

**SB**

**117**

# FISCAL NOTE

STATE OF ALASKA

BILL NO. SB 117

1995 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_

Department Affected: Education

Title: Statewide Independent Living Council

BRU: Vocational Rehabilitation

Component: Independent Living Rehabilitation

Sponsor: Senator Halford

Requester: Senate HESS Committee

COMPONENT SERIAL NO. 203

**Expenditures/Revenues:**

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES	56.5	56.5	56.5	56.5	56.5	56.5
TRAVEL	26.0	26.0	26.0	26.0	26.0	26.0
CONTRACTUAL	54.3	54.3	54.3	54.3	54.3	54.3
SUPPLIES	4.1	4.1	4.1	4.1	4.1	4.1
EQUIPMENT	1.7	1.7	1.7	1.7	1.7	1.7
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>142.6</b>	<b>142.6</b>	<b>142.6</b>	<b>142.6</b>	<b>142.6</b>	<b>142.6</b>

CAPITAL						
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REVENUE FUND SOURCE:						
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**FUNDING:**

(Thousands of Dollars)

1002 Federal Receipts	128.3	128.3	128.3	128.3	128.3	128.3
1003 GF Match	14.3	14.3	14.3	14.3	14.3	14.3
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
<b>TOTAL</b>	<b>142.6</b>	<b>142.6</b>	<b>142.6</b>	<b>142.6</b>	<b>142.6</b>	<b>142.6</b>

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ \_\_\_\_\_

**ANALYSIS: (Attach a separate page if necessary.)**

To be eligible to receive federal funds for independent living services, Alaska must establish a Statewide Independent Living Council. On October 26, 1994, Governor Hickel established the Council by Administrative Order No. 149. Senate Bill 117 formally establishes this council in statute. Funding for this council and other independent living services is included in the *Rehabilitation Act Amendments of 1992, Title VII*. The state currently receives approximately \$900,000 under this Act.

Please see the attached sheet for further analysis.

Prepared by: Stan Ridgeway, Deputy Director Phone: 465-6932

Division: Vocational Rehabilitation Date: March 16, 1995

Approved by Commissioner: Shirley Holloway

Agency: Education Date: March 16, 1995

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To be eligible to receive federal funds for independent living services, Alaska must establish a Statewide Independent Living Council. Funding for this program is included in the *Rehabilitation Act Amendments of 1992, Title VII*.

Funds, allotted under Part B of *Title VII*, are disbursed to Alaska as a minimal allotment state which means that Alaska will receive not less than \$275,000 for independent living services. The state must match Part B funds by 10%.

In addition, Part C of *Title VII* entitles Alaska to receive not less than \$533,330 in federal funds designated for centers for independent living. There are currently two Alaska centers which receive these funds directly from the federal government under Part C. In FY95, a total for \$602,900 was awarded to two Alaskan independent living centers. Access Alaska received \$301,000 and Southeast Independent Living (SAIL) received \$301,900 from this federal source.

The funding for the independent living program in FY95 is as follows:

Funding Source	Amount (in thousands)
Federal Part B	\$ 283.8
Part B Required State Match	39.1
Federal Part C	602.9
State General Funds	563.4
<b>TOTAL</b>	<b>\$ 1,489.2</b>

The Independent Living Council expenses are funded with Part B and state general funds. The total Council budget is \$142,600, which is 9% of the total funds available. The state Division of Vocational Rehabilitation retained \$10,600 (.7% of the total) for grant monitoring. The remainder of the funds, \$1,336,000 is granted to statewide non-profit organizations for direct consumer services.

Without a Statewide Independent Living Council the state will not be eligible to receive either Part B or Part C federal funds under *Title VII of the Act* resulting in a loss of approximately \$900,000 in federal funds.

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 21, 1995

FURTHER REFERRALS:

Finance

Date of Committee Action: 4/28/95

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered: CSSB 117(HES)

CS FOR SENATE BILL NO. 117(HES) STATEWIDE INDEPENDENT LIVING COUNCIL

"An Act establishing a statewide independent living council and clarifying its relationship with existing agencies; and providing for an effective date."

recommends it be replaced with the following committee substitute \_\_\_\_\_  the same title  a new title

additional referral to \_\_\_\_\_ Committee  attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_ APPROVES PREVIOUS: (Dept/Date) Education  
 fiscal note(s) \_\_\_\_\_  fiscal note(s) \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_  zero fiscal note(s) \_\_\_\_\_

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>			✓	
<i>Car Blend</i>			✓	
<i>Caren Robinson</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>				

CHAIR'S SIGNATURE *Car Blend*

**DEPARTMENT OF EDUCATION  
OFFICE OF THE COMMISSIONER**

**TONY KNOWLES, GOVERNOR**

**GOLDBELT PLACE  
801 WEST 10TH STREET, SUITE 200  
JUNEAU, ALASKA 99801-1894  
(907) 465-2800  
FAX (907) 465-4156**

March 16, 1995

The Honorable Rick Halford  
Alaska State Senate  
State Capitol, Room 508  
Juneau, AK 99801-1182

Re: Senate Bill 117  
Establishment of a State Independent Living Council

Dear Senator Halford:


The Department of Education and the Division of Vocational Rehabilitation (DVR) support Senate Bill 117. In order for Alaska to continue receiving federal funds for independent living services, the state must establish in statute a statewide independent council. The Rehabilitation Act of 1973 as Amended in 1992 states in Title VII, Sec. 705 "Statewide Independent Living Council:"

(a) Establishment - to be eligible to receive financial assistance under this chapter, each state shall establish a Statewide Independent Living Council (referred to in this section as the "Council"). The council shall not be established as an entity within another state agency.

We support your efforts in submitting this legislation. For your information I have enclosed a copy of the Alaska Independent Living Council's mission statement, responsibilities and goals as contained in the statewide independent living plan.

If we can be of more assistance in your efforts, please contact me or Stan Ridgeway, Deputy Director, DVR, at 465-6932.

Sincerely,

  
Shirley J. Holloway, Ph.D.  
Commissioner

Enclosure

## ALASKA INDEPENDENT LIVING COUNCIL

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### Mission

To promote consumer control, peer support, self-help, self-determination, equal access, and individual and system advocacy, in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities.

### Responsibilities

1. Jointly developing and submitting the State Plan for Independent Living, in conjunction with the Alaska Division of Vocational Rehabilitation.
2. Monitoring, reviewing and evaluating the implementation of the State Plan.
3. Coordinating activities with the Alaska Vocational Rehabilitation Advisory Council and other councils that address the needs of specific disability populations and issues.

### Goals

1. To develop, implement, monitor and evaluate a coordinated and unified statewide service delivery system for independent living.
2. To develop a statewide network of centers for independent living.
3. To maximize working relationships and collaborative ventures for the provision of independent living services.
4. To develop and implement public awareness and outreach activities.



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

ADMINISTRATIVE ORDER NO. 149

I, Walter J. Hickel, Governor of the State of Alaska, under the authority of art. III, secs. 1, 16, and 24, of the Alaska Constitution and AS 44.19.145(c), hereby establish by Administrative Order the Alaska Statewide Independent Living Council (council).

Section 1. PURPOSE

The council shall serve as the Statewide Independent Living Council for Alaska required for the receipt of federal financial assistance under 29 U.S.C. 796d, as amended as of July 1, 1994.

Section 2. DUTIES

The council shall perform the duties set out in 29 U.S.C. 796d, to allow the receipt of federal financial assistance in Alaska for independent living services and centers for independent living for Alaskans with severe disabilities. The council may hold hearings or forums in Alaska as the council determines necessary to carry out its duties.

Section 3. MEMBERSHIP; TERMS

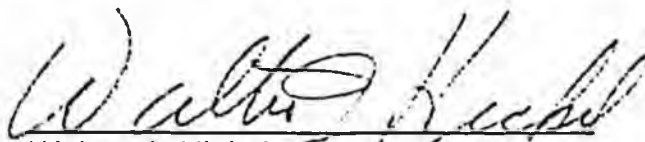
The Governor will appoint members to the council who meet the applicable membership requirements set out in 29 U.S.C. 796d. A term of a member will be three years unless the appointment is to fill a vacancy for the remaining years of a prior member's term. A member may not serve more than two consecutive full terms.

Section 4. CONTACT AGENCY

The Alaska Department of Education will serve as lead contact agency for the council. The Alaska Department of Education shall provide reasonable and necessary professional and technical assistance requested by the council.

This Order takes effect immediately.

Dated at Juneau, Alaska this 26 day of October, 1994.

  
Walter J. Hickel  
Governor



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# ALASKA DIVISION of VOCATIONAL REHABILITATION

Rehabilitation Act of 1973  
as Amended by  
The Rehabilitation Act  
Amendments of 1992

29 USC 701-744

proper disbursement of and accounting for funds paid to the State under this chapter;

**(4)(A)** maintain records that fully disclose -

**(i)** the amount and disposition by such recipient of the proceeds of such financial assistance;

**(ii)** the total cost of the project or undertaking in connection with which such financial assistance is given or used; and **(iii)** the amount of that portion of the cost of the project or undertaking supplied by other sources;

**(B)** maintain such other records as the Commissioner determines to be appropriate to facilitate an effective audit;

**(C)** afford such access to records maintained under subparagraphs (A) and (B) as the Commissioner determines to be appropriate; and

**(D)** submit such reports with respect to such records as the Commissioner determines to be appropriate;

**(5)** provide access to the Commissioner and the Comptroller General or any of their duly authorized representatives, for the purpose of conducting audits and examinations, of any books, documents, papers, and records of the recipients that are pertinent to the financial assistance received under this chapter; and

**(6)** provide for public hearings regarding the contents of the plan during both the formulation and review of the plan.

**(n)** The plan shall establish a method for the periodic evaluation of the effectiveness of the plan in meeting the objectives established in subsection (d), including evaluation of satisfaction by individuals with disabilities.

**Sec. 705. Statewide Independent Living Council**

**(a)** To be eligible to receive financial assistance under this chapter, each State shall establish a Statewide Independent Living Council (referred to in this section as the "Council"). The Council shall not be established as an entity within another State agency.

**(b)(1)** Members of the Council shall be appointed by the Governor or the appropriate entity within the State responsible for making appointments, within 90 days after the date of enactment of the Rehabilitation Act Amendments of 1992. The appointing authority shall select members after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities.

**(2)** The Council shall include -

**(A)** at least one director of a center for independent living chosen by the directors of centers for independent living within the State; and

**(B)** as ex officio, nonvoting members -

**(i)** a representative from the designated State unit; and

*(ii)* representatives from other State agencies that provide services for individuals with disabilities.

**(3) The Council may include -**

*(A)* other representatives from centers for independent living;

*(B)* parents and guardians of individuals with disabilities;

*(C)* advocates of and for individuals with disabilities;

*(D)* representatives from private businesses;

*(E)* representatives from organizations that provide services for individuals with disabilities;  
and

*(F)* other appropriate individuals.

**(4) The Council shall be composed of members -**

*(A)* who provide statewide representation;

*(B)* who represent a broad range of individuals with disabilities;

*(C)* who are knowledgeable about centers for independent living and independent living services; and

*(D)* a majority of whom are persons who are -

*(i)* individuals with disabilities described in section 7(8)(B); and *(ii)* not employed by any State agency or center for independent living.

**(5)(A)** Except as provided in subparagraph (B), the Council shall elect a chairperson from among the membership of the Council.

*(B)* In States in which the Governor does not have veto power pursuant to State law, the Governor shall designate a member of the Council to serve as the chairperson of the Council or shall require the Council to so designate such a member.

**(6)(A)** Each member of the Council shall serve for a term of 3 years, except that -

*(i)* a member appointed to fill a vacancy occurring prior to the expiration of the term for which the predecessor was appointed, shall be appointed for the remainder of such term;  
and

*(ii)* the terms of service of the members initially appointed shall be (as specified by the appointing authority) for such fewer number of years as will provide for the expiration of terms on a staggered basis.

*(B)* No member of the Council may serve more than two consecutive full terms.

**(7)** Any vacancy occurring in the membership of the Council shall be filled in the same manner as

the original appointment. The vacancy shall not affect the power of the remaining members to execute the duties of the Council.

*(c) The Council shall -*

*(1) jointly develop and submit (in conjunction with the designated State agency) the State plan required in section 704;*

*(2) monitor, review, and evaluate the implementation of the State plan;*

*(3) coordinate activities with the State Rehabilitation Advisory Council established under section 105 and councils that address the needs of specific disability populations and issues under other Federal law;*

*(4) ensure that all regularly scheduled meetings of the Council are open to the public and sufficient advance notice is provided; and*

*(5) submit to the Commissioner such periodic reports as the Commissioner may reasonably request, and keep such records, and afford such access to such records, as the Commissioner finds necessary to verify such reports.*

*(d) The Council is authorized to hold such hearings and forums as the Council may determine to be necessary to carry out the duties of the Council.*

*(e)(1) The Council shall prepare, in conjunction with the designated State unit, a plan for the provision of such resources, including such staff and personnel, as may be necessary to carry out the functions of the Council under this section, with funds made available under this chapter and part C of title I and from other public and private sources. The resource plan shall, to the maximum extent possible, rely on the use of resources in existence during the period of implementation of the plan.*

*(2) Each Council shall, consistent with State law, supervise and evaluate such staff and other personnel as may be necessary to carry out the functions of the Council under this section.*

*(3) While assisting the Council in carrying out its duties, staff and other personnel shall not be assigned duties by the designated State agency or any other agency or office of the State, that would create a conflict of interest.*

*(f) The Council may use such resources to reimburse members of the Council for reasonable and necessary expenses of attending Council meetings and performing Council duties (including child care and personal assistance services), and to pay compensation to a member of the Council, if such member is not employed or must forfeit wages from other employment, for each day the member is engaged in performing Council duties.*

*(g) To the extent that a State has established a Council before September 30, 1992, that is comparable to the Council described in this section, such Council shall be considered to be in compliance with this section. Within 1 year after the date of enactment of the Rehabilitation Act Amendments of 1992, such State shall establish a Council that complies in full with this section.*

*Sec. 706. Responsibilities of the Commissioner*

*(a)(1) The Commissioner shall approve any State plan submitted under section 704 that the Commissioner determines meets the requirements of section 704, and shall disapprove any such plan*



**Alaska State Legislature**  
**House of Representatives**  
 COMMITTEE ON HEALTH, EDUCATION  
 AND SOCIAL SERVICES

PLEASE PROVIDE  
 ALL REQUESTED  
 INFORMATION.

**SUBJECT OF MEETING:**  
 SB 117: Statewide  
 Independent Living  
 Council

DATE: APRIL 28

PLACE: Capitol Room 106

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
STAN RIDGEMAN	DUR	MS 0581	99801	70-2234	465-6932	<input checked="" type="radio"/>	N	SB 117
						<input type="radio"/>	N	
						<input type="radio"/>	N	
						<input type="radio"/>	N	
						<input type="radio"/>	N	
						<input type="radio"/>	N	
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						<input type="radio"/>	N	
						<input type="radio"/>	N	

**STATE OF ALASKA - OFFICE OF THE GOVERNOR**  
**Boards and Commissions Office**

**Membership Roster**

**(181) INDEPENDENT LIVING COUNCIL**

<b>Member</b>	<b>Appointed</b>	<b>Reappointed</b>	<b>Term Exp.</b>
<b>Constance E. Anderson</b> Independent Living Center Representative - Chair Executive Director Southeast Alaska Independent Living P.O. Box 36097 Juneau, AK 99803-6097 Home Phone - (907) 780-0085    Work Phone - (907) 789-9885    FAX - (907) 780-9747	10/01/93		10/01/98
<b>James C. Beck</b> Community Rehabilitation Program Representative P.O. Box 508 Palmer, AK 99645 Home Phone - (907) 748-0028    FAX - (907) 748-0028	04/07/95		10/01/97
<b>Julia J. Best</b> Advocate P.O. Box 426 Scitona, AK 98869 Work Phone - (907) 262-7492    FAX - (907) 262-5572	04/07/95		10/01/98
<b>James R. Burton</b> Community Rehabilitation Program Representative 1189 Hess Avenue Fairbanks, AK 99709 Home Phone - (907) 478-6118    Work Phone - (907) 474-7249	10/01/93		10/01/98
<b>Helen M. Eakman</b> Community Rehabilitation Program Representative 2221 Muldoon No. 555 Anchorage, AK 99504 Home Phone - (907) 337-3831    Work Phone - (907) 397-3831	04/07/95		10/01/98
<b>Joyanna Galar</b> Independent Living Program Representative P.O. Box 2474 Homer, AK 98603 Home Phone - (907) 235-5401    Work Phone - (907) 235-7911    FAX - (907) 235-8288	04/07/95		10/01/98
<b>Bernadine J. Graham</b> Advocate c/o Jerry Nickles, Hops Cottages 5400 West International Airport Rd. Anchorage, AK 99518 Home Phone - (907) 337-7914	10/01/93		10/01/98
<b>Nick Quaco, Jr.</b> Family Member With Disability P.O. Box 782 Barrow, AK 99728 Home Phone - (907) 852-5289	04/07/95		10/01/98

## STATE OF ALASKA - OFFICE OF THE GOVERNOR

### Boards and Commissions Office

#### Membership Roster

#### (181) INDEPENDENT LIVING COUNCIL

Member	Appointed	Reappointed	Term Exp.
<b>Rugget A. Hiatt</b> Advocate 1708 Bartlett Drive Anchorage, AK 98507 Home Phone - (907) 562-1708	10/01/93	10/01/94	10/01/97
<b>Ruth C. L'Honnemann</b> Community Rehabilitation Program Representative P.O. Box 80127 Fairbanks, AK 99708 Home Phone - (907) 478-8514	04/07/95		10/01/97
<b>David Levy</b> Independent Living Program Representative 3405 Eureka, Apt. 24 Anchorage, AK 99503 Home Phone - (907) 583-2984 Work Phone - (907) 248-4777	04/07/95		10/01/98
<b>David Maltman</b> Division of Mental Health and Developmental Disabilities Rep. Executive Director Gov's Council on Disab. & Special E Dept. of Health & Social Services P.O. Box 240249 Anchorage, AK 99524-0249 Work Phone - (907) 563-5355 FAX - (907) 563-5357	04/07/95		10/01/98
<b>Stan Ridgeway</b> Division of Vocational Rehabilitation Rep. Deputy Director Div. of Vocational Rehabilitation Department of Education 801 West Tenth Street, Suite 200 Juneau, AK 99801-1894 Work Phone - (907) 486-8982	10/01/93		10/01/98
<b>John A. Woodward</b> Community Rehabilitation Program Representative 2200 Sunrise Drive Anchorage, AK 99508 Home Phone - (907) 276-6159	10/01/93	10/01/94	10/01/97
<b>Roger Wright</b> Independent Living Program Representative P.O. Box 209 Kotzebue, AK 98752 Home Phone - (907) 442-3021	10/01/93		10/01/95