

H B

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STATE OF ALASKA

DEPARTMENT OF EDUCATION

DIVISION OF VOCATIONAL REHABILITATION

WALTER J. HICKEL, GOV.

CENTRAL OFFICE
P.O. BOX F
JUNEAU, ALASKA 99811-0581
PHONE: (907) 465-2814
FAX: (907) 465-2856
TTD: (907) 465-2440

February 5, 1992

Representative Johnny Ellis
Alaska State Legislature
Room 204, Capitol
P.O. Box V
Juneau, Alaska, 99811

Re: House Bill No. 324

Dear Representative Ellis:

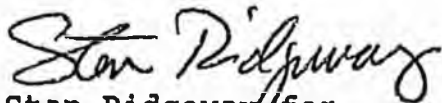
Thank you for asking the division to respond to your bill allowing preference for qualified work programs and Alaskan business owners who are, or employ, people with disabilities.

Over the last several years there has been a shift in philosophy related to work programs which are owned by or employ persons with disabilities. The shift is away from what have been traditionally known as "sheltered workshops" to community based placements. Because of this shift your bill, as written, would provide incentives for sheltered workshops, supported employment programs and businesses which are either owned by or provide employment to persons with disabilities.

The division endorses H.B. 324 which allows bidder preference for a wide range of employment options for Alaskans with disabilities.

As you know, the Division of Vocational Rehabilitation has the responsibility of identifying qualified employment programs throughout the state. We offer our assistance to the Chief Procurement Officer to further identify bidders who meet the definition as outlined in this bill.

Sincerely,



Stan Ridgeway for
Keith J. Anderson, Director
Division of Vocational Rehabilitation

Position Paper
VOC. REHAB.

FRA FRA FRA

REC'D APR 01 1992

Gary Roth, President
Paul Robinson, Vice-President
Nancy Dodge, Treasurer
Jim Movius, Secretary
Emily F. Ennis, Executive Director

FAIRBANKS RESOURCE AGENCY

805 AIRPORT ROAD • FAIRBANKS, ALASKA 99701 • (907)456-8901 • FAX 452-5171

March 27, 1992

DR

Representative Johnny Ellis
State Capitol Building
Juneau Alaska 99801 1182

Dear Representative Ellis:

As an employment program serving over seventy individuals experiencing a disability, Fairbanks Resource Agency (FRA) supports CSHB 324 as an effective means of promoting work opportunities for people with disabilities.

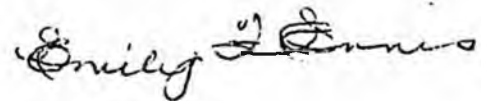
FRA currently provides vocational training and employment to persons with disabilities through state contracts for janitorial services. These contracts have provided challenging and steady work as well as respectable paychecks for individuals who are striving to improve the quality of their lives. As important, these jobs also offer an opportunity to prove that employees who experience severe disabilities are reliable, conscientious and able to perform their jobs, at acceptable, and in many cases, above average standards. The opportunity to demonstrate ability on these jobs enhances the status and promotes the dignity of all persons who experience a disability.

Through increasing the current procurement preference for employment programs non-profits like FRA will have a better chance to be successful bidders on state contracts, thus putting additional individuals with disabilities to work. Those who would argue against the procurement preference must remember that our costs of doing business are often higher and may include increased training and supervision costs, as well as increased time and number of employees needed to complete the work to standard. The procurement preference assists an employment program in providing a competitive and realistic bid.

Over the past twenty-five years, FRA has seen the difference that employment makes in the lives of people who experience a disability. A job provides identity; it provides dignity, it provides the means to independence. Recently I heard a young man who works on a janitorial crew at a state building say with pride in his voice, "Tomorrow my counselor is going to help me do my income tax, I may owe some more money." Those of us who bemoan tax time should take a moment to reflect on this young man's statement. Through the opportunity to work, he has moved from dependency on state assistance to a position as a proud, productive and contributing member of our community. There are many other Alaskans who want the chance to change their position, too. They want the chance to work and to contribute.

While the Americans with Disabilities Act (ADA) now stands before us as this century's most significant piece of legislation on behalf of people with disabilities, it will only be as powerful as the individuals, communities and states who stand behind it and support it through legislation and activity such as CSHB 324 provides. In supporting CSHB 324, I thank you again for your efforts on behalf of people with disabilities in Alaska.

Sincerely,



Emily F Ennis
Executive Director

EFE/njm

ASETS*

REC'D MAR 27 1992

*Alaska Specialized Education and Training Services, Inc.
A Non-profit Alaskan Corporation

2330 Nichols Street
Anchorage, AK 99508-3495
(907) 279-6617

Karen Ward, Ed.D.
Executive Director

3/24/92

DK

Representative Johnny Ellis
State Capitol, Room 204
Juneau, Alaska 99801-1182

Dear Representative Ellis:

This letter is to express our support of HB324 (State procurement preferences for people with a disability). This bill will benefit Employment Programs such as ASETS and encourage the private sector to hire people with disabilities. It also provides an incentive for Title I of the Americans with Disabilities Act.

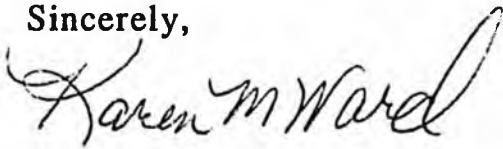
The private sector is under the false perception that state funded employment programs are unfair competition. It is important to note that state grants from Health and Social Service are not used to subsidize commercial operations. These grants are used to provide additional staff and resources to train and support people with developmental and psychiatric disabilities in employment. In other words, grants pay for the extraordinary training expenses associated with the population. All expenses related to the production of goods and services which create jobs for persons with disabilities served through our programs are solely supported by income generated through contracts. In other words, all equipment, wages (including production supervisors), transportation, raw materials, expendable supplies, and administrative overhead are paid from the contract. If expensive equipment is needed, we go to the bank and take out a loan

The importance of HB324 is that it will benefit people with disabilities. First, it means wages. ASETS has several labor contracts with the state and federal government as well as the private sector. Over the last 6 years we have expanded our services through contract labor with the state and federal government. The collective wages earned by the consumers in our program has increased from \$174,502 (1986) to \$596,933 (1991). These dollars are spent in

Alaska! If one assumes that every dollar spent in Alaska has an economic impact of 7 times, the economic impact of our program last year was \$4,178,531. Secondly, Employment Programs manage labor (commercial) contracts like any other business person. That is, we try to be efficient enough to have income exceed expenses. This excess is then used to support our program. Over the last 3 years we have served 20 individuals who experience developmental disabilities who were on state service waiting lists. Assuming an average annual service cost of \$8,000 - \$10,000 per person, we have saved the state Division of Mental Health and Developmental Disabilities at least \$320,000.

We look forward to HB324 becoming law. Please feel free to contact me should you have further questions.

Sincerely,

A handwritten signature in cursive script that reads "Karen M Ward". The signature is written in dark ink and is positioned below the word "Sincerely,".

Karen Ward, Ed.D.
Executive Director

**Kodiak
Area
Native
Association**



REC'D FEB 10 1992

402 Center Avenue
Kodiak, Alaska 99615
Phone (907) 486-5725

January 31, 1992

The Honorable Johnny Ellis, Representative
Alaska State House
P.O. Box 5
Juneau, AK 99811

Reference: House Bill 324, State Procurement Practices

Dear Representative Ellis,

Thank you very much for your letter of January 22, 1992, outlining the provisions of the above-named House Bill, and providing me with a copy of that proposed act. I'd like to thank you for your interest in this very significant Alaska resource, that of workers with disabilities.

I would like to indicate my agency's support for this bill. I think bills such as this are particularly important during times of economic depression, to give people with disabilities that additional competitive edge which they may need.

Again, thank you very much for your concern and this bill.

Sincerely,

KODIAK AREA NATIVE ASSOCIATION
KELLY SIMEONOFF, JR., PRESIDENT

Joe Kelley, CRC
Vocational Rehabilitation
Administrator

JK:kdc

cc: Rita Stevens
Vice President, KANA



Frontier Training Center

P.O. Box 2110

Soldotna, Ak. 99669

(907) 262-6331

March 25, 1991

Representative Johnny Ellis
State Capitol
Juneau, Ak.
99801-1182

Dear Sir,

I fully support your legislative efforts in working towards passage of CSHB 324. Frontier Training Center is an employment center for persons with Developmental Disabilities. The abilities for disabled people to attain vocational placement in the community would be greatly enhanced by the passage of this bill.

Employment Centers work on integrating the disabled into the community with meaningful employment opportunities. This often means having supports such as Vocational Trainers, transportation to and from the work sites where no public transportation exists, Job Coaches and other supports. These are costs that other businesses do not have to factor into a competitive bid. These additional costs sometimes result in not receiving competitive contract awards. CSHB 324 would help to rectify these cost differentials and empower Employment Centers to provide employment opportunities.

CSHB 324 could provide additional deferral of those overhead costs necessary to provide vocational work opportunities to persons with disabilities. Any additional costs in providing these supports is more than offset by making a person with disabilities into tax paying citizens in their community of meaningful tie.

Employment Centers can provide a competitive product at the same time that they ensure that these special members of society are allowed to vocationally integrate into their communities. Your bill would allow for greater access into the community by providing individualized economic opportunities.

Cordially yours,

Rick A. Roeske
Vocational Program Director



A United Way Agency

Supportive Service Enterprises

A Division of the Lodga, Inc.

Feb. 6, 1992

Rep. Gene Kubina
Chairman, House State Affairs Committee
State Capitol
Juneau, AK 99801-1182

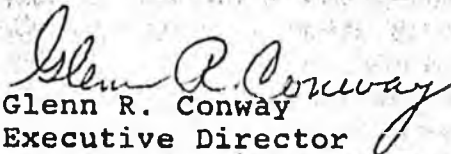
Dear Rep. Kubina,

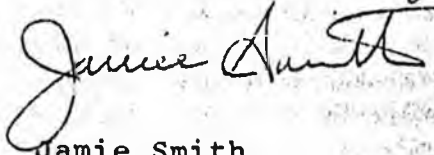
We are writing to you to voice our support for bill HB 324, and to urge you to vote for it. As individuals who have worked in the field of rehabilitation for many years, we know it is essential that the government who controls funds for the disabled take a positive lead in ensuring that funds and supporting efforts are spent on those projects where the most good can be done. In our opinion, bill HB 324 is a project which we think will benefit not only the disabled, but all Alaskans.

Through our Supported Employment program, we have had first hand experience with the present procurement statutes. We are particularly appreciative of the Alaska Department of Transportation for their intention to implement the statutes in working with our program to contract for janitorial services. Ms. Kit Duke at the D.O.T. has been most helpful in this regard.

Please find enclosed a brochure which we recently produced which relates somewhat to bill HB 324.

Sincerely,


Glenn R. Conway
Executive Director


Jamie Smith
Program Director

cc: Mr. Russ Cussack, DVR
Ms. Kit Duke, DOT
Rep. Johnny Ellis

LifeQUEST

COMPREHENSIVE MENTAL HEALTH SERVICES

Please reply to:

230 E. Paulson, Wasilla, AK 99687
(907) 376-2411 FAX No. 907-376-1626

847 W. Evergreen, Palmer, AK 99645
(907) 745-1000 FAX No. 907-745-6126

P.O. Box 787, Talkeetna, AK 99676
(907) 733-2274 FAX No. 907-733-1222

FEB 10 1992

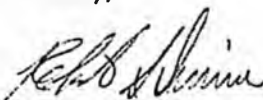
February 4, 1992

The Honorable Gene Kubina, Chair
House of Representatives
House State Affairs Committee
POB V
Juneau AK 99811

Dear Mr. Kubina:

I am writing to seek your support for HB 324 regarding business incentives for people with disabilities. As a community mental health director I have long been involved in trying to create vocational opportunities for people with a mental illness and other related disabilities. Programs which have created special incentives for businesses who hire disabled workers has worked throughout the country. They not only encourage businesses to hire the disabled, but they also encourage the disabled to create their own businesses. On behalf of the many disabled people in Alaska who would like to work, I encourage you to support the passage of HB 324.

Sincerely,



Robert S. Irvine, L.C.S.W., M.B.A.
Chief Executive Officer

/pd

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 324 (FIN)

Revision Date: _____ Department Affected: Administration

Title: An Act relating to state procurement preferences for persons with ... BRU: General Services
Component: Purchasing

Sponsor: Ellis

Requestor: _____ COMPONENT SERIAL NO.

6	0		
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-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-

Estimate of current year impact: -0-

ANALYSIS: (Attach a separate page if necessary.)

See attached.

Prepared By: Anne McCord, Director *Anne McCord* Phone: 465-2250

Division: General Services Date: _____

Approved by Commissioner: Nancy Bear Userra

Agency: Administration Date: 4/1/92

Distribution (by preparer): Leg. Fin _____ Impacted Agency(ies).

FISCAL NOTE ANALYSIS

CSHB 324 (FIN)

Analysis

The fiscal impact of this bill to agency expenditures depends upon the number of bidders who would qualify for the preference and the instances when they bid on a State solicitation.

Since the 1988 adoption of AS 36.30.170 there have been no bids awarded to employment programs as a result of the existing 10% preference over nonresident bidders.

The likelihood of fiscal impact to all agency expenditures from section 3 (e) and (f) (10% preference for bidders with a disability or bidders employing the disabled) may be greater since there may be more bidders qualifying. It is not possible to determine the potential cost impact to agency expenditures.

This bill will have a negligible fiscal impact to the Division's purchasing activities.

FISCAL NOTE

No. 1

Bill Version: CSHB 324 (STA)

(H) Publish Date: 2/13/92

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Administration
 Title: An Act relating to state procure- BRU: General Services
ment preferences for persons with ... Component: Purchasing
 Sponsor: Ellis
 Requestor: _____ COMPONENT SERIAL NO.

6	0		
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	52.5	52.5	52.5	52.5	52.5	52.5
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	1.0	1.0	1.0	1.0	1.0	1.0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	53.5	53.5	53.5	53.5	53.5	53.5

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	53.5	53.5	53.5	53.5	53.5	53.5
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	53.5	53.5	53.3	53.3	53.5	53.5

POSITIONS:

FULL-TIME	1.0	1.0	1.0	1.0	1.0	1.0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.)

See attached.

Prepared By: Dugan Petty Phone: 465-2250

Division: General Services Date: _____

Approved by Commissioner: Nancy Bear User *[Signature]*

Agency: _____ Date: 2/10/92

FISCAL NOTE DOA

FISCAL NOTE ANALYSIS

1

CS HB 324 (SM)

2-13-92

Analysis

The fiscal impact of this bill to agency expenditures depends upon the number of bidders who would qualify for the preference and the instances when they bid on a State solicitation.

Since the adoption of AS 36.30.170 there have been few, if any, bids awarded to employment programs as a result of the existing 10% preference.

~~The likelihood of fiscal impact to all agency expenditures from section 3 (e) and (f) (10% preference for bidders with a disability or bidders employing the disabled) is greater since there will be more bidders qualifying. It is not possible to determine the potential cost impact to agency expenditures.~~

~~The major impact to implementation to central purchasing is the addition of staff necessary to establish procedures and determine when a bidder qualifies for the preference.~~

Personal Services	
(1 Purchasing Agent II, Range 16)	\$ 52,257.47
Contractual Services	<u>1,000</u>
Total	\$ 53,257.47

This position would establish procedures for determining when a bidder meets the definition set out in this statute and would provide pre-certification that the bidder is a person with a disability or employs a sufficient number of persons with a disability at the time the bid is opened.

COMMITTEE COPY

Position Title Purchasing Agent II		No. of Positions 1	Range / Step A	Barg. Unit GGU
Time Status PFT	Staff Months 12	Location Juneau		Election District 4
TYPE OF EXPENDITURE		AMOUNT		
Salary		36.9		
Benefits		15.6		
Premium Pay				
Other				
Total Personal Services		52.5		
Travel				
Contractual		1.0		
Commodities				
Equipment				
Other				
Total Cost		53.5		
FUNDING SOURCE FOR TOTAL COST				
Federal Receipts	1002			
G.P. Match	1003			
General Fund	1004	53.5		
I-A Receipts	1007			
CIP Receipts	1061			
Other				

Justification
The position would assist in preparation of procedures to precertify bidders with a disability and bidders who employ persons with a disability.
After procedures are completed, the position would certify bidders qualifying for the preference under the terms of the statutes.
The certification may involve:
reviewing bidders' applications;
reviewing and approving proof of the disability;
providing an up-to-date list of certified bidders with a disability; and
assisting in resolving protests regarding qualifications under this preference.

COMMITTEE

6/leg92/03811.kp

Request For New Position

AGENCY ADMINISTRATION
BRU DIVISION OF GENERAL SERVICES
COMPONENT PURCHASING

FY 93

Page 3 of 3
Revised Date:

CS HB 324(57M)
2-13-92

3111 C STREET, SUITE 455
ANCHORAGE, ALASKA 99503
(907) 561-7828

WHILE IN SESSION
P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-3704

ALASKA STATE HOUSE



CHAIR
RULES COMMITTEE

JUDICIARY

SPECIAL COMMITTEE ON INTERNATIONAL
TRADE & TOURISM

LEGISLATIVE COUNCIL

REPRESENTATIVE JOHNNY ELLIS

SPONSOR STATEMENT

CSHB 324 Business Incentives for Hiring People with Disabilities

The purpose of this bill is to promote *and deliver* active business involvement between the State of Alaska and people experiencing a disability. CSHB 324 amends Alaska's procurement statutes (AS 36.30) to make three changes in favor of people with disabilities. The changes apply to the process of bidding on state contracts to provide services such as printing and janitorial services.

1. Increase the current procurement preference for employment programs (nonprofits that train people with disabilities for work) from 10 percent to 15 percent.
2. Creates a 10 percent preference for a business that employs more than 50 percent of its workforce with people who experience a disability.
3. Creates a 10 percent preference for a business that is owned by a person with a disability.

REASONS TO SUPPORT CSHB 324

1. Improves quality of life for people who experience disabilities. — Having a job increases a person's independence and ability for self-support.
2. Saves the State money. — State grant dollars to employment programs to provide residential support are decreased and sometimes eliminated, due to the fact that people are working, earning wages, and living on their own.

Over the last three years, ASETS in Anchorage has helped 20 people on wait lists who experience developmental disabilities. Assuming an average annual service cost of \$8,000 to \$10,000 per person, they have saved the state Division of Mental Health and Developmental Disabilities at least \$320,000

3. People with Disabilities are not being hired — An ISER Report shows that over 3,500 Alaskans who experience disabilities are waiting for jobs or job training. There is only one for-profit business owned by a person with a disability in Alaska and zero for-profit businesses that employ people with disabilities as their main workforce.



The CS unanimously passed the House March 30. The CS reflects changes in wording to make sure that the procurement preferences are for competition between residents and non-residents. The CS also changes the definition of a person with a disability so that the definition is more work-related. And it further narrows the definition of a business owned by a person with a disability to make sure that the business is a sole proprietorship.

The Department of Administration has submitted a zero fiscal note.

The Americans with Disabilities Act (ADA) of 1990 took effect on Jan. 26, 1992. This mandates the elimination of discrimination against persons with disabilities — a right many Alaskans have been fighting to achieve for years. The purpose of CSHB 324 is to give an added incentive for businesses to hire people with disabilities.

It is time to get rid of the perceptions and attitudes that keep businesses from hiring people with disabilities. People who want to work should have the opportunity to contribute to the workforce. Having a job increases a person's independence and ability for self support and decreases reliance on public funds.

CSHB 324 IS SUPPORTED BY:

Access Alaska
Supportive Service Enterprises
Alaska State Department of Education, Division of Vocational Rehabilitation
Lifequest Comprehensive Mental Health Services
Kodiak Area Native Association
Alaska Specialized Education and Training Services
Work Force Development Agency
REACH Employment Program
Frontier Training Center
Fairbanks Resource Agency

Thank you for your consideration of CSHB 324.

STATE OF ALASKA

DEPARTMENT OF EDUCATION

DIVISION OF VOCATIONAL REHABILITATION

WALTER J. HICKEL, GOVERNOR

CENTRAL OFFICE
801 WEST 10TH STREET, SUITE 200
JUNEAU, ALASKA 99811-1894
PHONE: (907) 465-2814
FAX: (907) 465-2856
TTD: (907) 465-2440

March 10, 1992

Representative Johnny Ellis
Alaska State Legislature
Juneau, Alaska 99801

Re: House Bill No. 324
Certification of People With Disabilities

Dear Representative Ellis,

At your request I present the following recommendations for the three qualified bidder areas covered by HB 324.

1. Employment Programs For Persons With Disabilities:

It is recommended that the current system for certifying employment programs remain unchanged.

This system, within the Division of Vocational Rehabilitation, certifies qualified employment programs throughout the state. These employment programs are developed to employ people who meet the definition of severely disabled.

The division updates the employment program list on an ongoing basis and supplies a copy to General Services and Supply.

2. Determining Which Persons With A Disability Are Eligible:

It is recommended that, in order for a person to qualify as a "person with a disability" they must present medical evidence to the Division of Vocational Rehabilitation to substantiate their claim. The Division of Vocational Rehabilitation considers that evidence in determining whether or not they can be certified.

The definition contained in the Bill (Sec. 3(g)(1) and (2) is very appropriate and adequate.

Certifying a person with a disability for this

section will require medical documentation. Generally a person who meets this definition will have extensive medical records available that can be presented to the division for use in certification. The cost of medical records would be the responsibility of the person seeking certification.

It is recommended that an individual who has a rating of at least 50% disabled by the Veterans Administration be automatically considered severely disabled and, therefore, eligible for certification by the division.

3. Determining Which Programs Are Eligible For Participation Under The Law:

It is recommended that, in order for a program to be eligible for participation that program must be either:

- a) employ certified individuals in a sheltered environment such as a workshop, enclave or small work crew, or
- b) have at least one-half of their employees certified as severely disabled by the Division of Vocational Rehabilitation.

This section would require the same documentation as outlined in the section above.

We hope that this bill will provide employment opportunities for persons with disabilities who would not otherwise have equal access to state contracts.

Historically most programs of this type employ persons with disabilities in a controlled settings with individual supervision of each employee.

Statistically, the division places a very small number of clients into self-employment. I personally don't foresee this bill opening the flood gates for the majority of business owners to receive an advantage in bidding.

Sincerely,



Stan Ridgeway
Deputy Director

Alaska State Legislature

Legislative Research Agency



130 Seward Street, Suite 218
Juneau, Alaska 99801-2196

Phone: (907) 465-3991
Fax: (907) 463-3351

February 25, 1992

MEMORANDUM

TO: Representative Johnny Ellis

FROM: Carol R. Vandor *CV*
Legislative Analyst

RE: Update Legislative Research Memorandum 90.188: Bidder's Preference for the Handicapped
Research Request 92.169

You asked for an update of information provided in Legislative Research Agency Memorandum 90.188 regarding bidder's preference for the handicapped. You specifically wanted to know if any amendments have been made to the laws designed to increase business opportunities for the handicapped by providing a bidder's preference in Alaska, Idaho, Indiana, Louisiana, Maryland, Texas, Washington and Wisconsin.

Following is a brief description of the bidder's preference laws in these states. There have been no amendments to these laws since memorandum 90.188 was prepared.¹

Alaska

Chapter 30 under Title 36 of the Alaska Statutes mandates the State Procurement Code. Under AS 36.30.170, if a bidder who qualifies as an Alaska bidder is offering services through an employment program and is the lowest bidder with a bid that is not more than 10 percent higher than the lowest bid of a nonresident, the bid is awarded to that bidder. In other words, the maximum preference for the handicapped under this statute is 10 percent if the handicapped bidder is competing with a nonresident. There is no preference for a handicapped bidder over an Alaska resident.

There have been no amendments to A.S. 36.30.170 which would affect the 10 percent bidder's preference. In 1990, subsection (b) under 36.30.170 was amended by inserting "and a recycled products preference under AS 36.30.339" in the first sentence of the introductory paragraph.

¹While there have been no amendments to the laws which affect the handicapped, there have been amendments to the procurement codes which affect small businesses, minorities and reciprocity agreements. I have included these amendments for your information.

LEG. RESEARCH

Idaho

Under §67-2319, products manufactured by and services provided for nonprofit corporations and public agencies operating rehabilitation facilities serving the handicapped and disadvantaged may be procured, without advertising or calling for bids, by state agencies or departments or any political subdivision of the state from nonprofit corporations or public agencies. The products or services must be offered for sale at the fair market price as determined by the administrator of the division of purchasing and meet the specific requirement for such products.

Indiana

Any agency of the state or unit of local government may buy products and services from any qualified not-for-profit agency for the severely handicapped without advertising or calling for bids. The agency must comply with Indiana laws governing private not-for-profit organizations; be certified as a sheltered workshop by the wage and hour division of the U.S. Department of Labor; and meet the Indiana rehabilitation services and facilities joint standards. To participate, the not-for-profit agency for the severely handicapped must have indicated an interest in supplying the goods and services. Purchases of products and services may be apportioned on an equitable basis among the interested qualified not-for-profit agencies for the severely handicapped. Goods or services must meet the specifications and needs of the purchasing body and must be purchased at a fair market price.

Louisiana

Under §1595.4, every governmental body in Louisiana gives a preference in its purchasing practices to goods manufactured and services performed by severely handicapped individuals in state-operated and state-supported sheltered workshops.

Maryland

Under §14-106, there is established a Pricing and Selection Committee for Rehabilitation and Employment Programs. The duties of the committee are to establish procedures to govern procurement of supplies and services from sheltered workshops; choose appropriate supplies and services for sheltered workshops to offer for procurement; provide that the state procure those supplies and services from a sheltered workshop; and determine the fair market price of supplies and services that sheltered workshops provide. In addition, if supplies or services are not available for procurement from a unit of the state government, the committee will determine if the supplies or services are available from a sheltered workshop. The committee will, in accordance with market conditions, adjust prices for the supplies and services that sheltered

Representative Ellis
February 25, 1992
Page 3

workshops provide, and at the request of a sheltered workshop, the committee will review or change the price of a supply or service.

Texas

Under Human Resources Code §122.001 et. seq., there is established a Committee on Purchases of Products and Services of Blind and Severely Disabled Persons. One of the committee's responsibilities is to determine the fair market price of all products and services manufactured by the blind or the handicapped. A suitable product or service that meets applicable specifications established by the state or its political subdivisions and that is available within the time specified must be procured from a nonprofit agency for blind or disabled persons at the price determined by the committee to be the fair market price. Texas amended §122.003 in 1991 to extend the sunset provision of the committee from September 1, 1995 to September 1, 1999.

Washington

Washington statutes 39.23.020 and 43.19.530 authorize municipalities and state agencies to negotiate directly with and to purchase products and services provided by sheltered workshops. The purchasing agency determines the fair market price of products and services. To determine the fair market price, the purchasing agency uses the last comparable bid on the product or service or, in the alternative, the last price paid for the product or service. The increased cost of labor, materials, and other documented costs since the last comparable bid or the last price paid are additional cost factors which are considered in determining the fair market price. Washington statute 43.19.535 also provides for a preference equal to 10 percent of the total bid amount for the purchase of goods and services from inmate work programs.

Wisconsin

Under §16.75(3s), if a sheltered workshop licensed by the Department of Industry, Labor and Human Relations submits a qualified responsible competitive bid with respect to an order or contract that is no more than 2 percent higher than the lowest responsible bid, or a competitive proposal with respect to an order or contract that is no more than 2 percent higher than the most advantageous proposal, the department and any agency making purchases will award the order or contract to that sheltered workshop. If more than one sheltered workshop submits a bid or proposal, the department or other agency will award the order or contract to the one submitting the lowest bid or proposal. This does not apply to purchases of printing and stationery.

If I may be of further assistance, please contact this office.

Attachments



ISER RESEARCH SUMMARY

Institute of Social and Economic Research, University of Alaska Anchorage

April 1991, R.S. No. 47

What Do Alaskans with Disabilities Need?

More than 20,000 Alaskans—4 percent of the state population—are disabled and live outside institutions. Most of them are getting medical care, but many lack special equipment, information, and other help they need.

These are among the findings of a recent ISER survey of more than 4,300 Alaska households. It is the first survey of its kind in the nation to determine how many disabled persons live on their own and what they need to continue living independently. ISER did the survey for the Division of Vocational Rehabilitation in the Alaska Department of Education, which will use the results to improve services for disabled Alaskans.

What Disabilities Do Alaskans Have?

Most disabled Alaskans have more than one disability. The estimated 22,220 disabled Alaskans living outside institutions report about 61,000 disabilities.

Inability to walk or difficulty walking is the most common disability, followed by arthritis; deafness or hearing loss; learning disabilities; blindness or vision loss; and circulatory or respiratory problems. A variety of other disabilities are less common. (Table 1.)

What Services Do Disabled Alaskans Need?

Figure 1 shows how many disabled Alaskans need specific services, and how many of them are getting what they need.

All disabled Alaskans need medical care, and 85 percent are receiving it—but that leaves 3,400 who aren't.

Most disabled persons also need information on their disabilities and help in getting benefits and in making their problems known. About 70 percent are receiving those services—which means several thousand are not.

Table 1. Most Common Disabilities

Impaired Mobility	19%
Arthritis	12%
Deafness or Hearing Loss	12%
Learning Disability	10%
Blindness or Vision Loss	9%
Circulatory or Respiratory Disorder	8%
Others	30%

Estimated Number of Alaskans with One or More Disabilities	22,220
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Average Number per Person	2.75
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Many disabled Alaskans also need information on special equipment or the loan of equipment, as well as newsletters to tell them about available services. Fewer than half of those who need equipment information or loans are getting what they need, and only 20 percent are receiving newsletters.

Large numbers of disabled Alaskans also need job training, centralized information and counseling about their disabilities, and support groups. Most (70 percent) are getting job training and counseling, but fewer than half get centralized information and only 20 percent belong to support groups.

What Special Equipment Do Disabled Alaskans Need?

Figure 2 shows kinds of special equipment or information about available technology disabled Alaskans need.

Disabled Alaskans most commonly need devices to help them hear, see, or speak better (either in person or over the telephone); wheelchairs, walkers, and other devices to improve mobility; and building modifications for their homes or offices.

This Research Summary is based on An Assessment of the Needs of Alaska Residents Who Are Disabled, by Virgene Hanna and Jack Kruse. The full report is available from ISER at a cost of 10 cents per page.

This publication is printed on recycled paper.

Most of those (85 percent) who need wheelchairs or other aids to mobility have them, and about 60 percent who need devices to help them in face-to-face communication have them. But only about half of those who need modifications to buildings have them, and only 30 percent who need devices to improve telephone communication have them. Additional equipment disabled Alaskans need but relatively few have includes adapted computers and customized vehicles.

Disabled Alaskans also need help keeping track of technological changes. Many need to be evaluated to learn what new technology might help them and to receive ongoing information on new developments. About 70 percent say they have been evaluated, but only about a third receive current information.

Others need help paying for new equipment, and sales and service establishments for specialized equipment. Less than half of those who need such services are getting them.

Summary

Most (but not all) disabled Alaskans are receiving the medical care they need, and most who need wheelchairs, hearing aids, and other kinds of equipment that have been available for many years have them.

What many disabled Alaskans lack are services and equipment that have been developed more recently. These include newsletters that help disabled persons keep track of new technology or treatment, and support groups for people with similar disabilities. Also, many of those who are aware of new equipment are unable to buy or borrow what they need.

Figure 1. What Services Do Disabled Alaskans Need?

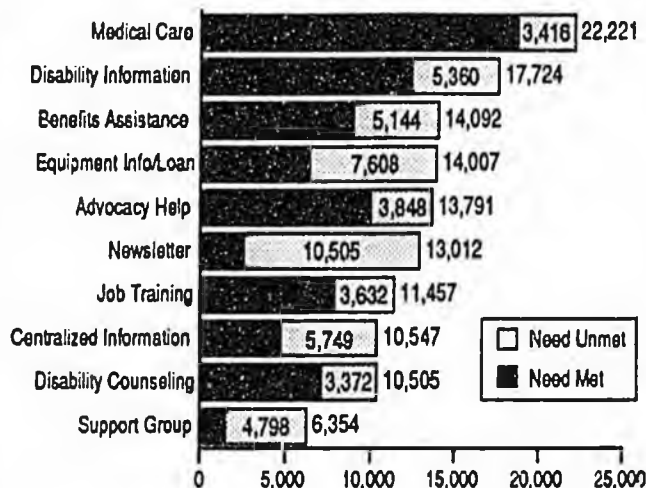
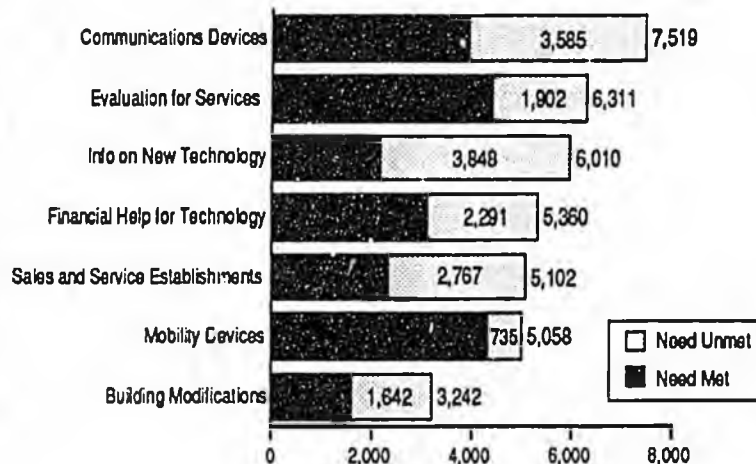


Figure 2. What Equipment and Information Do Disabled Alaskans Need?



Research Summary (No. 47)

Institute of Social and Economic Research

University of Alaska

E. Lee Gorsuch, Director

Anchorage, Alaska

(907) 786-7710

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Easing the disabled into the workplace

By DEBORAH A. SAKAMOTO

Mary Hanes, 36, job coach for the disabled. Hanes' career with Alaska Specialized Education Training Services — a non-profit business that trains disabled people for the workplace — started seven years ago when she substituted for a cafeteria worker at ASETS.

The organization's supervisor liked the way she worked with the disabled and offered her a permanent position training both mentally and physically handicapped people to work for various employers in the community.

But before Hanes can train a worker, she has to learn the task at hand herself.

"My supervisor finds an available job and then we try to match it with a worker. A job coach is then selected to train for that job before a worker is trained. I've learned many a job. I'm a jack-of-all-trades. One of the first sites I had was out at the airport learning how to sweep carpets.

"I've learned how to pull carts and work the dishwashers at Humana Hospital. ... We have a contract at the commissary out on base to learn how to stock. I also did janitorial work at the old federal building. They have nine miles of carpet that we had to vacuum every night. That is where a worker dropped a lot of weight.

"We have workers in a veterinary clinic cleaning cages and moving animals and another who works at Alaska Silk Pies. We also have people at Alaska Cleaners.

"We are trying to branch out to other jobs that offer more versatility. We don't want to give them only 'grungy jobs' that no one else wants. We want them to take pride in what they do.

"It gives the disabled a more fulfilling life and is a learning experience for the community. Getting the disabled into the workplace is better than keeping them in sheltered workshops, out of sight.

"In my department ... there are six job coaches, each with about six to eight people on their case load.

"I have no official education for this job. I think it helps coming from a large family because you're used to getting along with all different kinds of people. I have nine brothers and sisters. I'm right in the middle.

"The most important trait one must have for this job is the ability to get along with people. It's amazing the amount of patience I've learned since I've had this job. You try and put yourself in their position and realize you have to keep trying different ways to get them to understand (the required task). Each trainee functions at a different level. You have to put yourself in their shoes and try to get the point across to them.

"I'm working with (a disabled person) right now. The (invoicing) machine we are working on is very frustrating. It's frustrating to me, but I can't let him see that. I have to be able to ask him if he's frustrated, to see if he can acknowledge that, and then encourage him to take a break.



BOB HALLIBRE / Anchorage Daily News

"I also have to make sure to tell him that it is OK to be frustrated. He may not even know that it is frustration he's feeling.

"With proper training, (mentally and physically disabled people) function wonderfully. If I ever have my own business, I would hire disabled people because they are loyal — they

will always be there. They love performing for themselves and getting the feedback that they are doing a wonderful job."

Deborah Sakamoto is a Daily News editorial assistant.

MARY HANES

DEVELOPMENTAL DISABILITIES APPLICANT SERVICE REQUESTS

