



THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. CS for House Bill No. 26 (HESS)  
 Title "An act relating to displaced homemakers; and providing for an effective date".  
 Requested by Finance Date 3/9/81

II. FISCAL DETAIL

Agency Affected Department of Community and Regional Affairs  
 Program Category Affected Social Services  
 BRU, Program, or Subprogram(s) Affected C.E.T.A.

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	0	95.0	102.6	110.8	119.7	129.3
200 TRAVEL	0	30.0	32.4	34.9	37.7	40.7
300 CONTRACTUAL	0	1472.0	1589.8	1717.0	1854.4	2002.8
400 COMMODITIES	0	3.2	3.5	3.8	4.1	4.4
500 EQUIPMENT	0	3.8	3.9	4.1	4.3	4.6
600 LAND & STRUCTURES	0	0				
700 GRANTS, CLAIMS, ETC.	0	0				
<b>TOTAL</b>	<b>0</b>	<b>1604.0</b>	<b>1732.1</b>	<b>1870.6</b>	<b>2020.2</b>	<b>2181.8</b>

FUNDING (Thousands of Dollars)

GENERAL FUND	0	1604.0	1732.0	1870.6	2020.2	2181.8
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS \*

FULL TIME	0	2	2	2	2	2
PART TIME	0	2	2	2	2	2
TEMPORARY	0	0	0	0	0	0

\* These positions are not new, existing staff will be time-charged.

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The Availability of funds for the Displaced Homemakers Program will be advertised statewide and contracts negotiated through a competitive procurement process.

Projected program costs are based on a displaced homemaker program currently funded by this Department in Fairbanks. The program offers the following services, directly or by referral; assessment; counseling; job development; basic education; vocational training; and life skills workshops. The annual costs of the program as funded by this Department is \$225,000. Approximately 375 individuals are scheduled to be served.

IV. DATE 3/9/81 PREPARED BY Lois A. Lind, Director  
 AGENCY CETA  
 PHONE 465-4890  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

Three basic assumptions have been utilized in the preparation of this analysis:

- 1.) The Department will fund five (5) similar Multipurpose Service Centers on an annual basis through five separate contracts. Based on the current contract between the CETA Division and the Fairbanks Displaced Homemaker program, approximately 75% of the funds pay for staff directly working with displaced homemakers to provide counseling, assessment, job coaching, job development and referrals to other agencies providing additional services. Another 20% provides instructional supplies and materials, special workshops (life skills, job seeking skills, etc.) and tuition for training programs. Only about 5% goes to administrative costs such as rent, accounting, communications, and so forth.
- 2.) An eight (8) percent inflation rate will be experienced during each year for the five years of this analysis.
- 3.) Contracting for this service will prove more cost effective than the Department establishing and operating the Centers.

Total cost for H.B. 26 for FY'82:

For budgetary purposes we have used an average cost of \$290,000 for each center (\$290,000 x 5). Experience indicates some smaller centers (less dollars) would probably be funded and some centers could be awarded more than \$290,000.

Administrative costs required by the Department:		\$ 154,000
Personnel Services:		
Grant Administrator R17(S)	\$30,060	
Field Representative R15	25,020	
P.T. Clerk Typist III R8	8,358	
P.T. Accounting Tech I R12:	10,566	
Subtotal:	<u>\$74,604</u>	
Benefits:	<u>20,396</u>	
Total Personnel Services:		\$95,000
Travel:		30,000
For bidders conference, pre-award monitoring, contract negotiation, program monitoring and technical assistance.		
Contractual:		
Phones:	\$5,750	
Rent:	5,200	
Printing/Advertising:	8,000	
Copier Service	750	
Postage:	500	
Word Processing Equipment:	2,750	
Total Contractual		22,000

Commodities:	3,200
Equipment:	3,800
Including office equipment for the two full time position and two part-time position. This includes such items as desks, chairs, file cabinet and bookcases.	
Total Administrative Expense	<u>\$154,000</u>
(Administration rate to program costs = 10.62%)	

The Department staff, the Grants Administrator and the Field Representative will be responsible for negotiating and executing the contracts, monitoring, providing technical assistance and all statewide coordination.

(End fiscal Note Analysis)

Original sponsor: Buchholdt

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 26 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to displaced homemakers; and provid-  
7 ing for an effective date."

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

9 \* Section 1. LEGISLATIVE FINDINGS AND INTENT. (a) The legislature  
10 finds that there is an increasing number of persons in the state who, after  
11 having fulfilled the role of homemaker for a number of years, find them-  
12 selves "displaced" through the death of a spouse, divorce, separation,  
13 desertion, or loss of family income. The legislature finds that displaced  
14 homemakers are often without any source of income, face continuing discrimi-  
15 nation in employment because they frequently have no recent work experience  
16 and may be older than other applicants for employment, are subject to high  
17 rates of unemployment and are ineligible for unemployment insurance because  
18 they have been engaged in unpaid labor in the home, may be ineligible for  
19 categorical welfare assistance, are ineligible for social security if they  
20 have been divorced from the family wage earner, may have lost their rights  
21 as beneficiaries under employers' pension and health plans through death of  
22 a spouse or divorce despite the contribution of years to the well-being of  
23 the family, and may be ineligible for Medicaid and unable to purchase pri-  
24 vate health insurance because of age and lack of income. The legislature  
25 further finds that homemakers are an unrecognized part of the work force of  
26 the state who have made an invaluable contribution to the welfare of soci-  
27 ety.

28 (b) It is the intent of this Act to

29 (1) provide the necessary counseling, aptitude testing, training,

1 employment placement opportunities, and other services for displaced home-  
2 makers through contracts with nonprofit corporations incorporated under  
3 AS 10.20 and by using and expanding existing state programs;

4 (2) improve the health and welfare of this growing group of mem-  
5 bers of the community; and

6 (3) assist displaced homemakers in achieving independence and  
7 economic security vital to a productive life.

8 \* Sec. 2. AS 47 is amended by adding a new chapter to read:

9 CHAPTER 90. DISPLACED HOMEMAKERS.

10 Sec. 47.90.010. PRO. RAM ESTABLISHED. (a) The commissioner, in  
11 consultation with state and local government agencies, community groups,  
12 and groups concerned with displaced homemakers, may

13 (1) contract with nonprofit corporations incorporated under  
14 AS 10.20 for multipurpose service centers for displaced homemakers; and

15 (2) expand existing state programs for displaced homemakers  
16 through reimbursable service agreements.

17 (b) The commissioner shall adopt regulations prescribing the  
18 standards to be met by each multipurpose service center for displaced  
19 homemakers in accordance with the policies established in this chapter.

20 (c) The commissioner shall establish a contract procedure that  
21 insures open competition for carrying out programs established in this  
22 chapter. Nonprofit corporations incorporated under AS 10.20 and state  
23 agencies may provide the services listed in AS 47.90.020.

24 (d) To be eligible to contract under this chapter, a nonprofit  
25 corporation incorporated under AS 10.20 shall be governed by a board of  
26 directors whose membership is broadly representative of the community  
27 which it serves.

28 Sec. 47.90.020. MULTIPURPOSE SERVICE CENTERS. (a) A multi-  
29 purpose service center for displaced homemakers established under

1 AS 47.90.010 may provide the following services:

2 (1) job counseling services which shall

3 (A) be specifically designed for displaced homemakers;

4 (B) counsel displaced homemakers regarding job oppor-  
5 tunities; and

6 (C) consider and build on the skills and experience of  
7 a homemaker and emphasize job readiness as well as skill develop-  
8 ment;

9 (2) job training and job placement services which shall

10 (A) emphasize short-term training programs which expand  
11 upon homemaking skills and volunteer experience and which lead to  
12 gainful employment;

13 (B) develop through cooperation with state and local  
14 government agencies and private employers training and placement  
15 programs for jobs in the public and private sector;

16 (C) assist displaced homemakers in gaining admission to  
17 existing public and private job-training programs and opportuni-  
18 ties including vocational education, reentry into secondary and  
19 postsecondary education, and apprenticeship training programs; and

20 (D) assist in identifying community needs and creating  
21 new jobs, including nontraditional occupations, for displaced  
22 homemakers in the public and private sector;

23 (3) health counseling services including referral to exist-  
24 ing health programs with respect to

25 (A) general principles of preventive health care;

26 (B) health care consumer education, particularly in the  
27 selection of physicians and health care services including health  
28 maintenance organizations and health insurance;

29 (C) mental health care and transitional counseling;

- 1 (D) family health care and nutrition;
- 2 (E) alcohol and drug abuse, including the abuse of pre-
- 3 scription drugs; and
- 4 (F) other related health care matters;
- 5 (4) financial management services which provide information
- 6 and assistance relating to insurance, taxes, estate and probate mat-
- 7 ters, mortgages, loans, and related financial matters;
- 8 (5) educational services including
- 9 (A) information relating to courses offering credit
- 10 through secondary or postsecondary education programs and reentry
- 11 programs, including bilingual programs if appropriate, and infor-
- 12 mation relating to the availability of financial assistance; and
- 13 (B) information about other programs of benefit to
- 14 displaced homemakers;
- 15 (6) legal counseling and referral services;
- 16 (7) information services with respect to federal and state
- 17 employment, education, health, public assistance, and unemployment
- 18 assistance programs which the commissioner determines to be of benefit
- 19 to displaced homemakers.

20 (b) A multipurpose center for displaced homemakers may provide

21 assistance in obtaining child care, temporary babysitting expenses, and

22 transportation when it will aid a displaced homemaker to receive ser-

23 vices under (a) of this section.

24 Sec. 47.90.030. EMPLOYMENT OF DISPLACED HOME MAKERS. The staff

25 positions of multipurpose centers established under AS 47.90.010, in-

26 cluding supervisory, technical and administrative positions, shall to

27 the maximum extent possible be filled by displaced homemakers.

28 Sec. 47.90.040. CONSULTATION AND COORDINATION. The commissioner

29 shall consult and cooperate with the Department of Health and Social

1 Services; the Department of Education, including the division of voca-  
2 tional rehabilitation; the University of Alaska, community colleges and  
3 other colleges as appropriate; the Department of Labor, including the  
4 division of employment security; and other persons or agencies which  
5 the commissioner considers appropriate in the implementation of this  
6 chapter.

7 Sec. 47.90.050. STATE EMPLOYMENT ASSISTANCE. Contractors operat-  
8 ing programs under AS 47.90.010 shall, to the maximum extent possible,  
9 provide displaced homemakers with assistance in qualifying on state  
10 employment registers under regulations of the commissioner.

11 Sec. 47.90.060. REGULATIONS. The commissioner may adopt regula-  
12 tions to implement this chapter.

13 Sec. 47.90.070. DEFINITIONS. In this chapter

14 (1) "agency" means a department or agency of the state or a  
15 municipality of the state;

16 (2) "commissioner" means the commissioner of community and  
17 regional affairs;

18 (3) "displaced homemaker" means a person who

19 (A) has worked as a homemaker providing unsalaried  
20 services for the family;

21 (B) faces a significant reduction in family income or  
22 support through divorce, death, separation, or disability; and

23 (C) has encountered difficulty in finding employment.

24 \* Sec. 3. This Act takes effect July 1, 1981.

Reid 4/1/81

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

CSHB 26

I. REQUEST

Bill/Resolution No. Committee Substitute for House Bill 26  
Title "An Act relating to displaced homemakers; and providing for an effective date."  
Requested by \_\_\_\_\_ Date March 18, 1981

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services  
Program Category Affected Social & Economic Assistance for the General Population  
BRU, Program, or Subprogram(s) Affected Division of Adult & Aging Services - Adult Services  
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		-0-				

FUNDING (Thousands of Dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Zero Impact.

IV. DATE 3-18-81 PREPARED BY Dorothy Walt  
AGENCY Division of Adult and Aging Services  
PHONE 465-3250  
Original: Legislative Finance  
cc: Budget and Management  
Prime Sponsor (First Legislator Named) M&B Approval Marsha Hubbard Date 3/18/81

POSITION PAPER  
ON  
CS FOR HOUSE BILL NO. 26

"An Act relating to displaced homemakers; and providing for an effective date."

This Bill would establish a program for displaced homemakers to be administered by the Department of Community and Regional Affairs. The Bill also authorizes the development of multipurpose service centers for displaced homemakers to provide job counseling, training and placement; health counseling; financial management; education; legal counseling and referral; and information services.

There has been growing concern for displaced homemakers, persons who must change their roles from that of homemaker to that of wage earner as a result of a change in circumstances such as divorce, separation, desertion, or death of a spouse. Among this group of individuals would also be those persons who have been on a fixed income which now, due to inflation, must be supplemented by a job for which they are not prepared. Otherwise they may be forced onto the welfare rolls.

The Department recognizes the need for programs for displaced homemakers to assist them through their role transition. The Department does currently provide services aimed at this population. Those displaced homemakers residing in the Anchorage, Fairbanks and Juneau areas who are eligible for Aid to Families with Dependent Children (AFDC) may receive a wide variety of employment oriented social services through the Work Incentive (WIN) program. In addition, during Fiscal Year 1981 the Department has contracted for the following: \$159,000 for the Alaska Women's Resource Center in Anchorage for a counseling center and a displaced homemaker program; and \$137,804 for Adult Learning Program of Alaska Inc. in Fairbanks for displaced homemaker program.

The directors of the shelters for battered women with which the Department has contracted have noted a great need for job training for women served by their programs. Women who have been forced out of their homes due to violence toward them may face a need for immediate employment in order to support themselves and their children. The majority of these women either have not worked for years or have never worked and are competing in an ever tightening job market.

The Department also contracts with Women's Resource Centers in Kenai, Kodiak, Sitka and Juneau which provide services to displaced homemakers as do shelter programs statewide. At the present time there is no central source to coordinate services for displaced homemakers, although Division of Adult and Aging Services social workers do provide information, referral and counseling. There is a definite need to have a centralized information and referral system, as well as a need to coordinate services which are already available.

On the surface it appears that there may be some possible overlap between the services to be provided by the multipurpose service centers and those currently provided by various existing programs. In the Department's view, however, any seeming potential for duplication and overlap would be reduced by coordinating existing State operated and funded programs, as well as community resources.

Should this enhanced program for displaced homemakers be established by statute, the Department of Health and Social Services will coordinate with the Department of Community and Regional Affairs to avoid duplication and will provide any technical assistance requested to ensure the development of a quality program. The Department concurs with the Committee's substitution.

Recommended by: Elizabeth Muktarian  
Elizabeth Muktarian  
Director  
Div. of Adult and  
Aging Services

Date: 3/18/81

Approved by: Helen D. Beirne  
Helen D. Beirne  
Commissioner  
Dept. of Health and  
Social Services

Date: 3/19/81

AS 10.20. Nonprofit Corporations

Articles 1-3 of AS 10.20 are reproduced here for your use in conjunction with the sponsor's proposed amendment for a Finance CS for HB 26. These are the pertinent parts of the statute for consideration of the amendment.

(LC for TB: 3/12/81)

## Chapter 20. Nonprofit Corporations.

### Article

1. Substantive Provisions (§§ 10.20.005—10.20.141)
2. Formation of Corporations (§§ 10.20.146—10.20.166)
3. Amendment (§§ 10.20.171—10.20.211)
4. Merger, Consolidation, and Sale of Assets (§§ 10.20.216—10.20.280)
5. Dissolution (§§ 10.20.290—10.20.450)
6. Foreign Corporations (§§ 10.20.455—10.20.615)
7. Annual Reports (§§ 10.20.620—10.20.630)
8. Fees and Charges (§§ 10.20.635—10.20.640)
9. Penalties (§§ 10.20.645—10.20.650)
10. Miscellaneous Provisions (§§ 10.20.655—10.20.700)
11. General Provisions (§§ 10.20.705—10.20.725)

Repeal of former chapter.—This chapter formerly consisted of two articles which were repealed by § 1, ch. 99, SLA 1968. The former articles were as follows: 1. Nonprofit Corporations in General (§§ 10.20.010—10.20.150); 2. Religious Corporations (§§ 10.20.160—10.20.270).

Former article 1 derived from §§ 36-4-1—36-4-7 and 36-6-4, ACLA 1949; ch. 16, SLA 1953; ch. 64, SLA 1959; ch. 1, SLA 1961, and chs. 72, 75, SLA 1962.

The provisions of former article 2 now appear in AS 10.40.

### Article 1. Substantive Provisions.

#### Section

05. Purposes
11. General powers
16. Defense of ultra vires
21. Corporate name
26. Registered office and registered agent
31. Filing list of registered corporations
36. Change of registered office or agent
41. Registration of registered agent
46. Service of process on corporation
51. Members
56. Bylaws
61. Meetings of members
66. Notice of members' meetings
71. Voting

#### Section

76. Quorum of shareholders
81. Board of directors
86. Number of directors
91. Membership and term of office of first board of directors
96. Election of directors
101. Vacancies
106. Quorum of directors
111. Executive committee
116. Place and notice of directors' meetings
121. Officers
126. Removal of officers
131. Books and records
136. Shares of stock and dividends prohibited
141. Loans to directors and officers prohibited

Effective date of article.—Section 3, ch. 99, SLA 1968, provides: "This Act takes effect on July 1, 1968."

Sec. 10.20.005. Purposes. Corporations may be organized under this chapter for any lawful purpose, including, but not limited to, one or more of the following: charitable; religious; benevolent;

cleemosynary; educational; civic; cemetery; patriotic; political; social; fraternal; literary; cultural; athletic; scientific; agricultural; horticultural; animal husbandry; and professional, commercial, industrial, or trade association purposes. Trade unions and other labor organizations may also be organized under this chapter, but cooperative corporations, electric and telephone cooperatives, and organizations subject to state insurance or banking laws may not be organized under this chapter. (§ 1 ch 99 SLA 1968)

Legislative committee report.—For mentioned that this chapter is based on the nonprofit corporation act prepared by the American Bar Association Committee on Uniform Laws. Legislative committee report on ch. 99, SLA 1968 (HB 4 am), see House Journal (1967), p. 289, where it is

**Sec. 10.20.011. General powers.** A corporation may

- (1) have perpetual succession by its corporate name unless its duration is limited by its articles of incorporation;
- (2) sue and be sued, complain and defend, in its corporate name;
- (3) adopt and use a corporate seal or a facsimile thereof, which may be altered at pleasure, and which may be impressed or affixed or in any manner reproduced;
- (4) purchase, take, receive, lease, take by gift, devise or bequest, or otherwise acquire, own, hold, improve, use and otherwise deal in and with real or personal property, or any interest in the property, wherever situated;
- (5) sell, convey, mortgage, pledge, lease, exchange, transfer and otherwise dispose of all or any part of its property and assets;
- (6) lend money to its employees other than its officers and directors and otherwise assist its employees, officers and directors;
- (7) purchase, take, receive, subscribe to, or otherwise acquire, own, hold, vote, use, employ, sell, mortgage, lend, pledge, or otherwise dispose of, and otherwise use and deal in and with, shares or other interests in, or obligations of, other domestic or foreign corporations, whether for profit or not for profit, associations, partnerships or individuals, or direct or indirect obligations of the United States, or of any other government, state, territory, governmental district or municipality or of any instrumentality thereof;
- (8) make contracts, incur liabilities, borrow money at rates of interests the corporation may determine, issue its notes, bonds, and other obligations, and secure any of its obligations by mortgage or pledge of all or any of its property, franchises and income;
- (9) lend money for its corporate purposes, invest and reinvest its funds, and take and hold real and personal property as security for the payment of funds so loaned or invested;

(10) transact its business, carry on its operations, have offices and exercise the powers granted by this chapter in any state, territory, district, or possession of the United States, or in any foreign country;

(11) elect or appoint officers and agents of the corporation, who may be directors or members, define their duties and fix their compensation;

(12) make and alter bylaws, not inconsistent with its articles of incorporation or with the laws of the state, for the administration and regulation of the affairs of the corporation;

(13) make donations for public welfare or for charitable, scientific or educational purposes; and in time of war make donations in aid of war activities;

(14) indemnify a director, officer or former director or officer of the corporation, or a person who has served at its request as a director or officer of another corporation in which it owns shares of capital stock or of which it is a creditor, against expenses actually and reasonably incurred by him in connection with the defense of any action, suit or proceeding, civil or criminal, in which he is made a party by reason of being or having been a director or officer, except in relation to matters in which he was adjudged, in the action, suit or proceeding, to be liable for negligence or misconduct in the performance of his corporate duties; and to make any other indemnification authorized by the articles of incorporation or bylaws, or resolution adopted after notice by the members entitled to vote;

(15) pay pensions and establish pension plans or pension trusts for its directors, officers and employees;

(16) cease its corporate activities and surrender its corporate franchise;

(17) have and exercise all powers necessary or convenient to effect the purposes for which the corporation is organized. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.016. Defense of ultra vires.** No act of a corporation and no conveyance or transfer of real or personal property to or by a corporation is invalid because the corporation did not have capacity or power to perform the act or to convey or receive the property. But lack of capacity or power may be asserted as follows.

(1) The assertion may be made in a proceeding by a member or director against the corporation to enjoin the performance of an act or the transfer of real or personal property by or to the corporation. If the unauthorized act or transfer sought to be enjoined is being or is to be performed or made under a contract to

which the corporation is a party, the court may, if the parties to the contract are parties to the proceeding and if the court considers it equitable, set aside and enjoin the performance of the contract. In so doing the court may allow compensation to the corporation or to the other parties to the contract for the loss or damage sustained by either of them resulting from the action of the court in setting aside and enjoining the performance of the contract. The court may not award anticipated profits to be derived from the performance of the contract as a loss or damage sustained.

(2) The assertion may be made in a proceeding by the corporation, whether acting directly or through a receiver, trustee, or other legal representative, or through members in a representative suit, against the incumbent or former officers or directors of the corporation.

(3) The assertion may be made in a proceeding by the attorney general to dissolve the corporation, or to enjoin the corporation from the transaction of unauthorized business. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.021. Corporate name.** The corporate name may not

(1) contain a word or phrase which indicates or implies that it is organized for a purpose other than one or more of the purposes contained in its articles of incorporation;

(2) be the same as, or deceptively similar to, the name of a corporation, whether for profit or not for profit, existing under the law of the state, or a foreign corporation, whether for profit or not for profit, authorized to transact business in the state, or a corporate name reserved or registered as permitted by the laws of the state. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.026. Registered office and registered agent.** A corporation shall continuously maintain in the state a registered office which may be, but need not be, the same as its place of business, and a registered agent. The registered agent may be either an individual resident of the state whose business office is the same as the registered office, or a domestic or foreign corporation authorized to transact business in the state whose business office is the same as the registered office. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.031. Filing list of registered corporations.** The department shall file a list of the name of each corporation, the address of the registered office and the name and address of the registered agent with each clerk of the superior court. The department shall provide a periodic supplement to the list indicating additions, deletions and changes at least once every six months. The commissioner shall make the list available to the public for a fee prescribed by him. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.036. Change of registered office or agent.** (a) A corporation, domestic or foreign, may change its registered office, agent, or both, by filing with the department a verified statement signed by the president or the vice president setting out

- (1) the name of the corporation;
- (2) the address of its registered office;
- (3) the address of its new registered office if the registered office is to be changed;
- (4) the name of its registered agent;
- (5) the name of its new registered agent, if its registered agent is to be changed;
- (6) that the change is authorized by resolution of its board of directors.

(b) If the commissioner of commerce finds that the verified statement complies with this chapter, he shall file it in his office. The change becomes effective when the statement is filed. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.041. Registration of registered agent.** (a) If the registered agent of a corporation, domestic or foreign, changes the location of his office from one address to another within a city or town, or from one city or town in the state to another, he may change the registered office for each corporation for whom he is acting as registered agent by filing in the office of the commissioner a statement setting out

- (1) the name of the agent;
- (2) the address of his office before change;
- (3) the address to which the office is changed; and
- (4) a list of corporations for whom he is furnishing a registered office.

(b) The statement in (a) of this section must be executed by the registered agent in his individual name and, if the agent is a corporation, domestic or foreign, it must be executed and verified by its president or a vice president. The statement must be delivered to the commissioner and if he finds that it complies with this chapter, he shall file it in his office. The change becomes effective when the statement is filed.

(c) A registered agent may resign by filing a written notice, executed in duplicate, with the commissioner. The commissioner shall immediately mail a copy of the notice to the corporation at its registered office. The appointment of the agent terminates 30 days after receipt of the notice by the commissioner. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.046. Service of process on corporation.** (a) The registered agent of a corporation is an agent upon whom process, notice or demand required or permitted by law to be served upon the corporation may be served.

(b) Whenever a corporation fails to appoint or maintain a registered agent in the state, the commissioner is an agent of the corporation upon whom the process, notice, or demand may be served. Service is made upon the commissioner as agent by leaving with him, or with a clerk having charge of the corporation department of his office, duplicate copies of the process, notice or demand. When process, notice or demand is served on the commissioner, he shall immediately forward a copy of it by registered mail to the corporation at its registered office. Service on the commissioner is returnable in not less than 30 days.

(c) The commissioner shall keep a record of processes, notices and demands served upon him showing the time of service and his action with reference to the service.

(d) This chapter does not limit or affect the right to serve process, notice or demand required or permitted by law to be served upon a corporation in any other manner permitted by law. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.051. Members.** (a) A corporation may have one or more classes of members or may have no members. If the corporation has one or more classes of members, the designation of the class or classes, the manner of election or appointment and the qualifications and rights of the members of each class shall be set out in the articles of incorporation or the bylaws. If the corporation has no members, that fact shall be set out in the articles of incorporation or the bylaws. A corporation may issue certificates evidencing membership.

(b) The directors, officers, employees, and members of the corporation are not, as such, liable on its obligations. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.056. Bylaws.** The board of directors shall adopt the initial bylaws of a corporation. The power to adopt, alter, amend or repeal bylaws is vested in the board of directors unless it is reserved to the members by the articles of incorporation. The bylaws may contain provisions for the regulation and management of the affairs of the corporation not inconsistent with law or the articles of incorporation. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.061. Meetings of members.** (a) Meetings of members may be held at a place, either inside or outside the state, which may be provided in the bylaws. In the absence of such a provision,

all meetings shall be held at the registered office of the corporation in the state.

(b) An annual meeting of the members shall be held at a time provided in the bylaws. Failure to hold the annual meeting at the designated time does not work a forfeiture or dissolution of the corporation.

(c) Special meetings of the members may be called by the president or by the board of directors. Special meetings of the members may also be called by such other officers, persons or number or proportion of members as may be provided in the articles of incorporation or bylaws. In the absence of a provision fixing the number or proportion of members entitled to call a meeting, a special meeting of members may be called by members having one-twentieth of the votes entitled to be cast at the meeting. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.066. Notice of members' meetings.** Unless otherwise provided in the articles of incorporation or bylaws, written notice stating the place, day and hour of the meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than 10 nor more than 50 days before the date of the meeting, either personally or by mail, by or at the direction of the president, or the secretary, or the officers or persons calling the meeting, to each member entitled to vote at the meeting. If mailed, the notice shall be considered to be delivered when deposited in the United States mail addressed to the member at his address as it appears on the records of the corporation, with postage prepaid. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.071. Voting.** (a) The right of the members, or any class or classes of members, to vote may be limited, enlarged, or denied to the extent specified in the articles of incorporation or the bylaws. Unless limited, enlarged, or denied, each member, regardless of class, is entitled to one vote on each matter submitted to a vote of members.

(b) A member entitled to vote may vote in person or, unless the articles of incorporation or the bylaws otherwise provide, may vote by proxy executed in writing by the member or by his attorney-in-fact. No proxy is valid after eleven months from the date of its execution, unless otherwise provided in the proxy. If directors or officers are to be elected by members, the bylaws may provide that the elections may be conducted by mail.

(c) The articles of incorporation or the bylaws may provide that in all elections for directors every member entitled to vote shall have the right to cumulate his vote and to give one candidate a number of votes equal to his vote multiplied by the number of

directors to be elected, or by distributing the votes on the same principle among any number of the candidates.

(d) If a corporation has no members or its members have no right to vote, the directors shall have sole voting power.

(e) The articles of incorporation or the bylaws may provide the number or percentage of members entitled to vote represented in person or by proxy, or the number or percentage of votes represented in person or by proxy, which constitute a quorum at a meeting of members. In the absence of any such provision, members holding one-tenth of the votes entitled to be cast on the matter to be voted upon represented in person or by proxy constitute a quorum. A majority of the votes entitled to be cast on a matter to be voted upon by the members present or represented by proxy at a meeting at which the quorum is present is necessary for adoption unless a greater proportion is required by this chapter, the articles of incorporation or the bylaws. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.076. Quorum of shareholders.** Unless otherwise provided in the articles of incorporation or the bylaws, members holding one-tenth of the votes entitled to be cast, represented in person or by proxy, constitute a quorum at a meeting of members. However, in no event may a quorum consist of less than one-tenth of the votes entitled to vote at a meeting. If a quorum is present, the affirmative vote of a majority of the votes represented at the meeting and entitled to vote on the subject matter is the act of the members, unless the vote of a greater number is required by this chapter or the articles of incorporation or the bylaws. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.081. Board of directors.** The affairs of a corporation shall be managed by a board of directors. Directors need not be residents of the state or members of the corporation unless the articles of incorporation or the bylaws so require. The articles of incorporation or the bylaws may prescribe other qualifications for directors. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.086. Number of directors.** (a) The number of directors of a corporation shall be at least three. The number of directors shall be fixed by the bylaws, except that the number constituting the initial board of directors shall be fixed by the articles of incorporation.

(b) The number of directors may be increased or decreased from time to time by amendment to the bylaws, but no decrease may have the effect of shortening the term of an incumbent director.

(c) In the absence of a bylaw fixing the number of directors, the number shall be the same as that stated in the articles of incorporation. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.091. Membership and term of office of first board of directors.** The names and addresses of the members of the first board of directors shall be stated in the articles of incorporation. Each member holds office until the first annual election of directors or for the period specified in the articles of incorporation. If no term of office is specified, a director's term is one year. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.096. Election of directors.** At the first annual election of directors and at each annual meeting thereafter the members shall elect directors to hold office for the terms provided in the bylaws. Each director holds office for the term for which he is elected and until his successor is elected and qualified. The terms of office of directors may be staggered. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.101. Vacancies.** A vacancy occurring in the board of directors and a directorship to be filled by reason of an increase in the number of directors may be filled by the affirmative vote of a majority of the remaining directors, though less than a quorum of the board of directors, unless the articles of incorporation or the bylaws provide that a vacancy or directorship so created shall be filled in some other manner. A director elected or appointed to fill a vacancy shall be elected or appointed for the unexpired term of his predecessor in office. A directorship to be filled by reason of an increase in the number of directors shall be filled by the board of directors for a term of office which continues only until the next election of directors. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.106. Quorum of directors.** A majority of the number of directors fixed by the bylaws, or in the absence of a bylaw fixing the number of directors, the number stated in the articles of incorporation, constitutes a quorum for the transaction of business unless a greater number is required by the articles of incorporation or the bylaws. The act of the majority of the directors present at a meeting at which a quorum is present is the act of the board of directors, unless the act of a greater number is required by the articles of incorporation or the bylaws. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.111. Executive committee.** If the articles of incorporation or the bylaws so provide, the board of directors, by resolution adopted by a majority of the number of directors fixed by the bylaws, or in the absence of a bylaw fixing the number of directors, the number stated in the articles of incorporation, may designate two or more directors to constitute an executive committee, which, to the extent provided in the resolution or in the articles of incorporation or the bylaws of the corporation, may exercise the authority of the board of directors in the management of the corporation. The designation of the executive committee and the del-

egation of authority to it do not relieve the board of directors or any member of the board from responsibility imposed upon it or him by law. (§ 1 ch 99 SLA 1968)

Sec. 10.20.116. Place and notice of directors' meetings. (a) Regular or special meetings of the board of directors may be held either inside or outside the state.

(b) Regular meetings of the board of directors may be held with or without notice as prescribed in the bylaws. Special meetings of the board of directors shall be held after the notice which shall be prescribed in the bylaws. Attendance of a director at a meeting constitutes a waiver of notice of the meeting, except when a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. The business to be transacted or the purpose of a regular or special meeting of the board of directors need not be specified in the notice of the meeting unless required by the bylaws. (§ 1 ch 99 SLA 1968)

Sec. 10.20.121. Officers. (a) The officers of a corporation consist of a president, one or more vice presidents as prescribed by the bylaws, a secretary, and a treasurer. Each of the officers shall be elected by the board of directors at the time and in the manner prescribed by the bylaws. Other necessary officers and assistant officers and agents may be elected or appointed by the board of directors or chosen in the manner prescribed by the bylaws. Two or more officers may be held by the same person, except the offices of president and secretary.

(b) The articles of incorporation or bylaws may provide that an officer is an ex officio member of the board of directors.

(c) An officer may be designated by additional titles as provided in the articles of incorporation or bylaws. (§ 1 ch 99 SLA 1968)

Sec. 10.20.126. Removal of officers. An officer or agent may be removed by the board of directors, or by the executive committee, whenever in its judgment the best interests of the corporation will be served. Removal is without prejudice to the contract rights of the person removed. Election or appointment of an officer or agent does not of itself create contract rights. (§ 1 ch 99 SLA 1968)

Sec. 10.20.131. Books and records. (a) A corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors and committees having any of the authority of the board of directors; and shall keep at its registered office or principal office in the state a record of the names and addresses of its members entitled to vote.

(b) All books and records of a corporation may be inspected by any member, or his agent or attorney, for any proper purpose at any reasonable time. (§ 1 ch 99 SLA 1968)

Sec. 10.20.136. Shares of stock and dividends prohibited. A corporation may not have or issue shares of stock. No dividend may be paid and no part of the income or profit of a corporation may be distributed to its members, directors or officers. A corporation may pay compensation in a reasonable amount to its members, directors or officers for services rendered, may confer benefits upon its members in conformity with its purposes, and upon dissolution or final liquidation may make distribution to its members as permitted by this chapter, and no such payment, benefit or distribution may be considered to be a dividend or a distribution of income or profit. (§ 1 ch 99 SLA 1968)

Sec. 10.20.141. Loans to directors and officers prohibited. A corporation may not make loans to its directors or officers. A director or officer who assents to or participates in the making of such a loan shall be liable to the corporation for the amount of the loan until its repayment. (§ 1 ch 99 SLA 1968)

## Article 2. Formation of Corporations.

Section	Section
146. Incorporators	161. Effect of issuance of certificate of incorporation
151. Articles of incorporation	166. Organization meeting of directors
156. Filing of articles of incorporation	

Effective date of article.—Section 3, ch. 99, SLA 1968, provides: "This Act takes effect on July 1, 1968."

Sec. 10.20.146. Incorporators. Three or more natural persons at least 19 years of age may act as incorporators of a corporation by signing, verifying and delivering in duplicate to the commissioner articles of incorporation for the corporation. (§ 1 ch 99 SLA 1968)

Sec. 10.20.151. Articles of incorporation. (a) The articles of incorporation shall set out

- (1) the name of the corporation;
- (2) the period of its duration, which may be perpetual;
- (3) the purpose or purposes for which the corporation is organized;
- (4) provisions, not inconsistent with law, which the incorporators elect to set out in the articles of incorporation for the reg-

ulation of the internal affairs of the corporation, including provision for distribution of assets on dissolution or final liquidation;

(5) the address of its initial registered office, and the name of its initial registered agent at the address;

(6) the number of directors constituting the initial board of directors, and the names and addresses of the persons who are to serve as the initial directors;

(7) the name and address of each incorporator.

(b) It is not necessary to set out in the articles of incorporation any of the corporate powers enumerated in this chapter.

(c) Unless the articles of incorporation provide that a change in the number of directors shall be made only by amendment to the articles of incorporation, a change in the number of directors made by amendment to the bylaws is controlling. In all other cases, if a provision of the articles of incorporation is inconsistent with a bylaw, the provision of the articles of incorporation shall be controlling. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.156. Filing of articles of incorporation.** (a) Duplicate originals of the articles of incorporation shall be delivered to the commissioner. If the commissioner finds that the articles of incorporation conform to law, he shall, when all fees prescribed by this chapter have been paid

(1) endorse on each duplicate original the word "filed," and the date of the filing;

(2) file one duplicate original in his office;

(3) issue a certificate of incorporation and affix the other duplicate original to it.

(b) The certificate of incorporation, together with the duplicate original of the articles of incorporation affixed by the commissioner, shall be returned to the incorporators or their representative. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.161. Effect of issuance of certificate of incorporation.** Upon the issuance of the certificate of incorporation, the corporate existence begins. The certificate of incorporation is conclusive evidence that all conditions precedent required to be performed by the incorporators have been complied with and that the corporation has been incorporated. The issuance of the certificate does not affect the right of the state to bring a proceeding to cancel or revoke the certificate of incorporation or for involuntary dissolution of the corporation. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.166. Organization meeting of directors.** (a) After the issuance of the certificate of incorporation an organization meeting of the board of directors named in the articles of incorporation shall be held, either inside or outside the state, at the call of a

majority of the incorporators, for the purpose of adopting bylaws, electing officers and the transaction of other business as may come before the meeting. The incorporators calling the meeting shall give at least three days' notice of the meeting by mail to each director named, which shall state the time and place of the meeting.

(b) A first meeting of the members may be held at the call of a majority of the directors for purposes stated in the notice of the meeting. (§ 1 ch 99 SLA 1968)

**Article 3. Amendment.**

Section	Section
171. Right to amend articles of incorporation	196. Restated articles of incorporation
176. Procedure to amend articles of incorporation	201. Execution of restated articles of incorporation
181. Articles of amendment	206. Contents of restated articles of incorporation
186. Filing of articles of amendment	211. Filing of restated articles of incorporation with commissioner
191. Effect of certificate of amendment	

Effective date of article. — Section 3, ch. 99, SLA 1968, provides: "This Act takes effect on July 1, 1968."

**Sec. 10.20.171. Right to amend articles of incorporation.** A corporation may amend its articles of incorporation, from time to time, in any and as many respects as may be desired, so long as its articles of incorporation, as amended, contain only those provisions which might lawfully be contained in original articles of incorporation at the time the amendment is made. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.176. Procedure to amend articles of incorporation.** Amendments to the articles of incorporation shall be made in the following manner:

(1) If there are members entitled to vote, the board of directors shall adopt a resolution setting out the proposed amendment and directing that it be submitted to a vote at a meeting of members entitled to vote, which may be either an annual or a special meeting. Written notice setting out the proposed amendment or a summary of the changes shall be given to each member entitled to vote within the time and in the manner provided in this chapter for the giving of notice of meetings of members. The proposed amendment shall be adopted upon receiving at least two-thirds of the votes which members present at the meeting or represented by proxy are entitled to cast.

(2) If there are no members, or no members entitled to vote, an amendment shall be adopted at a meeting of the board of directors upon receiving the vote of a majority of the directors in office.

(3) Any number of amendments may be submitted and voted upon at any one meeting. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.181. Articles of amendment.** The articles of amendment shall be executed in duplicate by the corporation by its president or a vice president, and its secretary or an assistant secretary, and shall set out

(1) the name of the corporation;

(2) the amendment adopted;

(3) if there are members entitled to vote on the amendment,

(A) a statement setting out the date of the meeting of members at which the amendment was adopted, that a quorum was present at the meeting, and that the amendment received at least two-thirds of the votes which members present at the meeting or represented by proxy were entitled to cast, or

(B) a statement that the amendment was adopted by a consent in writing signed by all members entitled to vote with respect to the amendment;

(4) if there are no members, or no members entitled to vote, a statement of that fact, the date of the meeting of the board of directors at which the amendment was adopted, and a statement of the fact that the amendment received the vote of a majority of the directors in office. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.186. Filing of articles of amendment.** (a) Duplicate originals of the articles of amendment shall be delivered to the commissioner. If the commissioner finds that the articles of amendment conform to law, he shall, when all fees prescribed in this chapter have been paid,

(1) endorse on each duplicate original the word "filed," and the date of the filing;

(2) file one duplicate original in his office;

(3) issue a certificate of amendment and affix the other duplicate original to it.

(b) The certificate of amendment, together with the duplicate original of the articles of amendment affixed by the commissioner, shall be returned to the corporation or its representative. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.191. Effect of certificate of amendment.** (a) Upon the issuance of the certificate of amendment by the commissioner, the amendment becomes effective and the articles of incorporation are considered amended accordingly.

(b) An amendment does not affect an existing cause of action in favor of or against the corporation, or a pending suit to which the corporation is a party, or the existing rights of persons other than shareholders. In the event the corporate name is changed by amendment, no suit brought by or against the corporation under its former name abates for that reason. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.196. Restated articles of incorporation.** A domestic corporation may at any time restate its articles of incorporation as theretofore amended in the following manner.

(1) If there are members entitled to vote, the board of directors shall adopt a resolution setting out the proposed restated articles of incorporation and directing that they be submitted to a vote at a meeting of members entitled to vote, which may be either an annual or a special meeting.

(2) Written notice setting out the proposed restated articles or a summary of the provisions shall be given to each member entitled to vote within the time and in the manner provided in this chapter for giving notice of meetings to members. If the meeting is an annual meeting, the proposed restated articles or a summary of the provisions may be included in the notice of the annual meeting.

(3) At the meeting a vote of the members entitled to vote shall be taken on the proposed restated articles. The restated articles shall be adopted upon receiving the affirmative vote of a majority of the members entitled to vote who are present at the meeting or represented by proxy.

(4) If there are no members, or no members entitled to vote, the proposed restated articles shall be adopted at a meeting of the board of directors upon receiving the affirmative vote of a majority of the directors in office. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.201. Execution of restated articles of incorporation.** Upon approval, the restated articles of incorporation shall be executed in duplicate by the corporation by its president or a vice president, and by its secretary or assistant secretary, and verified by one of the officers signing the articles. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.206. Contents of restated articles of incorporation.** The restated articles of incorporation shall set out

(1) the name of the corporation;

(2) the period of its duration;

(3) the purpose or purposes which the corporation is authorized to pursue;

(4) other provisions, not inconsistent with law, which are set out in the articles of incorporation as amended, except that it is not necessary to set out in the restated articles of incorporation the

registered office of the corporation, its registered agent, its directors or its incorporators;

(5) a statement that the restated articles of incorporation correctly set out the provisions of the articles of incorporation as amended, and that they have been adopted as required by law and that they supersede the original articles of incorporation and all amendments. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.211. Filing of restated articles of incorporation with commissioner.** (a) Duplicate originals of the restated articles of incorporation shall be delivered to the commissioner. If the commissioner finds that the restated articles of incorporation conform to law, he shall, when all fees prescribed in this chapter have been paid,

(1) endorse on each duplicate original the word "filed," and the date of the filing;

(2) file one duplicate original in his office;

(3) issue a restate certificate of incorporation and affix the other duplicate original to it.

(b) The restate certificate of incorporation, together with the duplicate original of the restated articles of incorporation affixed by the commissioner, shall be returned to the corporation or its representative. (§ 1 ch 99 SLA 1968)

**Article 4. Merger, Consolidation, and Sale of Assets.**

Section	Section'
216. Merger	261. Effect of merger or consolidation
221. Procedure for merger	266. Merger or consolidation of domestic and foreign corporations
226. Consolidation	271. Procedure when surviving or new corporation is governed by laws of another state
231. Procedure for consolidation	275. Effect of merger or consolidation of foreign and domestic corporation
236. Approval of merger or consolidation	280. Sale, lease, exchange, or mortgage of assets
241. Abandonment of plan of merger or consolidation	
246. Execution and verification of articles of merger or consolidation	
251. Contents of articles of merger or consolidation	
256. Filing of articles of merger or consolidation with commissioner	

Effective date of article. — Section 3, ch. 99, SLA 1968, provides: "This Act takes effect on July 1, 1968."

**Sec. 10.20.216. Merger.** Two or more domestic nonprofit corporations may merge into one of the two or more corporations under

a plan of merger approved in the manner provided in this chapter. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.221. Procedure for merger.** The board of directors of each corporation shall, by resolution, approve a plan of merger setting out

(1) the names of the corporations proposing to merge and the name of the corporation into which they propose to merge, which is hereafter referred to as the surviving corporation;

(2) the terms and conditions of the proposed merger;

(3) a statement of changes in the articles of incorporation of the surviving corporation caused by the merger;

(4) other provisions with respect to the merger considered necessary or desirable. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.226. Consolidation.** Two or more domestic corporations may consolidate into a new corporation under a plan of consolidation approved in the manner provided in this chapter. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.231. Procedure for consolidation.** The board of directors of each corporation shall, by a resolution, approve a plan of consolidation setting out

(1) the names of the corporations proposing to consolidate, and the name of the new corporation into which they propose to consolidate, which is hereafter referred to as the new corporation;

(2) the terms and conditions of the proposed consolidation;

(3) all of the statements with respect to the new corporation required to be set out in articles of incorporation for corporations organized under this chapter;

(4) other provisions with respect to the consolidation considered necessary or desirable. (§ 1 ch 99 SLA 1968)

**Sec. 10.20.236. Approval of merger or consolidation.** A plan of merger or consolidation shall be adopted in the following manner.

(1) If the members of a merging or consolidating corporation are entitled to vote, the board of directors of the corporation shall adopt a resolution approving the proposed plan and directing that it be submitted to a vote at a meeting of members entitled to vote, which may be either an annual or a special meeting. Written notice setting forth the proposed plan or a summary shall be given to each member entitled to vote at the meeting within the time and in the manner provided in this chapter for the giving of notice of meetings of members. The proposed plan shall be adopted upon receiving at least two-thirds of the votes which members present at the meeting or represented by proxy are entitled to cast.

(2) If a merging or consolidating corporation has no members, or no members entitled to vote, a plan of merger or consolidation

Original sponsor: Buchholdt

Offered: 3/3/81  
Referred: Finance

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 26 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to displaced homemakers; and provid-  
7 ing for an effective date."

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

9 \* Section 1. LEGISLATIVE FINDINGS AND INTENT. (a) The legislature  
10 finds that there is an increasing number of persons in the state who, after  
11 having fulfilled the role of homemaker for a number of years, find them-  
12 selves "displaced" through the death of a spouse, divorce, separation,  
13 desertion, or loss of family income. The legislature finds that displaced  
14 homemakers are often without any source of income, face continuing discrimi-  
15 nation in employment because they frequently have no recent work experience  
16 and may be older than other applicants for employment, are subject to high  
17 rates of unemployment and are ineligible for unemployment insurance because  
18 they have been engaged in unpaid labor in the home, may be ineligible for  
19 categorical welfare assistance, are ineligible for social security if they  
20 have been divorced from the family wage earner, may have lost their rights  
21 as beneficiaries under employers' pension and health plans through death of  
22 a spouse or divorce despite the contribution of years to the well-being of  
23 the family, and may be ineligible for Medicaid and unable to purchase pri-  
24 vate health insurance because of age and lack of income. The legislature  
25 further finds that homemakers are an unrecognized part of the work force of  
26 the state who have made an invaluable contribution to the welfare of soci-  
27 ety.

28 (b) It is the intent of this Act to

29 (1) provide the necessary counseling, aptitude testing, training,

1 employment placement opportunities, and other services for displaced home-  
2 makers through contracts with public or private nonprofit organizations and  
3 by using and expanding existing state programs;

4 (2) improve the health and welfare of this growing group of mem-  
5 bers of the community; and

6 (3) assist displaced homemakers in achieving independence and  
7 economic security vital to a productive life.

8 \* Sec. 2. AS 47 is amended by adding a new chapter to read:

9 CHAPTER 90. DISPLACED HOMEMAKERS.

10 Sec. 47.90.010. PROGRAM ESTABLISHED. (a) The commissioner, in  
11 consultation with state and local government agencies, community  
12 groups, and groups concerned with displaced homemakers, may

13 (1) contract with public or private nonprofit organizations  
14 for multipurpose service centers for displaced homemakers; and

15 (2) assist in the expansion of existing state programs  
16 through reimbursable service agreements.

17 (b) The commissioner shall adopt regulations prescribing the  
18 standards to be met by each multipurpose service center for displaced  
19 homemakers in accordance with the policies established in this chapter.

20 (c) The commissioner shall establish a contract procurement pro-  
21 cess that insures free and open competition for programs established in  
22 this chapter. Public and private nonprofit organizations and state  
23 agencies may provide the services listed in AS 47.90.020.

24 Sec. 47.90.020. MULTIPURPOSE SERVICE CENTERS. (a) A multipurpose  
25 service center for displaced homemakers established under AS 47.90.010  
26 may provide the following services:

27 (1) job counseling services which shall

28 (A) be specifically designed for displaced homemakers;

29 (B) counsel displaced homemakers regarding job oppor-

1 tunities; and

2 (C) consider and build on the skills and experience of  
3 a homemaker and emphasize job readiness as well as skill develop-  
4 ment;

5 (2) job training and job placement services which shall

6 (A) emphasize short-term training programs which expand  
7 upon homemaking skills and volunteer experience and which lead to  
8 gainful employment;

9 (B) develop through cooperation with state and local  
10 government agencies and private employers training and placement  
11 programs for jobs in the public and private sector;

12 (C) assist displaced homemakers in gaining admission to  
13 existing public and private job-training programs and opportuni-  
14 ties including vocational education, reentry into secondary and  
15 postsecondary education, and apprenticeship training programs; and

16 (D) assist in identifying community needs and creating  
17 new jobs, including nontraditional occupations, for displaced  
18 homemakers in the public and private sector;

19 (3) health counseling services including referral to exist-  
20 ing health programs with respect to

21 (A) general principles of preventive health care;

22 (B) health care consumer education, particularly in the  
23 selection of physicians and health care services including health  
24 maintenance organizations and health insurance;

25 (C) mental health care and transitional counseling;

26 (D) family health care and nutrition;

27 (E) alcohol and drug abuse, including the abuse of pre-  
28 scription drugs; and

29 (F) other related health care matters;

1 (4) financial management services which provide information  
2 and assistance relating to insurance, taxes, estate and probate mat-  
3 ters, mortgages, loans, and related financial matters;

4 (5) educational services including

5 (A) information relating to courses offering credit  
6 through secondary or postsecondary education programs and reentry  
7 programs, including bilingual programs if appropriate, and infor-  
8 mation relating to the availability of financial assistance; and

9 (B) information about other programs of benefit to  
10 displaced homemakers;

11 (6) legal counseling and referral services;

12 (7) information services with respect to federal and state  
13 employment, education, health, public assistance, and unemployment  
14 assistance programs which the commissioner determines to be of benefit  
15 to displaced homemakers.

16 (b) A multipurpose center for displaced homemakers may provide  
17 assistance in obtaining child care, temporary babysitting expenses, and  
18 transportation when it will aid a displaced homemaker to receive ser-  
19 vices under (a) of this section.

20 Sec. 47.90.030. EMPLOYMENT OF DISPLACED HOMEMAKERS. The staff  
21 positions of multipurpose centers established under AS 47.90.010, in-  
22 cluding supervisory, technical and administrative positions, shall to  
23 the maximum extent possible be filled by displaced homemakers.

24 Sec. 47.90.040. CONSULTATION AND COORDINATION. The commissioner  
25 shall consult and cooperate with the Department of Health and Social  
26 Services; the Department of Education, including the division of voca-  
27 tional rehabilitation; the University of Alaska, community colleges and  
28 other colleges as appropriate; the Department of Labor, including the  
29 division of employment security; and other persons or agencies which

1 the commissioner considers appropriate in the implementation of this  
2 chapter.

3 Sec. 47.90.050. STATE EMPLOYMENT ASSISTANCE. Contractors operat-  
4 ing programs under AS 47.90.010 shall, to the maximum extent possible,  
5 provide displaced homemakers with assistance in qualifying on state  
6 employment registers under regulations of the commissioner.

7 Sec. 47.90.060. REGULATIONS. The commissioner may adopt regula-  
8 tions to implement this chapter.

9 Sec. 47.90.070. DEFINITIONS. In this chapter

10 (1) "agency" means a department or agency of the state or a  
11 municipality of the state;

12 (2) "commissioner" means the commissioner of community and  
13 regional affairs;

14 (3) "displaced homemaker" means a person who

15 (A) has worked as a homemaker providing unsalaried  
16 services for the family;

17 (B) faces a significant reduction in family income or  
18 support through divorce, death, separation, or disability; and

19 (C) has encountered difficulty in finding employment.

20 \* Sec. 3. This Act takes effect July 1, 1981.

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Introduced: 2/4/81  
Referred: Health, Education &  
Social Services and Finance

1 IN THE HOUSE

BY BUCHHOLDT

2 HOUSE BILL NO. 26

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to displaced homemakers; and provid-  
7 ing for an effective date."

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

9 \* Section 1. LEGISLATIVE FINDINGS AND INTENT. (a) The legislature  
10 finds that there is an increasing number of persons in the state who, after  
11 having fulfilled the role of homemaker for a number of years, find them-  
12 selves "displaced" through the death of a spouse, divorce, separation,  
13 desertion, or loss of family income. The legislature finds that displaced  
14 homemakers are often without any source of income, face continuing discrimi-  
15 nation in employment because they frequently have no recent work experience  
16 and may be older than other applicants for employment, are subject to high  
17 rates of unemployment and are ineligible for unemployment insurance because  
18 they have been engaged in unpaid labor in the home, may be ineligible for  
19 categorical welfare assistance, are ineligible for social security if they  
20 have been divorced from the family wage earner, may have lost their rights  
21 as beneficiaries under employers' pension and health plans through death of  
22 a spouse or divorce despite the contribution of years to the well-being of  
23 the family, and may be ineligible for Medicaid and unable to purchase pri-  
24 vate health insurance because of age and lack of income. The legislature  
25 further finds that homemakers are an unrecognized part of the work force of  
26 the state who have made an invaluable contribution to the welfare of soci-  
27 ety.

28 (b) It is the intent of this Act to

29 (1) provide the necessary counseling, aptitude testing, training,

1 employment placement opportunities, and other services for displaced home-  
2 makers through contracts with public or private nonprofit organizations and  
3 by using and expanding existing state programs;

4 (2) improve the health and welfare of this growing group of mem-  
5 bers of the community; and

6 (3) assist displaced homemakers in achieving independence and  
7 economic security vital to a productive life.

8 \* Sec. 2. AS 47 is amended by adding a new chapter to read:

9 CHAPTER 90. DISPLACED HOMEMAKERS.

10 Sec. 47.90.010. PROGRAM ESTABLISHED. (a) The commissioner, in  
11 consultation with state and local government agencies, community  
12 groups, and groups concerned with displaced homemakers, may

13 (1) contract with public or private nonprofit organizations  
14 for multipurpose service centers for displaced homemakers; and

15 (2) assist in the expansion of existing state programs  
16 through reimbursable service agreements.

17 (b) The commissioner shall adopt regulations prescribing the  
18 standards to be met by each multipurpose service center for displaced  
19 homemakers in accordance with the policies established in this chapter.

20 (c) The commissioner shall establish a contract procurement pro-  
21 cess that insures free and open competition for programs established in  
22 this chapter. Public and private nonprofit organizations and state  
23 agencies may provide the services listed in AS 47.90.020.

24 Sec. 47.90.020. MULTIPURPOSE SERVICE CENTERS. A multipurpose  
25 service center for displaced homemakers established under AS 47.90.010  
26 may provide the following services:

27 (1) job counseling services which shall

28 (A) be specifically designed for displaced homemakers;

29 (B) counsel displaced homemakers regarding job oppor-

1                   tunities; and

2                   (C) consider and build on the skills and experience of  
3 a homemaker and emphasize job readiness as well as skill develop-  
4 ment;

5                   (2) job training and job placement services which shall

6                   (A) emphasize short-term training programs which expand  
7 upon homemaking skills and volunteer experience and which lead to  
8 gainful employment;

9                   (B) develop through cooperation with state and local  
10 government agencies and private employers training and placement  
11 programs for jobs in the public and private sector;

12                   (C) assist displaced homemakers in gaining admission to  
13 existing public and private job-training programs and opportuni-  
14 ties including vocational education, reentry into secondary and  
15 postsecondary education, and apprenticeship training programs; and

16                   (D) assist in identifying community needs and creating  
17 new jobs, including nontraditional occupations, for displaced  
18 homemakers in the public and private sector;

19                   (3) health counseling services including referral to exist-  
20 ing health programs with respect to

21                   (A) general principles of preventive health care;

22                   (B) health care consumer education, particularly in the  
23 selection of physicians and health care services including health  
24 maintenance organizations and health insurance;

25                   (C) mental health care and transitional counseling;

26                   (D) family health care and nutrition;

27                   (E) alcohol and drug abuse; and

28                   (F) other related health care matters;

29                   (4) financial management services which provide information

1 and assistance relating to insurance, taxes, estate and probate mat-  
2 ters, mortgages, loans, and related financial matters;

3 (5) educational services including

4 (A) information relating to courses offering credit  
5 through secondary or postsecondary education programs and reentry  
6 programs, including bilingual programs if appropriate, and infor-  
7 mation relating to the availability of financial assistance; and

8 (B) information about other programs of benefit to  
9 displaced homemakers;

10 (6) legal counseling and referral services; and

11 (7) information services with respect to federal and state  
12 employment, education, health, public assistance, and unemployment  
13 assistance programs which the commissioner determines to be of benefit  
14 to displaced homemakers.

15 Sec. 47.90.030. EMPLOYMENT OF DISPLACED HOMEMAKERS. The staff  
16 positions of multipurpose centers established under AS 47.90.010, in-  
17 cluding supervisory, technical and administrative positions, shall to  
18 the maximum extent possible be filled by displaced homemakers.

19 Sec. 47.90.040. CONSULTATION AND COORDINATION. The commissioner  
20 shall consult and cooperate with the Department of Health and Social  
21 Services; the Department of Education, including the division of voca-  
22 tional rehabilitation; the University of Alaska, community colleges and  
23 other colleges as appropriate; the Department of Labor, including the  
24 division of employment security; and other persons or agencies which  
25 the commissioner considers appropriate in the implementation of this  
26 chapter.

27 Sec. 47.90.050. CERTIFICATION OF DISPLACED HOMEMAKERS. The com-  
28 missioner shall adopt regulations under which the commissioner may  
29 certify individuals as displaced homemakers for the purposes of this

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chapter.

Sec. 47.90.060. STATE EMPLOYMENT ASSISTANCE. Contractors operating programs under AS 47.90.010 shall, to the maximum extent possible, provide displaced homemakers with assistance in qualifying on state employment registers under regulations of the commissioner.

Sec. 47.90.070. REGULATIONS. The commissioner may adopt regulations to implement this chapter.

Sec. 47.90.080. DEFINITIONS. In this chapter

(1) "agency" means a department or agency of the state or a municipality of the state;

(2) "commissioner" means the commissioner of community and regional affairs;

(3) "displaced homemaker" means a person who

(A) has been a homemaker dependent on the income of a family member for at least six years; and

(B) has encountered difficulty in finding employment.

\* Sec. 3. This Act takes effect July 1, 1981.

PRELIMINARY COST ANALYSIS FOR DISPLACED HOMEMAKERS, FAIRBANKS

Displaced Homemakers of Fairbanks has been in existence since June of 1979. Since that time the agency has served 406 clients. Of these clients, 186 have either been placed in jobs or gone on to further education.

The following figures are an initial cost effective analysis of the program. These are general statistics as there was not time prior to this presentation to prepare detailed statistics.

The national average size of a family receiving Aid for Dependent Children is one adult with two children. This is also the average Displaced Homemaker client family.

This family receives per month:	\$ 514.00
	x
	12
Cost per year:	<u>\$6,168.00</u>
Food Stamps for above:	\$ 200.00
(maximum allowable is \$283.00 per month)	x
	12
Cost per year:	<u>\$2,400.00</u>
Medicaid payments for above:	\$ 172.50
(average per AFDC claim for last year)	x
	12
Cost per year:	<u>\$2,069.00</u>
Total amount paid per year for average AFDC family of three:	\$10,637.00

Number of Clients who obtained employment to date with the assistance of Displaced Homemakers: 106

Monies that would have been paid for clients no longer receiving public assistance:	\$ 10,637.00
	x
	106
	<u>\$1,127,522.00</u>

At the current rate of processing clients to employment, we anticipate obtaining employment for an additional 34 people prior to expiration of the Displaced Homemaker contract on June 30th.

COST ANALYSIS: Displaced Homemakers  
Page Two

Additional cost savings of above:	\$ 361,658.00
Total savings resulting from employment of AFDC recipients:	\$1,489,180.00
Displaced Homemakers contract:	340,000.00
Total savings to the government by funding activities of Displaced Homemakers:	\$1,149,180.00

There are other savings when individuals obtain employment and are removed from the welfare rolls. There is a reduction of individuals processed through the criminal justice system:

1. Decrease in number of child abuse cases
2. Reduction in rate of various criminal charges
3. Decrease in police calls for "family disturbance"

Among other Social Service savings, there is less use of:

1. Legal Services
2. Mental health facilities
3. Child protection agencies
4. Drug/Alcohol abuse treatment facilities

Other positive benefits include:

1. Clients become tax payers
2. The "welfare chain syndrome" is broken in the family
3. Encouragement of education/training allows individuals to contribute to society to a higher degree through working in skilled positions
4. Self worth is enhanced

*This information provided to Rep. Buchholdt by Fairbanks Displaced Homemakers Association*

Transition program

<u>SERVICES OFFERED</u>	<u>FY 80 STAT.</u>	<u>4th QTR FY 80</u>
CLIENTS	297	76
POSITIVE JOB PLACEMENT	82	5
POSITIVE TERMINATIONS	208	12
PERSONAL COUNSELING	297	76
EDUCATIONAL FUNDING	100	18
-----		
<u>EDUCATIONAL REFERRAL</u>	188	39
ABE	5	1
TVCC	109	20
GED	50	10
REC'VE GED'S	9	0
FINANCIAL AID (STATE)	19	2
VOCATIONAL EDUCATION	5	1
VETERANS ADMINISTRATION	3	1
OTHER	97	8
-----		
<u>SOCIAL SERVICE REFERRAL</u>	178	35
PUBLIC ASSISTANCE (AFDC, FOOD STAMPS, ETC.)	77	17
SOCIAL SECURITY	2	0
HOUSING	42	7
DAY CARE ASSISTANCE (BOROUGH)	57	13
LEGAL AID	35	5
OVR	7	0
OTHER	43	5
-----		
VOCATIONAL EXPLORATION	218	66
-----		
EMPLOYMENT ASSESSMENT	209	60
-----		
<u>LABOR MARKET ORIENTATION</u>	201	46
CETA	91	4
JOB SERVICE	119	32
OTHER	79	20
-----		

SERVICES OFFEREDFY 80 STAT.4TH QTR FY 80

JOB SEARCH SKILLS	85	21
SKILLS ASSESSMENT	56	13
JOB APPLICATION	19	0
RESUME'	39	5
INTERVIEWING TECHNIQUES	10	0
-----		
WORKSHOP PARTICIPATION	181	58
-----		
DISCUSSION GROUP PARTICIPATION	139	83
-----		

*This information provided to Rep. Buchholz by the  
Fairbanks Displaced Homemakers Assoc.*

OLD FN. (2/19)

Revised FN

Submitted 3/9

For CS

CS HB 26: Section-by-section analysis

Section 1: Findings and intent.

Section 2: Establishes a new chapter to Title 47 (Welfare, Social Services and Institutions) of state law, Chapter 90 -- Displaced Homemakers.

Sec. 47.90.010. Program Established. Allows the Department of Community & Regional Affairs to contract with non-profits or public agencies to provide multiple service centers for displaced homemakers. Also allows C&RA to assist existing programs. C&RA is required to promulgate regulations for these purposes and to provide for competitive bidding on all contracts.

Sec. 47.90.020. Multipurpose Service Centers. Centers may provide the following services: (1) job counselling specifically for displaced homemakers; (2) job opportunity counselling, especially related to the skills and experiences of a homemaker; (3) job training and placement, particularly: (a) short term training that expands homemaking skills and volunteer experience of a displaced homemaker, (b) develop liason with potential employers, (c) assist in finding vocational, educational and apprenticeship training, and (d) help identify community needs and creation of new jobs, including "non-traditional" jobs in the public and private sectors; (4) health care counseling emphasizing preventive care, choice of doctor, insurance policy or health maintenance organization; (5) mental health counselling, family health and nutrition, alcohol and drug abuse counselling; (6) financial management assistance on insurance, taxes, wills, mortgages, loans, etc.; (7) educational counselling about credit courses, bilingual education, financial assistance, and other educational information of use to displaced homemakers; (8) legal assistance referral; and (9) government employment opportunities and information about other government services of benefit to displaced homemakers.

The House HESS Committee added language to this section of the bill that would allow centers to help clients obtain child care while they are receiving the services described in this section.

Sec. 47.90.030. Employment of Displaced Homemakers. All staff of centers, where possible, should be displaced homemakers. This includes supervisory, technical and administrative positions as well as clerical positions.

Sec. 47.90.040. Consultation and Coordination. C&RA should cooperate with the Departments of Health and Social Services, Education, Labor and the University and Alaska and other colleges in the state in the implementation of the chapter.

Sec. 47.90.050. Certification of Displaced Homemakers. C&RA shall promulgate regulations to certify displaced homemakers for assistance.

Sec. 47.90.060. State Employment Assistance. Centers shall, to the maximum extent possible, help displaced homemakers get on state employment registers.

Sec. 47.90.070. Regulations. The Commissioner may adopt regulations to implement the chapter.

Sec. 47.90.080. Definitions. The definition of a displaced homemaker was redefined by the House HESS Committee. The definition now includes: (1) working as a unsalaried homemaker for any amount of time; (2) facing a significant reduction in income due to divorce, death, separation or disability of spouse; and (3) encountering difficulty with finding employment. This definition is largely the same as that in the original bill except that the original bill required the person to have been a homemaker for at least six years prior to displacement.

Section 3: Effective date: 7/1/81

(3/9/81: LC)

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. H.B. 26

Title An act relating to displaced homemakers; and providing an effective date

Requested by HESS Date 2/17/81

II. FISCAL DETAIL

Agency Affected Department of Community and Regional Affairs

Program Category Affected Social Services

BRU, Program, or Subprogram(s) Affected C.E.T.A.

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	0	95.0	102.6	110.8	119.7	129.3
200 TRAVEL	0	30.0	32.4	34.9	37.7	40.7
300 CONTRACTUAL	0	1472.0	1589.8	1717.0	1854.4	2002.8
400 COMMODITIES	0	3.2	3.5	3.8	4.1	4.4
500 EQUIPMENT	0	3.8	3.9	4.1	4.3	4.6
600 LAND & STRUCTURES	0	0				
700 GRANTS, CLAIMS, ETC.	0	0				
<b>TOTAL</b>	<b>0</b>	<b>1604.0</b>	<b>1732.1</b>	<b>1870.6</b>	<b>2020.2</b>	<b>2181.8</b>

FUNDING (Thousands of Dollars)

GENERAL FUND	0	1604.0	1732.0	1870.6	2020.2	2181.8
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	0	2	2	2	2	2
PART TIME	0	2	2	2	2	2
TEMPORARY	0	0	0	0	0	0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The Availability of funds for the Displaced Homemakers Program will be advertised statewide and contracts negotiated through a competitive procurement process.

Projected program costs are based on a displaced homemaker program currently funded by this Department in Fairbanks. The program offers the following services, directly or by referral; assessment; counseling; job development; basic education; vocational training; and life skills workshops. The annual costs of the program as funded by this Department is \$225,000. Approximately 375 individuals are scheduled to be served.

IV. DATE 2/19/81

PREPARED BY Lois A. Lind, Director

AGENCY CETA

PHONE 465-4890

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

HE 26

Three basic assumptions have been utilized in the preparation of this analysis:

- 1 The Department will fund five (5) similar Multipurpose Service Centers on an annual basis through five separate contracts;
- 2) An eight (8) percent inflation rate will be experienced during each year for the five years of this analysis; and
- 3) Contracting for this service will prove more cost effective than the Department establishing and operating the Centers.

Total cost for H.B. 26 for FY'82: \$1,604,000

This cost will be composed of contracts for the Centers,  
each contract for \$290,000 (290,000 x 5) \$1,450,000

Administrative costs required by the Department: \$ 154,000

Personnel Services:

Grant Administrator R17(S):	\$30,060
Field Representative R15:	25,020
P.T. Clerk Typist III R8	8,358
P.T. Accounting Tech I R12:	<u>10,566</u>
Subtotal:	<u>\$74,604</u>
Benefits	<u>20,396</u>

Total Personnel Services: \$95,000

Travel: 30,000

For bidders conference, pre-award monitoring,  
contract negotiation, program monitoring and  
technical assistance.

Contractual:

Phones:	\$5,750
Rent:	5,200
Printing/Advertising:	8,000
Copier Service	750
Postage:	500
Word Processing Equip.	<u>2,750</u>
Total Contractual	<span style="float: right;">22,000</span>

Commodities: 3,200

Equipment: 3,800

including office equipment for the two  
full time position and two part-time  
positions. This includes such items as  
desks, chairs, file cabinet and bookcases.

Total Administrative Expense \$154,000

(Administration rate to program costs = 10.62%)

The Department staff, the Grants Administrator and the Field Representative will be responsible for negotiating and executing the contracts, monitoring, providing technical assistance and all statewide coordination.

(End Fiscal Note Analysis)

POSITION PAPER  
ON  
CS FOR HOUSE BILL NO. 26

"An Act relating to displaced homemakers; and providing for an effective date."

This Bill would establish a program for displaced homemakers to be administered by the Department of Community and Regional Affairs. The Bill also authorizes the development of multipurpose service centers for displaced homemakers to provide job counseling, training and placement; health counseling; financial management; education; legal counseling and referral; and information services.

There has been growing concern for displaced homemakers, persons who must change their roles from that of homemaker to that of wage earner as a result of a change in circumstances such as divorce, separation, desertion, or death of a spouse. Among this group of individuals would also be those persons who have been on a fixed income which now, due to inflation, must be supplemented by a job for which they are not prepared. Otherwise they may be forced onto the welfare rolls.

The Department recognizes the need for programs for displaced homemakers to assist them through their role transition. The Department does currently provide services aimed at this population. Those displaced homemakers residing in the Anchorage, Fairbanks and Juneau areas who are eligible for Aid to Families with Dependent Children (AFDC) may receive a wide variety of employment oriented social services through the Work Incentive (WIN) program. In addition, during Fiscal Year 1981 the Department has contracted for the following: \$159,000 for the Alaska Women's Resource Center in Anchorage for a counseling center and a displaced homemaker program; and \$137,804 for Adult Learning Program of Alaska Inc. in Fairbanks for displaced homemaker program.

The directors of the shelters for battered women with which the Department has contracted have noted a great need for job training for women served by their programs. Women who have been forced out of their homes due to violence toward them may face a need for immediate employment in order to support themselves and their children. The majority of these women either have not worked for years or have never worked and are competing in an ever tightening job market.

The Department also contracts with Women's Resource Centers in Kenai, Kodiak, Sitka and Juneau which provide services to displaced homemakers as do shelter programs statewide. At the present time there is no central source to coordinate services for displaced homemakers, although Division of Adult and Aging Services social workers do provide information, referral and counseling. There is a definite need to have a centralized information and referral system, as well as a need to coordinate services which are already available.

DUPLICATION PAPER/Department of Health & Social Services

On the surface it appears that there may be some possible overlap between the services to be provided by the multipurpose service centers and those currently provided by various existing programs. In the Department's view, however, any seeming potential for duplication and overlap would be reduced by coordinating existing State operated and funded programs, as well as community resources.

Should this enhanced program for displaced homemakers be established by statute, the Department of Health and Social Services will coordinate with the Department of Community and Regional Affairs to avoid duplication and will provide any technical assistance requested to ensure the development of a quality program. The Department concurs with the Committee's substitution.

Recommended by: Elizabeth Muktarian  
Elizabeth Muktarian  
Director  
Div. of Adult and  
Aging Services

Date: 3/11/81

Approved by: Helen D. Beirne  
Helen D. Beirne  
Commissioner  
Dept. of Health and  
Social Services

Date: 3/12/81

I. REQUEST

Bill/Resolution No. Committee Substitute for House Bill No. 26  
 Title "An Act relating to displaced homemakers; and providing for an effective date."  
 Requested by HESS Committee Date March 11, 1981

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services  
 Program Category Affected Social and Economic Assistance for the General Population  
 BRU, Program, or Subprogram(s) Affected Division of Adult & Aging Services - Adult Services  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		-0-				

FUNDING (Thousands of Dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Zero Impact

IV. DATE

3-11-81

PREPARED BY Dorothy Malt  
 AGENCY Division of Adult and Aging Services  
 PHONE 465-3250

Original: Legislative Finance  
 cc: Budget and Management

Prime Sponsor (First Legislator Named) M&B Approval Date 3/11/81

Original sponsor: Buchholdt

Offered: 3/3/81  
Referred: Finance

*Handwritten:*  
A-2  
P-15

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2

CS FOR HOUSE BILL NO. 26 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to displaced homemakers; and provid-  
7 ing for an effective date."

8

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

9

\* Section 1. LEGISLATIVE FINDINGS AND INTENT. (a) The legislature  
10 finds that there is an increasing number of persons in the state who, after  
11 having fulfilled the role of homemaker for a number of years, find them-  
12 selves "displaced" through the death of a spouse, divorce, separation,  
13 desertion, or loss of family income. The legislature finds that displaced  
14 homemakers are often without any source of income, face continuing discrimi-  
15 nation in employment because they frequently have no recent work experience  
16 and may be older than other applicants for employment, are subject to high  
17 rates of unemployment and are ineligible for unemployment insurance because  
18 they have been engaged in unpaid labor in the home, may be ineligible for  
19 categorical welfare assistance, are ineligible for social security if they  
20 have been divorced from the family wage earner, may have lost their rights  
21 as beneficiaries under employers' pension and health plans through death of  
22 a spouse or divorce despite the contribution of years to the well-being of  
23 the family, and may be ineligible for Medicaid and unable to purchase pri-  
24 vate health insurance because of age and lack of income. The legislature  
25 further finds that homemakers are an unrecognized part of the work force of  
26 the state who have made an invaluable contribution to the welfare of soci-  
27 ety.

28

(b) It is the intent of this Act to

29

(1) provide the necessary counseling, aptitude testing, training,

1 employment placement opportunities, and other services for displaced home-  
2 makers through contracts with public or private nonprofit organizations and  
3 by using and expanding existing state programs;

4 (2) improve the health and welfare of this growing group of mem-  
5 bers of the community; and

6 (3) assist displaced homemakers in achieving independence and  
7 economic security vital to a productive life.

8 \* Sec. 2. AS 47 is amended by adding a new chapter to read:

9 CHAPTER 90. DISPLACED HOMEMAKERS.

10 Sec. 47.90.010. PROGRAM ESTABLISHED. (a) The commissioner, in  
11 consultation with state and local government agencies, community  
12 groups, and groups concerned with displaced homemakers, may

13 (1) contract with public or private nonprofit organizations  
14 for multipurpose service centers for displaced homemakers; and

15 (2) assist in the expansion of existing state programs  
16 through reimbursable service agreements.

17 (b) The commissioner shall adopt regulations prescribing the  
18 standards to be met by each multipurpose service center for displaced  
19 homemakers in accordance with the policies established in this chapter.

20 (c) The commissioner shall establish a contract procurement pro-  
21 cess that insures free and open competition for programs established in  
22 this chapter. Public and private nonprofit organizations and state  
23 agencies may provide the services listed in AS 47.90.020.

24 Sec. 47.90.020. MULTIPURPOSE SERVICE CENTERS. (a) A multipurpose  
25 service center for displaced homemakers established under AS 47.90.010  
26 may provide the following services:

27 (1) job counseling services which shall

28 (A) be specifically designed for displaced homemakers;

29 (B) counsel displaced homemakers regarding job oppor-

1 tunities; and

2 (C) consider and build on the skills and experience of  
3 a homemaker and emphasize job readiness as well as skill develop-  
4 ment;

5 (2) job training and job placement services which shall

6 (A) emphasize short-term training programs which expand  
7 upon homemaking skills and volunteer experience and which lead to  
8 gainful employment;

9 (B) develop through cooperation with state and local  
10 government agencies and private employers training and placement  
11 programs for jobs in the public and private sector;

12 (C) assist displaced homemakers in gaining admission to  
13 existing public and private job-training programs and opportuni-  
14 ties including vocational education, reentry into secondary and  
15 postsecondary education, and apprenticeship training programs; and

16 (D) assist in identifying community needs and creating  
17 new jobs, including nontraditional occupations, for displaced  
18 homemakers in the public and private sector;

19 (3) health counseling services including referral to exist-  
20 ing health programs with respect to

21 (A) general principles of preventive health care;

22 (B) health care consumer education, particularly in the  
23 selection of physicians and health care services including health  
24 maintenance organizations and health insurance;

25 (C) mental health care and transitional counseling;

26 (D) family health care and nutrition;

27 (E) alcohol and drug abuse, including the abuse of pre-  
28 scription drugs; and

29 (F) other related health care matters;

1 (4) financial management services which provide information  
2 and assistance relating to insurance, taxes, estate and probate mat-  
3 ters, mortgages, loans, and related financial matters;

4 (5) educational services including

5 (A) information relating to courses offering credit  
6 through secondary or postsecondary education programs and reentry  
7 programs, including bilingual programs if appropriate, and infor-  
8 mation relating to the availability of financial assistance; and

9 (B) information about other programs of benefit to  
10 displaced homemakers;

11 (6) legal counseling and referral services;

12 (7) information services with respect to federal and state  
13 employment, education, health, public assistance, and unemployment  
14 assistance programs which the commissioner determines to be of benefit  
15 to displaced homemakers.

16 (b) A multipurpose center for displaced homemakers may provide  
17 assistance in obtaining child care, temporary babysitting expenses, and  
18 transportation when it will aid a displaced homemaker to receive ser-  
19 vices under (a) of this section.

20 Sec. 47.90.030. EMPLOYMENT OF DISPLACED HOMEMAKERS. The staff  
21 positions of multipurpose centers established under AS 47.90.010, in-  
22 cluding supervisory, technical and administrative positions, shall to  
23 the maximum extent possible be filled by displaced homemakers.

24 Sec. 47.90.040. CONSULTATION AND COORDINATION. The commissioner  
25 shall consult and cooperate with the Department of Health and Social  
26 Services; the Department of Education, including the division of voca-  
27 tional rehabilitation; the University of Alaska, community colleges and  
28 other colleges as appropriate; the Department of Labor, including the  
29 division of employment security; and other persons or agencies which

1 the commissioner considers appropriate in the implementation of this  
2 chapter.

3 Sec. 47.90.050. STATE EMPLOYMENT ASSISTANCE. Contractors operat-  
4 ing programs under AS 47.90.010 shall, to the maximum extent possible,  
5 provide displaced homemakers with assistance in qualifying on state  
6 employment registers under regulations of the commissioner.

7 Sec. 47.90.060. REGULATIONS. The commissioner may adopt regula-  
8 tions to implement this chapter.

9 Sec. 47.90.070. DEFINITIONS. In this chapter

10 (1) "agency" means a department or agency of the state or a  
11 municipality of the state;

12 (2) "commissioner" means the commissioner of community and  
13 regional affairs;

14 (3) "displaced homemaker" means a person who

15 (A) has worked as a homemaker providing unsalaried  
16 services for the family;

17 (B) faces a significant reduction in family income or  
18 support through divorce, death, separation, or disability; and

19 (C) has encountered difficulty in finding employment.

20 \* Sec. 3. This Act takes effect July 1, 1981.

## POSITION PAPER

## HOUSE BILL NO. 26

"An Act relating to displaced homemakers; and providing for an effective date."

This Bill would establish a program for displaced homemakers to be administered by the Department of Community and Regional Affairs. The Bill also authorizes the development of multipurpose service centers for displaced homemakers to provide job counseling, training and placement; health counseling; financial management; education; legal counseling and referral; and information services.

There has been growing concern for displaced homemakers, persons who must change their roles from that of homemaker to that of wage earner as a result of a change in circumstances such as divorce, separation, desertion, or death of a spouse. Among this group of individuals would also be those persons who have been on a fixed income which now, due to inflation, must be supplemented by a job for which they are not prepared. Otherwise they may be forced onto the welfare rolls.

The Department recognizes the need for programs for displaced homemakers to assist them through their role transition. The Department does currently provide services aimed at this population. Those displaced homemakers residing in the Anchorage, Fairbanks and Juneau areas who are eligible for Aid to Families with Dependent Children (AFDC) may receive a wide variety of employment oriented social services through the Work Incentive (WIN) program. In addition, during Fiscal Year 1981 the Department has contracted for the following: \$159,000 for the Alaska Women's Resource Center in Anchorage for a counseling center and a displaced homemaker program; and, \$137,804 for Adult Learning Programs of Alaska Inc. in Fairbanks for a displaced homemaker program.

The directors of the shelters for battered women with which the Department has contracted have noted a great need for job training for women served by their programs. Women who have been forced out of their homes due to violence toward them may face a need for immediate employment in order to support themselves and their children. The majority of these women either have not worked for years or have never worked and are competing in an ever tightening job market.

The Department also contracts with Women's Resource Centers in Kenai, Kodiak, Sitka and Juneau which provide services to displaced homemakers as do shelter programs statewide. At the present time there is no central source to coordinate services for displaced homemakers, although Division of Adult and Aging Services social workers do provide information, referral and counseling. There is a definite need to have a centralized information and referral system, as well as a need to coordinate services which are already available.

POSITION PAPER

HOUSE BILL NO. 26  
Page 2

On the surface it appears that there may be some possible overlap between the services to be provided by the multipurpose service centers and those currently provided by various existing programs. In the Department's view, however, any seeming potential for duplication and overlap would be reduced by coordinating existing State operated and funded programs, as well as community resources.

The addition of the words "including prescription drugs" on page 3, line 28 of the bill is recommended since many women suffer from such addiction. Should this enhanced program for displaced homemakers be established by statute, the Department of Health and Social Services will coordinate with the Department of Community and Regional Affairs to avoid duplication and will provide any technical assistance requested to ensure the development of a quality program.

RECOMMENDED BY:

Elizabeth Muktarian

DATE:

2/5/81

Elizabeth Muktarian, Director  
Division of Adult & Aging Services

APPROVED BY:

Allen D. Beirne

DATE:

2/13/81

Allen D. Beirne, Commissioner  
Department of Health and Social Services

POSITION PAPER/Department of Health & Social Services

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill No. 26  
Title "An act relating to displaced homemakers; and providing for an effective date."  
Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services  
Program Category Affected Division of Adult and Aging Services  
BRU, Program, or Subprogram(s) Affected \_\_\_\_\_

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Fund Source)	-0-	-0-	-0-	-0-	-0-	-0-
	-0-	-0-	-0-	-0-	-0-	-0-
	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

This Bill has no fiscal impact on the Department of Health and Social Services

IV. DATE 2/5/81 PREPARED BY Worothy Wales  
AGENCY Adult & Aging Services  
Original: Legislative Finance PHONE 465-3250  
cc: Budget and Management  
Prime Sponsor (First Legislator Named) M&B Approval J. ... Date 2/10/81

*Adult Agency*  
*P+F*  
*PA (Bardwell)*  
*provide input to WFN*  
*Conduct*

1 IN THE HOUSE

BY BUCHHOLDT

2 HOUSE BILL NO. 26

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF  
7 ALASKA:

8 For an Act entitled: "An Act relating to displaced homemakers; and providing  
9 for an effective date."

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

11 \* Section 1. LEGISLATIVE FINDINGS AND INTENT. (a) The legislature  
12 finds that there is an increasing number of persons in the state who, after  
13 having fulfilled the role of homemaker for a number of years, find themselves  
14 "displaced" through the death of a spouse, divorce, separation, desertion,  
15 or loss of family income. The legislature finds that displaced homemakers  
16 are often without any source of income, face continuing discrimination in  
17 employment because they frequently have no recent work experience and may be  
18 older than other applicants for employment, are subject to high rates of  
19 unemployment and are ineligible for unemployment insurance because they have  
20 been engaged in unpaid labor in the home, may be ineligible for categorical  
21 welfare assistance, are ineligible for social security if they have been  
22 divorced from the family wage earner, may have lost their rights as benefi-  
23 ciaries under employers' pension and health plans through death of a spouse  
24 or divorce despite the contribution of years to the well-being of the family,  
25 and may be ineligible for Medicaid and unable to purchase private health  
26 insurance because of age and lack of income. The legislature further finds  
27 that homemakers are an unrecognized part of the work force of the state who  
28 have made an invaluable contribution to the welfare of society.

29 (b) It is the intent of this Act to

1 (1) provide the necessary counseling, aptitude testing, training,  
2 employment placement opportunities, and other services for displaced home-  
3 makers through contracts with public or private nonprofit organizations and  
4 by using and expanding existing state programs;

5 (2) improve the health and welfare of this growing group of mem-  
6 bers of the community; and

7 (3) assist displaced homemakers in achieving independence and  
8 economic security vital to a productive life.

9 \* Sec. 2. AS 47 is amended by adding a new chapter to read:

10 CHAPTER 90. DISPLACED HOMEMAKERS.

11 Sec. 47.90.010. PROGRAM ESTABLISHED. (a) The commissioner, in  
12 consultation with state and local government agencies, community groups,  
13 and groups concerned with displaced homemakers, may

14 (1) contract with public or private nonprofit organizations  
15 for multipurpose service centers for displaced homemakers; and

16 (2) assist in the expansion of existing state programs  
17 through reimbursable service agreements.

18 (b) The commissioner shall adopt regulations prescribing the  
19 standards to be met by each multipurpose service center for displaced  
20 homemakers in accordance with the policies established in this chapter.

21 (c) The commissioner shall establish a contract procurement pro-  
22 cess that insures free and open competition for programs established in  
23 this chapter. Public and private nonprofit organizations and state  
24 agencies may provide the services listed in AS 47.90.020.

25 Sec. 47.90.020. MULTIPURPOSE SERVICE CENTERS. A multipurpose  
26 service center for displaced homemakers established under AS 47.90.010  
27 may provide the following services:

28 (1) job counseling services which shall

29 (A) be specifically designed for displaced homemakers;

1 (B) counsel displaced homemakers regarding job oppor-  
2 tunities; and

3 (C) consider and build on the skills and experience of  
4 a homemaker and emphasize job readiness as well as skill develop-  
5 ment;

6 (2) job training and job placement services which shall

7 (A) emphasize short-term training programs which expand  
8 upon homemaking skills and volunteer experience and which lead to  
9 gainful employment;

10 (B) develop through cooperation with state and local  
11 government agencies and private employers training and placement  
12 programs for jobs in the public and private sector;

13 (C) assist displaced homemakers in gaining admission to  
14 existing public and private job-training programs and opportunities  
15 including vocational education, reentry into secondary and post-  
16 secondary education, and apprenticeship training programs; and

17 (D) assist in identifying community needs and creating  
18 new jobs, including nontraditional occupations, for displaced  
19 homemakers in the public and private sector;

20 (3) health counseling services including referral to existing  
21 health programs with respect to

22 (A) general principles of preventive health care;

23 (B) health care consumer education, particularly in the  
24 selection of physicians and health care services including health  
25 maintenance organizations and health insurance;

26 (C) mental health care and transitional counseling;

27 (D) family health care and nutrition;

28 (E) alcohol and drug abuse; and

29 (F) other related health care matters;

1 (4) financial management services which provide information  
2 and assistance relating to insurance, taxes, estate and probate matters,  
3 mortgages, loans, and related financial matters;

4 (5) educational services including

5 (A) information relating to courses offering credit  
6 through secondary or postsecondary education programs and reentry  
7 programs, including bilingual programs if appropriate, and infor-  
8 mation relating to the availability of financial assistance; and

9 (B) information about other programs of benefit to  
10 displaced homemakers;

11 (6) legal counseling and referral services; and

12 (7) information services with respect to federal and state  
13 employment, education, health, public assistance, and unemployment  
14 assistance programs which the commissioner determines to be of benefit  
15 to displaced homemakers.

16 Sec. 47.90.030. EMPLOYMENT OF DISPLACED HOMEMAKERS. The staff  
17 positions of multipurpose centers established under AS 47.90.010, in-  
18 cluding supervisory, technical and administrative positions, shall to  
19 the maximum extent possible be filled by displaced homemakers.

20 Sec. 47.90.040. CONSULTATION AND COORDINATION. The commissioner  
21 shall consult and cooperate with the Department of Health and Social  
22 Services; the Department of Education, including the division of voca-  
23 tional rehabilitation; the University of Alaska, community colleges and  
24 other colleges as appropriate; the Department of Labor, including the  
25 division of employment security; and other persons or agencies which  
26 the commissioner considers appropriate in the implementation of this  
27 chapter.

28 Sec. 47.90.050. CERTIFICATION OF DISPLACED HOMEMAKERS. The com-  
29 missioner shall adopt regulations under which the commissioner may

1 certify individuals as displaced homemakers for the purposes of this  
2 chapter.

3 Sec. 47.90.060. STATE EMPLOYMENT ASSISTANCE. Contractors operat-  
4 ing programs under AS 47.90.010 shall, to the maximum extent possible,  
5 provide displaced homemakers with assistance in qualifying on state  
6 employment registers under regulations of the commissioner.

7 Sec. 47.90.070. REGULATIONS. The commissioner may adopt regula-  
8 tions to implement this chapter.

9 Sec. 47.90.080. DEFINITIONS. In this chapter

10 (1) "agency" means a department or agency of the state or a  
11 municipality of the state,

12 (2) "commissioner" means the commissioner of community and  
13 regional affairs;

14 (3) "displaced homemaker" means a person who

15 (A) has been a homemaker dependent on the income of a  
16 family member for at least six years; and

17 (B) has encountered difficulty in finding employment.

18 \* Sec. 3. This Act takes effect July 1, 1981.  
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