

HB

170

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO: CSHB 170

Revision Date: 04/08/97 Dept. Affected: Public Safety
 Title: An Act relating to interference with a service animal. BRU: Alaska State Troopers
 Sponsor: Rep. Brice Component: _____
 Requestor: House HESS COMPONENT SERIAL NO. 0799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	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-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES ()	-0-	-0-	-0-	-0-	-0-	-0-
Revenue Code						

FUNDING: (Thousands of Dollars)

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

Estimate of current year (FY 97) impact: \$ _____

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.)

This bill would not have any significant fiscal impact on AST.

Prepared By: F/Sgt. Robert Gorder Phone: 269-5650
 Division: Alaska State Troopers Date: 04/08/97
 Approved by Commissioner: Ronald L. Otte *Dee Smith* Date: 4/8/97
 Agency: Department of Public Safety

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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 BRU: Criminal Division
of physically and mentally challenged persons; . . . Component: Criminal Division
 Sponsor: Representative Brice
 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 ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
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

POSITIONS	FY 98	FY 99	FY 00	FY 01	FY 02	FY 03
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. Kasson *Joan M. Kasson*
 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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FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. CSHB 170(HES)

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

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 ()	
------------------------	--

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)

CSHB 170 (HES) 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 committee substitute also adds mentally challenged persons to those individuals who may be accompanied or assisted by a service animal, without extra charge for the service animal, in a common carrier, place of accommodation, or other place where the general public is invited. Further, CSHB 170 (HES) 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. Kasson <i>Joan M. Kasson</i>	Phone: <u>465-5370</u>
Division:	Administrative Services Division	Date: <u>4/25/97</u>
Approved by Commissioner:	Bruce M. Botelho, Attorney General <i>Bruce Botelho for</i>	Date: <u>4/25/97</u>
Agency:	Department of Law	

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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"/>			
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<i>[Signature]</i>	<input checked="" type="checkbox"/>			

CHAIR'S SIGNATURE

[Signature]

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.
P.O. Box 151200, San Rafael, CA 94915-1200

Please pass HB 170 for training of service animals. I have a Golden Retriever that I'm raising for Guide Dogs of the Desert. I am 70 years young. Most of the guide dogs are raised by children. We are all 4-H. We are helping the blind gain some independence. This is the logo of the school the dogs are from. They have been in service for 25 years.



P.O. Box 1692
Palm Springs, California 92263



We cannot train the puppies if we cannot take them with us everywhere we go. Don't set the blind back 50-100 years! They need their guide dogs for school, college and work. HB 170 costs the state \$0 - not a thing. We are volunteers and are doing the work free. The trained guide dog is free to those who need them. They enhance mobility, give confidence and provide access and opportunities not previously available to the blind and physically challenged individuals who use them. We invest 16 months of love, instruction and care in each guide dog puppy. It is great fun raising these animals. Unfortunately, puppy handlers often have to experience the rejection of having their charges refused entrance to various businesses. HB 170 will help remedy this. Please pass this bill.

If any of you are interested in sponsoring a puppy or helping to raise one, please let me know.

Thank you,

Ruby Schmidtbauer

PO BOX 306

NINILCHIK, AK 99639

ph. 907-567-3691

May 2, 1997
Testimony for House Bill No. 170

We need House Bill 170 to improve access for Service Animals in Training.

As a volunteer raiser of a Guide Dog in training my responsibility has been to teach the dog how to live in our human world, be dependable in a house and to walk with confidence in the community.

I work for Alaska Cooperative Extension and coordinate the 4-H Guide Dog Project for Alaska. My problems with access have arisen when I have tried to travel throughout Alaska on work assignments accompanied by my service animal in training. Inquiring in advance I have been denied lodging in Anchorage, dining in Fairbanks and entry into the state fair at Palmer. In Fairbanks I attended a week-long professional conference where I was granted lodging in the hotel but was asked in ADVANCE to pay a \$70 pet clean-up fee because my Guide Dog was "just in training."

Problems with access have also occurred because of change in management with a business where rapport had been established or because a new employee wasn't aware of the agreement with the management. There is often the fear on the part of the establishment owner or manager that DEC will shut them down if they allow these animals in training in. Our local DEC personnel have assured me this would not happen because there are no regulations regarding service animals in training.

House bill No. 170 is legislation that would clear up this confusion and help volunteer raisers fulfill their responsibility of socializing their animals in training. In 4-H our motto is "Learn by doing." Learning by doing is how people and animals learn best. To learn how to conduct themselves in public the animals must be allowed to be actively involved in the real world.

House bill No. 170 is needed so volunteers can succeed at helping individuals with disabilities become more independent and mobile.

Thank you.

Linda Alkous

34824 K-BEACH RD.
SOLDOTNA, AK 99669
262-5824

As a guide dog puppy raiser I am all too familiar with the problems faced w/trying to bring service dogs in training into business's. By passing HB#170 the job of guide dog puppy raisers would be made alot easier.

One of the most common misconceptions made about guide dogs in training is that they are not trained, and that we are trying to bring hyper, young puppies into business's. Before any type of service dog in training is brought into public it is given a lot of obedience and behavior-training. The animals are not brought into public facilities until they can handle it.

Housebill #170 would help to improve the quality of guide dogs by giving them a wider variety of training experiences.

Please pass HB170

Jessica Irmen

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) gives service animals access to public establishments, too often young service animals in training are turned away from these establishments due to the existing law. HB 170 extends AS 11.76.130, to include young animals in training. Service animals perform functions and tasks that an individual with a disability cannot perform for her or himself. If we expect service animals to behave properly in public places they must have access to those locations while being trained.



cc:Mail for: Representative Tom Brice

Subject: Support of HB 170

From: horodysk@polarnet.com ("Richard and Vickie Horodyski") at CC2MHS1 4/2/97 3:37 PM

To: Senator Mike Miller at LAA_SMIL

To: Representative John Davies at LAA_TRANS

To: Representative Tom Brice at LAA_TRANS

To: Senator Georgianna Lincoln at JNU_CAPITOL

To: GaryWilken at JNU_LAA

Dear Legislator:

On behalf of the North Star Council for Independent Blind & Visually Impaired I would like to encourage you to vote for HB 170 which allows access to public buildings for dogs in training to become seeing-eye dogs. The council met April 1, 1997 and unanimously voted to ask for your support.

Seeing-eye dogs allow the blind and visually impaired to achieve independence in our everyday lives. There are already waiting lists for people applying for dogs. Those waiting lists could become longer without your support.

The initial training of these dogs is primarily done by youth in 4-H groups. Our youth benefit by learning skills in responsibility and by providing a community service.

THIS SERVICE COSTS THE TAXPAYERS NOTHING BECAUSE IT IS DONE BY VOLUNTEERS!

RECEIVED
MAR 1 1997
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."

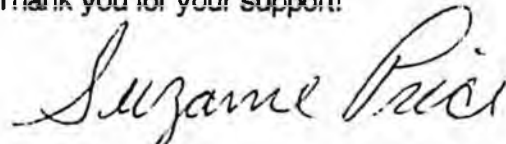
Security personnel: "If you're not blind you can't bring that dog in here."

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

Please enter into the record the following testimony to the House Judiciary Committee on HB170.

My name is Jessica Irmen and I am currently raising a guide dog puppy for the blind. If House Bill 170 were passed, it would greatly improve the quality of guide dogs.

The more environments our dogs are exposed to, the more able they are to react to new or scary situations during their working life.

Puppy raisers take extreme care in making sure their dogs are properly groomed and well behaved. If I did not feel my dog could handle a situation, I would not take her into that situation until I was sure she could. All of the puppy raisers I know share the same attitude of responsibility and care for their animals.

It is so important that our dogs be exposed to many different situations in order to make them able to adapt to new conditions quickly and easily. The only way this can happen is if we are allowed in public facilities to give them the greatest range of situations possible.

The dogs that are "in training" are trained. Before they are even brought into public facilities, the puppy trainers go through all of the basic puppy training and make sure their dogs can handle that situation. The dogs are eased into the situation slowly until they are confident. We **DO NOT** bring untrained puppies into public facilities.

The public is normally very excited about and interested in the Guide Dog Puppy Project. They are extremely supportive of the animals coming into stores, restaurants, etc. Numerous people have approached me while I am in public with Sassie, to tell me what a great project it is that I am involved in, and that they are glad to see it on the Kenai Peninsula.

My puppy comes to school with me several times a week and does great. If anything, bringing Sassie has been good for my school (Skyview High School). She has helped inform them of the project and what to do around any type of service dog they meet. Kids at school have a tremendous amount of respect for Sassie. On the days I don't bring her, people are always asking me where she is and telling me how well behaved she is.

If anything, passing House Bill 170 will be good for the public, not a nuisance!

Jessica Irmen
PO Box 4191 Soldotna, Ak. 99669
907-262-9049

Post-It™ brand fax transmittal memo 7671		# of pages ▶ /
To <i>XI JUD</i>	From <i>KENAI LIO</i>	
Cc <i>written testimony</i>		Co.
Dept. <i>HB 170</i>	Phone #	
Fax #	Fax #	

To: LIO

Guide Dogs Testimony

We need House Bill 170 to increase access for Service Animals in Training.

It takes a whole community to train a Guide Dog. The Guide Dog I have been training has just returned to Guide Dogs of the Desert in Palm Springs, CA to begin her advanced training. During the past 17 months Kenai Peninsula residents have helped me lay the foundation for Dixie's life of service as a Guide Dog for the blind.

As a volunteer raiser my responsibility has been to be a friend as well as a trainer. I was entrusted to give Dixie love and attention and to have fun! Equally important I was to teach her how to live in our human world, be dependable in a house and to walk with confidence in the community.

Thanks to many of the local businesses I am returning a happy, well-mannered, confident dog ready for her specialized training. My problems with access have arisen when I have tried to travel throughout Alaska as a professional. Inquiring in advance I have been denied lodging in Anchorage, dining in Fairbanks and entry into the state fair at Palmer. In Fairbanks I was granted lodging, however, I was asked in ADVANCE to pay a \$70 pet clean-up fee because Dixie was "just in training." That is FEE not DEPOSIT.

Problems with access have also been because of change in management with a business where rapport had been established or because a new employee isn't aware of the agreement with the management. If you've never been asked to leave an establishment, believe me, it is a very humbling experience. Especially where your intentions are simply to help the vision-impaired become more independent and mobile.

House bill No. 170 is legislation for service animals in training that coordinates well with existing legislation for users of service animals. It will be less confusing for business owners and state-run facilities in Alaska if House Bill 170 is adopted and access rights for certified service animals and service animals in training are the same.

Thank you.

Linda Athons

Linda Athons P.O. Box 3521, Soldotna, AK 99669

Alaska Airlines

April 3, 1997

Ms. Tracy Ashe
Office of Representative Tom Brice
Capital 425
Juneau, AK 99801

(Fax 465-2937)

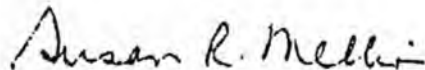
Dear Ms. Ashe:

For the past several years, Alaska Airlines has supported a 4-H Guide Dog program in Alaska. Puppies are flown by Alaska Airlines from the training school in California to the 4-H member in Alaska. The puppies are then given basic training for an extended period of time, then flown by Alaska Airlines from Alaska back to California where the dog receives complete guide dog training and is placed with individuals that will benefit from their special help.

All transportation costs have been paid by Alaska Airlines.

We've been very proud to support this most worthwhile cause.

Sincerely,



Susan R. Mellin
Manager, Public Affairs - Alaska

sm

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 an 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

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

Name	Address	Phone #
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PUCHA TAYLOR Dollene Fletcher Dollene Fletcher	P.O. Box 102 ALLEGHENY WAY Fairbanks, AK 99709 PO Box 72062 Fairbanks AK 99707	451-5909 455-4519
KARIN VAUPEL Kathy E Vaupel	PO Box 72913, FAIRBANKS 99707-2913	456-1144
SULI NEE SULI NEE	PO Box 72045 Fairbanks 99707	479-2532
KAREN KOWALSKI Karen Kowalski	2085 Louise Moon Loop NORTH Pole 99705	451-2991
Sheila Hall SHEILA HALL	P.O. Box 74642 Fairbanks, AK 99709	451-2993
Stephanie Allen Stephanie Allen	3010 DAVIS ROAD Fairbanks AK 99709	455-8321
G.A. HENDRIE G.A. HENDRIE	611 Bentley Dr, Fairbanks, AK 99701	458-2853
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KATHARINE B. McVey KATHARINE B. McVey	815 McVey Hill Fairbanks AK 99702	451-4249
Andrea C. Williams Andrea C. Williams	1271 Seward St. Fairbanks, AK	479-5429

RECEIVED

MAR 17 1997

Hand delivered
GOVERNOR'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.

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 Tok. 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.