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456

Original sponsor: P.Fischer

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IN THE SENATE

BY THE LABOR AND
COMMERCE COMMITTEE

CS FOR SENATE BILL NO. 456 (L&C)
IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTEENTH LEGISLATURE - SECOND SESSION
A BILL

For an Act entitled: "An Act relating to embalmer and funeral director trainees."

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

* Section 1. AS 08.42 is amended by adding a new section to read:

Sec. 08.42.085. QUALIFICATIONS FOR TRAINEES. (a) A person may apprentice as an embalmer trainee if the person

(1) is 18 years of age;

(2) applies on a form provided by the department; and

(3) furnishes evidence satisfactory to the department that an embalmer licensed in this state will supervise the training and that the training will take place in a funeral establishment that meets the requirements of AS 08.42.100.

(b) A person may apprentice as a funeral director trainee if the person

(1) is 18 years of age;

(2) applies on a form provided by the department; and

(3) furnishes evidence satisfactory to the department that a funeral director licensed in this state will supervise the training and that the training will take place in a funeral establishment that meets the requirements of AS 08.42.100.

(c) The department shall issue a permit valid for one year to an applicant who meets the requirements of this section. The department shall renew a permit for one year if the trainee applies for renewal on a form provided by the department and shows that the training

New
lang.

1 activity continues to satisfy the requirements of this section. The
2 department may not charge a fee for processing applications under this
3 section.

4 (d) A person may apprentice as a funeral director trainee or as
5 an embalmer trainee for no more than two years.

6 * Sec. 2. AS 08.42.110(4) is amended to read:

7 (4) "trainee" means a person who has met the qualifications
8 set out in AS 08.42.085(a) [AS 08.42.050(a)(1) AND (2)] and is engaged
9 in learning the practice of embalming under the direction and control
10 of a person properly licensed to practice embalming, or a person who
11 has met the qualifications set out in AS 08.42.085(b) [AS 08.42.050-
12 (b)(1) AND (2)] and is engaged in learning the practice of funeral
13 directing under the direction and control of a person properly li-
14 censed to practice funeral directing.
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STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill Resolution No.: SB NO. 456

Title: "An Act relating to employer/federal director trainees"

Sponsor: Sen. P. Fischer

Requestor: State Affairs & L.&C.

Date of Request: February 13, 1984

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.

Program Category Affected: Public Protection

BRU, Program or Subprogram(s) Affected: _____

Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

No fiscal impact expected from this bill. The anticipated applications would be limited in number so as to reflect a minimal fiscal impact on the division. No revenue may be generated under the terms of this bill.

ANALYSIS: Attach a separate page for analysis

Prepared By: Darrell Miller Phone: 465-2535
 Division: Occupational Licensing Date: February 15, 1983
 Approved by Commissioner: Richard A. Lyon Date: 2/24/84
 Agency: Commerce & Economic Development

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

The change made in the Labor +
Commerce Cmte was to limit the time
a person can act as a trainee. A
maximum of two years was decided
would be an appropriate time frame.

This ^{time} limit would prevent a situation
where a trainee would be employed
as "cheap labor"

MEMORANDUM

Re 50750
State of Alaska

TO: File

DATE: March 28, 1984

FILE NO:

TELEPHONE NO:

PPF
FROM: Pat Park-Fisher
Secretary

SUBJECT: Comments from
Frederick Witzleben

1. Letter sent to Senator Paul Fischer on February 29, 1984.
2. Points in letter.
 - a. It should be more clearly stated that apprenticeship could be served either prior to schooling or after training.
 - b. Discussed 08.42.056 - Sequencing.
 - c. Should be a maximum period time trainees could serve. This would avoid "professional trainees."
 - d. Maximum number of trainees for one (1) licensed embalmer. This would avoid having a minimum number of licensees and using "cheap labor."
 - e. Add requirements in qualifications for high school graduation or a GED equivalency.

PPF/mc3/8
32884a

(c) In the event the dead body is to be disposed of in a manner not requiring embalming, the department may issue a permit to an unlicensed person, on an annual basis, for the care and disposition of dead human bodies for compensation. This permit otherwise in no way licenses the holder to practice mortuary science.

Sec. 08.42.030. EXAMINATION OF APPLICANTS FOR LICENSE TO PRACTICE MORTUARY SCIENCE. The department is granted authority to examine all applicants for a license to practice mortuary science and to determine whether an applicant possesses the necessary qualifications. The department shall hold an examination at least once each year at the place and time the department may determine.

Sec. 08.42.040. APPLICATION FOR LICENSE TO PRACTICE MORTUARY SCIENCE. The applicant for an examination for a license to practice as an embalmer or as a funeral director shall make application to the department in writing on a form provided by the department.

Sec. 08.42.050. QUALIFICATIONS FOR LICENSE TO PRACTICE MORTUARY SCIENCE. (a) In order to qualify for a license to practice embalming, the applicant shall

(1) be at least 18 years of age;

(2) ~~3~~ have graduated from an accredited school or college of mortuary science;

(3) ~~4~~ have taken and passed the examination for a license to practice embalming conducted by the department;

(4) ~~2~~ have completed at least one year of apprenticeship as a resident trainee under a licensed embalmer.

(b) In order to qualify for a license to practice funeral directing the applicant shall

(1) be at least 18 years of age;

(2) ~~3~~ have satisfactorily completed at least one year (30 semester credit hours) at an accredited college or university;

(3) ~~4~~ have taken and passed the examination for a license to practice funeral directing conducted by the department;

(4) ~~2~~ have completed at least one year of apprenticeship as a trainee under a person licensed to practice funeral directing in this state.

Sec. 08.42.060. SCOPE AND CONDUCT OF EXAMINATION FOR A LICENSE TO PRACTICE MORTUARY SCIENCE. (a) The department shall examine applicants for an embalmer's license; the examination may include any or all of the following subjects: (1) theory and practice of embalming, (2) anatomy, (3) pathology, (4) bacteriology, (5) hygiene (including sanitation and public health), (6) chemistry (including toxicology), (7) restorative arts (including plastic surgery and demi-surgery), (8) funeral service arts and sciences,



Witzleben Family Funeral Homes and Crematory

P.O. Box 102351
Anchorage, Alaska 99510-2351

MAR 5 1984

February 29, 1984

Senator Paul Fischer
Alaska State Senate
Pouch V
Juneau, Alaska 99811

Re: SB 456

Dear Senator Fischer:

I appreciate the time you allowed me yesterday morning when I called you regarding my comments on SB456. As I indicated, I had hoped to be able to follow up the call with a letter, prior to my leaving Alaska on business for the next several weeks.

I have read the proposed additions and amendments to AS 08.42. MORTICIANS and have several suggestions to offer for your consideration and that of any committee that would be reviewing this bill.

1. It should be clearly stated that the resident traineeship of the Embalmer/ Funeral Director should be allowed either before and/or after attendance at a College or College of Mortuary Science, depending on the license desired. That is the current problem with the law. The Department of Commerce & Economic Development, Mortuary Science Section has interpreted the existing law to read that one would have to complete the academic requirements before doing any "training". If that is the only item to be changed, then that could simply be accomplished by amending the existing law by correction section 08.42.050 (a) and (b) by moving (4) of each sub-paragraph into the #(2) position and changing the (2)(3) to the next higher, since the department seems to base their findings on sequence. However, I still feel that it needs to be clearly stated BEFORE AND/OR AFTER the academic program.
2. It should state the maximum period of time that one individual can serve as a registered trainee. Putting in a time period will eliminate the possibility of an individual from becoming a "professional trainee" and not ever attempting to secure the academic training.
3. It should also state the maximum number of "trainees" that one licensed embalmer/ funeral director can have in a training program at a time. I do not believe that it is the desire or intention of either the majority of funeral owners or the department that this program be used as a source of cheap labor.
4. One additional point that should be included in the new section would be that the individual need be a graduate of high school or the equivalent (i.e. GED) before beginning the training program.

6th Avenue Chapel
1023 East 6th Avenue
(907) 274-7576

Our Family Serving Your Families

Bragaw Chapel
1707 South Bragaw
(907) 277-1682



Witzleben Family Funeral Homes and Crematory

P.O. Box 102351
Anchorage, Alaska 99510-2351

Senator Paul Fischer
February 29, 1984
Page -2-

I appreciate your efforts in seeking a change in the law that will hopefully make it possible for young Alaskans who might wish to enter this profession, the opportunity to do so, and find out if this is what they want prior to expending large sums of money for educational training and then finding that they are in the wrong field.

If I can be of any further assistance to you or your committee in regards to this or any other legislation affecting my profession, please feel free to contact me or my wife, who is also licensed, at any time. I am leaving Anchorage tomorrow evening and will be returning on March 17th.

Sincerely yours,

F. J. Witzleben, President

6th Avenue Chapel
1023 East 6th Avenue
(907) 274-7576

Our Family Serving Your Families

Bragaw Chapel
1707 South Bragaw
(907) 277-1682

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: April 5, 1984

REQUEST	FISCAL DETAIL
Bill/Resolution No.: <u>CSSB 456(L&C)</u>	Agency Affected: <u>Commerce & Econ. Dev.</u>
Title: <u>"An Act relating to embalmer/funeral dir. trainees"</u>	Program Category Affected: <u>Public Protection</u>
Sponsor: <u>Labor & Commerce Comm.</u>	BRU, Program or Subprogram(s) Affected: <u>Occupational Licensing</u>
Requestor: <u>L & C Committee</u>	
Date of Request: <u>April 3, 1984</u>	

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL: No fiscal impact is expected from this bill. The anticipated applications would be limited in number so as to reflect a minimal fiscal impact on the division. No revenue may be generated under the provisions of this bill.

ANALYSIS: Attach a separate page for analysis

Prepared By: Darrell Miller Phone: 465-2535
 Division: Occupational Licensing Date: 4/5/84
 Approved by Commissioner: Richard A. Lyon Date: 4/9/84
 Agency: Commerce & Economic Development

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

SB 456 TITLE & SPONSOR SUMMARY 16:40 6/04/84 PAGE 1 OF 3
 PREPENDED TITLE: HCSOSSE 456(L&C)AM II
 ACT RELATING TO EMBALMER AND FUNERAL DIRECTOR TRAINEES
 PRIME SPONSOR: FISCHER, P.
 CO-SPONSORS:
 CURRENT STATUS: 6/01/84 CHAPTER 0076 SLA 84

SB 456 SENATE ACTION 16:40 6/04/84 PAGE 2 OF 3
 LEGISLATIVE ACTION

DATE	SEQ	PAGE	LEGISLATIVE ACTION
2/13/84	01	2039	FIRST READING -- COMMITTEE REPORTS
2/23/84	02	2157	MOVED FROM S.A. TO L&C BY UNAN CONSENT
3/30/84	03	2538	L&C -- CS04
3/30/84	04	2538	L&C F/NOTE EQUALS ZERO
4/05/84	05	2647	RLS -- L&C CS03, OTHER03 TAKEN UP IMMEDIATELY
4/05/84	06	2650	SECOND READING
4/05/84	07	2650	L&C CS ADOPTED BY UNAN CONSENT
4/05/84	08	2650	ADVANCED TO 3RD READING BY UNAN CONSENT
4/05/84	09	2651	THIRD READING
4/05/84	10	2651	PASSED BY DIV 19-00-01
5/23/84	22	3208	CONCURRED IN HOUSE AMS BY DIV 20-00-00
5/24/84	23	3263	TRANSMITTED TO GOVERNOR
6/01/84	24	3474	SIGNED BY GOVERNOR-CH0076, EFF 03/30/84
XXXX	XX	XX	XXX XXX XXX

SB 456 HOUSE ACTION 16:40 6/04/84 PAGE 3 OF 3
 LEGISLATIVE ACTION

DATE	SEQ	PAGE	LEGISLATIVE ACTION
4/06/84	11	3233	FIRST READING -- COMMITTEE REPORTS
4/18/84	12	3369	L&C -- CS05
5/21/84	13	3945	SECOND READING
5/21/84	14	3945	L&C CS ADOPTED BY UNAN CONSENT
5/21/84	15	3946	AM TO AM01 WITHDRAWN
5/21/84	16	3946	AM01 ADOPTED BY DIV 22-15-03
5/21/84	17	3946	ADVANCED TO 3RD READING BY UNAN CONSENT
5/21/84	18	3947	THIRD READING
5/21/84	19	3947	PASSED BY DIV 24-09-07
5/21/84	20	3947	NOTICE OF RECONSIDERATION GIVEN
5/22/84	21	3976	RECONSIDERATION NOT TAKEN UP
XXXX	XX	XX	XXX XXX XXX

COMMITTEE REPORT

SENATE

FURTHER:

3/23/84

Date 3/27/84

Mr. President

The Committee on LABOR AND COMMERCE considered SB 456
relating to embalmer and funeral director trainees.

and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for _____
- new title
- same title and recommends do pass
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation Zero fiscal note
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

[Signature]

[Signature]

[Signature]

[Signature]

Do pass

Chairman

[Signature]

Chairman recommendation



Official Business

Senator Paul Fischer

Alaska State Legislature

Senate

Pouch V
State Capitol
Juneau, Alaska 99811

March 12, 1984

MEMO TO: Senator Dick Eliason, Chair
Labor and Commerce Committee
Alaska State Senate

FROM: Senator Paul Fischer *PF*

SUBJECT: SB 456

SB 456, "An Act relating to embalmer and funeral director trainees", enables a person at least 18 years of age to undertake a traineeship with a suitably licensed embalmer or funeral director prior to that person's completing the necessary schooling required for licensure. The purpose of this bill is to permit a person to gain some experience in the profession of embalming or funeral directing without having to leave Alaska, prior to undertaking the formal academic program in fulfillment of the requirements for licensure.

As presently structured, Alaska Statutes require a person seeking to become an embalmer or funeral director to complete a required academic curriculum prior to undertaking any traineeship. An embalmer is required to graduate from an accredited college of mortuary science, a minimum two-year program. There are no such schools in Alaska, and the individual must therefore make a great expenditure of time and funds to receive the degree prior to returning to Alaska to undertake a traineeship. A funeral director candidate must have completed a year of college prior to undertaking a traineeship.

By permitting traineeships prior to completion of the academic curriculum, an individual will have an opportunity to get a realistic idea of the requirements of the profession and determine whether or not to then pursue the necessary academic course of study to become a professional embalmer or funeral director. There are currently 102 currently licensed embalmers, funeral directors, and funeral establishments in Alaska.

It has been noted that SB 456 does not provide for a limit on the length of time a traineeship may continue. This bill will need to be amended to put a one year ceiling on the length of

Senator Dick Elaison, Chair
Labor and Commerce Committee
March 12, 1984
Page 2

of the traineeship to prevent potential abuses of the traineeship
experience.

If any additional information in support of SB 456 is
needed, please let me know.

PF/mc

BECKY/SOLDOTNA 2/29/84 P.O.M. OMNI #18978

TO: SEN. PAUL FISCHER

2

FROM: RANDY PIERCE
BOX 5065
KENAI, AK 99611
283-9455

THANK YOU FOR SPONSORING SB 456. I MOVED FROM WASH.STATE TO AK TO COMPLETE APPRENTICESHIP PROGRAM BEFORE ATTENDING MORTUARY COLLEGE. ANY HELP YOU COULD PROVIDE IN PASSING THIS BILL WOULD BE MOST APPRECIATED. I HOPE TO HEAR FROM YOU, ANY INFORMATION REGARDING THIS BILL.

EOM*****



Official Business

Alaska State Legislature

Senate

Pouch V
State Capitol
Juneau, Alaska 99811

February 29, 1984

MEMO TO: Senator Dick Eliason
FROM: Senator Paul Fischer *PF*
SUBJECT: Hearing on SB 456

As Chairman of Senate Labor and Commerce Committee, I would appreciate your scheduling SB 456 RE: Embalmer and Funeral Director Trainees to be heard in Labor and Commerce Committee in the near future. As I shall be out of town on state business for several days prior to March 12, I would appreciate your scheduling the bill after that date, to permit me to testify.

Please let me know when SB 456 is scheduled. Thank you for this courtesy.

PF/mc