

HB

252

HOUSE COMMITTEE REPC _ I

(7)

Date Referred to Committee: May 10, 2007

FURTHER REFERRALS:

Date of Committee Action: 5-12-07

The STATE AFFAIRS Committee considered:

HB 252

HOUSE BILL NO. 252

LEAVE FOR ORGAN/BONE MARROW DONATIONS

"An Act requiring paid leave from employment for organ and bone marrow donation."

Recommends it be replaced with HCS or CS for HB 252 (STA)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of
Abbrev
for
Depts:
ADM
CED
COR
CRT
EED
DEC
DFG
GOV
HSS
LWF
LAW
LEG
MVA
DNR
DPS
REV
DOT
UA

NEW FISCAL NOTES				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
Labor				X

PREVIOUS FISCAL NOTES				
List by Dept(s):	FN#	Fiscal	Indet.	Zero
U of A	4			✓
Labor	3			✓
CED	2			✓
ADM-All Depts	1			✓

Signing with recommendations		Printed Last Name	DP	DNP	NR	AM
<i>Andrew Dool</i>		Dool	X			
<i>John Coyle</i>		Coyle			✓	
<i>Mark Finney</i>		Finney	X			
<i>Kyle Byrd</i>		Sutton	X			
<i>Bob Ross</i>		Ross	X			
Chair: <i>Bin</i>		LYNN	X			
Chair:						

HOUSE COMMITTEE REPORT

(7)
Date Referred to Committee: May 10, 2007

FURTHER REFERRALS:

Date of Committee Action: 5-12-07

The STATE AFFAIRS Committee considered:

HB 252

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NEW FISCAL NOTES				
<small>*Assigned by Chief Clerk's Office</small>				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
Labor				x

PREVIOUS FISCAL NOTES				
List by Dept(s):	FN#	Fiscal	Indet.	Zero
U of A	4			✓
Labor	3			✓
CED	2			✓
ADM-All Depts	1			✓

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
<i>Andrew Dool</i>	Dool	x			
<i>John Coghett</i>	Coghett			✓	
<i>Max Kincaid</i>	Kincaid	✓			
<i>Kyle Blum</i>	Blum	x			
<i>Bobson</i>	Rosos	+			
Chair: <i>Bin</i>	LYNN	x			
Chair:					

Alaska State Legislature

Chairman
State Affairs Committee

Vice-Chairman
Economic Development, Trade & Tourism
Committee

Member
Judiciary Committee
Joint Armed Services Committee

Finance Subcommittees
Corrections
Labor and Workforce Development
Military and Veterans' Affairs
Public Safety



A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" RepBobLynnBlog.com

Session:
Alaska State Capitol
Juneau, AK 99801-1182

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Fax: (907) 465-4316
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Anchorage, AK 99501-2133

Phone: (907) 269-0205
Fax: (907) 269-0207

FAX

To: Legal Services

Fax #: 2029

From: Nancy Manly x2794
Alaska State Capitol, room 104
Juneau, AK 99801-1182

of Pages (including cover): 1

Phone: 907-465-4931
Fax: 907-465-4316

Re: HB 252 Version M – Leave for Organ/Bone Marrow Donations

5/12/07 – The House State Affairs Committee passed out CSHB 252 Version M with four amendments. Please craft a Final CS for HB 252 Version M as amended. Thank you!

Amendment #1 (Doll)

Page 2 Line 18 after the word "may" **DELETE not**

Amendment #2 (Gruenberg)

Page 2 Line 29 after the word "paid" **DELETE by a warrant issued by the state**

Conceptual Amendment #3 (Gruenberg)

Page 2 Lines 25 – 27 – he wants to include other entities in there. Such as AHFC, PFD Corporation, Judicial Council, etc... The important thing was to include other state entities. Not sure how to word it. Call Rep.Gruenberg's office x4940 – talk with Norm Cohen if you have questions.

Amendment #4 (Gruenberg)

Page 1 Line 5 after the word Foster ADD **, Stanley M. Robbins,**

ALASKA STATE LEGISLATURE



SESSION ADDRESS
Alaska State Capitol
Juneau, AK 99801-1182
(907) 465-2487
Fax (907) 465-4956

INTERIM ADDRESS
112 Mill Bay Road
Kodiak, AK 99615
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Representative Gabrielle LeDoux

SPONSOR STATEMENT FOR HB 252 An Act requiring paid leave from employment for organ and bone marrow donation

The Richard Foster and Alex Cesar Donor Act would require the State of Alaska to grant a paid leave of absence to an employee for the purpose of making a personal organ or bone marrow donation. The State is not required to provide more than 80 hours of leave, however the leave may not be less than 40 hours unless the employee requests fewer hours. Verification may be required and the State may not retaliate or sanction an employee for requesting this leave.

For living donors, paid leave may be needed for the procedure to obtain bone marrow or kidneys, and recuperation time. In order to obtain a bone marrow donor sample, a quick and easy cheek swab is taken. The actual bone marrow donation and recuperation can take time away from work, especially if the donor must travel in order to donate. For kidney donors, screening can be intensive however it is surgery and recuperation where paid time is needed.

According to the Alaska Kidney Foundation, over 300 Alaskans are on kidney dialysis and that number has been steadily increasing by 15% annually. There are some patients on dialysis who are in need of a kidney transplant. There are nearly 160 Alaskans waiting for an organ transplant. Every year there are adults and children who need bone marrow transplants for ailments such as leukemia and other blood diseases. A bone marrow donation may be their only chance for survival.

Richard Foster is a longtime legislator from Nome who is currently awaiting a kidney transplant. Alex Cesar is a Filipino/Tlingit boy residing in Juneau who was able to receive a bone marrow transplant in Seattle after the national bone marrow bank turned up a matching donor in New Mexico. Bone marrow matches are relatively rare, one in 100,000. Kidney donors have long waits on lists unless a personal donation from a friend, family member or another person comes forward.

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 252(HES)
 (H) Publish Date: 5/10/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Statewide
 Title An Act requiring paid leave from employment for RDU Statewide
bone marrow donation Component Statewide
 Sponsor Representatives Ledoux, Foster, et al.
 Requester House Health, Education and Social Services Component No. Statewide

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill allows for 40 to 80 hours of time to make a bone marrow or organ donations without taking leave. The effect of this legislation could only be measured in terms of productivity loss. The bill's maximum of 80 hours equals a 4.1% loss of productivity per donating employee (based on 80hrs / 1950 total working hours per year = 4.1%). It is expected that the number of employees taking advantage of the program would be extremely small. However, we do not have any statistics that back up a hard number.

Prepared by: Dianne Kiesel, Director Phone 907-465-4429
 Division Division of Personnel & Labor Relation Date/Time 5/3/04 4:30 PM
 Approved by: Kevin Brooks, Deputy Commissioner Date 5/3/04
 Agency Department of Administration

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSHB 252(HES)
 (H) Publish Date: 5/10/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Commerce
 Title Leave for Organ/Bone Marrow Donations RDU _____
 Component Alaska Railroad Corporation
 Sponsor LeDoux et al
 Requester House HES Component No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation would require railroad employees to be provided a paid leave of absence to make a personal organ or bone marrow donation.

ARRC is a public corporation supported by revenues generated through its freight, passenger and real estate services. Because ARRC does not receive state funding for operations or capital improvements and is operated as an independent state-owned enterprise, the cost to implement this legislation for railroad employees would fall to the Alaska Railroad Corporation and not the State.

Prepared by: Wendy Lindskoog, Assistant Vice President, Corporate Affairs Phone 907.265.2498
 Division Alaska Railroad Corporation Date/Time 5/4/07 5:26 PM
 Approved by: Emil Notti, Commissioner Date 5/4/2007
 Agency Commerce, Community, and Economic Development

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note: 3
 Bill Version: CSHB 252(HES)
 (H) Publish Date: 5/10/07

Revision Date/Time (Note if correction): _____ Department: Labor and Workforce Development
 Title: Leave for Organ/Bone Marrow Donations RDU: Labor Standards and Safety
 Sponsor: Representative Ledoux Component: Wage and Hour
 Requester: House HES Component Number: 345

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: None
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

There is no anticipated financial impact to the department as a result of this legislation.

Prepared by: Grey Mitchell, Director Phone: 465-4855
 Division: Labor Standards & Safety Date/Time: 5/4/07 9:39 AM
 Approved by: Click Bishop, Commissioner Date: 5/4/2007
 Agency: Department of Labor and Workforce Development

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note: HB252CS-DOLWD-WH-05-10-07

Bill Version: CSHB 252(HES)

() Publish Date: _____

Revision Date/Time (Note if correction): _____

Department: Labor and Workforce Development

Title: Leave for Organ/Bone Marrow Donations

RDU: Labor Standards and Safety

Component: Wage and Hour

Sponsor: Representative Ledoux

Requester: House STA

Component Number: 345

Expenditures/Revenues

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: None

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Due to changes made in the committee substitute, the bill no longer entails enforcement action by the Division of Labor Standards and Safety. With this change no financial impact is anticipated to this department.

Prepared by: Grey Mitchell, Director

Phone: 465-4855

Division: Labor Standards and Safety

Date/Time: 5/10/07 4:01 PM

Approved by: Click Bishop, Commissioner

Date: 5/10/2007

Agency: Department of Labor and Workforce Development

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: CSHB 252(HES)
 (H) Publish Date: 5/10/07

Revision Date/Time (Note if correction): _____ Dept. Affected: University of Alaska
 Title Paid leave from employment for organ and bone RDU University of Alaska
marrow donation Component Sysbra
 Sponsor _____ Component No. _____
 Requester Rep. LeDoux

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type: Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This bill would have no fiscal impact on the University.

Prepared by: Michelle Rizk Phone 450-8187
 Division: University of Alaska Date/Time 5/4/07 11:00 AM
 Approved by: Pat Pitney Date 5/4/2007
 Agency: University of Alaska

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

May 4, 2007

SUBJECT: Sectional Summary (HB 252 (Work Order No. 25-LS0817C))

TO: Representative Gabrielle LeDoux
Attn: Christine

FROM: Jean M. Mischel
Legislative Counsel 

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Provides a short title.

Section 2. Adds a new section to title 23 (employment practices generally) requiring employers of 100 or more employees who work more than 30 or more scheduled hours each week to provide not less than 40 hours and not more than 80 hours of paid leave to those employees for donating an organ or bone marrow.

Section 3. Makes a conforming amendment related to sec. 6's technical change that removes a previously repealed paragraph.

Section 4. Makes a conforming amendment related to sec. 6's technical change that removes a previously repealed paragraph.

Section 5. Adds a new section to title 39 (state employment) requiring specified employers to provide employees who work more than 30 or more scheduled hours each week not less than 40 hours of paid administrative leave for donating an organ or bone marrow.

Section 6. Provides a cross-reference to the new section added in sec. 5 of the bill and makes a technical change that removes a previously repealed paragraph.

JMM:med
07-297.med



235 E 8th Ave, Ste 100
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Phone: 907.562.5433 - Fax: 907.562.5333
www.lifealaska.org
www.alaskadonorregistry.org

May 7, 2007

Representative Gabrielle LeDoux
Alaska State Capitol
Juneau, AK 99801

RE: HB252, "An Act requiring paid leave from employment for organ and bone marrow donation"

Dear Representative LeDoux:


Please accept this letter as a strong endorsement of HB 252; I am most supportive of an initiative that would reduce the financial hardship for those who are willing to offer the gift of life to those who so desperately need the gift of transplantation.

Today, in the U.S., there are more than 95,000 patients awaiting an organ transplant and each day eighteen patients die while waiting. Alaska has approximately 200 patients waiting at the present time. The fact that someone would be willing to donate an organ such as a kidney to another in need is the highest act of selflessness. There simply are not enough organs donated from deceased donors to help the thousands waiting and living kidney donation can make the difference.

In the case of bone marrow donation many thousands of potential donors are needed to find a close enough match for one patient suffering from one of the blood cancers. Without a bone marrow transplant these patients will surely die prematurely.

The financial impact on any individual company in Alaska would be small and supporting these donor patients would be a most honorable community service to Alaskans.

Respectfully submitted,


Bruce Z alneraitis
Chief Executive Officer

Christine Marasigan

From: twood@alaskakidney.com
Sent: Tuesday, May 08, 2007 6:49 AM
To: Christine Marasigan
Subject: RE: draft bill

Dear Ms Marasigan: I am in general support of HB 252, which may encourage more individuals to become living organ donors. At present the need for organ and marrow transplants far exceeds their availability. The paid time off may be generous for certain occupations (desk jobs), but a provision in the bill does allow the donor to return to work sooner at their discretion. Sincerely, Thomas C. Wood, MD, FACP

Christine Marasigan

From: Tana Hughes [tjh@ak.net]
Sent: Wednesday, March 28, 2007 6:20 PM
To: Suzanne Hancock; Christine Marasigan
Subject: regarding bone marrow leave

Dear Gabrielle,

I wanted to personally thank you for your support and your leadership in introducing legislature in the House that will allow administrative leave to be granted to employees should they be lucky enough to be matched to a patient. I have attached a copy of the letter I sent to Sen. Elton in response to his VIP policy letter #266 but would be remiss not to also thank you.

I realize once that if the only prayer you said in your whole life was, "thank you," that would suffice.

Thank You,

Tana Hughes

VIP Policy Letter #266

Dear Sen. Elton

As a National Marrow Donor Program drive volunteer I would like to thank you for recognizing the heroic deed of Mr. Begail, for accepting the message of his and Alec's story and for taking it one step further. Drafting legislation in the Senate for administrative leave for bone marrow donors is a commendable and progressive step forward in removing a barrier for potential donors who may wish to join the NMDP.

As a volunteer working with recruitment on Kodiak Island and with the Kodiak Community Marrow Fund, I have unfortunately discovered that the barriers are many. Remote locations, the lack of educational programs, cultural beliefs and financial reasons are just a few of the stumbling blocks we have encountered. But none of those barriers are as difficult to deal with and overcome as the roadblock that has been consistently been thrown up before us by the system for coordinating drives that currently exists for the State of Alaska.

You noted in your policy letter that training to do bone marrow drives in Alaska is now available for free and I would like to comment on that note specifically. Although the training is free, it is not easy to obtain, maintain or sustain in a small community.

As Alaskans we are accustomed to working with agencies outside our state

attempting to work inside our state. The key to success for any business or venture to be successful in this great state is its ability to be flexible and think outside the box.

As a member of a small group of volunteers I have found the system that currently exists here in Alaska, designed to support the NMDP and a system that **should** support a community's desire to organize self drives to be unorgan^{ized}, unyielding and un-moldable to the needs of communities outside the Anchorage bowl.

On a personal note I feel it is only fair to let you know that in addition to my role as a volunteer I am also a patient, a potential bone marrow transplant recipient. In 2006 I was diagnosed with Idiopathic Myelofibrosis, the least common of the Chronic Myeloproliferative disorders and the one that carries the worst prognosis. Since that fateful day I have struggled with the knowledge that my survival rests in someone's hands, a stranger across the globe or perhaps across the country. Every face in the crowd is a potential hero to me.

But my story is no different than that of up to 3000 men, women and children **a day** that need to find their own hero. So perhaps I do feel the sting of a system that just doesn't work a little too deeply but maybe that personal attachment will allow me to champion this cause with reckless abandon, to speak about the need, to shout if need be. I just need a few more voices like yours to join the choir. Your input and opinion about how to create a more workable self-drive program for small communities would be of great value. Please feel free to contact me with any comments or questions.

Tana Hughes
Po Box 802
Kodiak, AK 99615
907-486-6369



[Click here to return to the original story](#)

Bone marrow donor, recipient's family connect in Juneau

Native boy meets his rare match in emotional reunion at the airport

Leonard Begaii was driving to work about six weeks ago in New Mexico when he got a phone call that changed his life.

He answered it, but the caller was silent. He was about to hang up when he heard an emotional voice.

"She told me, 'My name is Rachel. I'm the mother of Alex Cesar,'" he said. "'That's the patient you donated the bone marrow to.'"

A year and a half after helping save the life of a Juneau boy, Begaii had finally learned the boy's name.

This week, Begaii, 29, was able to meet him. He and his family were flown up from New Mexico to meet Alex and his family, to celebrate the boy's eighth birthday and be honored by the city Monday evening.

"I just wanted to help somebody out," Begaii said. "I kept wondering who got it, where it went to."

Alex's battle with leukemia inspired a statewide drive for bone marrow in 2005. More than 1,000 people registered in the National Marrow Donor Program across Alaska.

A match was not easy to find for Alex, who is one-quarter Filipino and three-quarters Tlingit. It came from an unexpected source: a Navajo man in New Mexico.

Begaii arrived at a donating facility just as the staff was closing it down one afternoon in April. He talked them into taking one last sample. The blood matched, and a transplant took place later in October.

Much of Begaii's desire to donate sprung from health issues that his own son faced. When his son, Xavier, was an infant, doctors discovered a rare chromosomal disorder. They said the boy had six months to a year to live.

Now he's 10.

Begaii decided to donate the marrow even though it was against his Navajo beliefs, he said. The Navajo say that if you give away part of your body, you give away part of your spirit.

"With my wife standing behind me through the whole procedure, I was glad to do it," he said.

The transplant process has been overwhelming for Alex's family, but it was successful.

Alex's mother, Rachel Dugaqua, said Begaii saved Alex's life. She and Alex's aunt, Andrea Quinto, and other family members gathered at the Juneau International Airport on Friday to meet Begaii and his extended family - but the flight was sent to Sitka due to snow. They were able to land later.

"You don't know what to expect," Dugaqua said as she waited for the plane. "It's been a major roller coaster of emotion."

"We called," she added. "We got to talk on the phone. He sent me a photo, and we sent him photos too. But it's all very different face-to-face."

Alex was playing with other kids. When asked if he wanted to talk about his experiences, he just shook his head. He's shy, his family said.

Every family member was affected differently by the events, Quinto said.

"For me, it was a fight to find a donor," Quinto said. "You got to fix what's broken. But you can't fix it if the doctors don't have what they need."

"We have a good success story," she added. "We just happened to be the lucky ones."

Begaii and his family have been enjoying the snow and getting to know Alex. They were able to bring their five children, ranging in ages 4 to 12, and several other family members for a total of nine. They all watched Monday evening as Begaii was named an honorary citizen of Juneau.

The visit has been hectic at times. But meeting Alex and his family has given Begaii a sense of peace.

"It put my heart at ease," Begaii said. "I'm glad somebody is alive today because of what I did."

• Ken Lewis can be reached at ken.lewis@juneauempire.com.

Click here to return to story:

http://www.juneauempire.com/stories/032007/loc_20070320018.shtml

Once again friends rally to help Nome lawmaker in crisis

TRANSPLANT: Colleagues and others offer money, even kidneys.

By ANNE SUTTON
The Associated Press

(Published: April 30, 2007)

JUNEAU -- In 1991, the state representative from Nome was facing trial on federal gun charges. Six unregistered machine guns and a 50 mm Soviet mortar were among the items found in Richard Foster's possession.

In many other places, such troubles could be grounds for a recall. Instead, Foster's constituents threw a fundraiser to help pay for his defense.

Now, in the face of a more serious challenge -- he has a life-threatening kidney disease and needs a transplant -- friends once again are rallying to Foster's side.

Half a dozen people at the Alaska Capitol have offered him one of their kidneys, and more than 200 legislators, staff members, lobbyists and well-wishers turned out in Juneau last month to raise money to help cover out-of-pocket expenses for him and his wife, Catherine.

"I was real touched and humbled by it, especially by the donors who came out of the woodwork to help," said Foster, the father of eight adult children and one teen. "You have all these people in the building here, and they are at each other's throats sometimes, but when someone needs help, they are the first to step forward."

A silver-haired, easygoing man with a ready and somewhat manic laugh, Foster has a knack for making friends. At the fundraiser, the stories flowed thick and fast about his corny jokes and biting sense of humor.

Lobbyist Paul Fuhs, a former Nome city manager, drew the biggest laugh with his story of walking with the legislator in his hometown on the edge of the Bering Sea. When a seagull swooped past, dropping a deposit on Foster's head, Fuhs figured Foster would want to tidy up, so he asked if he should fetch some toilet paper.

"Nah," Foster said, "he'll be long gone by then."

On the House floor, Foster rarely joins in legislative debate and is often observed leafing through



Rep. Richard Foster, D-Nome, has a life-threatening kidney disease and needs a transplant. Alaskans are rallying to Foster's side, with half a dozen people in the Capitol offering him one of their kidneys. (CHRIS MILLER / The Associated Press)



Rep. Richard Foster, D-Nome, has a life-threatening kidney disease and needs a transplant. Alaskans are rallying to Foster's side, with half a dozen people in the Capitol offering him one of their kidneys. (CHRIS MILLER / The Associated Press)

gun magazines. He is better known for his birthday roasts to colleagues, and for "Fridays at Foster's," the end-of-the-week music jam he hosts in his comfortable offices decorated with photographs of the thousands of people who've visited over the years.

Foster said most legislative bills aren't relevant, anyhow, to residents of his far-flung, often icy and northwestern district. He represents the city of Nome, population 3,540, and 28 Native villages -- of which only two are connected to each other by road and none to the greater world.

"There are a thousand bills introduced here every two years and they don't mean a thing to people in Savoonga or Diomedea," Foster said. "I like seat belt laws. Most of my villagers don't even have a car. They all use ATVs (all terrain vehicles) or snowmachines."

CAPITAL BUDGET IS PRIORITY

As a lawmaker, he keeps a single-minded focus on the capital budget and its ability to build jobs and infrastructure in remote, cash-poor villages. In homes there, the toilet is often a bucket behind a curtain in a corner off a main room.

"The question is trying to get good, safe conditions, water and sewer mostly, and affordable power," said Foster, whose ancestry is part Scandinavian, part Eskimo. "When I came (to the Legislature) in 1988 they had just found out in Shishmaref that their drinking water pond was built on an old Eskimo cemetery. They were drinking human remains."

His constituents certainly recognize the importance of seniority and Foster's success in bringing projects home.

In recent years, those have included schools in White Mountain, Sheldon Point, Hooper Bay, Chevak and Stebbins, the repaving of several airport runways, and smaller community projects like washeterias and dust and erosion control.

The senior member of the House of Representatives, Foster is now in his 10th two-year term. He has also remained a member of the House majority during his long tenure despite a shift in power 14 years ago from Democrats to Republicans.

He kept his party affiliation but joined the Republican caucus with three fellow rural Democrats. The move angered those who were left in the minority, but former lawmaker and Anchorage Democrat Ethan Berkowitz said he came to appreciate the pressures that the state's handful of rural lawmakers work under.

"If I don't get a capital project, no big deal. We'll get it later on," Berkowitz said. "If he doesn't get a school, that means his family, his friends, aren't going to get the education they deserve. That's a very heavy burden."

Berkowitz took an annual birthday ribbing from Foster for a boating mishap near Juneau early in his own decade-long tenure.

"He doesn't take a bath; he just washes ashore," was one of Foster's lines.

Foster also honored the event with a song, a handmade model of the capsized boat and a tongue-in-cheek request to the U.S. Board of Geographic Names to consider renaming the spot Berkowitz Island where the legislator spent a cold, wet night before he was rescued by the Coast Guard.

"It's the accident that will never stop giving," Berkowitz said with a laugh.

Foster also gave Berkowitz a gun on one birthday. It's the kind of gift he sometimes thrusts on unwitting colleagues. This time it was a derringer nestled in a hollowed-out mystery novel that Foster had earlier given to former Gov. Tony Knowles on a trip to Nome. The governor immediately turned the pistol over to state troopers, who eventually gave it back to Foster. Berkowitz still has it.

PASSION FOR FIREARMS

Foster inherited his passion for firearms from his father, former state Sen. Neal "Willy" Foster, who also shared his air taxi business and Will Rogers-style humor with his son.

It was the younger Foster's zeal for collecting weaponry that landed him in trouble 16 years ago. A Vietnam veteran and former Army captain, Foster grabbed the attention of federal agents when he asked a Juneau machinist to craft some submachine gun parts.

But a sympathetic Nome jury acquitted Foster, to the applause of the gallery.

Former Nome Mayor Leo Rasmussen is not surprised that people in the capital are now rallying to Foster's support.

"Richard is just good old Alaskan in the true sense," Rasmussen said. "The old Alaskan doesn't fit the mold of today. They have a genuineness to them that by and large the country has lost."

At the fundraiser on his behalf, Foster was characteristically low-key. Though he has a possible donor lined up -- a friend is now going through a battery of tests -- and Foster is undergoing dialysis, he already has been disappointed several times.

"I hope this is not an obituary," he told well-wishers with a soft laugh.

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Heart transplant survivor urges all to donate life

Article published on Tuesday, Apr 10th, 2007

By DONNA BELL

Guest Opinion

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"Donating organs, marrow, and tissue is a kind and compassionate act that can protect and enhance the precious gift of life. During National Donate Life Month, we recognize the generosity of donors and raise awareness of the importance of donating.

In recent years, there has been great progress in this important effort, and the rate of organ donation has steadily increased — helping save thousands of lives.

Despite this success, more than 95,000 Americans currently await organ transplants, and hundreds more are added to the transplant list each month. ...

— From a proclamation by the president of the United States of America

President Bush signing the National Donate Life Month for April may not mean much to you, but it is of great interest and importance to me, because on Friday, I will have had an extra five years of life.

I am here, plain and simple, because a wonderful person made a decision about being an organ donor. His family aided by that decision to donate his organs if anything ever happened to him. Because of someone else's choice to be an organ donor, a person he didn't even know, myself, has been given the possibility for a longer life. What a blessing.

and tissue donation, and to record their personal decision. Registration is considered legal consent for donation. The Web site address is www.livinglegacyregistry.org.

If you are not an organ donor, I encourage you to get registered. If you are an organ donor, please get registered. It may be on your driver's license, you may have told your family members, but when the time comes, they may not follow your wishes to let you be an organ donor.

I would like to end with this: God can do the miraculous; trust him to provide the resources. Sometimes those miracles can end up right here in Kodiak.

Donna Bell received a heart transplant at the University of Washington Medical Center on April 13, 2002.

Why did I need a heart transplant? I had caught a cold. For whatever reason, it went into my heart and damaged it. The left ventricle of my heart became enlarged. My heart was going to have to work harder at pumping the blood to the rest of my body. At the age of 41, I had congestive heart failure. Eight years later, my name was added to the National Transplant Patient Waiting List. After waiting four months, I received the heart from a 33-year-old man. My life began anew.

One organ donor can save the lives of up to eight people; a tissue donor may enhance the lives of more than 50 individuals. Nineteen people die each day waiting for lifesaving organ transplants. A new name is added to the National Transplant Patient Waiting List every 14 minutes.

Most Americans support donation, but only half of them have made it known. Now there's a way to be sure your wishes are known. The Living Legacy Registry was created through legislation to enable the public to make informed choices about organ

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State Leave Laws Related to Medical Donors

Currently 29 states have enacted laws that provide paid or unpaid leave for bone marrow and/or organ donors. Eight states (Arkansas, Connecticut, Illinois, Louisiana, Maine, Minnesota, Nebraska and Oregon) allow a leave of absence for private sector employees. The period of leave is usually 30 days for organ donors and 7 days for bone marrow donors. Some state laws have provisions which require authorization for requested leave or prohibit states from penalizing employees from taking such leave.

State	Bill/Act/ Statute	Enacted	Summary
Arkansas	Act No. 2235	4/13/05	Requires private employers to provide an unpaid leave of absence for employees during testing for, donations of and recovery from organ donation; provides an income tax credit for employers electing to pay the wages of the employee on organ donation leave.
	SB 167	3/20/03	Authorizes state employees may use up to 7 days of paid leave each calendar year to serve as a bone marrow donor and up to 30 days of paid leave each calendar year to serve as an organ donor.
California	Chapter No. 869	9/26/02	Grants up to a 30 day leave of absence with pay to employees who have exhausted all available sick leave and who are organ donors and a 5 day leave of absence with pay to employees who are bone marrow donors.
Connecticut	Act No. 04-95	5/10/04	Expands the state family and medical leave acts for state employees and private sector employees to provide unpaid leave to donate an organ or bone marrow.
Delaware	§ 1318B	n/a	Authorizes teachers and school employees may use up to 7 days of donated leave to serve as a bone marrow donor and up to 30 days of donated leave to serve as an organ donor.
Georgia	HB 1049	4/24/02	Provides for state employees to receive a leave of absence, with pay, for serving as an organ or bone marrow donor.
Hawaii	Act No. 176	6/30/05	Authorizes state employees may use up to 7 days of paid leave each calendar year to serve as a bone marrow donor and up to 30 days of paid leave each calendar year to serve as an organ donor.
Idaho	SB 1373	3/30/2006	Grants a leave of absence for full-time state employees and full-time non-classified state officers and employees for a specified period of time for bone marrow or organ donation.
Illinois	Act No. 94-33	6/15/05	Amends the Organ Donor Leave Act. Provides that the Act applies to all public employers in the State.
	HB 5807	8/2/02	Creates the Organ Donor Leave Act. Provides for time off with pay for State employees who donate an organ, bone marrow, blood or blood platelets.
Indiana	HB 1030	3/28/02	Allows a state employee of the Executive Branch to take a paid leave of absence for the purpose of being an organ donor or bone marrow donor.
Iowa	HB 381	8/28/03	Provides up to five workdays of leave for bone marrow and up to thirty workdays of leave for vascular organ donation by state employees.
Louisiana	§40:1299.124	1992	Grants paid leave of absence up to 40 work hours for employees serving as bone marrow donors.
Maine	LD 1945	4/11/02	Adds organ donation to the reasons allowed for family leave.
Maryland	SB 17	5/11/00	Provides that all State employees may be entitled to organ donation leave with pay; Provides up to seven days of leave for bone marrow and up to 30 days for organ donation in any 12-month period.
Massachusetts	Chapter No. 99-2005	9/29/05	Grants 30-day leave of absence to public employees serving as organ donors.

Minnesota	§181.945	1990	Grants paid leave of absence up to 40 work hours for employees serving as bone marrow donors.
Mississippi	Chapter No. 336	10/15/04	Provides up to 30 days of paid leave for living organ or bone marrow donation.
Missouri	HB 679	7/6/01	Allows state employees to take paid leave of absence up to five workdays to serve as a bone marrow donor or 30 days as a human organ donor.
Nebraska	§71-4820	1992	An employer shall be encouraged to grant paid leaves of absence to an employee who seeks to undergo a medical procedure to donate bone marrow.
New York	AB 4138	8/29/01	Permits state employees to take paid leave for bone marrow donation and for organ donation, in addition to any other annual or sick leave.
North Dakota	SB 2298	4/20/05	Allows leave of absence for 20 workdays to state employees donating an organ or bone marrow.
Ohio	HB 326	7/10/01	Grants state employees 30 days paid leave per year to serve as an organ donor and seven days paid leave per year to serve as a bone marrow donor.
Oklahoma	SB 1628	5/8/02	Grants state employees 30 days paid leave per year to serve as an organ donor and five days paid leave per year to serve as a bone marrow donor.
Oregon	§659A.312	n/a	Grants paid leave of absence up to 40 work hours for employees serving as bone marrow donors.
South Carolina	SB 830	8/6/02	Allows state and local officers and employees are entitled a paid leave of absence up to 30 days to serve as an organ donor.
Texas	§661.916	2003	Grants state employees 30 working days paid leave per year to serve as an organ donor and five working days paid leave per year to serve as a bone marrow donor.
Utah	SB 125	4/8/02	Authorizes a paid leave of absence for state employees who serve as a bone marrow or donor of a human organ.
Virginia	HB 1642	3/26/01	Allows state employees with up to 30 days of paid leave in any calendar year, in addition to other paid leave, to serve as bone marrow or organ donor.
Wisconsin	AB 545	5/9/00	Grants state employees 30 days paid leave per year to serve as an organ donor and seven days paid leave per year to serve as a bone marrow donor.
West Virginia	Act 175	5/11/05	Grants state employees thirty days of paid leave for kidney or liver donation and seven days of paid leave time for bone marrow donation.

Source: NCSL
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Representative Gabrielle LeDoux

MEMO

TO: HOUSE STATE AFFAIRS COMMITTEE
REPRESENTATIVE BOB LYNN, CHAIR

FROM: REPRESENTATIVE GABRIELLE LEDOUX *Gabrielle*

SUBJECT: HEARING REQUEST FOR HB 252, AN ACT REQUIRING PAID LEAVE FROM EMPLOYMENT FOR ORGAN AND BONE MARROW DONATION

DATE: 5/10/07

I respectfully request that House Bill 252 be scheduled for a hearing in the House State Affairs Committee.

Attached you will find:

- HB 252, HB 252 (HESS)
- Sponsor statement
- Fiscal notes
- Sectional analysis
- Letters of Support
 - Bruce Zalneraitis, CEO of Life Alaska Donor Services
 - Thomas C. Wood, MD, FACP
 - Tana Hughes, Kodiak, Alaska
- News Articles
 - Juneau Empire, "Bone Marrow Donor, Recipient's Family Connect in Juneau"
 - Anchorage Daily News, "Once Again Friends Rally to Help Nome Lawmaker"
 - Kodiak Daily Mirror, "Heart Transplant Survivor Urges All to Donate Life"
- Side by side comparison from NCSL, "State Leave Laws Related to Medical Donors"

I appreciate your consideration. If you have any questions or concerns, my staff member assigned to this legislation is Christine R. Marasigan at 465-8872.

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Representative Gabriële LeDoux

SPONSOR STATEMENT FOR HB 252 **An Act requiring paid leave from employment** **for organ and bone marrow donation**

The Richard Foster and Alex Cesar Donor Act would require the State of Alaska to grant a paid leave of absence to an employee for the purpose of making a personal organ or bone marrow donation. The State is not required to provide more than 80 hours of leave, however the leave may not be less than 40 hours unless the employee requests fewer hours. Verification may be required and the State may not retaliate or sanction an employee for requesting this leave.

For living donors, paid leave may be needed for the procedure to obtain bone marrow or kidneys, and recuperation time. In order to obtain a bone marrow donor sample, a quick and easy cheek swab is taken. The actual bone marrow donation and recuperation can take time away from work, especially if the donor must travel in order to donate. For kidney donors, screening can be intensive however it is surgery and recuperation where paid time is needed.

According to the Alaska Kidney Foundation, over 300 Alaskans are on kidney dialysis and that number has been steadily increasing by 15% annually. There are some patients on dialysis who are in need of a kidney transplant. There are nearly 160 Alaskans waiting for an organ transplant. Every year there are adults and children who need bone marrow transplants for ailments such as leukemia and other blood diseases. A bone marrow donation may be their only chance for survival.

Richard Foster is a longtime legislator from Nome who is currently awaiting a kidney transplant. Alex Cesar is a Filipino/Tlingit boy residing in Juneau who was able to receive a bone marrow transplant in Seattle after the national bone marrow bank turned up a matching donor in New Mexico. Bone marrow matches are relatively rare, one in 100,000. Kidney donors have long waits on lists unless a personal donation from a friend, family member or another person comes forward.