON, OKLA.

JAMES R. CALLOWAY
CHIEF COUNSEL AND STAFF DIRECTOR

United States Senate

COMMITTEE ON APPROPRIATIONS
WASHINGTON, D.C. 20510

March 17, 1975

Hon. George Hohman
Alaska State Senator
Chairman, Senate Hess Committee
Alaska State Senate
Pouch V
Juneau, Alaska 99801

Dear Senator Hohman:

Thank you for the Senate Health, Education and Social Services Committee's letter of March 3, commenting on the Committee's concern over the Federal taxation of State funds for Alaska pioneers.

I have written the Director of the Internal Revenue Service and have asked him to investigate this situation. Specifically, I have asked him to determine if any provisions exist to render State funds for Alaska pioneers non-taxable by the Federal Government. When I receive a reply from the IRS, I shall be in touch with you.

I appreciate hearing of the Committee's concern over this matter. I hope that you would be kind enough to share this message with the other members of the Committee.

With best wishes,

Cordially,

TED STEVENS
United States Senator

SJR

10 AM

relating to certain practices of the United States Veterans' Bureau

COMMITTEE REPORT

HOUSE

Mr. Speaker: Date _____

The Committee on _____ has had _____

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Box 342
Palmer, Alaska
99645

2/10/75

Senator Jay Kertula
Juneau, Alaska
99801

Dear Jay;

I think the letter I wrote to the Outpatients Pharmacy dated February 10, 1975, states the crux of my problem with the V.A. That is, the objections I raised previously about ordering from Seattle. As stated in that letter, my fears and doubts became a reality. This is born out by the enclosed lab graphs which show the results of my blood work. The other copies of correspondence contain, in chronological order, the previous letters of my feelings on the practice of ordering this perishable medication by mail, and, the replies I received.

All I'm asking (or have ever asked the V.A. for) is that I be allowed to get the insulin from Bert's here in Palmer.

Please note the area's I have indicated in red, which support the things I have so stated to the Outpatients Pharmacy in my letter of February 10, 1975. I'm pleading for your assistance in this matter as it could easily lead to more severe complications of my disability. I'm also sending an identical packet to Senator Stevens as well as the V.A. office in Washington, D.C. and the VARO clinic administrator, Dr. Whalen in Juneau.

Sincerely,

Dan Brase

P.S.

In regards to the message relayed back to me from Juneau; the Outpatients Pharmacy admitted they were in error in the way my shipment was handled.

REF: 23572631

Box 342
Palmer, Alaska
99645

OUTPATIENTS PHARMACY
Room 521 Smith Tower
2nd Ave. & Yesler Way
Seattle, Wash. 98104

Feb. 10, 1975

Gentlemen:

Enclosed is my refill order for diabetic supplies. It is my understanding that you were contacted by Dr. Whalen's office in Juneau last Thursday, Feb. 6, 1975, regarding the proper handling and shipping proceedures in the future of my insulin.

I would like to point out a few things to you regarding the batch I received from your pharmacy, on the last order. Perhaps I should begin with the time I noticed my vision beginning to blur somewhat, and at which time I had an exam. Before the Dr. asked me more than a couple of questions, he became aware of the fact I had diabetes and requested a blood sugar test be done. The results showed the glucose level at 385mg%. I immediately increased my insulin intake 2 units and fell back to an 800 calorie (or less) per day diet. About 1 week later, I had a fasting blood sugar drawn with a result of 360mg%. That same day, a 2 hr. PC was done after my noon snack with a result of 560mg%!!! My urine was showing +3--+4 throughout this period. It should be noted that I followed this diet religiously, along with the increase in insulin, for approximately 8-10 days. Upon advice of my Doctor, I purchased a bottle of insulin locally, taking the same amount, and increased my diet to 2000+ calories per day. After 3 or 4 days, my urines started running negative and my vision has since cleared also.

I think it would be a damned safe assumption to make, that the insulin I was using was spoiled! There are several possibilities that enter my mind regarding this. No. 1, the box it was shipped in contained neither insulation nor was it marked in any way other than an address label. No. 2, it was no good prior to shipping. No. 3, it is very conceivable that at 35,000 feet in a jet airplane it's right chilly in a mail compartment--like maybe -50 or 60. Furthermore, being uninsulated, if it layed around in a post office for several days, it would become unduly warm, neither condition being conducive to the proper care of such a product. (At least that's what it says on the bottle!)

Now, the message that was relayed back to me from Juneau, was that I could be assured that in the future, these supplies would be handled

in the proper manner. For the benefit of all concerned, I certainly hope so!, as this is in actuality, my "life's-blood", and it is no enjoyable experience to depend on a medication only to discover that a person could as well have taken a shot of water. I have a copy of all correspondence since I was ordered last Spring to either order from your firm or I could be made to pay for this medication. At that time, I questioned and objected to having to order from Seattle, of all places, and through the mail. My objections were based upon those doubts of such a practice and which have now been a reality.

I am submitting forthwith, copies of all this correspondence, as well as a copy of this letter to my State and National Senators and others as listed below. I would appreciate any reply and or explanation you are able to send me in regards to this experience.

Truly yours,

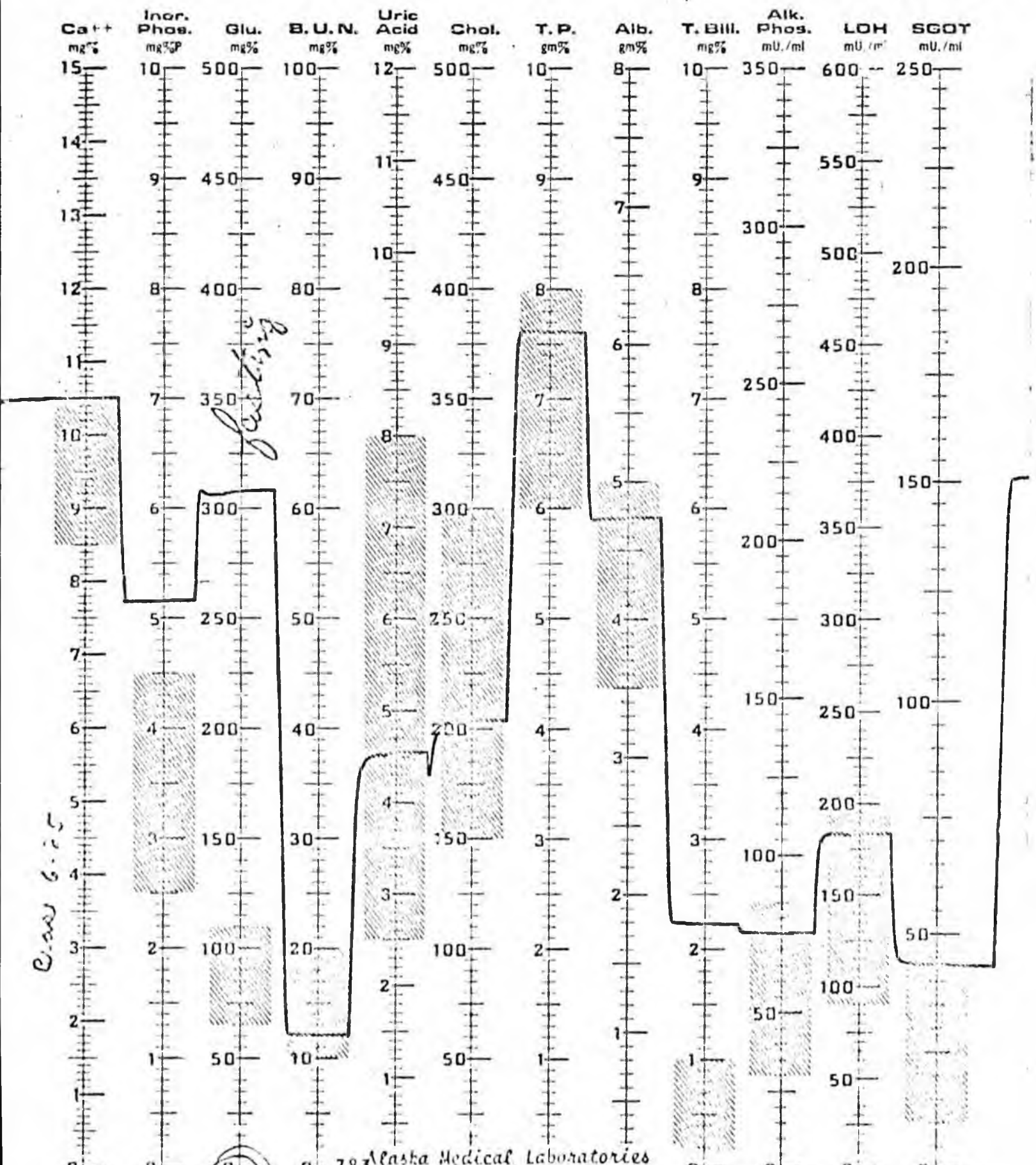
Danny L. Brase

Danny L. Brase

cc; Senator Kertula
Senator Stevens
Dr. Whalen, Juneau
V.A. Washington, D.C.

(011-0019)
12-60 SURVEY

(011-0019)
12-60 SURVEY



Alaska Medical Laboratories

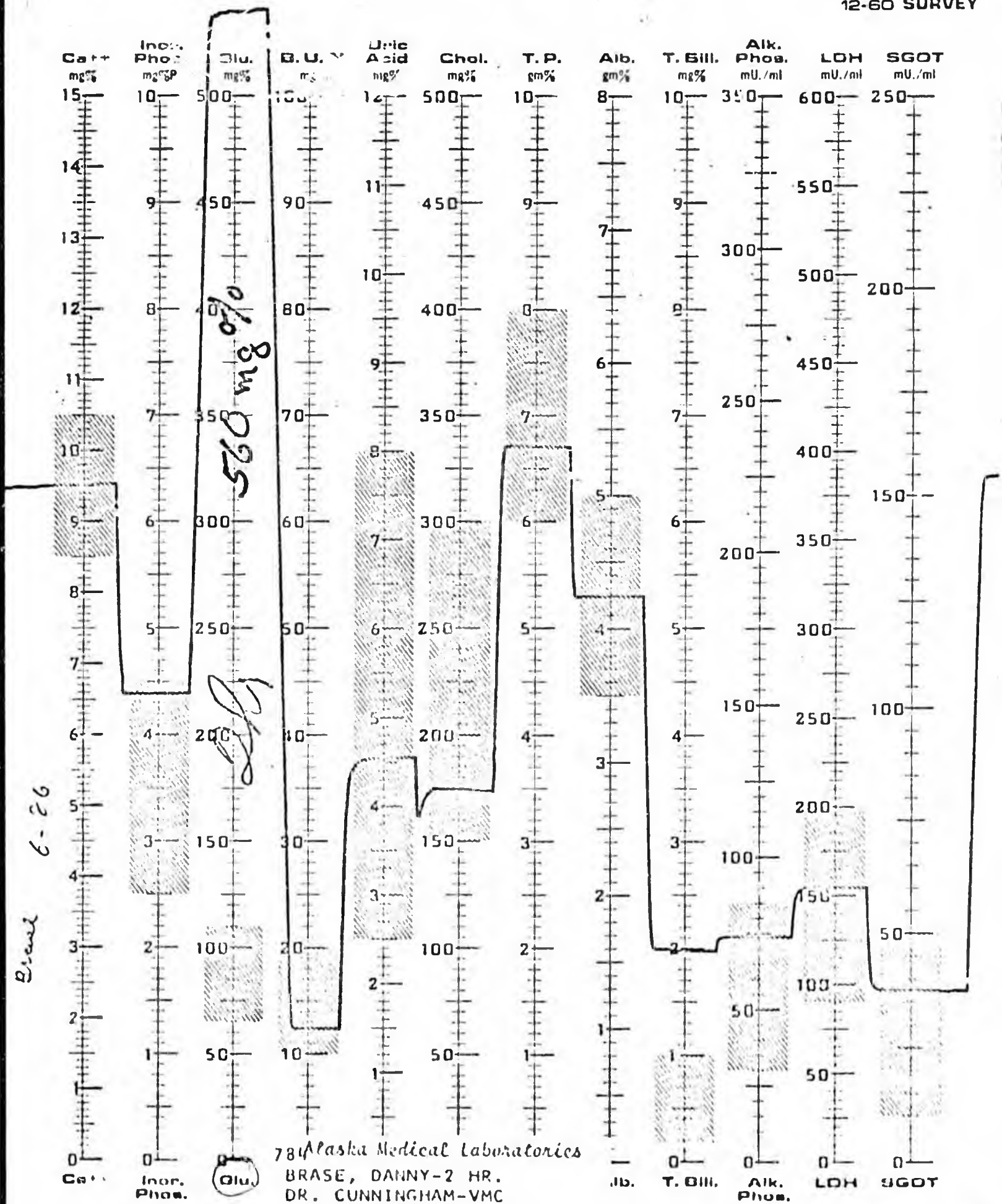
783

BRASE, DANNY-FASTING
DR. CUNNINGHAM-VMC
JAN. 20, 1975

Patient's Name _____

600085

NO. 460
(011-0019)
12-60 SURVEY



781 Alaska Medical Laboratories
BRASE, DANNY-2 HR.
DR. CUNNINGHAM-VMC
JAN. 20, 1975

Patient's Name _____

600086
600085

Dr. _____

365

BRASE, Danny L.
9/5/74

PHARMACY SERVICE
VETERANS ADMINISTRATION
Outpatient Clinic
Smith Tower, Second and Yesler
Seattle, Washington 98104

Dear Veteran:

PLEASE NOTE THE CIRCLED INFORMATION BELOW REGARDING PRESCRIPTION

NUMBER _____ FOR NPH U-80 Insulin.

1. All refills have been exhausted.
2. No refills have been authorized by your doctor.
3. This is the last authorized refill of your prescription.
4. Please contact your doctor for new prescription.
5. Your prescription is over six months old and may not be refilled.
6. Narcotic prescriptions may not be refilled.
7. Your request was submitted too early. Please mail refill request ten days before your present supply of medication is exhausted.
8. This is your narcotic medication. Your other medication(s) will follow by regular mail.
9. We do not have a current refillable prescription in your file for

_____.

10. Your doctor may continue your medication by writing a new prescription for up to a one month supply of medication and authorizing up to five refills.
11. This medication is for treating a non-service connected condition. It cannot be filled at the expense of the government.
12. Please have your doctor use prescription blanks with not more than one prescription written on each blank.
13. (other) We can understand and sympathize with your irritation involving the red-tape required to get a non-prescription item such as Insulin. However, as with most matters involving the government, the VA is required to follow certain regulations, which includes the requirement of a prescription for any medication, for record-keeping purposes. For your information, however, the supplies needed for diabetic control, such as syringes, needles, Testape, etc., do not require a doctor's prescription. Just ask for them on the order form enclosed, when you need them. When you reach the last authorized refill, a sticker will be attached, to remind you to get a new prescription for the next 6 months.

VETERANS ADMINISTRATION
REGIONAL OFFICE
P.O. BOX 1288
JUNEAU, ALASKA 99801

Date: June 18, 1974
In Reply Refer to: 363/136B
C 23 572 631

Danny L. Brase
P. O. Box 342
Palmer, Alaska 99645

Dear Mr. Brase:

Your letter to the Veterans Outpatient Clinic in Seattle has been forwarded to us for reply.

We can understand your concern regarding the condition of your insulin when it arrives by mail from Seattle. The Pharmacy there has advised us that they send insulin by mail regularly, without refrigeration and without difficulty. Your medicine will be sent by air and should arrive 10-14 days after you order it. In case you do have difficulty at any time, you are authorized to purchase an emergency supply of insulin at your local pharmacy as in the past. However, it has been VA policy for quite some time to furnish routine medications from the nearest VA pharmacy, and indeed it is quite a bit less expensive, as you noted in your letter.

If you have any further questions or problems, do not hesitate to contact the VA at any time. We will make every effort to provide you the maximum medical care benefits to which you are entitled, and to this end we also maintain close contact with Senators Stevens and Gravel concerning these very matters.

Sincerely,

ALTON G. MILNER, Chief
Medical Administration Division

June 9, 1974

Veterans Administration
Outpatient Clinic (119)
Room 521 Smith Tower
2nd &Wesler
Seattle, Washington 98104

'REF: 363/136-B

Gentlemen:

I am in receipt of your letter stating that I must buy (order) my regular medication through you or I am subject to being billed for same.

Several questions come to mind when I receive such a notice;the first being why??....why must I procure an easily perishable medication from Seattle of all places and if I have no alternative but to receive it from there, what guarantee do I have that it will be in useable condition when I receive it? Do you ship it to me under refrigeration? In speaking with the local pharmacy, I was advised that shipping Insulin through the mail is best avoided for the reasons listed above so maybe you could enlighten me on this matter.

Next, it seems somewhat peculiar that after having gotten this medication and syringes through the local pharmacy for 7 years, I am now required to order it from Seattle! Is this part of the move to cut down Government spendir No self pity intended, but, it is enough of a hassle to continually jab myself with a needle each and every morning without receiving such notices as your letter or is this normal proceedure for a government agency which I've always been under the impression as was established to assist Veterans?

I normally order 4 bottles of NPH U-80 Lilly brand Insulin and 4 boxes of U-80 B-D disposable syringes, after seeing the Doctor. I suppose from the contents of this letter, you may be under the impression that I am in complete dis-agreement with having to follow the proceedures you had listed on your for letter and if so, that impression would be correct. I hope however, you will take into consideration the concerns I have expressed. I'm sure my local Senator will. I also would appreciate an answer (s). Thank you.

Respectfully,

Danny L. Brase
Box 342
Palmer, Alaska 99645

VETERANS ADMINISTRATION
REGIONAL OFFICE
P.O. BOX 1288
JUNEAU, ALASKA 99801

Date: April 17, 1974

In Reply Refer to: 363/136-b
BRASE, Danny L.
SS#478-52-9687

Danny L. Brase
Box 342
Palmer, Ak. 99645

Dear Mr. Brase:

In reviewing prescriptions for medicine you are taking for your service-connected disability, we find that some of these medications are the same each month.

In the future, please mail all prescriptions for routine medication to Veterans Administration Outpatient Clinic (119), Room 521 Smith Tower, Second & Yesler, Seattle, Washington 98104.

For prompt service each prescription should bear your full name, address, and claim number. Allow ten to fourteen days for handling, shipment, and delivery.

Only prescriptions required in case of emergency may be obtained from your local pharmacy at Veterans Administration expense.

Sincerely,

Alton G. Milner

ALTON G. MILNER, Chief
Medical Administration Division

Show veteran's full name, VA file number, and social security number on all correspondence.

8/27/74
Box 343
Palmer, AK.
99645

V. A.
Rm. 521, Smith Tower
2nd Ave. & Yesler Way
Seattle, Wn. 98104

REF: C23572631

Sirs:

Enclosed is the Rx you requested. Due to the unnecessary delay required in obtaining an Rx for a non-prescription medication, my current supply is nearly exhausted. You can expect to recieve another bill for an emergency supply which I'll be required to obtain, prior to this order arriving.

If you'll notice, Dr. Cunningham has issued a PRN refill. Now, if you insist this can only be done for a period of 6 months at a time, please let me know when the next one will be due.

It must be my mis-understanding of V.A. policy that has me confused and irritated. Why is a 30 day order required for an on-going medication such as insulin? I assumed most everyone knew that once someone has acquired diabetes (especially of my severity), that it would be a life-long condition. I fail to readily understand how all these superfluous, orders, Rx's, etc. is truly a cut-back in Government spending which is, what I've been told, is the purpose in this ordering through the mail

Yours Truly,
Donald L. Bass

VETERAN'S ADMINISTRATION
OUTPATIENT CLINIC (119)
ROOM 521 SMITH TOWER
SECOND & YESLER
SEATTLE, WN. 98104

18 August 74

REF: 363/136-b
C 23 572 631

DEAR SIRS:

Per your instructions re: the acquisition of medication for service connected disabilities, please mail promptly: 4 EA. BOTTLES NPH U-80 INSULIN (LILLY BRAND ONLY)

4 EA. BOXES DISPOSABLE SYRINGES (26 GA. ½")

COTTON BALLS & ALCOHOL IF AVAILABLE,

Thank You -

Danny L. Brase

DANNY L. BRASE
BOX 343
PALMER, ALASKA 99645

8/22/74

Dear Mr. Brase:

We will be happy to supply you with the Insulin you need. However, we must have a written prescription from your doctor for this or any other medication you may be eligible to get for a service-connected disability. The insulin supplies (Syringes, cotton balls, alcohol, etc.) can be provided without a prescription. We are sending them herewith & will send the Insulin as soon as we receive a prescription.

K. Toms

P.S. VA policy is to provide a 30-day supply of medication, which can be refilled each month for 5 months, if your doctor will authorize refills on the

OUTPATIENTS PHARMACY
ROOM 521 SMITH TOWER
2nd AVE. & YESLER WAY
SEATTLE, WASH. 98104

Valley Medical Center

Box 916
Palmer, Alaska 99645

March 17, 1975

The Honorable Senator Jalmar Kerttula
Senate Majority Leader
Alaska State Legislature
Senate
Juneau, AK 99801

Senate Joint Resolution No. 10.
Presently in the Senate by the
Commerce Committee.
SUBJECT: Certain practices of the
United States Veterans Administration
in regards to medications available
to veterans.

Dear Senator Kerttula:

I am, indeed, in favor of this resolution that would change the present system of the VA to allow members of the VA to obtain medicines at their local pharmacies rather than having them shipped. In the past, many people need medications who are eligible for this service and have to wait an undesirable length of time which is not beneficial to their present health. In fact, many of the drugs are damaged via shipment; and when the medication does arrive, it is ineffective.

I believe that a change in this system would alleviate some of the bureaucracy red tape, expedite matters and also given those people who deserve better care than what they are receiving at the present time under the present policy. I would personally appreciate your efforts on behalf of changing the present situation.

Sincerely,

M. E. Kirkpatrick, D...

MEK:vmw

cc: Susan Sullivan 3-21-75
KB

SJR

11

Relating to the Special Supplemental Food Program for Women, Infants and Children.

COMMITTEE REPORT

HOUSE

3/7/75

Mr. Speaker: Date _____

The Committee on HESS has had SJR 11 under consideration. A Majority of the members of the Committee

(X) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ _____ recommends:

_____ recommends:

_____ Chairman

POSITION PAPER
ON
SENATE JOINT RESOLUTION NO. 11

A resolution relating to the Special Supplemental Food Program for Women, Infants and Children (WIC).

This resolution urges the President of the United States and the United States Congress to continue present funding of the WIC Program which is scheduled to end June 30, 1975.

With United States Department of Agriculture funding, the Department of Health and Social Services is providing highly nutritious supplemental foods for pregnant or nursing women and young children up to the age of four. WIC is the only federal food program directed toward the nutritional needs of this particular group. One hundred fifty persons are currently eligible for WIC which operates in Barrow and Wainwright and will expand to Nuiqsut in March. Communities served by the WIC project are supportive of it and have witnessed the value of the program to the WIC participants. This valuable program is due to be terminated June 30, 1975 since the President's proposed fiscal 1976 budget makes no provisions for it.

The current USDA budget that is administered by the Alaska Division of Public Health amounts to $59,600 for fiscal 1975.

The Department of Health and Social Services highly recommends passage of this resolution.

Recommended By: _____ 2/21/1975
Acting Director (Date)

Approved By: _____ _____
(Date)

Comments by Governor's Office:

By: _____ _____
(Date)

SJR

13

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

3-21-75

Members Present:

Beirne	Ostrosky
Davis	Parr
Hackney	Sullivan
Osterback	Swanson

SJR 13 am by Meland

Senator Meland gave briefing of the bill. The children need special education and there is nothing for them. The residents asked the BIA to keep it open for the time being until something else can be devised for them.

Sullivan How many children are we speaking of.

Meland 100 or more.

Sullivan You are asking for only $30,000? How are they referred to Wrangell Inst? Through their own village teachers and also through the BIA?

Meland Yes, on line 15, we have taken out the original clause of "have already failed" in their own village. The youngsters come from all over Alaska. After age 18 they go back to their village and usually with some type of skill, typing basic carpentry, basic plumbing etc.

Sullivan I think the key phrase here is that the children need individual attention that is not available in their local communities.

Sullivan As this is a resolution and not a bill I think we should act on this today.

Beirne I don't think we have enough information, we should contact the BIA and ask them of their position on the Wrangell Institute.

Chairman Sullivan asked to contact the BIA and inform them of the resolution and ask if and when they might be willing to testify to the matter.

HB 131

OVerstreet I have submitted a position paper previously. The Governor's package would call for the net increase of a %15 average. The range this covers in each district is 4% to 44%. There are problems of escalating prices. The Governor's package can be divided into six sections:

1) $21,750 to 23,500
2) 90% to min. of 93% basic need

3) Units would become supplementary.
4) Would increase the number and size of area differentials, all schools districts are in favor of these first four components.
5) Repeal 874 Law - effects majority of the Districts. It says that the state will make a supplemental appropriation for children that are living on property not taxable by the State.
6) Looking ahead a year to 1976, there would be an automatic increase of $1500 in the instructional area.

Swanson What was the entire figures?

Overstreet $3,000,00. to cover the entire bill.

Ostrosky 3½ million would be being waved by dropping the 874 and would then be what?

Overstreet The Governor's total packet is 17 million, if 874 is dropped, then it would be 14 million. Our recommendation is to delete the sec of HB 131 that asks for the repeal and ask the Finance Committee to fund that separately.

Beirne Do you have the figures for the District areas?

Overstreet Yes (submitted copies to members)

Mr. Coffee Superintendent of Juneau Schools
The Superintendents of the state recommends: Support increase of value of instructional units. Intent to further increase funding for 76-77 is also supported.. Supplemental funding also has our support. We feel that the formula should stay at 11 to 1. We would prefer 9 to 1 however. We are opposed to repeal of 874. This is an important part of State funding. There should be some action given replacing funding before illiminating it from the budget. We think this bill is a step in the right direction. Juneau's budget for this year is 7.9 million and 8.8 million for next year. $400,000 regular agreement with non certified workers.

Parr The Revised Foundation Plan-How much will your increase be?

Coffee Part would be 10%, if the 874 is left in the law, it would be a 19% increase in costs.

Nat Cole State Board of Education is in support of the bill.

Swanson What's your recommendation on the repealer?

Cole I have none, after adding up all the costs we had to look for a figure to meet our budgeted dollar so that's what happened.

Van Houte HB 131 goes part of the way in meeting the financial needs. The 874 should not be repealed. I am disappointed that the School Board isn't asking for more. We believe the figure should be 25,000. Also try to retain isolation factor in this bill for the new districts that will be organized with the decentralization of SOS.

Tom Brown DEpt. of Education, Special Education
I will testify just to the Special education portion of this bill. Under the Gov's bill, 170 units for special education and an additional 80 units put back into the program. This will strengthen the program. (passed out breakdown by districts)

HB 131 will be continued at such time as more information may be presented to the Committee.

SUMMARY WRANGELL INSTITUTE

(1) Present role of Wrangell:

-Students 13-16 years of age
-2 or more years academically retarded
-or have minor physical and/or emotional problems
-serving overcrowded schools or no local schools available

(2) Enrollment:

1967-68	232	1971-72	165
1968-69	229	1972-73	145
1969-70	161	*1973-74	109
1970-71	181		

(3) Operating Costs:

	FY73	FY74	FY75
1740	870,050	882,500	932,900
1898	129,561	119,950	
1870	95,130	146,790	
	1,094,741	1,149,240	
Per Pupil Cost	7,709.44	10,353.51	

Increased FY74 per pupil 2,644.07

(4) Plant Management needs to bring Institute to safety and sanitary standards:

(1) Replace boilers	$ 75,000
(2) Rehab water system	110,000
(3) New gym facility	300,000
(4) N.Staff qtrs. renovate	150,000
(5) Dorm/School renovate	750,000
(6) Food storage, Maintenance, Office and Shop	180,000

(5) Considerations:

-more local school opportunities
-possible manditory attendance areas
-high per pupil costs
-condition of facilities
-reduced employment ceiling
-energy conservation

(6) Program review recommendations re staff: (10/29 - 30/73)

-more than adequate
-employee to student ratio 1:2
-per capita costs too high ($10,353/student)
-rearrangement of staff w/some overall cutback
-reduction in staff could be made without negative effect on program (minimum cut of 10, could be 14)

-1 secretary
-4 teachers
-2 teachers, Guidance
-1 administrator (Supt. abolished)
-2 Plant maintenance

10 minimum
-1 Plant maintenance
-1 teacher
-1 warehouseman
-1 secretary

14 total maximum

* 8 students on current roles from Southeast Alaska

SJR

16

Relating to medical examinations of victims sexually assaulted.

COMMITTEE REPORT

HOUSE

Mr. Speaker: Date _____

The Committee on _____ has had _____

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 11, 1975

Members Present:

Beirne	Parr
Hackney	Sullivan
Ose	Swanson
Osterback	Davis

Chairman Sullivan called the meeting to order at 3:00. The first order of busines. was HB 181.

HB 181= Margaret Wolf,Advisory Board Chairman
Spoke of the history of the H&SS Advisory Board. Spoke in opposition to all encompassing. Would like to see this as the Div. of Family and Children Services Advisory Board. Would like to also suggest a Committee Substitute be drawn up. HB 553 (1974) projected expenses based on current costs, less than $15,000. The Board exists now but is having trouble being funded by the Dept. because of no mandating legislation.

Swanson What will be the cost?

Wolf $15,000.

Beirne It is my experience that the Board has been very helpful in Anchorage.

Hackney What kind of problems are brought to the Board's public hearings?

Wolfe In favor of HB 553 (1974 legislation)

C. Kleinkauf National Assoc. of Social Workers. The Govenor's Welfare Advisory Board will become H&SS, Div. of Family & Children Services Board with the enactment of this bill. The Board provides invaluable service such an advisory Board used to be mandatory in order to get federal funds, now it is voluntary but valuable so it should be retained.

Commissioner Williamson Spoke in favor of continuing the existence of the Board with state legislation mandating such board. Expressed that he was seeing HB 553(1974) for the first time and would prepare a position paper on the matter.

Beirne Motion to adopt HB 553(1974) as CS HB 181 (1975).
Ostrosky Second the motion

Chairman Sullivan asked if there was any objection, none being heard, CS for HB181 was accepted by the Committee.

SCR 16

See page two

SCR 16 Senator Chance gave briefing of the bill. Emergency medical facilities are necessary in bringing attention to the need for special training to deal with rape victims.

Hackney Motion to move bill out with 'do pass'
Ostrosky SEcond

Chairman Sullivan, hearing no objection, announced bill out of committee with unanamous consent.

SCR 18 Senator Chance gave briefing of the bill. No aggressive self defense techniques can be taught that aren't applicable to aggressive action.

Ose Motion to move bill out with unanamous 'do pass'
Hackney Second

Hearing no Objection, SCR 18 passes the Committee.

Adjourned.

SJR

36

Relating to Supplemental Social Security income benefits

COMMITTEE REPORT

HOUSE

Mr. Speaker: Date _____

The Committee on _____ has had _____

under consideration. A Majority of the members of the Committee

( ) recommends it DO PASS

( ) recommends it DO NOT PASS

( ) recommends it DO PASS WITH ATTACHED AMENDMENT(S)

( ) recommends it BE REPLACED WITH CS FOR _____ AND THAT CS FOR _____ DO PASS

( ) "and" recommends it BE REFERRED TO THE _____ COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ Chairman

Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE
May 23, 1975

Members Present:

Davis	Ostrosky
Hackney	Parr
Osterback	Sullivan

A brief meeting was held concerning SJR 36. It was called to order at 11:45 am.

Representative Parr explained that the purpose of this resolution it to urge Congress to enact legislation to continue the longevity bonus.

The resolution was passed out with a "do pass" resolution.