

SB

141

HFIN

FILE

(11)

Date Referred: April 22, 1993

HOUSE COMMITTEE REPORT
FURTHER REFERRALS:

Date of Committee Action: 4/16/94

The FINANCE Committee considered:

CSSB 141(L&C)

CS FOR SENATE BILL NO. 141(L&C)

WORKERS' COMP FOR WORK-STUDY STUDENTS

"An Act relating to workers' compensation coverage for certain high school students in uncompensated work-study programs."

RECOMMENDATIONS:

be replaced with HCS CSSB 141 the same title a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact DOA, DOE

fiscal note(s) _____

zero fiscal note DCED

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Theresa Hill</i>	X	<i>Ronald J. Larson</i>		X	
		<i>EP Machean</i>		X	
		<i>Terry Martin</i>		X	
		<i>Ben Grussendorf</i>		X	
		<i>Richard [unclear]</i>		X	

EP Machean *Ronald J. Larson*
CO CHAIRMAN'S SIGNATURE Larson

HOUSE CS FOR CS FOR SENATE BILL NO. 141(FIN)
 IN THE LEGISLATURE OF THE STATE OF ALASKA
 EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): SENATOR KELLY

REPRESENTATIVE B.Davis

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to workers' compensation coverage for certain high school
 2 students in uncompensated work-study programs."

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

4 * Section 1. AS 23.30.237 is amended to read:

5 Sec. 23.30.237. HIGH SCHOOL STUDENTS IN WORK-STUDY
 6 PROGRAMS AS EMPLOYEES. Except as provided in this section, an [OF THE
 7 STATE. AN] individual who is enrolled for credit at a public high school in a course
 8 that combines academic instruction with uncompensated work experience outside the
 9 school for a public or private [NONPROFIT] employer is an employee of the state for
 10 the purposes of this chapter while the individual is performing the work experience.
 11 While an individual is performing work experience as described in this section,
 12 the individual is an employee of the employer providing the work experience, the
 13 school district in which the school is located, and of the state for purposes of the
 14 exclusive liability provisions of AS 23.30.055. Notwithstanding any other

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provisions of this chapter, a person eligible for benefits [WEEKLY COMPENSATION FOR DISABILITY OR DEATH] under this section **who suffers an injury may not receive compensation but shall receive medical and related benefits provided under AS 23.30.095. Nothing in this section allows an individual to perform work experience that is not permitted under state or federal law [MAY NOT BE LESS THAN THE INITIAL PAYMENT OF COMPENSATION UNDER AS 23.30.175].**

L

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSSB 141 (L&C)

Revision Date: _____ Dept. Affected: Administration
 Title: "An Act relating to workers' compensation RRL
coverage for certain high school students..." Risk Management
 Component: _____
 Sponsor: Kelly
 Requestor: (H) Fin **COMPONENT SERIAL NO.** 71

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY95	FY96	FY97	FY98	FY99	FY00
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL	0.0	0.0	0.0	0.0	0.0	0.0
CONTRACTUAL	0.0	0.0	0.0	0.0	0.0	0.0
SUPPLIES	0.0	0.0	0.0	0.0	0.0	0.0
EQUIPMENT	0.0	0.0	0.0	0.0	0.0	0.0
LAND & STRUCTURES	0.0	0.0	0.0	0.0	0.0	0.0
GRANTS, CLAIMS	24.0	24.0	24.0	24.0	24.0	24.0
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	24.0	24.0	24.0	24.0	24.0	24.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	24.0	24.0	24.0	24.0	24.0	24.0
Total	24.0	24.0	24.0	24.0	24.0	24.0

Estimate of current year (FY94) cost: none

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

See attached.

Prepared by: Brad Thompson, Director
 Division: Risk Management

Phone: 465-2180
 Date: _____

Approved by Commissioner: Nancy Bear Usara
 Agency: Administration

Date: 2/28/94

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSSB141
(L & C)

ANALYSIS: (continued)

CSSB141 (L & C) increases State workers compensation exposure for high school students in work study programs by extending present statute to include those students working for "profit" employers. It is our feeling that passage of this bill may provide for a substantial increase in number of students involved in this program.

The fiscal note is difficult to estimate but this CS provides for medical and related benefits only and excludes any weekly compensation benefit.

During FY92 State workers compensation medical benefits represented approximately 48% of total workers compensation benefits. Since young people may be expected to recover more quickly we have reduced estimated medical and related costs by 50% of our present experience average.

Since the Division of Risk Management's funding is collected through Reimbursable Services Agreements (RSA's) from the agencies, the additional cost of this program should be reflected in a Department of Education fiscal note for the same amount of General Funds.

FISCAL NOTE

3/14/94

(H) FIN

STATE OF ALASKA
1094 LEGISLATIVE SESSION

BILL NO. SB 141

Revision Date: _____
Title: Workers' Comp for Work-Study Students
Sponsor: Senator Kelly
Requestor: _____

Department Affected: Commerce and Economic Development
BRU: Insurance
Component: Operations
COMPONENT SERIAL NO. 354

Expenditures/Revenues:

OPERATING EXPENDITURES	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
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 EXPENDITURES	0	0	0	0	0	0
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CHANGE IN REVENUES ()	0	0	0	0	0	0
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FUND SOURCE

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

Estimate of current year (FY 94) cost: \$ 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

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact.

Prepared by: Joan Brown, Administrative Officer
Division: Insurance

Phone: 465-2597
Date: 3/4/94

Approved by Commissioner: Paul Fuhs
Agency: Commerce and Economic Development

Date: 3-7-94

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. CSSB 141 (L&C)

Revision Date: 03/02/94
Title: An Act extending workers' compensation coverage to certain high school work-study programs
Sponsor: Senator Tim Kelly
Requestor: Senator Tim Kelly

Department Affected: Education
BRU: K-12 Support
Component: Foundation Program

COMPONENT SERIAL NO. 141

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	24.0	24.0	24.0	24.0	24.0	24.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	24.0	24.0	24.0	24.0	24.0	24.0

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	24.0	24.0	24.0	24.0	24.0	24.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	24.0	24.0	24.0	24.0	24.0	24.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY94) impact: \$ -0-

ANALYSIS: (Attach a separate page if necessary.)

Department of Education costs derived from information and analysis prepared by the Department of Administration in conjunction with the Department of Labor. This amount represents estimated claims incurred on behalf of students for medical costs only which result from work related accidents while participating in work-study programs. It would be a direct pass-through via RSA to the Department of Administration.

Prepared by: Duane Guiley
Division: School Finance

Phone: 465-8679
Date: 03/02/94

Approved by Commissioner: [Signature]
Agency: Education

Jerry Covey
Date: 03/02/94

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8-LS0715U

Ford

3/30/94

Adopted

HOUSE CS FOR CS FOR SENATE BILL NO. 141()

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:

Referred:

Sponsor(s): SENATOR KELLY

REPRESENTATIVE B.Davis

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7 STATE. AN] individual who is enrolled for credit at a public high school in a course
8 that combines academic instruction with uncompensated work experience outside the
9 school for a public or private [NONPROFIT] employer is an employee of the state for
10 the purposes of this chapter while the individual is performing the work experience.
11 While an individual is performing work experience as described in this section,
12 the individual is an employee of the employer providing the work experience, the
13 school district in which the school is located, and of the state for purposes of the
14 exclusive liability provisions of AS 23.30.055. Notwithstanding any other



Official Business

Alaska State Legislature

State Capitol
Juneau, AK 99801-1182

SENATOR TIM KELLY

MEMORANDUM

TO: Representative Ron Larson, Co-Chair
Representative Eileen MacLean, Co-Chair
House Finance Committee

FROM: Senator Tim Kelly

DATE: April 26, 1993

RE: CSSB 141 (L&C) - Workers' compensation coverage for certain high school students in uncompensated work-study programs

I respectfully request that you consider scheduling CS SB 141 (L&C) at the House Finance Committee's earliest convenience. This bill passed the Senate on April 14th with 19 yeas and 1 nay.

This legislation was introduced last session by Representative Bettye Davis and passed out of the House Labor & Commerce, Judiciary, and Finance Committees. It died in the House Rules Committee in the closing days. I've attached a memorandum from Representative Davis explaining the legislation, as well as additional back-up she has provided.

Under current law, students enrolled for credit at a public high school in a course which combines academic instruction with work experience outside the school for a public or private nonprofit employer is an employer of the State for workers' compensation purposes.

This bill would broaden this coverage so that all students participating for no financial compensation in on-the-job-training as part of an academic program would be covered. This would provide workers' compensation coverage to students who participate in automotive maintenance, welding, carpentry, and various other work study programs that are not non-profits. Without this change in law, such opportunities are not available.

8-LS0715U

Ford

3/30/94

Adopted

HOUSE CS FOR CS FOR SENATE BILL NO. 141()
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:

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3 an injury may not receive compensation but shall receive medical and related
4 benefits provided under AS 23.30.095. Nothing in this section allows an individual
5 to perform work experience that is not permitted under state or federal law
6 [MAY NOT BE LESS THAN THE INITIAL PAYMENT OF COMPENSATION
7 UNDER AS 23.30.175].



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State Capitol
Juneau, AK 99801-1182

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Rep. Ron Larson, Co-Chair
Rep. Eileen MacLean, Co-Chair
April 26, 1993
Page 2

The Senate Labor & Commerce Committee amended the bill so that uncompensated students injured at the worksite in a work-study program are considered state employees for the purpose of medical benefits only under workers' compensation. Uncompensated students who are injured would not receive compensation for lost wages as they did not receive a wage.

Thank you for your consideration.

Attachments

ALASKA STATE LEGISLATURE

3111 C STREET
ANCHORAGE, ALASKA 99503
(907) 561-2039
FAX: (907) 561-1691

STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3875
FAX: 907-465-2294



MINORITY WHIP
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CHILDREN'S CAUCUS
HEALTH, EDUCATION
& SOCIAL SERVICES
STATE AFFAIRS
ECONOMIC TASK
FORCE

REPRESENTATIVE BETTYE DAVIS
DISTRICT 21

MEMORANDUM

TO: ALL HOUSE MEMBERS
FROM: REP. BETTYE DAVIS *BD*
DATE: FEBRUARY 8, 1993
RE: CO-SPONSORSHIP OF HB 118

Attached for your review is a copy of House Bill 118, extending workers' compensation coverage to certain high school students in uncompensated work study programs. This bill, which I sponsored last year, made it through its committees of referral and died in House Rules during the final days.

Because of the way A.S. 23.30.237 of the Worker's Compensation Act is worded, only students placed in public or private nonprofit sites become employees of the state, and are covered by Workers Compensation.

Under this bill, A.S. 23.30.237 would be modified by deleting "nonprofit". This change would allow the state Worker Compensation laws to cover all students who participate in on-the-job training, not just those who are on public or private nonprofit job sites.

On-the-job training is an essential element in the education of high school students who are interested in furthering their classroom training. An on-the-job training student is enrolled for credit in a course that combines academic/vocational instruction with work

MEMO FROM
REP. DAVIS

Legislative Research Agency

Alaska State Legislature



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

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

April 14, 1994

MEMORANDUM

TO: Senator Tim Kelly

FROM: Carol R. Vandor *CRV*
Legislative Analyst

RE: **Workers' Compensation Coverage for Students in Work-Study Programs**
Research Request 94.196

You asked about workers' compensation coverage for high school students participating in work-study programs. You specifically wanted to know if any Regional Education Attendance Areas (REAs) had submitted a workers' compensation claim for a student who was injured while participating in a work-study program with a for-profit employer. I spoke to the business managers in all 21 REAs, and none was aware of any workers' compensation claims ever filed on behalf of students participating in a work-study program with a for-profit employer.

Administrators in the Division of Workers' Compensation, Department of Labor, are not aware of any workers' compensation claims filed on behalf of a student who was injured while participating in a work-study program with a for-profit employer. However, the division would not be aware of the "student status" unless the claim was adjudicated and through the adjudication process the claimant was identified as having been a student participating in a work study program at the time of the injury.

I hope this information is useful to you. If we may be of further assistance, please contact this office.

Memorandum - HB 118

February 8, 1993

Page Two

experience outside of the school. A job coordinator works with the student and an employer, and assists in the development of a training plan that relates to the classroom instruction. The student earns high school credit but no pay.

There is great demand for programs such as Automotive Maintenance, Welding, Wildland/Fire Management, Auto Body, Carpentry, and Aviation Maintenance. Because these jobs include an element of risk just by the nature of the job being performed, employers will not, or are hesitant to place students in those sites.

Without this change in law, on-the-job training opportunities for students enrolled in courses combining work experience outside the school is limited to job sites that have little or no risk. While it is easy in offices as word processors, it is nearly impossible to place them with the airline industry or in jobs running heavy equipment. Schools are working diligently to encourage students into non-traditional roles in the work force. By limiting job training sites, they have limited access to role models in those jobs.

This is an important educational issue. It is to the benefit of every student enrolled in on-the-job training programs to have both public and private employers included in the Worker's Compensation Act.

If you are interesting in co-sponsoring this bill, or have any questions, please feel free to contact me or Renee Chatman of my staff at X3875.

POSITION PAPER: DEPARTMENT OF EDUCATION

Division School Finance Bill Number CSSB 141(L&C)

Bill Title An Act extending workers' compensation coverage

Sponsor Senator Kelly

This bill provides State of Alaska employee status to students placed in uncompensated work experience programs by individual school districts at "for profit" work places throughout the state. The legislation further provides workers' compensation medical payments to students injured on the job. The legislation may expand student placements to higher risk work places hesitant to accept students due to the potential affects on the employer's own workers' compensation experience rating and premium. Some school districts exclude the students from workers' compensation for the same reasons stated by the potential employers. This bill does limit the financial exposure of the State to medical payments and may eliminate the possibility of civil actions against the State brought by the injured student. This bill does not protect the business enterprise or the school district from civil actions on behalf of the injured student.

Of the three entities involved, the school district, the business enterprise and the State, more specifically the Departments of Administration and Education, the State is the farthest removed from the student work place. The State has no opportunity to control work place safety or related risk. Yet under this legislation, the State has the direct financial responsibility for workers' compensation medical payments resulting from work related injuries.

The perception that the Department of Administration will bear the potential liability is inconsistent with current and past practices of assigning work experience ratings and costs to the departments involved. The long term result of any increased cost related to medical payments may be State regulated work experience placements, which will limit work experience opportunities rather than expand them.

The bill could be amended to ensure that future medical payments do not impact the state directly by mandating that the students are employees of the sponsoring school district or business enterprise. An alternative would be to identify the K-12 Support, Public School Foundation Program as the funding source for medical payments or provide the opportunity to bill an allocable share of the state premium directly to participating school districts. Either of these alternatives would provide continued incentive for the sponsoring school district to monitor and assist the business enterprise in the improvement of student work related risk and safety.

APPROVED:

Director Duane Guiley Division School Finance

Signature  Date 4/14/93

Commissioner/Deputy MIKE MAHER

Signature  Date 4/14/93

FEB 11 1992

Anchorage School District
King Career Center
Anchorage, Alaska 99508
(907) 278-4631

MEMORANDUM

February 10, 1992

To: Representative Bettye Davis
From: Esther J. Cox, Principal *Esther J. Cox*
Subject: HB 426

On-the-job training is an essential element in the education of high school aged students who are interested in furthering their classroom training. An on-the-job training student is enrolled for credit in high school in a course that combines academic/vocational instruction with work experience outside of the school in business. Working with the student and an employer is a job coordinator from the high school. It is the responsibility of this person to assist the employers in developing a training plan for the student that relates to the classroom instruction as well as continue as support for both the student and employer for the duration of the on-the-job training plan. The student earns high school credit but no pay.

On-the-job training provides opportunities for students that cannot be duplicated by the public school. Included with this memo is a copy of job sites of students who are enrolled in Emergency Medical Technology and Health Occupations here at the King Career Center. It becomes apparent immediately that employers are giving of time and effort to assist in training youth. Additional training sites are in demand by programs such as Automotive Maintenance, Welding, Wildland/Fire Management, Auto/Body, Carpentry, and Aviation Maintenance Technology; however, because of the way that Section 1, Section 23.30.237 of the Worker Compensation Act is worded, only students placed in public or private nonprofit sites become employees of the state, thus covered by Worker Compensation. Because the areas listed include an element of risk just by nature of the job being performed, employers will not or are extremely hesitant at best, to place students in these sites.

It is impossible for the public schools to maintain a forward edge in technology. For example, students in Automotive Maintenance learn the basics of the gasoline engines, repair skills, valve train repair, fuel systems, etc., but diagnostic computers are only found in the business world, and if students are prohibited from being placed on OJT sites because there is no Worker Compensation coverage for them, schools are not able to send finely trained personnel into the business world.

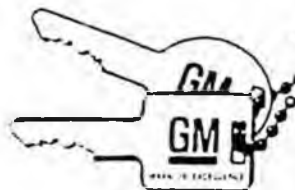
The rewording of Section 23.30.237 would strike nonprofit and allow the state Worker Compensation to cover all students who are on on-the-job training not just those who are on public or private nonprofit job sites.

Without this change in the regulation, on-the-job training opportunities for students enrolled in a course that combines work experience outside the school and classroom instruction is limited to job sites that have little or no element of risk. It is easy to place students in offices at word processors; It is nearly impossible to place students with the airline industry in the shops or running equipment on the tarmac. We are working diligently to encourage students into non-traditional roles in the world of work,

MEMO FROM THE ANCHORAGE SCHOOL DISTRICT

and with limitations of job training sites, they have limited access to the role models in those jobs.

This is not a labor issue. It is an educational issue. It is to the benefit of every student enrolled in on-the-job training through his/her high school classes for Section 23.30.237 of the Worker Compensation Act to include both public and private employers.



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FAX (907) 276-8942

FEBRUARY 18, 1992

REP. BETTY DAVIS
ALASKA STATE LEGISLATURE
ROOM 409
JUNEAU, AK 99811

DEAR MS. DAVIS:

AFTER A BREIF CONVERSATION WITH A ESTER COX, AT KING CAREER CENTER,
IT IS OUR OPINION THE REVISION IN HOUSE BILL 426 SHOULD BE
MANDATED IMMEDIATELY.

PRESENTLY THE WAY THIS BILL IS WRITTEN A PRIVATE FOR PROFIT EMPLOYER,
SUCH AS OURSELVES, CANNOT AFFORD TO TRAIN AN OJT STUDENT AT OUR FACILITY
DUE TO THE WORKMANS COMPENSATION LIABILITY.

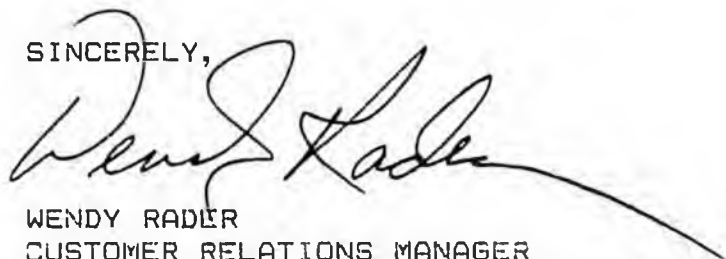
SPECIFICALLY, WE AT ALASKA SALES AND SERVICE FEEL TRAINING AN OJT STUDENT
WOULD BE BENEFICIAL WITHIN THE AUTOMOTIVE INDUSTRY. UPON THE STUDENTS
GRADUATION HE/SHE WOULD BE:

1. FAMILIAR WITH THE INNER WORKINGS OF A DEALERSHIP.
2. KNOWLEDGEABLE OF CURRENT TECHNICAL REPAIRS.
3. QUALIFIED TO OPERATE ALL SPECIALIZED STATE OF THE
ART TECHNICAL EQUIPMENT.

ADDITIONALLY, BY REVISING THIS BILL WE FEEL THE SKILLED LABOR FORCE WOULD
BE EXPANDED FOR BOTH THE EMPLOYEE AND EMPLOYER.

IN CLOSING, WE ARE IS FULL SUPPORT OF THIS REVISION. SHOULD YOU REQUIRE
FURTHER INFORMATION OR ASSISTANCE PLEASE FEEL FREL TO CALL ANYTIME.

SINCERELY,



WENDY RADLER
CUSTOMER RELATIONS MANAGER

Chevrolet

Pontiac

Buick

GMC Trucks

LETTERS OF SUPPORT



25-500 N. Muldoon
Anchorage, Alaska 99506
(907) 337-1585

FEB 12 1992

February 5, 1992

Representative Bettye Davis
Alaska State Legislature
Room 409
Juneau, AK 99811

Dear Representative Davis:

Please extend my support of House Bill 426 to expand opportunities for on-the-job-training programs for students. I do believe the term "non-profit" should be deleted from the wording.

I appreciate your continuing concern and support for the educational system in the State of Alaska.

Sincerely,

A handwritten signature in black ink that reads "Howard Hosken". The signature is written in a cursive, flowing style.

Howard Hosken, Principal
Bartlett High School

"FROM THE DESK OF EDDIE BURKE"

DEAR SENATOR OR REPRESENTATIVE,

JAN 31, 1992

MY NAME IS EDDIE BURKE, I WILL BE IN JUNEAU FEBRUARY 5TH FOR ONE DAY. AS ONE OF YOUR CONSTITUENTS I WOULD LIKE TO HAVE AN OPPORTUNITY TO SPEAK WITH YOU BRIEFLY. THE CONVERSATIONS I WILL DISCUSS WILL BE THE ANCHORAGE CHAMBER OF COMMERCE LEGISLATIVE PRIORITIES. I HOPE YOU WILL BE ABLE TO SEE ME DURING THAT DAY FOR APPROX 15 OR 20 MINUTES.

I WOULD ENCOURAGE YOU TO SUPPORT HB-426 SPONSORED BY REP-BETTY DAVIS. IT GIVES THE ANCHORAGE SCHOOL DISTRICT THE ABILITY TO LET STUDENTS GO TO SERVICE STATIONS AND GARAGES TO OBTAIN O.J.T. FOR AUTOMOTIVE EXPERIENCE. WORKMAN COMP LAWS PROHIBIT THIS FROM HAPPENING IT IS VITAL THAT STUDENTS HAVE THE OPPORTUNITY TO GET THE HANDS ON TRAINING. I WILL BE DISCUSSING THIS FURTHER WITH YOU, ON FEBRUARY 5TH.

I AM LOOKING FORWARD TO MEETING WITH YOU AND DISCUSSING THE ABOVE ISSUES. GOOD LUCK IN THIS SESSION. FEEL FREE TO CALL OR FAX.

PHONE WK-277-7424 FAX 277-9768
HOME-337-0388

RESPECTFULLY,



EDDIE BURKE.

February 6, 1992

Representative Bettye Davis
Alaska State Legislature
Room 409
Juneau, AK 99811

RE: SUPPORT OF HB 426

I am an instructor at the King Career Center in Anchorage, Alaska and am writing this letter of support for the legislative bill HB426. Within my program at the King Career Center, I place students in on-the-job sites with both profit as well as nonprofit businesses.

I have placed the majority of my students with state and federal agencies due to the fact that I can have students covered under "volunteer programs" within each of these agencies. On numerous occasions, I have asked "profit" companies to support OJT programs, but their concern and hesitance has come from concerns of who is responsible for the students welfare at the job site.

If this bill comes to pass, I truly believe it will make available to students many additional training sites by which they can receive hands-on work training skills.

Thank you for your efforts in pass this bill

Sincerely,



Mike Woods
Wiland Management Instructor



FEB 05 1992

January 31, 1992

Representative Bettye Davis
Alaska State Legislature
Room 409
Juneau, Alaska 99811

Dear Representative Davis:

I would like to request your support for HB426 which will extend coverage of workers compensation for high school students in on-the-job training in for-profit businesses and companies. In my capacity as the Assistant Principal of the King Career Center in Anchorage for the past five years, I have been aware of several possible on-the-job training (OJT) sites that fell through for our students because employers were unwilling to accept these students without this coverage. We feel that we could expand our outreach for training locations in many areas for our young people if HB426 were made into law. Thank you for your support on this matter.

Sincerely,

Richard Krieger,
Assistant Principal

**MARTIN LUTHER KING, JR. CAREER CENTER
ANCHORAGE SCHOOL DISTRICT
2650 E. NORTHERN LIGHTS BLVD. ANCHORAGE, ALASKA 99508-4119 (907) 278-9631**

§ 23.30.237

GENERAL PROVISIONS

§ 23.30.240

Sec. 23.30.237. High school students in work-study programs as employees of the state. An individual who is enrolled for credit at a public high school in a course which combines academic instruction with work experience outside the school for a public or private non-profit employer is an employee of the state for the purposes of this chapter while the individual is performing the work experience. Weekly compensation for disability or death under this section may not be less than the initial payment of compensation under AS 23.30.175. (§ 1 ch 65 SLA 1980)

~~**Sec. 23.30.239. Sole proprietors and partners as employees.**~~

(a) A person who is a sole proprietor, or a member of a partnership, may elect coverage as an employee under this chapter by making written application to an insurer. The insurer may accept the application and fix an assumed monthly wage at which the person shall be carried on the payroll for purposes of this chapter.

(b) When the application is accepted, the person is subject to the provisions and entitled to the benefits of this chapter. The person shall promptly notify the insurer whenever there is a change in the status of the person as a sole proprietor or partner.

(c) Notwithstanding the provisions of AS 23.30.120(a), a person covered under (a) of this section bears the burden of proof of the validity of the claim.

(d) A person who has elected coverage under (a) of this section may cancel the election by giving written notice to the insurer. Notwithstanding AS 23.30.030(5), the cancellation becomes effective the day following the filing of notice with the insurer. (§ 2 ch 47 SLA 1986)

Sec. 23.30.240. Officers of corporations, municipal corporations, and nonprofit corporations as employees. An executive officer elected or appointed and empowered in accordance with the charter and bylaws of a corporation, other than an official of a municipal corporation or a charitable, religious, educational, or other nonprofit corporation, is an employee of the corporation under this chapter. However, an executive officer of a corporation may waive coverage under this chapter, subject to the approval of the commissioner of labor, notwithstanding AS 23.30.245(b). Notwithstanding any other provision of this chapter, an executive officer of a municipal corporation or of a charitable, religious, educational, or other nonprofit corporation may be brought within the coverage of its insurance contract by the corporation by specifically including the officer in the contract of insurance. The election to bring an executive officer within the coverage continues in force for the period the contract of insurance is in effect. During that period an executive officer brought within the coverage of the insurance contract is an employee of the corporation under this chapter. (§ 2(8) ch 193 SLA 1959; am ch 148 SLA 1962)

113

Although it is ambiguous, we are considering it covered.

CURRENT STATUTE

VALORIE L. NELSON
P.O. Box 1356
Sitka, AK 99835
(907) 747-5030

March 2, 1994

Representative Ron Larson
Co-Chair House Finance Committee
Juneau, Alaska

Re: SB 178

Dear Mr. Larson:

Thankyou for allowing me to testify and listening to my concerns on Mr. Taylor's "nuisance" bill and how it will affect others. As you could probably tell by my voice this is a very emotional subject for me and I'm not sure how I came across to any of you yesterday, so if you've the time, I'd like to attempt to clarify what I was trying to say. In order to do this it will be necessary to give you a history of what my husband and I have had to endure.

We purchased our property in 1988 and at that time had many plans for this commercially zoned property, however, due to the "powers that be" and our judicial system, the plans and dreams have been shattered. All of the property on the upland side of the highway was zoned commercial for approximately one mile in either direction, with the exception of the benchland property, which is immediately behind us, it is zoned residential.

We moved onto our property in December of 1991 when an adjacent illegal non-conforming quarry operation was winding down because they were out of material. In March of 92 the quarry operator approached our city "fathers" and asked for more land so he could expand his operations. It was pointed out to them that this use was not allowed under the commercial zoning, so they proceeded to change it to industrial zoning, which allows for quarrying under the conditional use permit process. At the outset, the city attempted to waive the conditional use permit requirement, however after many meetings, two administrative appeals and ultimately a lawsuit, we were successful in the aspect that conditions were put on the operations by the court. The activities occurring still remain a nuisance and are certain to increase due to the fact that he was the successful bidder for rock for the breakwater project that was recently let. The impacts that these operations have on neighboring properties include but are not limited to: decreased air quality (dust generated by drilling, blasting and crushing activities as well as the increased truck traffic); decreased water quality (siltation into the ocean which requires no permit) and increased noise levels.

If this bill is passed, others who might want to protect their home and property values will have this right stripped from them.

Is it necessary in trying to protect industry that we give up all individuals rights? As a life-long resident of Sitka, the majority of which has been on the beachfront, it is my belief that if Alaska Pulp Corporation goes to court in this lawsuit that the plaintiff will have a very difficult time proving that APC has created a nuisance. I find it very hard to understand why our representatives feel that it is necessary to get involved in the judicial aspects of our system and at the same time do so in a manner that takes yet another right from the individual.

In closing, I would like to apologize if I appeared to chastise Representative Grussendorf too severely, sometimes my frustration with our system makes me a little irrational. I have known Mr. Grussendorf since my high school days when he was a teacher of American Government more than twenty years ago, he did a fine job then as I am sure he continues to do. Thankyou for your time and attention on this matter, and no Mr. Chairman, I do not expect a response from all of you. I realize that you have much more important issues to deal with and that you are all very busy.

Respectfully Submitted,

Valorie L. Nelson

Valorie L. Nelson



Alaska State Legislature

Please enter into the record my testimony to the House Finance
 committee name
 committee on SB 178, dated 3/1/94
 bill/subject

I object strongly to SB 178 because it denies due process to property owners and confers legal immunity upon polluters.

It is very clear that APC is backed into a corner. A bill such as SB 178 could only come from a desperate company, a company willing and eager to deny the rights of the citizens of the state.

Signed: Don Muller (DON MULLER)
 Testifier

Self
 Representing (Optional)

Box 1042 Sitka, Alaska 99825
 Address

747-8808
 Phone No.

8-LS0715J
Ford
3/8/94

CS FOR SENATE BILL NO. 141()
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR KELLY

REPRESENTATIVE B.Davis

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to workers' compensation coverage for certain high school
2 students in work-study programs."

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

4 * Section 1. AS 14.07.020(a) is amended by adding a new paragraph to read:
5 (16) review and may approve secondary school work-study courses that
6 involve uncompensated work experience.

7 * Sec. 2. AS 23.30.237 is amended to read:
8 Sec. 23.30.237. HIGH SCHOOL STUDENTS IN WORK-STUDY
9 PROGRAMS AS EMPLOYEES OF THE STATE. An individual who is enrolled for
10 credit at a public high school in a course approved by the Department of Education
11 that combines academic instruction with uncompensated work experience outside the
12 school for a public or private [NONPROFIT] employer is an employee of the state for
13 the purposes of this chapter while the individual is performing the work experience.
14 Notwithstanding any other provisions of this chapter, a person eligible for benefits

1 [WEEKLY COMPENSATION FOR DISABILITY OR DEATH] under this section
2 who suffers an injury may not receive compensation but shall receive medical and
3 related benefits provided under AS 23.30.095. Nothing in this section allows an
4 individual to perform work experience that is not permitted under state or federal
5 law [MAY NOT BE LESS THAN THE INITIAL PAYMENT OF COMPENSATION
6 UNDER AS 23.30.175].

CS FOR SENATE BILL NO. 141(L&C)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 3/18/93
Referred: FINANCE

Sponsor(s): SENATOR KELLY

A BILL

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2 students in uncompensated work-study programs."

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

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7 credit at a public high school in a course that combines academic instruction with
8 uncompensated work experience outside the school for a public or private
9 [NONPROFIT] employer is an employee of the state for the purposes of this chapter
10 while the individual is performing the work experience. Notwithstanding any other
11 provisions of this chapter, a person eligible for benefits [WEEKLY
12 COMPENSATION FOR DISABILITY OR DEATH] under this section who suffers
13 an injury may not receive compensation but shall receive medical and related
14 benefits provided under AS 23.30.095. Nothing in this section allows an individual



Matanuska-Susitna Borough School District

125 WEST EVERGREEN — PALMER, ALASKA 99645 — (907) 746-9200

Dr. Ell B. Sorenson, Superintendent

March 9, 1994

Dear Representative Larson and Committee Members,

We strongly urge your assistance in moving SB 141 out of committee. This bill will assist schools in their effort to meet students needs to experience real life situations through career exploration. The schools and business community have been working together to build partnerships to better prepare our youth for the future work place. At this time the liability situation is holding this cooperative effort from being successful. As Work Study Specialists we recently experienced the loss of some very valuable training sites due to the inability of the Mat-Su School District to provide Worker's Compensation coverage. This bill will bridge that gap and allow these kind of programs to continue.

We respectfully request your assistance in this matter. Thank you for your time.

Sincerely,

Mari Jo Parks,
Work Study Specialist

Andra Nations,
Work Study Specialist

CS FOR SENATE BILL NO. 141(L&C)
 IN THE LEGISLATURE OF THE STATE OF ALASKA
 EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered: 3/18/93
 Referred: FINANCE

Sponsor(s): SENATOR KELLY

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Mari Jo Parks,
Work Study Specialist

Andra Nations,
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