

HB

170

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. HB 170

Revision Date: _____ Dept. Affected: Department of Law
 Title: "An Act relating to interference with the rights
of physically and mentally challenged persons; . . . BRU: Criminal Division
 Sponsor: Representative Brice Component: Criminal Division
 Requester: House HESS Committee COMPONENT SERIAL NO. 2085

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

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

Estimate of any current year (FY97) cost: \$ 0.0

POSITIONS

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

HB 170 changes references to a physically or mentally "disabled" person to a physically or mentally "challenged" person in AS 11.76.130 relating to the interference with the rights of those persons. The bill also adds a new section to AS 11.76 creating the crime of interference with the training of a service animal, with the penalty a class B misdemeanor.

Passage of this bill is not anticipated to have a fiscal impact on the Department of Law.

Prepared by: Joan M. Kesson *Joan M. Kesson*
 Division: Administrative Services Division
 Approved by Commissioner: Bruce M. Botelho, Attorney General *Bruce M. Botelho*
 Agency: Department of Law

Phone: 465-5370
 Date: 3/21/97
 Date: 3/21/97

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Care

The dogs are returned to us from their 4-H homes when they are about 18 months old. They become part of a training string under a team of three Guide Dog instructors. Formal training of the dogs takes about five months. The three breeds used by our program are Golden Retrievers, German Shepherds, and Labrador Retrievers. Only praise and love are used as rewards during training.



A full-time veterinary staff provides care and treatment for our puppies and dogs in a modern clinic equipped with state-of-the-art technology. Guide Dogs are spayed or neutered before beginning their careers. Annual veterinary reports are required from the blind partners of all working guides and our veterinary staff is available for consultation with our graduates' veterinarians.



Mission

Guide Dogs for the Blind, Inc., believes in mutually beneficial quality partnerships between dogs and people through which their highest potential can be achieved. Guide Dogs for the Blind offers blind people enhanced mobility through the unique skills of dogs that are developed, cared for, and trained by a professional staff and nurtured by dedicated youth and adult volunteers. The Guide Dog school is committed to quality service and welcomes applications from blind men and women in the United States and Canada. A non-profit, tax-exempt corporation, Guide Dogs for the Blind charges no fees for its services and exists through the generosity of donors.

Our main campus is located at 350 Los Ranchitos Road, San Rafael, California 94903. Information about any of our services and tour scheduling are available by calling 415-499-4000. Our mailing address is P.O. Box 151200, San Rafael, CA 94915-1200.

Our Oregon address is 202 NE Kelly Avenue, Gresham, OR 97030-7544 (503-666-5158). Our Southern California satellite address is 1776 Old Topanga Canyon Rd., Topanga, CA 90290-9557 (310-455-1095).

Guide Dogs for the Blind, Inc.



Dedication

Guide Dog puppies are born of the finest breeding stock. During the early months of their lives, our puppies receive the best care by a devoted kennel staff and are given plenty of play time by groups of volunteers. When the pups are about three months old, they are placed in the homes of 4-H families across the Western United States.



Raised by 4-H members, our puppies learn to be socialized young dogs. They are housetrained, taught basic obedience skills, and develop the manners necessary for becoming a Guide Dog. An important part of our puppy raising program involves the regular exposure of our puppies to situations and settings that



are similar to what they will experience as full-fledged guides. It is not unusual to see a Guide Dog puppy, wearing a 4-H coat, with its raiser at a restaurant, at the theater, or walking down the aisle of a supermarket.

Commitment

Our professional staff of instructors is comprised of women and men who must meet the strict licensing standards of the state of California and the high standards of Guide Dogs for the Blind, Inc. In addition to licensed instructors, the Guide Dog training staff includes apprentice instructors and instructor assistants.



The team of instructors who trains a string of dogs to be Guide Dogs also teaches the class of blind men and women who receive those dogs as guides. This ensures a continuity in the training and enables the instructors to carefully match dogs and people to create good working partnerships.

Service

Student training takes place in city, rural, and suburban environments. Students are taught to work

their dogs through busy streets, in shopping malls, on public transportation, on wooded paths, and in a variety of other settings similar to those they will encounter when they return home. Guide Dogs are permitted access to many places where pet dogs are not allowed. When a Guide Dog is in harness it is "at work" and should never be interrupted or disturbed. Passersby are encouraged to always ask the blind person's permission before talking to or touching a Guide Dog.



Dormitory life for the blind people enrolled at Guide Dogs for the Blind, Inc., includes wonderful meals in a spacious, comfortable dining room. The dogs accompany their partners to meals where they remain quiet and well-mannered. The modern Guide Dog dormitory includes lounge areas, a library, music room, and exercise area. Each dorm room houses two people. The Guide Dogs live with their partners throughout the month-long training just as they will at home.



Quality

Public graduations take place every month, except for January. The 4-H raiser is invited to the graduation to present the Guide Dog to its new partner. An emotional day for everyone, graduation marks a beginning for the Guide Dog and blind person. Throughout the course of their life together, the Guide Dog team will be visited many times by Guide Dog instructors to help maintain the important connection between Guide Dogs for the Blind and the people and dogs we serve.



Looking ahead to the future has inspired Guide Dogs for the Blind to build a new campus near Portland, Oregon. This campus will serve as a center for training graduates of our program whose dogs have

died or have been retired. A satellite facility in Southern California is our base for services to applicants and graduates in that area. A Guide Dog can typically work for eight to 10 years before needing to retire.

Retired dogs may live with their blind person as a pet or can be placed through our adoption and foster care program.



Growth

Guide Dog students make many friends during their course of training at the Guide Dog campus. They return to homes across the United States and Canada with happy memories and skilled Guide Dogs at their sides. Our follow-up program ensures the ongoing safety and well-being of each Guide Dog team and our donor program enables us to continue offering this unique service at absolutely no cost to the blind.



An annual membership donation to Guide Dogs for the Blind includes a subscription to the informative *Guide Dog News* and discounts on some items at our on-campus gift shop. Use the form below to join Guide Dogs for the Blind, Inc.

- | | |
|--|--|
| <input type="checkbox"/> Guide Dog Sponsor
\$12,000 or more | <input type="checkbox"/> Participating Member
\$100 or more |
| <input type="checkbox"/> Puppy Patron
\$5,000 or more | <input type="checkbox"/> Family Member
\$50 or more |
| <input type="checkbox"/> Providing Member
\$1,000 or more | <input type="checkbox"/> Individual Member
\$25 or more |
| <input type="checkbox"/> Supporting Member
\$500 or more | <input type="checkbox"/> Senior/Student Member
\$10 or more |

Your Name _____

Street _____

City _____ State _____ Zip _____

Please make your check payable to:
Guide Dogs for the Blind, Inc.

Mail it with this section to:
GUIDE DOGS FOR THE BLIND, INC.
PO Box 151200, San Rafael, CA 94915-1200

A Guide to Guide Dogs for the Blind, Inc.

San Rafael, California



*Answers to your questions
about Guide Dogs.*

Guide Dogs for the Blind, Inc.

P.O. Box 151200

San Rafael, California 94915-1200

(415) 499-4000



THE ORGANIZATION

Q. What is Guide Dogs for the Blind, Inc.?

A. A nonprofit charitable organization dedicated to providing highly-trained Guide Dogs and training in their use to qualified blind men and women.

Q. Where is the school located?

A. In San Rafael, California, 20 miles north of San Francisco on an 11-acre campus which includes an administration building, student dormitory and kennel complex.

Q. How long has Guide Dogs for the Blind, Inc., been in existence?

A. Since 1942 when it was established in Los Gatos, California, primarily to serve blind World War II veterans. Shortly after its incorporation, the school expanded its service to include any qualified blind person. The school has been at its present location since 1947.

THE SERVICE

Q. Who is eligible to receive a Guide Dog?

A. Any blind person who is physically and temperamentally suited to use a Guide Dog.

Q. How does a blind person apply for a Guide Dog?

A. By writing to Guide Dogs for the Blind, Inc., P.O. Box 151200, San Rafael, CA 94915-1200.

Q. What requirements must a blind person meet before being accepted at Guide Dogs for the Blind, Inc.?

A. The person must be legally blind, furnish a current medical report from a doctor, submit the names of character references, and, above all, should desire the dog for mobility and independence. Applicants are interviewed by a staff member at their homes or places of employment prior to acceptance. Any agencies with whom the applicant is connected are asked for a report.

Q. What requirements must be fulfilled after the applicant is accepted at the school?

A. The blind person must spend 28 days in-residence at the school learning to work with the Guide Dog under the supervision of a licensed instructor. The Guide Dog user must promise to take good care of the dog, never to abuse it, to take it regularly to the veterinarian for check-ups and NEVER to use the dog for begging in any way.

Q. Is there an age limit on persons eligible for Guide Dogs?

A. No. Many healthy active blind seniors use Guide Dogs.

Q. Are children trained?

A. No. However, when the Selection Committee feels that a young person is mature enough to work with a dog, 16-year-olds may be accepted.

Q. What types of work do Guide Dog graduates do?

A. There are Guide Dog graduates working as ministers, judges, attorneys, investment counsellors, business consultants, restaurant operators, social workers, newspaper reporters, psychologists, ranchers, homemakers, X-ray technicians, real estate brokers, insurance agents, musicians, secretaries, teachers, piano tuners, radio announcers, switchboard operators, and many other professions.

Q. Is a charge made for a Guide Dog?

A. There is NO charge to the blind person for the school's services which include the dog, the in-residence training in the dog's use, transportation to and from the school, dog handling equipment and follow-up services.

THE DOGS

Q. What breeds of dogs are used for Guide Dogs?

A. German Shepherds, Labrador Retrievers and Golden Retrievers.

Q. Are both male and female dogs used?

A. Yes. The male dogs are neutered and the female dogs are spayed.

Q. Where does Guide Dogs get its dogs?

A. The majority of the dogs are progeny of the school's own breeding stock. All dogs are registered with the American Kennel Club and the finest are kept for breeding purposes. Periodically, new breeding stock of high quality and specific standards is purchased or accepted from donors.

Q. How old are dogs when their training begins?

A. From 16 to 18 months old. All the dogs are born and live in the kennels until they are three months old. From 6 to 11 weeks of age, they are tested each week by a group of skilled volunteer puppy testers who examine them for sharp eyes and ears, general intelligence and willingness to work. When they are three months old they are placed in the homes of 4-H members to be raised in a family atmosphere, where they are taught simple obedience and social skills. At 16 to 18 months of age, they are returned to the school for their training as Guide Dogs.

Q. How long does it take to train a dog before it is matched with a blind person?

A. Approximately five months.

Q. How are the dogs trained?

A. Each instructor is assigned a string of dogs. Every dog in the training string is worked daily. The work begins around the school's grounds, then continues to the residential and business sections of San Rafael and is finally completed by practicing on the streets of downtown San Francisco. Periodically, the instructors are checked under blindfold while working with the dogs.

Q. How long can a Guide Dog work?

A. About eight years. But the longevity of a Guide Dog varies with the dog and the life it leads. Some dogs have lived and worked until they are 12 years old.

Q. After the dogs leave the school with their blind partners, does the school ever check on them?

A. Yes. The dogs are observed by Guide Dog instructors at the time of the annual follow-up visit, and, in addition, an annual physical examination is required for each dog. A form is sent to graduates to be completed by the veterinarian at the time of the checkup. Guide Dogs for the Blind requires each graduate to sign a contract promising to care for the dog in a kind and humane manner, to use it for guide work and not as a pet, among other specific conditions.

Q. What happens if the graduate doesn't live up to the contract?

A. After a thorough investigation by Guide Dogs for the Blind, the dog can be reclaimed. Under California law, graduates have the option to acquire legal title to the dog after one year, subject to certain conditions.

- Q. What happens when the dog dies or gets too old to work as a guide?**
 A. The graduate may return to the school for a replacement dog and training.
- Q. What happens to the old dog?**
 A. If the graduate can afford to keep two dogs, the retired guide may be kept as a pet. If not, the school finds a home for it.
- Q. What happens if the dog's master dies?**
 A. If the dog is still relatively young, it is returned to the school and retrained to act as a guide for another blind person. If the dog is relatively old, the family may keep the dog or the school finds a home for it.

THE TRAINING OF THE BLIND PERSON

- Q. How long is the training period?**
 A. 28 days are required for first-time trainees by California law. Replacement students may complete training in a shorter period if their work with their new dogs is satisfactory. In addition to the regular training classes, Guide Dogs has instituted a special two-week accelerated course for selected replacement students.
- Q. Where do students stay while they are training?**
 A. The students and their dogs live in the student dormitory at Guide Dogs for the Blind, Inc. There are accommodations for 24 students at one time, in the form of double bedrooms each with its own bath and enclosed outside run for the dogs. The person and dog live, eat and work together for the four-week training period.
- Q. How does the training begin?**
 A. For the first 2-1/2 days of class the instructor acts the part of the dog, teaching the student the commands needed to work with a Guide Dog. Lectures are given on the care and feeding of the dog, as well as instruction in the use of the harness. Then training begins, first in the residential sections of San Rafael, next in San Rafael's business district, and, finally, in busy downtown San Francisco.
- Q. Who supervises the training?**
 A. Each class is assigned three instructors, one of whom must be licensed. These instructors are the ones who have trained the dogs and they will work with the students for the entire four-week course. The instructors select the dogs for the students, being careful to match the dog and person according to each person's individual needs. In addition to the three instructors, each class has a supervisor.
- Q. When is an instructor licensed?**
 A. An instructor is licensed only after serving a three-year apprenticeship and passing a rigorous oral, written and practical examination administered by the California State Guide Dog Board. The license must be renewed yearly.
- Q. How does a Guide Dog know where its partner wants to go?**
 A. The dog doesn't. It is the blind person who must know how to reach a destination by knowing how many blocks to go, in which direction to turn, etc. The person gives the dog the commands that will enable the dog to guide them safely to their destination.
- Q. How does the blind person know when there is a curb ahead?**
 A. The dog is trained to stop at all curbs and wait for its partner's command to go forward or turn.
- Q. Can Guide Dogs tell red lights from green lights in traffic?**
 A. No. The blind person listens to the flow of traffic, determines when it is safe to cross, and then signals the dog to go forward. However, if a car is coming, the dog is taught to refuse to obey the command. This is called intelligent disobedience.
- Q. What other duties must the dog perform?**
 A. A Guide Dog must learn to sit, stay, turn right or left on command. It must learn to automatically retrieve any object which its partner drops and to ignore any distractions, including other animals, while working. It must guide the blind person safely around pedestrians and obstacles, including overhead obstacles.
- Q. Is it all right to pet a Guide Dog?**
 A. Petting is a distraction to the dog when it is working; therefore, it is important to always ask the blind person's permission before touching a Guide Dog.
- Q. How long does it take for a person and dog to function as a coordinated team?**
 A. The dog and person can operate safely after the 28-day training course. However, the dog must get adjusted to its new home and to its partner's routine. It takes about six months before the pair can operate smoothly as a team.
- Q. How should the Guide Dog be treated by members of the family?**
 A. While the dog is in harness, family members should not interfere with the dog's work in any way. When the dog is out of harness, it should be treated like any other pet dog. However, the blind person should always be the one to feed and care for the dog in order to reinforce their bond.
- Q. Are the graduates ever visited in their homes by a representative of Guide Dogs for the Blind, Inc.?**
 A. Yes, the school maintains a unique follow-up service for its graduates. Instructors are sent periodically to call on the graduates at their homes or places of employment. In this way, any problems that may have developed in a blind person's guide work can be resolved in the home area.
- Q. Are the Guide Dog graduation ceremonies open to the public?**
 A. Yes! There are 12 graduation ceremonies each year, always on Saturdays. The public is heartily invited to attend any of them. For a graduation schedule write or phone Guide Dogs for the Blind, Inc., P.O. Box 151200, San Rafael, CA 94915-1200 (415) 499-1000.

California is the only state having laws governing the operation of a dog guide school. The school and its instructors must be licensed by the State Guide Dog Board. Guide Dogs for the Blind, Inc., is NOT connected with any other training center and does NOT receive state or federal funds. The school operates under License No. 1 from the California State Guide Dog Board.

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: March 5, 1997

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 4/1/97

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 170

HOUSE BILL NO. 170

PHYS/MENTALLY CHALLENGED/ SERVICE ANIMALS

"An Act relating to interference with the rights of physically and mentally challenged persons; and relating to service animals during their training period."

recommends it be replaced with the following committee substitute CS HB 170(HES) 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)

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) Law

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<i>[Signature]</i>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<i>[Signature]</i>	<input checked="" type="checkbox"/>			

CHAIR'S SIGNATURE

[Signature: Don Bando]

CS FOR HOUSE BILL NO. 170 ()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE BRICE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to interference with the rights of physically and mentally
2 challenged persons; and relating to service animals during their pre-training and
3 training period."

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

5 • Section 1. AS 11.76.130 is amended to read:

6 Sec. 11.76.130. Interference with rights of physically or mentally
7 challenged [DISABLED] person. (a) A person commits the crime of interference
8 with the rights of a physically or mentally challenged [DISABLED] person if the
9 person intentionally prevents or restricts

10 (1) a physically or mentally challenged [DISABLED] person from
11 having full and free pedestrian use of a street, highway, sidewalk, walkway, or other
12 thoroughfare [,] to the same extent that any other person has a right to pedestrian use;

13 or

14 (2) a physically or mentally challenged [DISABLED] person from

1 being accompanied or assisted by a certified service animal, without an extra charge
2 for the service animal, in a common carrier, place of public accommodation, or other
3 place to which the general public is invited [,] except as provided in (b) of this section.

4 (b) A physically or mentally challenged [DISABLED] person who is
5 accompanied or assisted by a certified service animal in a common carrier, place of
6 public accommodation, or other place to which the general public is invited [,] is liable
7 for property damage done by the animal.

8 (c) In this section,

9 (1) "certified service animal" means an animal trained to assist a
10 physically or mentally challenged [DISABLED] person and certified by a school or
11 training facility for service animals as having completed such training;

12 (2) "physically or mentally challenged [DISABLED]" means
13 physically or mentally disabled, as defined [HAS THE MEANING GIVEN] in
14 AS 18.80.300.

15 (d) Interference with the rights of a physically or mentally challenged
16 [DISABLED] person is a class B misdemeanor.

17 • Sec. 2. AS 11.76 is amended by adding a new section to read:

18 Sec. 11.76.133. Interference with the training of a service animal. (a) A
19 person commits the crime of interference with the training of a service animal if the
20 person intentionally prevents or restricts a person who is authorized to train service
21 animals from being accompanied by an animal that is in training to be a service
22 animal, or assesses an extra charge because of the animal, in a common carrier, place
23 of public accommodation, or other place to which the general public is invited, except
24 as provided in (b) and (c) of this section.

25 (b) A trainer who is accompanied by an animal in training to be a service
26 animal in a common carrier, place of public accommodation, or other place to which
27 the general public is invited is liable for property damage done by the animal.

28 (c) It is an affirmative defense to a prosecution under this section that the
29 person accompanied by the animal in training to be a service animal did not, when
30 requested by the defendant, give reasonable evidence of being a person authorized to
31 train service animals.

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(d) In this section,

(1) "authorized" means employed by, or serving as a volunteer with, a school, agency, or other facility that trains service animals;

(2) "in training to be a service animal" means being in the pre-training or training period as required under a program administered through a school, agency, or other training facility for service animals whose goal is to certify the animal as being able to assist physically or mentally challenged persons.

(e) Interference with the training of a service animal is a class B misdemeanor.



Representative Tom Brice
ALASKA STATE LEGISLATURE

119 N. Cushman, Ste. 205
Fairbanks, AK 99701
907-456-7423 / Fax: 451-9293
While in Juneau
State Capitol
Juneau, AK 99801-1182
907-465-3466

SPONSOR STATEMENT

HOUSE BILL 170

**"AN ACT RELATING TO INTERFERENCE WITH THE RIGHTS OF
PHYSICALLY AND MENTALLY CHALLENGED PERSONS; AND
RELATING TO SERVICE ANIMALS DURING THEIR TRAINING
PERIOD."**

Although the Americans with Disabilities Act (ADA) allows service animals into public establishments, too often young service animals are turned away from these establishments due to the existing law being arbitrary. HB 170 extends this law to include the young animals in training. Service animals perform functions and tasks that an individual with a disability cannot perform for her or himself. These young animals need the same exposure as trained service animals if they are expected to perform those tasks.



RECEIVED

MAR 1 1997

Hand delivered

GVERNOR'S OFFICE

To: Tom Brice
Re: House Bill #170

Roger L. Hansen
1887 Southern Avenue
Fairbanks, Alaska

Dear Tom,

For the last 28 years I've been raising Guide Dog Puppies for the Blind. No one can remember anymore, but it's somewhere between 25 to 30 of them have passed through my home. About 20 years ago I moved down to Southcentral Alaska and until I moved back here to the interior I could not count the number of times I was kicked out of places because I was trying to train a guide dog puppy. I had the reputation of having been thrown out of more places in Alaska than anyone else. Well, anyone sober that is.

Since I've moved back to Fairbanks the only place that I can't get into are offices of the State of Alaska with my puppies, particularly the State Courthouse. I would explain why I can't get in the Courthouse with my puppy but they can't explain it. I guess there is an exception to that, it's no problem at Fish and Game. But I think that's because they like Labrador and Golden Retrievers there.

The State Ferry system is the worst by far, the most shabby treatment I've ever had has been by them. An example of that is a few years ago my wife and I were bringing five Guide Dogs up with us from the United States, three of them 8 week old puppies. They would give us twenty minutes to feed, water, walk and cleanup after all five of them. If you've ever tried that it can get real hectic on a slippery deck sometimes.

When asking the purser if we could have an extra 10 minutes we were not only refused we were also told that if we did try and extend the time we would be removed by the police at the next stop. Our approach was only an inquiry, and there was certainly no hostility in the question. The same purser would turn her back when others were bringing little dogs they could fit under coats on the upper decks. Some times they didn't even bother to try and hide them under their coat.

SUPPORT

In the twenty eight years that I've been working with Guide Dogs for the Blind, as well as many other service dogs, I've never heard of one biting a person, a dog, or any other animal. I've had my dogs attacked by other dogs in public places, and not one time have they tried to fight back. I could not begin to try and count the times that small children have come up to my puppies and stomped on their tails, kicked, hit, pummeled as well as bit them while not once have the dogs done anything except at the most make a cry of pain. It's because of the way that they have been bred, they just don't get rowdy with people or other animals.

By the way, on the ferry with the five puppies with the three of them eight weeks old the few times per day that we were allowed below on the car deck would cause the pups to lie in their own waste for hours until we could get back to them on our mad scramble under the eye of the Watchman who would make sure that we didn't stay longer than twenty minutes or he would snitch to the purser. Not the way that I wish to treat any animal leaving them in waste that could be contaminated with disease, and when it's one that offers a person freedom. Well, I don't really know what to say here. If it were put in terms of U.S. Dollars each one of those puppies laying there in their own waste were worth \$50,000 U.S. That's the price that Guide Dogs of the Desert in Palm Springs, California puts on raw puppies at eight weeks old. But I'm not sure what a person who is blind would put as a value on their guide dog.

Our lives have been put in danger because we have been denied lodging in Alaska. In Anchorage we always had a problem trying to stay there when we went there on shopping trips with the puppies. The hotels downtown treated us like we were criminals. Anyway it would cause us to go to extremes to get a place to sleep.

Once in Glenallen my wife and I were refused a room to stay in every place in town, and there was a raging snow storm. It puts you in a tough position when you can't leave the animal

in the car because they are basically house dogs who can't be left out when it's cold, and you can't take them inside. We made it to Eureka Summit and were turned down for lodging there also causing us to drive to Palmer in a storm that had us plowing and dodging snow drifts just about the whole way, there were very few other vehicles on the road that night. Another trip we were coming up the Alaska Highway after being down in the United States, and while we were there we picked up two new guide dog puppies. The only problem we had between California, where the pups were picked up, was when we pulled into the Community of Tck. We were turned down at the two places that were open back then. We paid a man \$25 to pump us gas as well as the price of the gas because he was closed, and we were afraid of running out of gas in a temperature that was at 48° below zero.

There is no cost for a blind person to receive a Guide Dog for the Blind, or the training the blind person needs to learn how to use their new partner. Seeing Eye in New Jersey does ask for \$100 U. S., but it's waived most of the time. One of my favorite things about this whole program is that it is done with volunteers, 70% of them are teenagers in a 4-H program, as well as a lot of donations from private sources. These teenagers are in a project in Community Service of people helping people. There is not ONE RED CENT of government money involved in the process. It shows our teens how to be committed to a project of about 14 months where they are totally responsible for training and taking care of an animal, and succeed. All without cost to ANY government agency

There is a very painful part of all of this. More than once I've shared a box of Kleenex at the airport with a teenager, or my wife, because after fourteen months it's pretty hard to give up your best buddy and send them off for the rest of their training, a lot of times knowing you're never going to see them again.

Roger Han

P. S.

I'd tell you about the Palmer Sate Fair, but I just get P.O.'d if I think about it.

RECEIVED
MAR 1
Hand delivered
GOVERNOR'S OFFICE

To: Representative Tom Brice
State of Alaska
Legislative Office

From: Suzanne Price
P. O. Box 84951
Fairbanks, Alaska
99708

March 12, 1997

Re: House Bill 170

Dear Representative Brice,
I've been raising Guide Dog Puppies for the Blind for over ten years now. I'm a 4-H Club Leader and each dog in training is a 4-H project. The 4-H Club provides insurance that raisers obtain each year with their membership. The dog is expected to learn basic obedience and socialization in the 14 months they spend with their 4-H family. It is imperative that these service dogs are introduced to the sights, sounds and smells of normal life including public buildings, traffic, a variety of transportation modes, events, crowds, etc. Puppy raisers are supervised by designated leaders and the guide dog school sponsoring the project. It is also expected that raisers will give educational presentations and participate in guide dog trainings. The Guide dog Project teaches our youth leadership and the value of Community Service. As a volunteer I receive no monetary compensation; my reward is the knowledge that I have given the gift of independence and companionship.

I have encountered the following problems because Alaska has no ordinance pertaining to service dogs in training:

1. The Fifth Avenue Mall in Anchorage has the only glass elevator in Alaska. They have refused to allow guide dog training.
2. The Alaska State Ferry system has refused to allow training on board.
3. The Alaska State Fair (Palmer) refuses to allow training during the Fair. They have allowed an event but raisers were not allowed to walk dogs in or near the public.
4. A visit to the State Courthouse requires a number of phone calls and possible rejection (twice) by security personnel.

The reason for rejection from public places is always the same:

Security personnel ask: "Are you blind?"

We answer: "No we're training the dog."

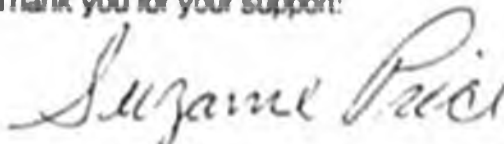
Security personnel: "If you're not blind you can't bring that dog in here."

We explain: "The dog needs to be trained before the blind person receives him."

Security personnel: "If you're not blind you can't come in here."

I sincerely hope that House Bill 170 is enacted by the legislature.

Thank you for your support!



Suzanne Price

To: Tom Brice

State of Alaska
Fairbanks Legislative Office
Fax # 465-2973 (Attention Tracy Ashe)

Re: House Bill 170

The undersigned support this bill relating to in preference with the rights of physically and mentally challenged persons; and relating to service animals during their training.

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Subject: HB 170

Forwarded: Representative Gail Phillips at LAA_HPHG 3/26/97 5:52 PM

To: Representative Con Bunde

Subject: HB 170

From: 104630.3524@compuserve.com ("Jerie J. Best") at CC2MHS1

Date: 3/22/97 9:23 AM

just quick heads up... HB170, service animal bill, is scheduled to be heard for first time this coming Tues. in the HESS Com. Below please find the general questions and answers regarding service animals as published by the Department of Justice July of 96. Thanks for your support and consideration...

COMMONLY ASKED QUESTIONS ABOUT SERVICE ANIMALS IN PLACES OF BUSINESS

1. Q: What are the laws that apply to my business?

A: Under the Americans with Disabilities Act (ADA), privately owned businesses that serve the public, such as restaurants, hotels, retail stores, taxicabs, theaters, concert halls, and sports facilities, are prohibited from discriminating against individuals with disabilities. The ADA requires these businesses to allow people with disabilities to bring their service animals onto business premises in whatever areas customers are generally allowed.

2. Q: What is a service animal?

A: The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government.

Service animals perform some of the functions and tasks that the individual with a disability cannot perform for him or herself. "Seeing eye dogs" are one type of service animal, used by some individuals who are blind. This is the type of service animal with which most people are familiar. But there are service animals that assist persons with other kinds of disabilities in their day-to-day activities. Some examples include:

- _ Alerting persons with hearing impairments to sounds.
- _ Pulling wheelchairs or carrying and picking up things for persons with mobility impairments.
- _ Assisting persons with mobility impairments with balance.

A service animal is not a pet.

3. Q: How can I tell if an animal is really a service animal and not just a pet?

A: Some, but not all, service animals wear special collars and harnesses. Some, but not all, are licensed or certified and have identification papers. If you are not certain that an animal is a service animal, you may

ask the person who has the animal if it is a service animal required because of a disability. However, an individual who is going to a restaurant or theater is not likely to be carrying documentation of his or her medical condition or disability. Therefore, such documentation generally may not be required as a condition for providing service to an individual accompanied by a service animal. Although a number of states have programs to certify service animals, you may not insist on proof of state certification before permitting the service animal to accompany the person with a disability.

4. Q: What must I do when an individual with a service animal comes to my business?

A: The service animal must be permitted to accompany the individual with a disability to all areas of the facility where customers are normally allowed to go. An individual with a service animal may not be segregated from other customers.

5. Q: I have always had a clearly posted "no pets" policy at my establishment. Do I still have to allow service animals in?

A: Yes. A service animal is not a pet. The ADA requires you to modify your "no pets" policy to allow the use of a service animal by a person with a disability. This does not mean you must abandon your "no pets" policy altogether but simply that you must make an exception to your general rule for service animals.

6. Q: My county health department has told me that only a seeing eye or guide dog has to be admitted. If I follow those regulations, am I violating the ADA?

A: Yes, if you refuse to admit any other type of service animal on the basis of local health department regulations or other state or local laws. The ADA provides greater protection for individuals with disabilities and so it takes priority over the local or state laws or regulations.

7. Q: Can I charge a maintenance or cleaning fee for customers who bring service animals into my business?

A: No. Neither a deposit nor a surcharge may be imposed on an individual with a disability as a condition to allowing a service animal to accompany the individual with a disability, even if deposits are routinely required for pets. However, a public accommodation may charge its customers with disabilities if a service animal causes damage so long as it is the regular practice of the entity to charge non-disabled customers for the same types of damages. For example, a hotel can charge a guest with a disability for the cost of repairing or cleaning furniture damaged by a service animal if it is the hotel's policy to charge when non-disabled guests cause such damage.

8. Q: I operate a private taxicab and I don't want animals in my taxi; they smell, shed hair and sometimes have "accidents." Am I violating the ADA if I refuse to pick up someone with a service animal?

A: Yes. Taxicab companies may not refuse to provide services to individuals with disabilities. Private taxicab companies are also prohibited from charging higher fares or fees for transporting individuals with disabilities and their service animals than they charge to other persons for the same or equivalent service.

9. Q: Am I responsible for the animal while the person with a disability is in my business?

A: No. The care or supervision of a service animal is solely the responsibility of his or her owner. You are not required to provide care or

food or a special location for the animal.

10. Q: What if a service animal barks or growls at other people, or otherwise acts out of control?

A: You may exclude any animal, including a service animal, from your facility when that animal's behavior poses a direct threat to the health or safety of others. For example, any service animal that displays vicious behavior towards other guests or customers may be excluded. You may not make assumptions, however, about how a particular animal is likely to behave based on your past experience with other animals. Each situation must be considered individually.

Although a public accommodation may exclude any service animal that is out of control, it should give the individual with a disability who uses the service animal the option of continuing to enjoy its goods and services without having the service animal on the premises.

11. Q: Can I exclude an animal that doesn't really seem dangerous but is disruptive to my business?

A: There may be a few circumstances when a public accommodation is not required to accommodate a service animal--that is, when doing so would result in a fundamental alteration to the nature of the business. Generally, this is not likely to occur in restaurants, hotels, retail stores, theaters, concert halls, and sports facilities. But when it does, for example, when a dog barks during a movie, the animal can be excluded.

If you have further questions about service animals or other requirements of the ADA, you may call the U.S. Department of Justice's toll-free ADA Information Line at 800-514-0301 (voice) or 800-514-0383 (TDD).

Again my thanks for your consideration...Keep up the good work!

Jerie Best