

Leg. Finance - House & Senate Finance Comte Files (1973-74) 8 251

HB 542, 548, 549, 550, 552, 553, 554, 557, 559



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

4/26/89
Date

"An Act repealing the authorization of the Department of Public Works to sell the M/V WICKERSHAM; and providing for an effective date."

COMMITTEE REPORT

2/6/74

HOUSE

Mr. Speaker:

Date 2/22/74

The Committee on FINANCE has had HB 542

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE _____
COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other" _____

Members signing the Majority report:

<u>Freeman</u>	_____	_____
<u>_____</u>	<u>_____</u>	_____
<u>_____</u>	<u>_____</u>	_____
<u>_____</u>	<u>_____</u>	_____

Members NOT concurring in the Majority report:

<u>Freeman</u>	recommends: <u>NO REC.</u>
<u>_____</u>	recommends: <u>_____</u>
<u>_____</u>	recommends: _____
<u>_____</u>	recommends: _____
<u>_____</u>	recommends: _____

_____ Chairman

Introduced: 2/4/74
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY HAUGEN

2 HOUSE BILL NO. 542

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act repealing the authorization of the Department
7 of Public Works to sell the M/V Wickersham; and pro-
8 viding for an effective date."

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

10 * Section 1. Chapter 34, SLA 1971 is repealed.

11 * Sec. 2. This Act takes effect on the day after its passage and approval
12 or on the day it becomes law without approval.

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COST ESTIMATE WORKSHEET

100	Personal Services	
	10% inflation on wages & benefits	
200	Travel	
	10% inflation factor	
300	Contractual (FY-75)	
	10% inflation factor used	
	Repairs Services & Alterations	\$ 70,000
	Insurance & bonding	184,000
	Professional Fees & Services (Pilotage Fees)	150,000
	Miscellaneous	6,000
400	Commodities (FY-75)	
	Food (15% inflation)	128.6
	Maintenance Material (10% inflation)	60.0
	Parts & Supplies (10% inflation)	26.0
	Fuel (20% inflation)	1064.4
	Miscellaneous (10% inflation)	25.0
		<u>1304.0</u>
500	Equipment	
	10% inflation factor	

FISCAL NOTE
Second Session - Eighth Legislature

copy

I. REQUEST

Bill Identification: H. B. No. 542 by Haugen
 Title: Repealing the authorization to sell the WICKERSHAM
 Requested by: Legislative Finance Date: February 13, 1974
 Return Date Requested: February 19, 1974
 Agency: Department of Public Works Program: Transportation

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Public Works - Marine Transportation

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 74	FY 75	FY 76	FY 77	FY 78	FY 79
100 PERSONAL SERVICES	899.0	2697.0	2966.7	3263.4	3589.7	3943.6
200 TRAVEL	5.0	10.0	11.0	12.1	13.3	14.6
300 CONTRACTUAL	120.0	410.0	451.0	496.1	545.7	600.3
400 COMMODITIES	450.0	1304.0	1547.3	1805.7	2182.7	2594.7
500 EQUIPMENT	1.0	4.0	4.4	4.8	5.3	5.9
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	1475.0	4425.0	4980.4	5582.1	6336.7	7164.1

B. FUNDING: (Thousands of dollars)

GENERAL FUND	1475.0	4425.0	4980.4	5582.1	6336.7	7164.1
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	106/ 14	106/ 14	106/ 14	106/ 14	106 /14	106 /14
MAN MONTHS (P./T.)	424/ 28	1268/ 74	1268/ 74	1268/ 74	1268/ 74	1268/74

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

This Fiscal Note was prepared using the manning or agreed to in the current union contracts. Also I have assumed the M/V WICKERSHAM would continue to operate in Southeast Alaska.

IV. ATTACHMENTS: Cost Estimate Worksheet

V. DATE: February 18, 1974

PREPARED BY: Carl W. Mathisen

Carl W. Mathisen
Deputy Director
Marine Transportation

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)



RECORDS CERTIFICATION

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James O. Smith
Signature of Camera Operator

4/26/89
Date

Elina

Introduced: 2/4/74
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY HAUGEN

2 HOUSE BILL NO. 542

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act repealing the authorization of the Department
7 of Public Works to sell the M/V Wickersham; and pro-
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POOR COPY

ALASKA STATE LEGISLATURE

EIGHTH Legislature SECOND Session

HOUSE BILL NO. 542

By HAUGEN.....

"An Act repealing the authorization of the Department of Public Works to sell the M/V Wickersham; and providing for an effective date."

M/V Wickersham/repeal sale

Introduced in the House... 2/4/, 19 74

HISTORY IN THE HOUSE

19 74	Read first time and referred to Committee on								
Feb 4	State Affairs and Finance								
Feb 8	Reported back with recommendation that <i>State Affairs Report to Finance</i>								
Feb 28	<i>Finance Report to Rules</i> Read second time and								
Mar 1									
Mar 1	Read third time and								
Mar 4	<i>Reconsideration 7-10 to be up</i>								
Mar 1	<table border="0"> <tr><td>PASS</td><td>: Yeas 22</td></tr> <tr><td></td><td>: Nays 11</td></tr> <tr><td></td><td>: Absent --</td></tr> <tr><td></td><td>: Excused 7</td></tr> </table>	PASS	: Yeas 22		: Nays 11		: Absent --		: Excused 7
PASS	: Yeas 22								
	: Nays 11								
	: Absent --								
	: Excused 7								
	Effective Date								
Mar 1	<table border="0"> <tr><td>PASS</td><td>: Yeas 31</td></tr> <tr><td></td><td>: Nays 2</td></tr> <tr><td></td><td>: Absent --</td></tr> <tr><td></td><td>: Excused 7</td></tr> </table>	PASS	: Yeas 31		: Nays 2		: Absent --		: Excused 7
PASS	: Yeas 31								
	: Nays 2								
	: Absent --								
	: Excused 7								
Mar 4	<i>Make Recommendation</i> Reported correctly engrossed								
" 4	Signed by Speaker								
" 4	Sent to Senate								
	<i>Gene Parker</i> CHIEF CLERK OF THE HOUSE								

HISTORY IN THE SENATE

19 74	Read first time and referred to Committee on <i>State Affairs, Finance</i>								
31									
27	Reported back with recommendation that <i>State Affairs pass & no rec. to Finance</i>								
	Read second time and								
	Read third time and								
	<table border="0"> <tr><td>PASS</td><td>: Yeas</td></tr> <tr><td></td><td>: Nays</td></tr> <tr><td></td><td>: Absent</td></tr> <tr><td></td><td>: Excused</td></tr> </table>	PASS	: Yeas		: Nays		: Absent		: Excused
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PASS	: Yeas								
	: Nays								
	: Absent								
	: Excused								
	Reported correctly engrossed								
	Signed by President								
	Returned to House								
	SECRETARY OF THE SENATE								

HISTORY IN THE HOUSE

19	Received from Senate
	Reported correctly enrolled
	Sent to Governor
 By Governor
	Filed with Lt. Governor
	Chapter No.

The Legislature of the State of Alaska
 FISCAL NOTE
 Second Session - Eighth Legislature

I. REQUEST

Bill Identification: H. B. No. 542 by Haugen
 Title: Repealing the authorization to sell the WICKERSHAM
 Requested by: Legislative Finance Date: February 13, 1974
 Return Date Requested: February 19, 1974
 Agency: Department of Public Works Program: Transportation

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Public Works - Marine Transportation
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 74	FY 75	FY 76	FY 77	FY 78	FY 79
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700 GRANTS, CLAIMS, ETC.						
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B. FUNDING: (Thousands of dollars)

GENERAL FUND	1475.0	4425.0	4980.4	5582.1	6336.7	7164.1
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	106/14	106/14	106/14	106/14	106/14	106/14
MAN MONTHS (P./T.)	424/28	1268/74	1268/74	1268/74	1268/74	1268/74

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

This Fiscal Note was prepared using the manning or agreed to in the current union contracts. Also I have assumed the M/V WICKERSHAM would continue to operate in Southeast Alaska.

IV. ATTACHMENTS: Cost Estimate Worksheet

V. DATE: February 18, 1974

PREPARED BY: Carl W. Mathisen

Carl W. Mathisen
 Deputy Director
 Marine Transportation

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

COST ESTIMATE WORKSHEET

100	Personal Services	
	10% inflation on wages & benefits	
200	Travel	
	10% inflation factor	
300	Contractual (FY-75)	
	10% inflation factor used	
	Repairs Services & Alterations	\$ 70,000
	Insurance & bonding	184,000
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	Fuel (20% inflation)	1064.4
	Miscellaneous (10% inflation)	25.0
		<hr/>
		1304.0
500	Equipment	
	10% inflation factor	

Committee Report

S E N A T E

3/7/74

_____ Date

Mr. President:

The Committee on FINANCE has had HB 542
repealing selling MV Wickersham
under consideration. A majority of the members of the Committee

- recommends it do pass
- recommends it do not pass
- recommends it do pass with attached amendment(s)
- recommends it be replaced with CS for _____ and that
CS for _____ do pass
- (and) recommends it be referred to the _____
committee
- reports it back without recommendation
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:
_____ recommends:

_____ CHAIRMAN

COMMITTEE REPORT

3/4

SENATE

FINANCE

Mr. President:

Date March 6, 1974

The Committee on STATE AFFAIRS has had HB 542
(repealing selling M/V WICHERSHAM)
under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- () reports it back WITHOUT RECOMMENDATION

"other" *individual recommendations*

Members signing the Majority report:

Keith H. Miller Do Pass

Jess Harris ✓ ✓

Members NOT concurring in the Majority report:

J. Kuttuh recommends: NO - Recommendation

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends: Keith H. Miller Chairman



RECORDS CERTIFICATION



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James O. Smith
Signature of Camera Operator

4/26/89
Date

Introduced: 2/4/74
Referred: Health, Education &
Social Services and Finance

BY THE HEALTH, EDUCATION AND SOCIAL
SERVICES COMMITTEE BY REQUEST OF THE
INTERIM COMMITTEE ON HEALTH CARE,
SOCIAL SERVICES AND MENTAL HEALTH
DELIVERY SYSTEMS

1 IN THE HOUSE

2 HOUSE BILL NO. 548

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to planning and evaluation in the
7 Department of Health and Social Services."

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

9 * Section 1. AS 47.05.010 is amended by adding a new paragraph to read:

10 (15) conduct planning and evaluation studies of department
11 services, programs and institutions.

12 * Sec. 2. AS 47.05 is amended by adding a new section to read:

13 Sec. 47.05.015. PLANNING AND EVALUATION. (a) The department has
14 the responsibility of conducting studies to plan for future needs and
15 to evaluate existing services, programs and institutions. One per cent
16 of the annual budget of the department shall be utilized for this
17 purpose. The commissioner shall make an annual report on department
18 plans and evaluations to the legislature.

19 (b) In addition to the provisions of (a) of this section, a
20 planning and evaluation study for each division shall be conducted.
21 One per cent of each division's annual budget shall be utilized for the
22 studies for each division. Reports of the studies shall be made
23 annually to the commissioner.
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James O. Smith
Signature of Camera Operator

4/26/89
Date

Introduced: 2/4/74
Referred: Health, Education &
Social Services and Finance

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE BY RE-
QUEST OF THE INTERIM COMMITTEE
ON HEALTH CARE, SOCIAL SERVICES
AND MENTAL HEALTH DELIVERY SYSTEMS

1 IN THE HOUSE

2 HOUSE BILL NO. 549

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to community mental health services;
7 and providing for an effective date."

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

9 * Section 1. AS 47.30 is amended by adding new sections to read:

10 ARTICLE 5. COMMUNITY MENTAL HEALTH SERVICES.

11 Sec. 47.30.520. LEGISLATIVE PURPOSE. It is the purpose of the
12 legislature in enacting the Community Mental Health Services Act to
13 assist local communities in planning, organizing and financing commu-
14 nity mental health services through locally developed, administered and
15 controlled community mental health programs. It is further intended
16 to better utilize existing resources at both state and local levels in
17 order to:

18 (1) develop and implement plans for initiating maximum
19 mental health services based on demonstrated need for services in each
20 geographical planning area, as well as regionalized comprehensive
21 mental health services;

22 (2) improve the effectiveness of existing mental health
23 services;

24 (3) integrate state-operated and community mental health
25 programs into a unified mental health system;

26 (4) provide a means for participation by local communities
27 in the determination of the need for and the allocation of mental
28 health resources;

29 (5) establish a uniform ratio of local and state government

1 responsibility for financing mental health services;

2 (6) provide a means of allocating state mental health funds
3 according to community needs;

4 (7) encourage the full use of all existing public or private
5 agencies, facilities, personnel, and funds to accomplish these objec-
6 tives; and

7 (8) prevent unnecessary duplication and fragmentation of
8 services and expenditures.

9 Sec. 47.30.530. DUTIES OF DEPARTMENT. The department shall
10 administer the provisions of secs. 520 - 620 of this chapter and shall

11 (1) define and develop standards for various levels and
12 qualities of mental health care;

13 (2) provide fiscal and professional technical assistance in
14 planning, organizing, developing, implementing, and administering
15 local mental health services;

16 (3) develop budgets, receive and disburse state appropria-
17 tions and funds in accordance with the provisions of secs. 520 - 620
18 of this chapter;

19 (4) establish standards of education and experience for
20 professional, technical and administrative personnel employed in com-
21 munity mental health services;

22 (5) assist the community in establishing the organization
23 and operation of community mental health services;

24 (6) develop a standardized system for measuring and report-
25 ing to the department the types, quantities and quality of services;
26 and a cost accounting system which will demonstrate the cost of various
27 levels and qualities of care;

28 (7) provide each local community planning and services
29 delivery entity with statistics, reports, and other data relevant to

1 development of indices indicating the need for mental health services,
2 or relevant to evaluating the effectiveness of existing services;

3 (8) review each local community plan and require each plan
4 to include

5 (A) an affirmative showing that the most effective and
6 economic use will be made of all available public and private
7 resources in the community including careful consideration of the
8 most effective and economic alternative forms and patterns of
9 services;

10 (B) a five-year projection of needs, services and
11 resources; and

12 (C) adequate provisions for review and evaluation of
13 services provided in the local community;

14 (9) adopt regulations and establish priorities, after con-
15 sultation with local communities affected and in conjunction with a
16 state mental health advisory council, which are necessary to carry out
17 the purposes of secs. 520 - 620 of this chapter.

18 Sec. 47.30.540. ELIGIBLE LOCAL COMMUNITY ENTITIES. (a) A city
19 or borough government or other political subdivision of the state, a
20 nonprofit corporation, or a combination of these, is eligible to
21 receive funds and administer local programs under secs. 520 - 620 of
22 this chapter. In order to insure equitable access to funds and pro-
23 grams through the state, the department shall determine appropriate
24 geographical areas to be served by local programs in consultation with
25 representatives of the geographical areas in question.

26 (b) The entity designated by the department in the local area as
27 the organizational unit to receive funds under secs. 520 - 620 of this
28 chapter and to administer the program shall insure a broad base of
29 community support as evidenced by a governing board reasonably

1 representative of the professional, civic, and citizen groups in the
2 community. No more than two members, or 40 per cent of the membership,
3 whichever is greater, may be providers of services under the program.
4 In order to receive funds under secs. 520 - 620 of this chapter, a
5 local community entity shall agree to

6 (1) give priority to mental health programs and services
7 that have a maximum impact on other tax funded programs;

8 (2) furnish services through a qualified staff meeting
9 reasonable standards of experience and training;

10 (3) conform to a state cost accounting system showing the
11 true cost of services rendered, collect fees for services according to
12 a schedule based on an analysis of reasonable ability to pay, and pro-
13 vide that no person shall be refused services because of inability to
14 pay for those services;

15 (4) maintain adequate clinical and administrative records
16 and to furnish periodic reports to the department;

17 (5) furnish the department an annual report of the preceding
18 fiscal year, including an evaluation of the effectiveness of the
19 previous year's programs and their costs; and

20 (6) furnish the department each year a satisfactory annual
21 update of a long-range planning and budget statement that describes
22 program goals for the coming year, the steps and resources necessary
23 to implement the goals, the projected means by which these resources
24 will be secured and the procedures necessary to evaluate the program.

25 (c) Members of local governing boards may be reimbursed for
26 necessary travel expenses incurred in the organization and operation
27 of local programs as may be determined by the department.

28 Sec. 47.30.550. COST-SHARING FORMULA; LIMITATIONS. If the
29 department finds that it is necessary for the purposes of secs. 520 -

1 620 of this chapter, the department may enter into a contract with an
2 eligible community entity under which the department purchases commun-
3 ity mental health services from the entity in accordance with the
4 community entity's approved plan and secs. 520 - 620 of this chapter.
5 The department shall purchase the services by participating in 75 per
6 cent of the eligible costs of the services to be furnished under the
7 plan subject to the availability of state funds to the department for
8 implementing secs. 520 - 620 of this chapter.

9 Sec. 47.30.560. FUNDS FOR LOCAL PROGRAMS. The contracts for
10 services provided for in secs. 520 - 620 of this chapter shall be
11 reviewed, revised if necessary, and approved at the expiration of each
12 contract year. A contract shall be approved if the department finds
13 that the community entity has complied with its plan, secs. 520 - 620
14 of this chapter, and any applicable regulations adopted by the depart-
15 ment. Expenditures for the purchase of services shall be made in
16 accordance with the approved contract, budgets and program projections.

17 Sec. 47.30.570. ELIGIBLE COSTS; MAINTENANCE OF LOCAL EFFORT.
18 The department shall adopt regulations specifying the types of services
19 and program costs eligible for state participation. These regulations
20 shall include

21 (1) a provision excluding capital expenditures as eligible
22 costs; and

23 (2) a requirement that the community entity contractor or
24 applicant agrees as a condition of contract approval that it will not
25 supplant existing local fund support of community mental health ser-
26 vices with funds received under secs. 520 - 620 of this chapter and
27 that it will continue local funding support of community mental health
28 services, in any year in which it contracts with the department, at a
29 level that is at least equal to the local funding support in the

1 previous year.

2 Sec. 47.30.580. COMPREHENSIVE SERVICES. Plans and regulations
3 adopted under secs. 520 - 620 of this chapter shall allow local pro-
4 grams sufficient administrative and program flexibility so that local
5 community mental health programs may be joined with other programs
6 such as mental retardation programs, drug abuse programs, alcoholism
7 programs and comprehensive mental health services programs.

8 Sec. 47.30.590. PATIENT RIGHTS AND THE CONFIDENTIAL NATURE OF
9 RECORDS AND INFORMATION. The department shall adopt regulations to
10 assure patient rights and to safeguard the confidential nature of
11 records and information about the recipients of services provided
12 under secs. 520 - 620 of this chapter. The regulations shall require
13 that local community entities develop and include in any plan submitted
14 for approval adequate provisions for safeguarding confidential infor-
15 mation. The department's regulations shall provide for disclosure of
16 confidential information to mental health professionals providing
17 services to a recipient and to other appropriate service agencies when
18 it is in the defined best interests of the patient.

19 Sec. 47.30.600. APPLICABILITY TO EXISTING PROGRAMS. No local
20 community entity existing on January 1, 1974 that received state funds
21 for a community mental health services program in the fiscal year
22 ending June 30, 1974 may receive less state support through the pur-
23 chase of services under secs. 520 - 620 of this chapter in the fiscal
24 year ending June 30, 1975 than it received in the preceding fiscal
25 year. In order to assure the continuity of state support of existing
26 programs the department may waive requirements of secs. 520 - 620 of
27 this chapter in approving contracts with existing entities for the
28 fiscal year ending June 30, 1975, only.

29 Sec. 47.30.610. DEFINITIONS. In secs. 520 - 620 of this chapter

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"department" means the Department of Health and Social Services.

Sec. 47.30.620. SHORT TITLE. Sections 520 - 620 of this chapter may be cited as the Community Mental Health Services Act.

* Sec. 2. This Act takes effect July 1, 1974.

The Legislature of the State of Alaska
FISCAL NOTE
Second Session - Eighth Legislature

I. REQUEST

Bill Identification: House Bill 549 - Senate Bill 329
 Title: Community Mental Health Services Act
 Requested by: Jay Hogan, Legislative Finance Date: 2/28/74
 Return Date Requested: _____
 Agency: Dept. of Health & Social Services Program: Division of Mental Health

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Community Operated Mental Health Clinics

A. EXPENDITURES: (Thousands of dollars) Administration

OBJECT	FY 74	FY 75	FY 76	FY 77	FY 78	FY 79
100 PERSONAL SERVICES		43.8	46.2	48.7	71.7	75.6
200 TRAVEL		5.0	5.2	5.6	7.0	7.5
300 CONTRACTUAL	7.2	7.2	7.8	8.4	9.0	9.0
400 COMMODITIES		.5	.7	.9	1.2	1.5
500 EQUIPMENT		1.5	1.0	1.5	2.0	1.5
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	176.2	602.9	1,015.9	1,475.4	1,873.0	2,292.5
Projections for Present CMHC's		(212.9)	(225.9)	(242.7)	(254.8)	(344.0)
TOTAL	183.4	660.9	1,076.8	1,540.5	1,963.9	2,387.6

B. FUNDING: (Thousands of dollars)

GENERAL FUND	183.4	660.9	1,076.8	1,540.5	1,963.9	2,387.6
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	3 /	3 /	3 /	3 /	4 /	4 /
MAN MONTHS (P./T.)	36 /	36 /	36 /	36 /	48 /	48 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

(See attached)

IV. ATTACHMENTS

V. DATE: 3-4-74

PREPARED BY: James L. Schneider MD

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

ANALYSIS

The basic concept of this Act has been accepted by the Legislature, although not by statute, in the funding of the Community Mental Health Centers in Ketchikan and Kodiak. At present we are funding 75% of the operating budget exclusive of the federal funds. The FY 74 operating budget for Kodiak is \$151,700 of which \$68,900 or 45% is State General Funds. For Ketchikan the operating budget is \$254,900 of which \$114,500 or 45% is State General Funds.

The State also has Regional Offices in Anchorage, Juneau, and Fairbanks which operate Mental Health Clinics. The FY 1974 total operating budget for these clinics was \$470,200 or \$144,300 for Juneau; \$155,800 for Anchorage; and \$170,100 for Fairbanks. Ninety percent (90%) of these funds are General Fund Appropriations.

In other words, in FY 1974, a total of \$607,100 General Funds were appropriated for community mental health programs out of a total community mental health operating budget of \$876,800. This represents a 70% General Fund expenditure.

The largest Community Mental Health Center is in Ketchikan with an operating budget of \$254,900. This Center has the only community mental health program in Alaska which we feel has an adequate staff to serve the need of its catchment area (population approximately 20,000). This Center has a staff of 5 professionals, 1 aide, 1 administrative assistant, and 2 clerical staff. Contrast this with the state-operated clinic in Anchorage of 3 professionals and 2 clerical personnel responsible for a catchment area population of approximately 150,000.

Although it is anticipated that projections of cost will be unique to each community dependent on its geographical locations, its available manpower, its present mental health and its needs, a rough estimate of the cost of a community mental health program resources for Alaska can be projected.

Assuming the Ketchikan program is adequate and by projecting the figures of 20,000 population and a budget of \$250,000 to the entire State would indicate that Alaska could develop a statewide community mental health program for approximately \$4,375,000 using the matching formula in this Bill the State's General Fund share would be \$3,280,000. The State already has a \$607,000 General Fund appropriation for community mental health services. Consequently, an additional \$2,673,000 would be required. This gross approximation of the total cost, which need not be assumed the first year, does not take into consideration the funds that could be recaptured through reimbursed federal funding from Title XIX and other sources. The Division of Mental Health, Department of Health and Social Services, is exploring the possibility of recapturing through Title XIX a significant reimbursement of our present program expenditures. Preliminary estimates indicate that we may be able to generate as much as \$2,000,000 annually in Federal (Title XIX) reimbursements.

In order to provide adequate planning, management, and control of the Act's proposed grants-in-aid, the Central Office would require additional manpower. Since careful planning of these services will be critical to the success of the Act, it is expected

ANALYSIS (continued)

that funds would be required for planning assistance for at least six identified communities which have formally requested these services. There is a probability that two and perhaps three communities could develop a service delivery capability during FY 1975 and funds would be required for program start-up and maintenance in FY 1975. By FY 1976, depending on the appropriation level, other interested communities could develop the local funding base and community support necessary for the successful operation of a community program.

The above projections are the estimates for a total statewide system. The total statewide system could be phased in over a number of years. A reasonable beginning program level for FY 1975 would involve the following budgetary elements.

Planning: Initiation & Development Grants to communities - 6 grants at \$15,000	\$ 90,000
Grants-in-Aid: Service Delivery	300,000
Central Office Personnel to include Travel, Commodities, and Equipment for:	48,500
Planner	
Grants Manager (Administrative Assistant)	
Clerk-Typist III	
TOTAL	<u>\$438,500</u>



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James O. Smith
Signature of Camera Operator

4/26/89
Date

COMMITTEE REPORT

4/22/74

SENATE

Mr. President:

Date 4/25/74

The Committee on FLJANCE has had CSHB 550 (Jud) an
liability for expenses of hospitalization of mental patients
under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- () reports it back WITHOUT RECOMMENDATION
- (x) "other" INDIVIDUAL RECOMMENDATIONS

Members signing the Majority report:

[Signature] _____

[Signature] _____

[Signature] _____

[Signature] _____

Members NOT concurring in the Majority report:

[Signature] recommends: [Handwritten]

[Signature] recommends: [Handwritten]

[Signature] recommends: [Handwritten]

_____ recommends:

_____ recommends:

[Signature] Chairman

Original Sponsor: Health, Education
and Social Services Committee by Request
of the Interim Committee on Health Care,
Social Services and Mental Health
Delivery Systems

Offered: 4/2/74
Referred: Judiciary

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR HOUSE BILL NO. 550

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

EIGHTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to liability for expenses of

7

hospitalization of mental patients."

8

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

9

* Section 1. AS 47.30.270(a) is amended to read:

10

(a) A patient, or his legal representative acting in a represen-

11

tative capacity, or his [SPOUSE,] parents if the patient is under the

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age of 18, [ADULT CHILDREN, IN THAT ORDER] shall pay or contribute to

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the payment of the charges for the care or treatment of the patient

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when hospitalized under secs. 10 - 340 of this chapter, in the manner

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and proportion which the department finds is not detrimental to the

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patient's rehabilitation and which is within their ability to pay. The

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charges may not exceed the actual cost of the care or treatment as

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determined by the department. The order of the department relating to

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the payment of charges by parents [PERSONS OTHER THAN THE PATIENT, OR

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HIS LEGAL REPRESENTATIVE,] shall be prospective in effect and shall

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relate only to charges to be incurred after the order, except that if

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the parent [RESPONSIBLE PERSON] intentionally conceals his ability to

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pay, he shall be ordered to pay to the extent of his ability the charges

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accruing during the period of the concealment. The order of the depart-

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ment relating to the payment of charges by the patient or his legal

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representative shall be issued within six months of the date on which

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the charge was incurred. The department may make necessary investiga-

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tions to determine the ability to pay, and may require sworn statements

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of income by the parents [RESPONSIBLE PERSONS]. The order shall remain

1 in full force and effect unless modified by subsequent court or
2 department orders.

3 * Sec. 2. AS 47.30.270(d) is amended to read:

4 (d) The amount of liability for care and treatment which is
5 ordered by the department to be paid and which is not paid for by the
6 patient or by his legal representative acting in a representative
7 capacity [SOMEONE IN HIS BEHALF] constitutes a lien in favor of this
8 state against all property of the patient. The unpaid amount of
9 liability is a debt to the state and is a first, prior and preferred
10 claim against the estate of the patient after death, and after expenses
11 of administration and all just claims for medical care of last illness
12 and burial expenses have been paid. The claim based upon information
13 submitted by the departments shall be prepared and filed by the
14 attorney general. The amount of liability for care and treatment which
15 is ordered by the department to be paid and which is not paid by the
16 parent before the parent's death, shall be discharged or collected from
17 the patient. No claim lies against the assets or estate of the
18 deceased parent.

19 * Sec. 3. AS 47.30.270 is amended by adding a new subsection to read:

20 (f) If an order of payment is entered by the department under
21 this section and delinquency in the payment of any amount due the state
22 under the order continues for a period of more than 30 days after the
23 notification of the legal representative or parent of the patient by
24 the department, the state may proceed to collect the amounts due by
25 appropriate proceedings. Actions to enforce the collection of payments
26 may only be brought within three years after the date of notification
27 of a delinquent payment.
28
29

Introduced: 2/4/74
Referred: Health, Education &
Social Services and Judiciary

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE BY RE-
QUEST OF THE INTERIM COMMITTEE ON
HEALTH CARE, SOCIAL SERVICES AND
MENTAL HEALTH DELIVERY SYSTEMS

1 IN THE HOUSE

2 HOUSE BILL NO. 550

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to liability for and collection of
7 expenses of hospitalization of mental patients."

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

9 * Section 1. AS 47.30.270(a) is amended to read:

10 (a) A patient, or his legal representative acting in a representa-
11 tive capacity, spouse, parents, adult children, in that order, shall
12 pay or contribute to the payment of the charges for the care or treat-
13 ment of the patient when hospitalized under secs. 10 - 340 of this
14 chapter, in the manner and proportion which the department finds is
15 not detrimental to the patient's rehabilitation and which is within
16 their ability to pay. The charges may not exceed the actual cost of
17 the care or treatment as determined by the department. The order of
18 the department relating to the payment of charges by persons other than
19 the patient, or his legal representative, shall be prospective in
20 effect and shall relate only to charges to be incurred after the order,
21 except that if the responsible person intentionally conceals his
22 ability to pay, he shall be ordered to pay to the extent of his ability
23 the charges accruing during the period of the concealment. The order
24 shall remain in full force and effect unless modified by subsequent
25 court or department orders. The department may make necessary investi-
26 gations to determine the ability to pay, and may require sworn state-
27 ments of income by the responsible persons.

28 * Sec. 2. AS 47.30.270 is amended by adding a new subsection to read:

29 (f) If an order of payment is entered by the department under

1 this section and delinquency in the payment of any amount due the state
2 under the order continues for a period of more than 30 days after the
3 notification of the legal representative or relative of the patient by
4 the department, the state may proceed to collect the amounts due by
5 appropriate proceedings. Actions to enforce the collection of payments
6 may only be brought within four years after the date a payment becomes
7 delinquent.



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James O. Smith
Signature of Camera Operator

4/26/89
Date

Introduced: 2/4/74
Referred: Health, Education & Social
Services and Finance

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE
BY REQUEST OF THE INTERIM
COMMITTEE ON HEALTH CARE,
SOCIAL SERVICES AND MENTAL
HEALTH DELIVERY SYSTEMS

1 IN THE HOUSE

2 HOUSE BILL NO. 552

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act making a special appropriation to the
7 Department of Public Works, Alaska Psychiatric
8 Institute; and providing for an effective date."

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

10 * Section 1. The sum of \$200,000 is appropriated from the general fund
11 to the Department of Public Works for the construction of a maximum
12 security psychiatric unit at the Alaska Psychiatric Institute.

13 * Sec. 2. This Act takes effect July 1, 1974.
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The Legislature of the State of Alaska
FISCAL NOTE
Second Session - Eighth Legislature



I. REQUEST

Bill Identification: S.B. 332; H.B. 552; S.B. 282 (G.O. Bonds)
 Title: Special Appropriation to Department of Public Works for API
 Requested by: Jay Hogan Date: 2/7/74
 Return Date Requested: February 11, 1974
 Agency: Health & Social Services Program: Mental Health

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Psychiatric Security (API) 06-32-01-04

A. EXPENDITURES: (Thousands of dollars)

OBJECT	(Nov.-July '74)					
	FY 74	FY 75	FY 76	FY 77	FY 78	FY 79
100 PERSONAL SERVICES	----	278.9	507.2	535.1	564.5	595.5
200 TRAVEL	----	8.1	8.5	9.0	9.6	10.2
300 CONTRACTUAL	----	3.0	3.1	3.3	3.5	3.7
400 COMMODITIES	----	4.4	4.6	4.9	5.2	5.5
500 EQUIPMENT	----	3.0	1.0	1.0	1.0	1.0
600 LAND & STRUCTURES	----	200.0				
700 GRANTS, CLAIMS, ETC.	----					
TOTAL	-0-	497.4	524.4	553.3	583.8	615.9

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-0-	497.4	524.4	553.3	583.8	615.9
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER Bonds	-0-	-0-	*200.0	-0-	-0-	-0-

*Bond Sale & Return to General Fund

C. POSITIONS:

PERMANENT/TEMPORARY	33/	33/	33/	33/	33/	33/
MAN MONTHS (P./T.)	231/	396/	396/	396/	396/	396/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

A. Assumptions: It is assumed a 30 bed ward at API will be converted within a few months for maximum and medium security of the mentally disordered offender. The costs are those identified in our FY 1975 budget request with personnel additions just identified by a task force study. Pending further study, it is felt that it would be possible to utilize existing positions at the Institute for the Supervising Nurses, LPN's, and five Correctional Officers, providing a net increase to staff the unit of 19 new positions. The \$200,000 of construction money is the amount determined by the task force as being required over and above the \$480,000 bond issue

IV. ATTACHMENTS (continued)

1. Purpose of Citizen's Task Force, Introduction & History & Summary of Recommendations (10 pages).
2. Table 8 from Task Force Report entitled "Staffing Needs."

V. DATE: 3-6-74 PREPARED BY: James L. Schuador

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

FISCAL NOTE (Continued)

- III. A. funds previously approved and transferred by the Governor for this purpose. The general fund bills (SB 332, HB 352) are to avoid undue delay in the remodeling which the bonding proposal would cause of one year. It is estimated a total of \$680,000 would be required. The \$200,000 General Fund Appropriation would probably be restored to the General Fund in FY 1976 if the bonds are approved.
- B. Program Summary: The positions listed on the attached Table 8 are those identified by the Task Force as being necessary to program a progressive treatment setting for the mentally disordered offender.

Major expenditures on travel is for escorted patient transportation. No other major expenditures in the operational program.

No known federal or other funds available for program operation.

- C. Computations: Increases estimated over the years at approximately 5.5% inflation.

The first year operating cost, not a part of the General Appropriation Bill, can be reduced by the proportionate number of months into FY 1975 that the unit might be delayed in completion. It is estimated that the unit could be operational by December, 1974; consequently, 7 months' operating expenses would be necessary in FY 1975.

PURPOSE

The Citizen's Task Force for the Planning of Psychiatric Security facilities was convened by the Director of the Division of Mental Health for the purpose of providing the Director with a plan for the development of programs to meet the psychiatric security needs of the State of Alaska. The Task Force was given sixty days to complete its work and submit a report of its findings to the Director. The Task Force met for the first time on Thursday, September 13, 1973, to consider the task before them.

INTRODUCTION AND HISTORY

The need for a psychiatric security facility should be considered within the historic development of the treatment philosophy of the Alaska Psychiatric Institute and the past attempts at resolution of the issues impacting upon the need for psychiatric security programs and their location.

Alaska Psychiatric Institute was opened in 1962 and in keeping with the trend of the times, it was conceived as a completely open hospital. The "open door" hospital permits patients to assume as much responsibility for themselves as is consistent with their ability. Stress is laid on the "therapeutic community" with each employee an integral and important member of the treatment team. "Wellness" is the focus of treatment rather than "illness." This philosophy of treatment was developed as a reaction to the national experience of "ware housing" patients for long periods of time on locked "back" wards.

Although conceived as a "completely open hospital", the need for security facilities had not gone unrecognized.

On November 29, 1962, Homer Ray, M.D., Director of the Division of Mental Health, wrote Commissioner Paul L. Winsor, "future planning for expansion of the Alaska Psychiatric Institute must include adequate provision for security measures. . ." Although I think all of us accept the concept of the completely open hospital, we fail to recognize that this concept is easily implemented in other states where facilities for this type of patient exists." Dr. Ray clearly realized that society's demands for protection from certain classes of persons must be recognized and that in a state as small as Alaska the only hospital would need to meet multiple demands, among them the demand to provide a secure setting for the care and treatment of mentally disordered offenders.

In order to meet this demand, the Division of Mental Health entered into an agreement with the State of Indiana to care for the mentally disordered

offender at Dr. Norman N. Beatty Memorial Hospital on December 23, 1963. This agreement allowed Alaska to send her mentally disordered offenders found not guilty by reason of insanity or incompetent to stand trial to Indiana for care and treatment. Other psychiatric security problems were managed by the correction system.

On September 22, 1965, Carl M. Bowman, M.D., Director of the Division wrote S. T. Ginsberg, M.D., Commissioner, Mental Health Department of Indiana, "We are in the midst of a rather difficult situation where we have been served by three writs of Habeus Corpas for keeping patients allegedly mentally sick in prison rather than in a mental hospital Most people feel that for us to build an additional ward to the institute for this type of patient would be most unpleasant and difficult without destroying the atmosphere here which is an open hospital." The maintenance of the "open door" policy at the Alaska Psychiatric Institute continued to remain the rationale for not utilizing the Alaska Psychiatric Institute to serve the needs of persons in need of psychiatric security.

In December of 1969, the agreement with Indiana terminated. Indiana felt that they could no longer be responsible for the problems of Alaska and that it was time that Alaska developed an alternative of her own. This termination resulted in the development of a "closed door" intensive treatment unit of eleven beds at the Alaska Psychiatric Institute in the general medical wing. The unit was not air-conditioned, had very little available recreation space and was not architecturally sufficient to be considered even a "medium security" area. "Medium security" is utilized here in the correctional sense. The unit provides "minimum security." A total of fifteen elopements have occurred from that unit since January of 1972.

The "minimum security" unit served as a temporary solution to the problem. In 1972, the growing national recognition that mentally handicapped adults and children were among the most profoundly victimized minorities created increasing pressures. These pressures were given substance

in such court decisions as "Jackson vs Jackson" in which the U.S. Supreme Court ruled that those judged incompetent must be evaluated within a reasonable time and either discharged or put through criminal proceedings; and in "Wyatt vs Stickney" where a Federal Court in Alabama held for the first time that persons involuntarily confined in institutions for the mentally ill have a constitutional right to adequate treatment and habilitation. In "Wyatt vs Stickney", the judge ruled that "to deprive any citizen of his or her liberty upon the altruistic theory that the confinement is for humane therapeutic reasons and then fail to provide adequate treatment violates the very fundamental of due process." This demand for the protection of constitutional rights made it clear that a person not guilty by reason of insanity or incompetent to stand trial could not be held in a correctional setting where no treatment was available.

Closely related to this national recognition of the rights of the mentally handicapped came the increased utilization in Alaska of not guilty by reason of insanity as a defense and the consequent increase in court demands for evaluation of competency. Increasing legal pressure from the courts in the form of "show cause" orders for the evaluation and care of the mentally disordered offender clearly indicated that the problem could not be handled solely by the "minimum" security intensive treatment unit at the Alaska Psychiatric Institute.

In August of 1972, Robert F. Holter, M.D., Director, wrote Commissioner Frederick McGinnis, "I can only affirm what has been said by Dr. Karl Bowman, Daniel Blain and Dr. Carl Koutsky that the structure of the Alaska Psychiatric Institute and its program does not lend itself to retaining persons needing a "maximum" security facility. To do so would be destructive to the program operation at the Alaska Psychiatric Institute and not constructive for the offender committed there."

In August 1972, assistance was requested from L.E.A.A. to study alternative solutions to the growing problem.

In November 1972, as a result of a nationwide search, an agreement was made with the California Department of Health to care for the mentally disordered offender at Atascadero State Hospital. Six patients have been transferred to that institution as of the date of this report. California was the only state in the Union willing to enter in this agreement as the utilization of her mental hospitals had been on the decrease. This agreement is very tenuous, in fact, as of this date, only a letter of agreement exists. A formal contract proposal is still tied up in the California Attorney General's office. With the realization that this could only be a temporary plan, \$480,000 of Capital Improvement funds were reallocated for the development of a Security Unit in Alaska.

Also in November of 1972, the team sponsored by L.E.A.A. submitted their report with the recommendations that the present intensive treatment unit at the Alaska Psychiatric Institute was unsuitable for the development of a security unit and recommending a long term solution of the construction of a free standing institution or the construction of a new wing at the Alaska Psychiatric Institute. (See Appendix A)

The early months of 1973 were marked by unrelenting pressures from the courts to provide evaluation and observation services within a reasonable time limit. In June of 1973 a waiting list for the evaluation and observations and admissions to I.T.U. developed. The problem was further being complicated by the needs of the correctional system to provide psychiatric treatment for their convicted prisoners and the recognition of the possibility that in the future Alaska might have to care for the convicted sex offender and other convicted persons now being cared for by the Federal Bureau of Prison's psychiatric facility in Springfield, Missouri. The facility at Springfield, due to increase in demands upon its resources, was becoming increasingly reluctant to provide care for those persons not considered floridly psychotic.

In July 1973, at a meeting with the presiding judge of the Superior Court, a policy decision was made that greatly alleviated the difficulties the system was having with the processing of evaluations and observation requests. It was agreed in principle that the great majority of persons requiring evaluation and observations would be handled by preliminary screening in the jail by the five existing Mental Health outpatient clinics in the state. Five regional correctional centers were designated as holding areas for those persons requiring evaluation. Only those persons who reasonably could be considered incompetent would be transferred to the Alaska Psychiatric Institute for their evaluation and observation. (See Appendix B)

On May 4, 1973, a request was made of CCC/HOK Architects to do a feasibility study for facilities to house and treat the "mentally disordered offender" at the Alaska Psychiatric Institute. The results of that feasibility study indicated that an in-depth understanding of the problem based on a broad range of input was necessary to conceive a plan.

SUMMARY OF RECOMMENDATIONS

1. The task force has determined that a need exists for an additional 33 bed psychiatric security facility plus maintenance of the present 11 bed intensive treatment unit at Alaska Psychiatric Institute. The total resultant need is for 44 beds to adequately meet the needs of Alaska over the next five years.

2. The additional 33 bed facility should be located at API and should be constructed by remodeling a present wing. The specific wing to be remodeled is contingent upon a variety of variables which cannot be controlled by the task force. Consequently, three choices were recommended and a fourth choice although not recommended, was considered feasible. These choices are:

- | | |
|---------------------------|--------------------------------|
| 1. Ground Floor Unit - | Recommended. |
| 2. Children's Unit - | Recommended. |
| 3. First Floor Unit - | Recommended. |
| 4. Resocialization Unit - | Not Recommended, but feasible. |

3. The additional facility should provide 11 beds in a "medium" security area and 22 beds in a "minimum" security area. Admission to the unit should be to the "medium" security area. The task force recommends that no females or adolescents be treated on "medium" security. This area should be designed for males only. The "minimum" security area should provide treatment for males, females and adolescents.

4. The additional facility should serve males, females and adolescents of all diagnostic categories regardless of their legal status. It is the recommendation of the task force that a cooperative inter-agency agreement between the Division of Mental Health and the Division of Corrections be developed that would ensure a flexible utilization of their mutual resources. Treatment considerations should prevail in decisions regarding placement. The inter-agency agreement would address itself to flexible transfer between facilities in the case of convicted sentenced prisoners, the individualization and mutual determination of individual treatment needs and the possibility of mutual staff

utilization and training. The task force recommendations and projection are contingent upon the flexible utilization of our present resources.

5. In considering our present resources, the task force has made the assumption that the majority of Evaluations and Observations will be accomplished on an outpatient basis as is the present policy. Strengthening of the capability to perform these Evaluations and Observations in a prompt, effective manner should also be a concomitant development with the construction of the new security facility.

6. The development of effective aftercare services is critical to the success of this program. Half-way houses, vocational rehabilitation, job placement and close community supervision should be developed in order to support the unit.

7. The present treatment philosophy of providing an individual as much responsibility for his actions as is consistent with his own ability should provide the direction for the treatment program in the proposed facility. The proposed facility should utilize all possible resources of API and the community and should not be allowed to become isolated. "Flexibility" in treatment plans and programs and "flow" through the hospital from "medium" security to the community should occur. Every attempt should be made to avoid "warehousing" patients. It is the strong opinion of the task force that the patient's right to treatment must over-balance the right of society to have an escape proof unit.

The task force has not been able to demonstrate to their satisfaction that the present medical, legal and psychological knowledge is adequate to provide reliability beyond that of chance in the identification of persons motives, criminal or non-criminal; person's dangerousness, or persons competency to stand trial. In the absence of this reliability, every effort should be made to maximize the protection of the individual's right to treatment and due process of law.

8. The architectural recommendations have been based upon the assumptions that staff provide the greatest security and no amount of architectural safeguards can assure a completely escape proof facility. Every effort should be made in the design of the facility to avoid symbols of hopelessness and criminality. The facility should provide a "normalized", home like atmosphere with adequate protection of dignity and privacy. The proposed architectural configurations do not include iron bars, sallyports or glass partitioned visitation areas. These are primarily devices to prevent escape and the importation of foreign objects which adequate staff can control just as effeciently. Traditionally these architectural devices have been utilized in lieu of staff. (Table 9, page 33, summarizes the architectural needs.)

9. The task force identified a need for 33 direct staff members not including support staff for adequate implementation of programs. Although this appears high at first glance, considering that the proposed unit will actually contain two segments and that staff will provide the chief guarantee of security, it is the minimum acceptable staffing the task force can recommend. (Table 8, pages 29-30, summarizes the staffing needs.) Adequate training and competitive salaries will play a great part in the recruitment and maintenance of staff. Neither of these are adequate at the present time and should be resolved prior to the implementation of the program.

10. There is great confusion in the "judicial" vs the "dispositional" functions of the courts and the Department of Health and Social Services. The laws pertaining to Mental Health are outdated and confusing. The role of Corrections and Mental Health will require definition and evaluation. Specific recommendations on these issues were not forthcoming from this task force as they required further examination and a broader basis of input. It is the recommendation of the task force that the director continue an expanded version of the present task force to address these matters and develop specific recommendations. It is further recommended that the present task force continue to

remain in existence as an advisory group in the final design of the facility and to serve as a vehicle for consumer involvement. The task force could serve as an educational medium or "buffer" to the community in the resolution of expected problems.



RECORDS CERTIFICATION



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James O. Smith
Signature of Camera Operator

4/26/89
Date

Introduced: 2/4/74
Referred: Health, Education & Social
Services and Finance

BY THE HEALTH, EDUCATION AND SOCIAL
SERVICES COMMITTEE BY REQUEST OF THE
INTERIM COMMITTEE ON HEALTH CARE,
SOCIAL SERVICES AND MENTAL HEALTH
DELIVERY SYSTEMS

1 IN THE HOUSE

2 HOUSE BILL NO. 553

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Health and Social Services Advisory
7 Board."

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

9 * Section 1. AS 47 is amended by adding a new chapter to read:

10 CHAPTER 45. HEALTH AND SOCIAL SERVICES

11 ADVISORY BOARD.

12 Sec. 47.45.010. CREATION OF BOARD. There is established in the
13 Department of Health and Social Services the Health and Social Services
14 Advisory Board.

15 Sec. 47.45.020. COMPOSITION AND TERM OF OFFICE. (a) The advisory
16 board consists of seven members appointed by the governor. The member-
17 ship shall reflect, to the extent possible, geographic diversity, and
18 include the following:

- 19 (1) two members of the public at large,
- 20 (2) a social worker,
- 21 (3) a psychiatrist,
- 22 (4) a physician licensed to practice medicine in the state,
- 23 (5) a public health nurse,
- 24 (6) a practicing attorney who has been admitted to the

25 Alaska Bar.

26 (b) The members of the board serve at the pleasure of the governor
27 for terms of four years.

28 (c) A vacancy occurring in the membership of the board shall be
29 filled by appointment of the governor for the unexpired portion of the

1 vacated term.

2 Sec. 47.45.030. COMPENSATION, PER DIEM AND EXPENSES. Members of
3 the board are not entitled to a salary, but are entitled to per diem,
4 reimbursement for travel, and other expenses authorized by law for
5 other boards.

6 Sec. 47.45.040. DUTIES. (a) The board shall act in an advisory
7 capacity to the commissioner in the following matters:

8 (1) the effectiveness of the health and social services
9 delivery system in the state;

10 (2) consumer needs not being met by the department which are
11 within the department's jurisdiction;

12 (3) coordination of programs of each division of the depart-
13 ment with each other and with other service agencies.

14 (b) The board shall make a continuing study of the operation of
15 programs carried out by the department with a view to determining how
16 the programs may be improved. Annually, the board shall submit to the
17 commissioner, the governor and the legislature a written report of the
18 results of its study together with the recommendations for administra-
19 tive and legislative changes it considers appropriate.

20 Sec. 47.45.050. MEETINGS. (a) The board shall meet at the call
21 of the chairman but shall meet at least twice a year.

22 (b) A majority of the members constitutes a quorum and a vacancy
23 on the board does not affect its powers.

24 Sec. 47.45.060. DEPARTMENT ASSISTANCE. The commissioner shall
25 provide the board with technical and other assistance, including
26 secretarial and clerical services, that is required to carry out its
27 functions under this chapter.
28
29

The Legislature of the State of Alaska
 FISCAL NOTE
 Second Session - Eighth Legislature



I. REQUEST

Bill Identification: House Bill No. 533
 Title: An Act Creating the Health & Social Services Advisory Board
 Requested by: _____ Date: _____
 Return Date Requested: _____
 Agency: Dept. of Health & Soc. Svcs. Program: General Administration:
Commissioner's Office

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Administration & Support (Dept. of HSS)

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 74	FY 75	FY 76	FY 77	FY 78	FY 79
100 PERSONAL SERVICES						
200 TRAVEL		9,300	9,800	10,300	10,800	11,300
300 CONTRACTUAL		700	700	800	800	900
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	- 0 -	10,000	10,500	11,100	11,600	12,200

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-0-	10,000	10,500	11,100	11,600	12,200
FEDERAL FUNDS	--	--	--	--	--	--
OTHER	--	--	--	--	--	--

C. POSITIONS:

PERMANENT/TEMPORARY	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0
MAN MONTHS (P./T.)	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0	0 / 0

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

A. Assumptions

- The seven members would be from Fairbanks, Ketchikan, Bethel, Juneau, Nome and Anchorage (two members).
- There will be four meetings per year, held in Juneau with five days per diem paid to each of the board members. The cost per meeting is approximately \$2,330.

B. Program Summary

- The function of the board is as described in Sec. 47.45.040 of the proposed legislation
- No new positions will be required.
- Costs, other than transportation and per diem, include such items as meeting rooms, telephone, etc.

IV. ATTACHMENTS

NONE

V. DATE: April 2, 1974

PREPARED BY: Roger C. Lange

Roger C. Lange

Original: Legislative Finance
 Budget and Management
 cc: Prime Sponsor (First Legislator Named)



RECORDS CERTIFICATION



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James O. Smith
Signature of Camera Operator

4/26/89
Date

Introduced: 2/4/74
Referred: Health, Education & Social
Services and Finance

BY THE HEALTH, EDUCATION AND SOCIAL
SERVICES COMMITTEE BY REQUEST OF THE
INTERIM COMMITTEE ON HEALTH CARE,
SOCIAL SERVICES AND MENTAL HEALTH
DELIVERY SYSTEMS

1 IN THE HOUSE

2 HOUSE BILL NO. 554

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act qualifying maximum amount of assistance payable
7 under public assistance to conform to Office of Econ-
8 omic Opportunity poverty guidelines."

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

10 * Section 1. AS 47.25.130 is amended to read:

11 Sec. 47.25.130. AMOUNT OF ASSISTANCE. The amount of assistance
12 for a needy person shall be determined by the department with regard to
13 the resources and needs of the person and the conditions existing in
14 each case. Where possible, assistance shall be sufficient to provide
15 the applicant with reasonable subsistence according to standards of
16 assistance established by the department. However, the amount of
17 assistance for subsistence needs may not exceed \$80 a person a calendar
18 month unless that amount is less than the Office of Economic Opportunity
19 poverty guidelines for the state, in which case the maximum amount pay-
20 able does not apply.

21 * Sec. 2. AS 47.25.320(b) is amended to read:

22 (b) The monetary maximums in (a) of this section do not apply
23 (1) to payments made under this program for the care of a
24 dependent child in a foster family home; [THE PAYMENT SHALL CONFORM
25 TO FOSTER CARE RATES AS PROVIDED BY THE DEPARTMENT.]
26 (2) if the amount is less than the Office of Economic Oppor-
27 tunity poverty guidelines for the state.

28 * Sec. 3. AS 47.25.640 is amended to read:

29 Sec. 47.25.640. AMOUNT OF ASSISTANCE. The department shall

1 determine the amount of assistance granted for a needy blind person with
2 due regard to the resources and needs of the person and the conditions
3 existing in each case. Assistance shall be sufficient to provide the
4 applicant with reasonable subsistence compatible with decency and
5 health, and according to the standards of assistance established by the
6 department. However, assistance may not exceed \$250 a calendar month
7 unless that amount is less than the Office of Economic Opportunity
8 poverty guidelines for the state, in which case the maximum amount pay-
9 able does not apply. Direct payments for medical services and remedial
10 care may not be considered in determining the maximum amount payable.

11 * Sec. 4. AS 47.25.810 is amended to read:

12 Sec. 47.25.810. AMOUNT OF ASSISTANCE. The amount of assistance
13 for a permanently and totally disabled person shall be determined by the
14 department with regard to the resources and needs of the person and the
15 conditions existing in each case. Where possible, assistance shall be
16 sufficient to provide reasonable subsistence compatible with decency and
17 health and according to the standards of assistance established by the
18 department. However, the amount of assistance may not exceed \$250 a
19 calendar month unless that amount is less than the Office of Economic
20 Opportunity poverty guidelines for the state, in which case the maximum
21 amount payable does not apply. Direct payments for medical services and
22 remedial care may not be considered in determining the maximum amount
23 payable.

24 * Sec. 5. AS 47.25 is amended by adding a new section to read:

25 ARTICLE 8. STANDARDS FOR ASSISTANCE PAYMENTS.

26 Sec. 47.25.995. MINIMUM AMOUNT OF ASSISTANCE. (a) All public
27 assistance payments authorized under this chapter shall be no less than
28 the federally established Office of Economic Opportunity poverty guide-
29 lines for the state.

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(b) To the extent that any maximums are established by statute to limit the amount payable under a program authorized in this chapter, they do not apply so long as they are below the minimums required in (a) of this section.

2

The Legislature of the State of Alaska
FISCAL NOTE
Second Session - Eighth Legislature

I. REQUEST

Bill Identification: House Bill No. 554 / SB 334
 Title: An Act Qualifying Maximum Account of Assistance Payable etc.
 Requested by: Health, Education, and Soc. Serv. Date: 2/4/74
 Return Date Requested: _____
 Agency: Health & Social Services Program: Social Services

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Assistance Payments & Food Stamp/Eligibility
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 74	FY 75	FY 76	FY 77	FY 78	FY 79
100 PERSONAL SERVICES		88.6	97.3	107.0	117.7	129.5
200 TRAVEL		.9	1.5	1.7	1.9	2.1
300 CONTRACTUAL		5.7	6.3	6.9	7.6	8.4
400 COMMODITIES		2.1	2.3	2.5	2.8	3.1
500 EQUIPMENT		1.8	1.9	2.0	2.3	2.5
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		8,371.3	9,208.1	10,129.0	11,142.1	12,256.2
TOTAL		8,470.4	9,317.4	10,249.1	11,274.4	12,401.8

B. FUNDING: (Thousands of dollars)

GENERAL FUND	4606.4	5067.0	5573.7	6131.5	6744.6
FEDERAL FUNDS	3864.0	4250.4	4675.4	5142.9	5657.2
OTHER					

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

SEE ATTACHMENTS:

IV. ATTACHMENTS

V. DATE: 3/22/74 PREPARED BY: Ray C. Pugh

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

III Analysis

This bill would set new standards of assistance for the following public assistance programs: Aid to Families with Dependent Children (AFDC); General Relief (GR); Aid to the Disabled (AD); Aid to the Blind (AB).

In the AFDC program the bill would both broaden the eligibility base and increase the maximum monthly payment amount to eligible families and would consequently increase expenditures by an estimated \$7,454.3 (3,727.2 Federal & 3,727.1 SGF) for FY 1975.

In the AD and AB Programs, the bill would have the effect of raising the assistance standard and payment level for an estimated 1,000 recipients from \$185 a month to \$230 a month - \$230 being the August, 1973 OEO poverty level. It is estimated that the jump from \$185 to \$230 would cost \$540.0 in SGF for FY 75 or $1,000 \times \$45 \times 12 = 540.0$

This bill would have no effect on the estimated 1010 AD and AB recipients who are currently at the \$250 assistance standard - maximum payment level.

In the GR program it is estimated that an additional \$377.0 SGF would be needed in FY 1975 to meet the requirements of this bill for the number of recipients currently being served by the GR program. The GR program currently provides assistance to about 25% of all eligible persons who apply for the program.

An estimated six new positions would be needed to carry out the provisions of this bill. Such positions would be utilized to manage the increased caseload which would result from the increased AFDC caseload.



RECORDS



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James O. Smith
Signature of Camera Operator

4/26/89
Date

Introduced: 2/5/74
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY MCVEIGH

2 HOUSE BILL NO. 557

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to duties of the Alaska travel
7 division."

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

9 * Section 1. AS 44.45.090 is amended by adding a new paragraph to read:
10 (7) establish and administer tourist information centers at
11 the Anchorage, Fairbanks, and Seattle International Airports, the
12 cities of Tok, Alaska and Prince Rupert, British Columbia, and at
13 other high tourist and recreational traffic areas for the distribution
14 of information, literature, and other materials that would be of assis-
15 tance to resident and nonresident travelers in planning their itinerary
16 in the state.

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STATE
of ALASKA

MEMORANDUM

TO:

Jay Hogan, Director
Legislative Finance

DATE : February 20, 1974

FROM: 

Irene E. Ryan, Commissioner
Department of Economic Development

SUBJECT: House Bill 557

The following is our analysis of the proposed legislation, House Bill 557, an Act amending the duties of the Alaska Division of Tourism for the purpose of establishing and administering tourist information centers at the Anchorage, Fairbanks, and Seattle International Airports, the Cities of Tok, Prince Rupert, and Haines, and any other high tourist and recreational traffic areas.

It is our opinion that this legislation would provide major benefits to the Alaska tourism industry. The information center program would:

1. Facilitate the development of small tourism enterprises.
2. Better inform residents and nonresidents of tourism opportunities, lengthening travel time and increasing expenditures.
3. Help the Division of Tourism be more responsive to traveler problems and desires while providing an outlet for tourism oriented surveys.
4. Provide a coordination point for the regional distribution of literature as well as an exchange of literature from alternate regions.
5. In Prince Rupert and Seattle we could more aptly provide factual information pertaining to employment to transients before they enter Alaska.

The Division of Tourism is currently providing seasonal tourist services in Tok, Alaska through what has become a very successful information center program, although it is available only to highway oriented traffic from May through September. The incorporation of these new centers would provide access to an additional 160,000 travelers.

The Legislature of the State of Alaska
 FISCAL NOTE
 Second Session - Eighth Legislature

I. REQUEST

Bill Identification: HB 557
 Title: An act relating to duties of the Alaska Travel Division
 Requested by: Legislative Finance Date: February 14, 1974
 Return Date Requested: February 20, 1974
 Agency: _____ Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Promotion of tourism

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 74	FY 75	FY 76	FY 77	FY 78	FY 79
100 PERSONAL SERVICES	8.2	84.7	88.9	93.3	98.0	102.9
200 TRAVEL	.4	1.7	1.8	1.9	2.0	2.1
300 CONTRACTUAL	.8	12.0	12.6	13.2	13.9	14.6
400 COMMODITIES	2.7	0	.4	.4	.4	.4
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	11.5	98.4	103.7	108.8	114.3	120.0

B. FUNDING: (Thousands of dollars)

GENERAL FUND	11.5	98.4	103.7	108.8	114.3	120.0
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	5 / 2	11 / 2	11 / 2	11 / 2	11 / 2	11 / 2
MAN MONTHS (P./T.)	10 / 4	84 / 12	84 / 12	84 / 12	84 / 12	84 / 12

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Assumptions

- Inflation FY 76-79 @ 5% annually (all costs).
- Personal Services - includes 13½% pay increase.
- Travel - Per Diem computed @ \$35 per day.
- Commodities - Replace uniforms 4 per year beginning FY 76.

Program Summary

- Personal Services - (See details).
- Travel - General admin - two round trips annually (each).
- Contractual - Rent \$200 monthly each location (excluding Tok Facility).
- Commodities - (FY 74) Signs \$1,500 and uniforms \$1,200 (see details).

IV. ATTACHMENTS

V. DATE: Feb 21, 1974

PREPARED BY: [Signature]

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

DETAIL OF PERSONAL SERVICES - NEW POSITIONS

Description	Range	Location	Salary	Months	Annual Cost	# Positions
Personal Services						
Travel Councilor	10	Anc	827	12	9924	1
Clerk I	6	Anc	709	24	17016	2
Clerk I	6 (T)	Anc	709	12	8508	2
Travel Councilor	10	Sea	688	5	3440	1
Clerk I	6	Sea	593	5	2965	1
Travel Councilor	10	Fbks	909	5	4545	1
Clerk I	6	Fbks	777	5	3885	1
Travel Councilor	10	Tok	909	12	10908	1
Travel Councilor	10	Prince R. BC	688	5	3440	1
Travel Councilor	10	Haines	881	6	5286	1
Clerk I	6	Haines	754	5	3770	1
Perm. Salaries					65179	
Benefits @ .16					10429	
Temp. Salaries					8508	
Benefits @ .07					596	
Total Personal Svcs FY 75					84712	13
Total Personal Svcs FY 74 (Anc/Sea offices May & June)					8180	7

DETAIL OF OTHER COSTS

Uniforms - Computed @ \$90 each. Employee will receive an advance which will be liquidated over a 5 month period. Upon termination, any unpaid balance will be deducted from termination pay.



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James O. Smith
Signature of Camera Operator

4/26/89
Date

"An Act relating to compensation for the taking of rights-of-way across state leases."

3/4/74

COMMITTEE REPORT

HOUSE

Mr. Speaker:

Date

3/28/74

The Committee on Finance has had HOUSE BILL NO. 559

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AM'NDMENT(S)

() recommends it BE REPLACED WITH CS FOR _____ AND THAT

CS FOR _____ DO PASS

(X) "and" recommends it BE REFERRED TO THE

COMMITTEE

Participating

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____
<u>[Signature]</u>	<u>[Signature]</u>	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman

Introduced: 2/5/74
Referred: Judiciary and
Finance

1 IN THE HOUSE

BY FINK

2 HOUSE BILL NO. 559

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE -- SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to compensation for the taking of
7 rights-of-way across state leases."

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

9 * Section 1. AS 38.05.130 is amended to read:

10 Sec. 38.05.130. DAMAGES AND POSTING OF BOND. No rights shall be
11 exercised by the state, its lessees, successors or assigns under the
12 reservation as set out in sec. 125 of this chapter or a reservation in
13 a lease of a right to grant easements or rights-of-way across leased
14 land until the state, its lessee, successors, or assigns make provisions
15 to pay to the owner of the land full payment for all damages sustained
16 by the owner, by reason of entering upon the land, including reduction
17 in the value of the lease resulting from the exercise of the right to
18 grant an easement or right-of-way. If the owner for any cause refuses
19 or neglects to settle the damages, the state, its lessees, successors,
20 assigns, or an applicant for a lease or contract from the state for the
21 purpose of prospecting for valuable minerals, or option contract or
22 lease for mining coal or lease for extracting petroleum or natural
23 gas, may enter upon the land in the exercise of the reserved rights
24 after posting a surety bond determined by the director, after notice
25 and an opportunity to be heard, to be sufficient as to form, amount,
26 and security to secure to the owner payment for damages, and may insti-
27 tute legal proceedings in a court where the land is located, as may be
28 necessary to determine the damages which the owner may suffer.
29

be heard, to be sufficient in amount and security to secure the said owner full payment for all such damages, to enter upon the land in the exercise of said reserved rights, and shall have the right to institute such legal proceedings in a court of competent jurisdiction wherein the land is situated, as may be necessary to determine the damages which the surface lessee of such lands may suffer.

4. The lands leased herein have been classified as Commercial-Industrial lands in accordance with the Classification Regulations, Title 11, Division 1, Chapter 1, Subchapter 1, and any use thereof which shall be in material conflict with said classification shall, if not remedied after due notice thereof has been served on the Lessee, constitute a breach of this lease and the Lessor may thereupon terminate same in accordance with provisions herein contained. The Lessor does not warrant that by such classification the land is ideally suited for the use authorized thereunder and the Lessor gives no guaranty, actual or implied, that the utilization under said classification will be profitable.

5. All coal, oil, gas and other minerals and all deposits of stone or gravel valuable for extraction and utilization and all materials subject to Title 11, Division 1, Chapters Four (4), Five (5), and Six (6), Alaska Administrative Code, as amended or as shall hereafter be amended are excepted from the operation of this lease. Viz: The Lessee shall not sell or remove for use elsewhere any timber, stone, gravel, peatmoss, or any other material valuable for building or commercial purposes; provided, however, that material required in the enjoyment of this lease may be used after a written permit therefor has been obtained from the Lessor.

6. The Lessor expressly reserves the right to grant easements or rights-of-way across the land herein leased if it is determined to be in the best interests of the State to do so; provided, however, that the Lessee shall be entitled to compensation for all improvements or crops which are damaged or destroyed as a direct result of such easement or right-of-way

7. The Lessee shall not commit waste or injury upon the lands leased herein. Any violation of this agreement shall not only subject the offender to civil liability, but upon conviction thereof he may be fined in any sum not exceeding \$1000.00.

8. If the lands leased herein are classified and leased as grazing or agricultural lands the Lessee shall not prevent or deny the lawful pursuit or the hunting of game or the taking of fish; provided, however, the Director, upon request in writing, may allow the lands leased herein, or portions thereof, to be posted to prohibit hunting and fishing when it appears necessary in order to properly protect the Lessee and his property.

9. Should the lands herein leased lie within the jurisdiction of any authorized building or zoning authority they shall be utilized in accordance with the rules and regulations promulgated by said authority.

10. The Lessee shall take all reasonable precaution to prevent, and take all reasonable action to suppress grass, brush and forest fires on the land herein leased.

11. The Lessee shall allow the Lessor, through its duly authorized representative, to enter upon the leased premises, at any reasonable time, for the purpose of an inspection thereof.