

LEG. FINANCE - BILLS 1975 - 1976 497

CS SB 24 Thru SB 30 497



# 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

2/8/90  
Date

"An Act relating to community mental health services; and providing for an effective date."

# COMMITTEE REPORT

5/1/75

HOUSE

Mr. Speaker:

Date 5/18/75

The Committee on FINANCE has had CS 24

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 CS 24 AND THAT

CS FOR CS 24 DO PASS

( ) "and" recommends it BE REFERRED TO THE \_\_\_\_\_

COMMITTEE

( ) 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:

<u>[Signature]</u>	recommends: <u>no recommendation</u>
<u>[Signature]</u>	recommends: <u>no rec</u>
_____	recommends:
_____	recommends:
_____	recommends:

[Signature] Chairman

HOUSE JOURNAL

HOUSE FINANCE COMMITTEE REPORT  
FOR  
HOUSE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 24

The House Finance Committee has examined the role of advisory boards in decision-making processes regarding various programs and finds that the proliferation of such boards results in narrow, rather than comprehensive, perspectives reflecting the particular interest of their respective programs.

Therefore, the functions to be performed by a Mental Health Advisory Council under Sec. 47.30.605 of CSSB 24 have been assigned to the Statewide Health Coordinating Council (SHCC) whose existence is mandated by the National Health Planning and Resources Development Act of 1974, P.L. 93-641. This is done to avoid further duplication of efforts and fragmentation of responsibility for decisions regarding health care. P.L. 93-641 specifically charges the SHCC to "approve or disapprove...any application...(for) the receipt of any funds under...the Community Mental Health Centers Act" (Sec. 1524 (c)(b)).

The addition of Sec. 47.30.615 to HCSCSSB 24 repeals the State law which conformed to the Federal law replaced by P.L. 93-641 and makes temporary provision for the allocation of Hill-Burton funds until the Department of Health and Social Services is able to prepare legislation to place the State in conformance with the requirements of P.L. 93-641.

It is the intent of the Legislature that the Department prepare such legislation to be submitted at the beginning of the Second Session of the Ninth Legislature.

In addition, the Committee recommends that the Legislature give particular study to health care and delivery during the interim before the 1976 regular legislative session.

Respectfully submitted,

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Hugh Malone, Chairman

HOUSE JOURNAL

FISCAL NOTE  
for  
HOUSE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE  
for  
SENATE BILL NO. 24


The House Finance Committee notes that for Fiscal Year 1976, the costs of HCSCSSB 24 are covered by the appropriation under Community Mental Health Services in CSSHB 70. The amounts contained in that appropriation, in addition to \$145,300 and \$85,800 for existing centers in Ketchikan and Kodiak which will fall under HCSCSSB 24 as well, are

Anchorage	\$177,500
Bethel	79,000
Horton Sound	65,000
Seward	30,000
Kenai	30,000
Kotzebue	30,000
Skagway	13,300
Sitka	30,000
Tanana Chiefs	67,400
Juneau	15,000
Barrow	50,000

This is a total of \$587,200 for new centers under the sharing provisions of this legislation.

For the costs of HCSCSSB 24 after Fiscal Year 1976, reference is made to the fiscal note for HB 311, the companion bill to CSSB 24, since the House Finance Committee did not receive a fiscal note relating to CSSB 24 as such.

Respectfully submitted,

  
Hugh Malone, Chairman

CS COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO.  
 SCR 19 was referred to the Rules Committee for placement on  
 19 the calendar.

CSSB The Finance Committee has had COMMITTEE SUBSTITUTE FOR  
 24 SENATE BILL NO. 24 (community mental health services;  
 effective date) under consideration and a majority of the  
 members of the Committee recommends it be replaced with  
 HOUSE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE FOR  
 SENATE BILL NO. 24 (same title) and that it do pass. The  
 report was signed by Mr. Malone, Chairman, and concurred  
 in by Malone, Buchholdt, Duncan, Itta, Guy, Gruening and  
 Cowper. Not concurring were Naughton and Haugen who have  
 no recommendation.

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 24 was referred  
 to the Rules Committee for placement on the calendar.

The Finance Committee's statement of intent on CSSB 24  
 appears as follows:

"HOUSE FINANCE COMMITTEE REPORT  
 FOR  
 HOUSE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE  
 FOR  
 SENATE BILL NO. 24

The House Finance Committee has examined the role of advisory boards  
 in decision-making processes regarding various programs and finds that  
 the proliferation of such boards results in narrow, rather than  
 comprehensive, perspectives reflecting the particular interest of  
 their respective programs.

Therefore, the functions to be performed by a Mental Health Advisory  
 Council under Sec. 47.30.605 of CSSB 24 have been assigned to the  
 Statewide Health Coordinating Council (SHCC) whose existence is  
 mandated by the National Health Planning and Resources Development Act  
 of 1974, P.L. 93-641. This is done to avoid further duplication of  
 efforts and fragmentation of responsibility for decisions regarding  
 health care. P.L. 93-641 specifically charges the SHCC to "approve  
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The addition of Sec. 47.30.615 to HCSCSSB 24 repeals the State law  
 which conformed to the Federal law replaced by P.L. 93-641 and makes  
 temporary provision for the allocation of Hill-Burton funds until the  
 Department of Health and Social Services is able to prepare legisla-  
 tion to place the State in conformance with the requirements of  
 P.L. 93-641.

It is the intent of the Legislature that the Department prepare such  
 legislation to be submitted at the beginning of the Second Session of  
 the Ninth Legislature.

In addition, the Committee recommends that the Legislature give partic-  
 ular study to health care and delivery during the interim before  
 the 1976 regular legislative session.

Respectfully submitted,

  
 Hugh Malone, Chairman "

(b) Class A-2, Class A-3, and Class A-4 licenses are valid for operating Class A-2, A-3 and A-4 vehicles respectively only so long as a currently effective and approved medical certificate as prescribed in (a) of this section, that person may not operate Class A-2, A-3, or A-4 vehicles until a valid medical certificate is filed with the department.

(c) A requirement for a medical examination as a condition precedent to obtaining an operator's license or school bus driver's permit shall be satisfied if the applicant is the holder of a current and valid first - or second-class medical certificate issued under the federal aviation regulations and has passed any requirement of the Department of Education relating to tests for tuberculosis. (eff. / / Reg. )

Authority: AS 28.05.030  
AS 28.15.070 "

The Speaker referred the above regulations to the Judiciary Committee.

REPORTS OF STANDING COMMITTEES

The Judiciary Committee has had SENATE CONCURRENT RESOLUTION SCR NO. 15 (assignment of policewomen to reported incidents of rape) under consideration and a majority of the members of the Committee recommends it do pass. The report was signed by Mr. Gardiner, Chairman, and concurred in by Gardiner, Brown, Eliason and Bradley. Not concurring was Speckling who has no recommendation. 15

SENATE CONCURRENT RESOLUTION NO. 15 was referred to the Rules Committee for placement on the calendar.

The Judiciary Committee has had COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 17 (peace officer training programs related to treatment of rape victims) under consideration and a majority of the members of the Committee recommends it do pass. The report was signed by Mr. Gardiner, Chairman, and concurred in by Gardiner, Brown, Eliason and Bradley. Not concurring was Speckling who has no recommendation. CS SCR 17

COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 17 was referred to the Rules Committee for placement on the calendar.

The Judiciary Committee has had COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 19 (special investigative units for cases involving sexual offenses) under consideration and a majority of the members of the Committee recommends it do pass. The report was signed by Mr. Gardiner, Chairman, and concurred in by Gardiner, Brown, Eliason and Bradley. Not concurring was Speckling who has no recommendation. CS SCR 19

Offered: 3/24/75  
Referred: Finance

Original sponsor: Chance

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 24 am H

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 47.30.550. COST-SHARING FORMULA; LIMITATIONS. If the 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. In districts designated  
9 by the department as poverty areas, the department shall purchase the  
10 services by participating in 90 per cent of the eligible costs.

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

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

23 (1) a provision excluding capital expenditures as eligible  
24 costs; and

25 (2) a requirement that the community entity contractor or  
26 applicant agrees as a condition of contract approval that it will not  
27 supplant existing local fund support of community mental health services  
28 with funds received under secs. 520 - 620 of this chapter and that it  
29 will continue local funding support of community mental health services,

1 in any year in which it contracts with the department, at a level that  
2 is at least equal to the local funding support in the previous year.

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

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

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

1           Sec. 47.30.605. MENTAL HEALTH ADVISORY COUNCIL. (a) There shall  
2 be a Mental Health Advisory Council appointed by the governor to advise  
3 and assist the department in initiating and implementing community  
4 mental health services. The council consists of 12 appointed voting  
5 members who are interested and knowledgeable in mental health. No more  
6 than four members should be providers of direct mental health services.

7           (b) The council shall

8           (1) advise the division on the state mental health plans  
9 before implementation of these plans;

10           (2) periodically review all mental health services in the  
11 state, reports of which shall be prepared and submitted to the governor,  
12 the legislature, the department and the Comprehensive Health Advisory  
13 Council;

14           (3) conduct independent investigations and studies as may be  
15 necessary;

16           (4) recommend rules, regulations and standards for the admin-  
17 istration of community mental health services;

18           (5) encourage coordination on a regional basis, of community  
19 mental health services to insure nonduplication and nonfragmentation of  
20 services.

21           (c) The council shall meet at the call of the chairman but shall  
22 meet at least once quarterly.

23           (d) Members of the council are not entitled to a salary, but are  
24 entitled to per diem, reimbursement for travel, and other expenses  
25 authorized by law for other boards.

26           Sec. 47.30.610. DEFINITIONS. In secs. 520 - 610 of this chapter

27           (1) "department" means the Department of Health and Social  
28 Services;

29           (2) "poverty area" means a district in which 15 per cent or

1 more of the population, based upon 1970 census data, falls under 125  
2 per cent of the Office of Economic Opportunity poverty guidelines.

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

5 \* Sec. 2. Upon the creation of the Statewide Health Coordinating Council,  
6 as required by the National Health Planning and Resource Development Act of  
7 1974, H. 93-641, sec. 605(a), (c) and (d) of this Act are repealed and the  
8 duties specified under sec. 605(b) of this Act shall be assumed by the  
9 Statewide Health Coordinating Council.

10 \* Sec. 3. This Act takes effect July 1, 1975.

Offered: 3/24/75  
Referred: Finance

Original sponsor: Chance

*House Committee  
Sub. for*

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 24

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST 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:

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11 Sec. 47.30.520. LEGISLATIVE PURPOSE. It is the purpose of the  
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13 assist local communities in planning, organizing and financing commun-  
14 ity 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 See. 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  
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21 program costs eligible for state participation. These regulations shall  
22 include

23 (1) a provision excluding capital expenditures as eligible  
24 costs; and

25 (2) a requirement that the community entity contractor or  
26 applicant agrees as a condition of contract approval that it will not  
27 supplant existing local fund support of community mental health services  
28 with funds received under secs. 520 - 620 of this chapter and that it  
29 will continue local funding support of community mental health services,

1 in any year in which it contracts with the department, at a level that  
2 is at least equal to the local funding support in the previous year.

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

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

*Insert*

Sec. 47.30.605. ADVISORY COUNCIL. The Statewide Health Coordinating Council, created by PL 93-641, shall be the statewide organization to advise and assist the department in developing and implementing community mental health services.

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~~Sec. 47.30.605. MENTAL HEALTH ADVISORY COUNCIL. (a) There shall be a Mental Health Advisory Council appointed by the governor to advise and assist the department in initiating and implementing community mental health services. The council consists of 12 appointed voting members who are interested and knowledgeable in mental health. No more than four members should be providers of direct mental health services.~~

~~(b) The council shall~~

~~(1) advise the division on the state mental health plans before implementation of these plans;~~

~~(2) periodically review all mental health services in the state, reports of which shall be prepared and submitted to the governor, the legislature, the department and the Comprehensive Health Advisory Council;~~

~~(3) conduct independent investigations and studies as may be necessary;~~

~~(4) recommend rules, regulations and standards for the administration of community mental health services;~~

~~(5) encourage coordination on a regional basis, of community mental health services to insure nonduplication and nonfragmentation of services.~~

~~(c) The council shall meet at the call of the chairman but shall meet at least once quarterly.~~

~~(d) Members of the council are not entitled to a salary, but are entitled to per diem, reimbursement for travel, and other expenses authorized by law for other boards.~~

*delete*

Sec. 47.30.610. DEFINITIONS. In secs. 520 - 610 of this chapter

(1) "department" means the Department of Health and Social Services;

(2) "poverty area" means a district in which 15 per cent or

47. 30.615. AS 18.07 is hereby repealed; however, the Comprehensive Health Advisory Council should continue to carry out its functions as a transitional measure until the establishment of a Statewide Health Coordinating Council as provided by PL 93-641.

1 more of the population, based upon 1970 census data, falls under 125  
2 per cent of the Office of Economic Opportunity poverty guidelines.

3 *insert*  
4 Sec. 47.30.620. SHORT TITLE. Sections 520 - 620 of this chapter

5 may be cited as the Community Mental Health Services Act.

6 \* Sec. 2. This Act takes effect July 1, 1975.  
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The Legislature of the State of Alaska  
FISCAL NOTE

*all*

First Session - Ninth Legislature

I. REQUEST *SB24*  
 Bill No. ~~HB-311~~  
 Title: Community Mental Health Services Act  
 Requested by: Representative Hugh Malone Date: \_\_\_\_\_  
 Return Date Requested: \_\_\_\_\_  
 Agency: Health & Social Services Program: Division of Mental Health

II. FISCAL DETAIL  
 Budget Request Unit(s) Affected: Community Operated Mental Health Cen  
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL	8.4	8.4	11.2	11.2	11.2	11.2
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.	211.7	582.5	1239.2	2002.6	2782.0	3560.4
		(264.4)	(290.8)	(319.9)	(351.9)	(387.1)
<b>TOTAL</b>	<b>220.1</b>	<b>590.9</b>	<b>1250.4</b>	<b>2013.8</b>	<b>2793.2</b>	<b>3571.6</b>

B. FUNDING: (Thousands of dollars)

GENERAL FUND 90.10	220.1	590.9	1250.4	2013.8	2793.2	3571.6
FEDERAL FUNDS						
OTHER	62.2	166.9	368.7	601.5	834.3	1068.2

C. POSITIONS:

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

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

IV. ATTACHMENTS

V. DATE: 3-26-75 PREPARED BY: George F. Schneider

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

POSITION PAPER  
ON  
HB 311

"An Act relating to community mental health services; and providing for an effective date."

This Act enables the State of Alaska to assist its local communities in planning, organizing and financing locally administered mental health services. It provides the Division of Mental Health with the necessary authority to ensure the most effective deployment and efficient utilization of mental health services.

The Department of Health and Social Services enthusiastically supports this Act. It provides the vehicle by which a departure from the utilization of hospitals as the primary treatment resource may be realized. It will bring us into the mainstream of the community mental health movement which began in 1963 and has since established its effectiveness on firm theoretical grounds.

The community mental health movement recognizes that services must be available at the locus of emergence of the problem. It recognizes that when treatment centers are remote from the community, their very remoteness is itself a barrier to their use. It recognizes that hospitalization is not the cure-all for these kinds of problems and that in many cases it is needed only for a very brief period.

This movement was given impetus as a result of the introduction of powerful medicines which enabled severe cases to be treated and stabilized in a matter of days instead of weeks. In most cases this eliminated the need for long term institutionalization. Along with the development of new medications came the development of a crisis intervention theory and a growing understanding of the role of the community and the family in the maintenance of good mental health.

Mental health problems have achieved a greater acceptance by the general public who have begun to take an interest in assuring adequate community mental health services.

In many states, these factors have led to a dramatic decline in the number of long term institutional beds. In some states consideration is being given to completely phasing out state hospitals. Although it is too early to project the long term effect of a community mental health program on Alaska's state hospital needs, it is almost certain to forestall the need for increasing the bed capacity of our two major institutions, Alaska Psychiatric Institute and Harborview Memorial Hospital. It may not lead to a decline in the number of beds at API or HMI, but may allow these institutions the necessary flexibility to shift their resources to programs serving a statewide need. Examples would be the psychiatric security program, an expanded treatment program for adolescents, and a more comprehensive program for children.

The implementation of this major addition to the mental health statutes, the first since 1959, will require funding support. This program will require matching general funds for a proportion of the community efforts. The Central Office of the Division of Mental Health will require additional staff to assist the Director in the management of this program.

We believe that Senate Bill 24, which adds section 47.30.605 providing for a Mental Health Advisory Council to advise and assist the Division of Mental Health in initiating and implementing community mental health services, substantially strengthens the Act. Mental Health programs are dependent upon active citizen participation and support. The Council would assist not only by their advice but could serve in an educational and evaluative capacity as well.

We also support the concept of 90% funding of designated "poverty areas". This provision will substantially increase the ability of remote areas to take advantage of the provisions of this Act.

The Fiscal Year 1974 Free Conference Committee Report stated that the Division of Mental Health should move from State-Operated towards Community-Operated Mental Health Centers through regulations and standards. The present policy for the provision of Community Mental Health services, with the exception of the centers in Ketchikan and Kodiak, has been to provide community services through Regional State-Operated Clinics. Ten communities, Seward, Kenai, Skagway, Sitka, Bethel, Barrow, Nome, The Tanana Chief's, Anchorage, and Juneau have made formal requests for locally controlled Mental Health services to the Division of Mental Health.

We also recommend the following change be made:

Page 7, line 4 - delete the word "nine" and substitute the word "twelve".

The Department of Health and Social Services strongly supports the concept of Community Mental Health and local control with the change recommended above, but believes a Community Mental Health Centers Act is necessary to provide directions and fiscal continuity required to sustain locally controlled Community Mental Health Centers. Thirty-six states now have a similar Act and the Federal Government is considering including as a requirement for funding Community Mental Health Centers, the necessity of such an Act being in force.

Recommended By:

*James J. Scheraga*  
(Division Director)

3-26-75  
(Date)

Approved By:

*Fredrick McGinnis*  
*Dep.* (Commissioner)

4/3/75  
(Date)

Comments by Governor's Office:

By:

\_\_\_\_\_

\_\_\_\_\_  
(Date)

1 IN THE SENATE

BY CHANCE

2 SENATE BILL NO. 24

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST 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 commun-  
14 ity 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

responsibility for financing mental health services;

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

(7) encourage the full use of all existing public or private agencies, facilities, personnel, and funds to accomplish these objectives; and

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

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

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

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

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

(4) establish standards of education and experience for professional, technical and administrative personnel employed in community mental health services;

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

(6) develop a standardized system for measuring and reporting to the department the types, quantities and quality of services; and a cost accounting system which will demonstrate the cost of various levels and qualities of care;

(7) provide each local community planning and services 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. 47.30.605. MENTAL HEALTH ADVISORY COUNCIL. (a) There shall

1 be a Mental Health Advisory Council appointed by the governor to advise  
2 and assist the director of the division of mental health in initiating  
3 and implementing community mental health services. The council con-  
4 sists of nine appointed voting members who are interested and knowledge-  
5 able in mental health. At least one but no more than two of the members  
6 shall be members of the Department of Health and Social Services Advisory  
7 Board. No more than three members should be providers of direct mental  
8 health services.

9 (b) The council shall

10 (1) advise the division on the state mental health plans  
11 before implementation of these plans;

12 (2) periodically review all mental health services in the  
13 state, reports of which shall be prepared and submitted to the governor,  
14 the legislature, the department and the Comprehensive Health Advisory  
15 Council;

16 (3) conduct independent investigations and studies as may be  
17 necessary;

18 (4) recommend rules, regulations and standards for the  
19 administration of community mental health services;

20 (5) encourage coordination on a regional basis, of community  
21 mental health services to insure nonduplication and nonfragmentation of  
22 services.

23 (c) The council shall meet at the call of the chairman but shall  
24 meet at least once quarterly.

25 (d) Members of the council are not entitled to a salary, but are  
26 entitled to per diem, reimbursement for travel, and other expenses  
27 authorized by law for other boards.

28 Sec. 47.30.610. DEFINITIONS. In secs. 520 - 610 of this chapter  
29 "department" means the Department of Health and Social Services.

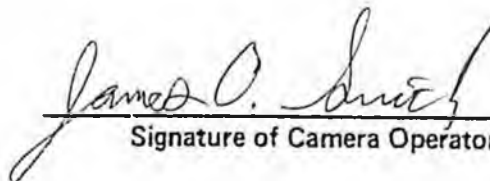
1           Sec. 47.30.620. SHORT TITLE. Sections 520 - 620 of this chapter  
2           may be cited as the Community Mental Health Services Act.

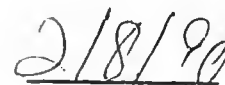
3           \* Sec. 2. This Act takes effect July 1, 1975.  
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# RECORDS CERTIFICATION

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.

  
Signature of Camera Operator

  
Date

COMMITTEE REPORT

3/10/76

SENATE

Mr. President:

Date \_\_\_\_\_

The Committee on Finance has had SB 25 pioneers' home in Ketchikan 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

1/20/75

Further ref: Finance

# COMMITTEE REPORT

## SENATE

Mr. President:

Date MARCH 9, 1976

The Committee on State Affairs has had SB 25

pioneers' home in Ketchikan  
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>John Huber</u>	<u>Colletta</u>	_____
<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____
<u>McLain</u>	_____	_____

Members NOT concurring in the Majority report:

- \_\_\_\_\_ recommends:
- \_\_\_\_\_ recommends:
- \_\_\_\_\_ recommends:
- \_\_\_\_\_ recommends:
- \_\_\_\_\_ recommends:

John Huber Chairman

aa fin  
- 25.

Introduced: 1/20/75  
Referred: State Affairs and  
Finance

1 IN THE SENATE

BY ZIEGLER

2 SENATE BILL NO. 25

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the issuance of general obliga-  
7 tion bonds in the amount of \$5,000,000 for the purpose  
8 of paying the cost of constructing and equipping a  
9 pioneers' home in Ketchikan; and providing for an  
10 effective date."

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

12 \* Section 1. For the purpose of paying the cost of constructing and equip-  
13 ping a pioneers' home in Ketchikan, general obligation bonds of the state  
14 in the principal amount of not more than \$5,000,000 shall be issued and sold.  
15 The full faith, credit and resources of the state are pledged to the payment  
16 of the principal of and interest and redemption premium, if any, on these  
17 bonds. These bonds shall be issued under the provisions of AS 37.15 as those  
18 provisions read at the time of issuance.

19 \* Sec. 2. If the issuance of these bonds is authorized by the qualified  
20 voters of the state, a special fund of the state to be known as the "Ketch-  
21 ican Pioneers' Home Construction Bond Fund" shall be established, to which  
22 shall be credited the proceeds of the sale of the bonds described in sec. 1 of  
23 this Act except for the accrued interest and premiums. There is appropriated  
24 from the "Ketchikan Pioneers' Home Construction Bond Fund" to the Department  
25 of Public Works the sum of \$5,000,000. The proceeds of these bonds shall be  
26 used for the constructing and equipping a pioneers' home in Ketchikan.

27 \* Sec. 3. If the issuance of these bonds is authorized by the qualified  
28 voters of the state, the amount of \$10,000 or as much of that amount as is  
29 found necessary is appropriated from the general fund of the state to the

1 state bond committee to carry out the provisions of this Act and to pay  
2 expenses incident to the sale and issuance of the bonds authorized in this  
3 Act. The amounts expended from the appropriation authorized by this section  
4 shall be reimbursed to the general fund from the proceeds of the sale of  
5 the bonds authorized by this Act.

6 Sec. 4. The question whether the bonds authorized in this Act are to be  
7 issued shall be submitted to the qualified voters of the state at the next  
8 state general election and shall read substantially as follows:

9 Proposition

10 State General Obligation Ketchikan Pioneers'

11 Home Construction Bonds \$5,000,000

12 Shall the State of Alaska issue its general obligation bonds  
13 in the principal amount of not more than \$5,000,000 for the  
14 purpose of paying the cost of constructing and equipping a  
15 pioneers' home in Ketchikan?

16 Bonds Yes [ ]

17 Bonds No [ ]

18 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-  
19 070(c).

ALASKA STATE LEGISLATURE

NINTH... Legislature FIRST Session

SENATE BILL..... NO. 25.....

By ZIEGLER.....

"An Act providing for the issuance of general obligation bonds in the amount of \$5,000,000 for the purpose of paying the cost of constructing and equipping a pioneers' home in Ketchikan; and providing for an effective date."

gen. obligation bonds Pioneers' home-Ketchikan

Introduced in the Senate 1/20..., 19.75.

HISTORY IN THE SENATE

19	75	Read first time and referred to Committee on
1	20	State Affairs and Finance
3	10	Reported back with recommendation that <i>do pass to Public Finance</i>
		Read second time and
		Read third time and
		PASS Effective Date
		Yeas Yeas
		Nays Nays
		Absent Absent
		Excused Excused
		Reconsideration
		PASS Effective Date
		Yeas Yeas
		Nays Nays
		Absent Absent
		Excused Excused
		Reported correctly engrossed
		Signed by President
		Sent to House
SECRETARY OF THE SENATE		

HISTORY IN THE HOUSE

19		Read first time and referred to Committee on
		Reported back with recommendation that
		Read second time and
		Read third time and
		PASS Effective Date
		Yeas Yeas
		Nays Nays
		Absent Absent
		Excused Excused
		Reconsideration
		PASS Effective Date
		Yeas Yeas
		Nays Nays
		Absent Absent
		Excused Excused
		Reported correctly engrossed
		Signed by Speaker
		Returned to Senate
CHIEF CLERK OF THE HOUSE		

HISTORY IN THE SENATE

19		Received from House
		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 - Ninth Legislature

I. REQUEST

Bill No. Senate Bill No. 25 | Equip Pioneers' Home in Ketchikan  
 Title: Issuance of \$5,000,000 general obligation bonds to construct &  
 Requested by: Kellus Sewell, Admin. Off., Dept. | Date: March 15, 1976  
 Return Date Requested: March 16, 1976 | of Administration  
 Agency: Dept. of Administration | Program: Pioneers' Homes  
Division of Pioneers' Benefits

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Alaska Pioneers' Homes

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES	0	0	0	0	1,216.2	1,362.2
200 TRAVEL	0	0	0	0	3.5	3.8
300 CONTRACTUAL	0	0	0	0	153.4	168.7
400 COMMODITIES	0	0	0	0	202.1	222.3
500 EQUIPMENT	0	0	0	0	10.1	11.5
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	9.1	10.4
	0	0	0	0		
TOTAL	0	0	0	0	1,594.4	1,778.9

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0	0	0	0	1,594.4	1,778.9
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0

C. POSITIONS:

PERMANENT/TEMPORARY	0/0	0/0	0/0	0/0	53 /7	53/7
MAN MONTHS (P./T.)	0/0	0/0	0/0	0/0	636/42	636/42

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

SEE ATTACHMENTS

IV. ATTACHMENTS

V. DATE: March 15, 1976 PREPARED BY: Frank C. Sisson

Original: Legislative Finance  
 cc: Budget and Management (2)  
 Prime Sponsor (First Legislator Named) SENATOR BULLOCK  
OFFICE of the Commissioner  
SENATE Finance

Frank C. Sisson  
 Administrative Officer  
 Division of Pioneers' Benefits

Ketchikan Pioneers' Home  
Senate Bill No. 25  
Attachment 1

Assumptions

1. The proposed \$5,000,000 constructing and equipping cost would provide approximately between 50 and 75 accommodations (per Division of Buildings). This estimate is based on inflation factors etc., and should be considered an estimate only because of the many variables involved.
2. It is assumed that if this proposal went to the people of Alaska in the form of a Bond in November 1976, a completed facility would not be available until July 1, 1979.
3. For fiscal purposes, the estimated operational costs are based on a 65 bed facility.
4. The Sitka Pioneers' Home FY 76 Operational Budget estimates are based on it being a 155 bed facility. To arrive at estimated operational expenditures for a new Ketchikan Home, appropriate reductions were made to the Sitka Homes's needs. While the proposed Home would have an estimated 40% capacity of the Sitka Home, the operational costs do not reduce proportionately.
5. Inflation will increase costs approximately 12% per year (FY 76 Budget Instructions-Form 9).
6. It is assumed that approximately 40% of the available beds will be in the nursing category.

100-Personnel Services-Proposed Ketchikan Pioneers' Home

Estimated Personnel Needs for Approximately 65 Beds (26 Nursing Care & 39 Ambul.)

	Position (Permanent Full-Time)	Range/ Step	New Positions	Salary X Total No. of Positions	Plus 21% Benefits/FY
Admin.	Admin. Officer II	R 19 A	1	24,408	29,534
	Admin. Asst. I	R 12 A	1	14,772	17,874
	Clerk Typist III	R 8 A	1	11,484	13,896
Pers. Servs.	Physical Therapist	R 14 A	1	16,884	20,430
	Recreat. Therapist	R 14 A	1	16,884	20,430
	Pioneer Serv. Aide	R 6 A	2	22,272	26,949
Nurs- ing	Supvsr. Nurse II	R 17 A	1	21,048	25,468
	Nurse II	R 13 A	1	16,272	19,689
	Nurse I	R 12 A	3	44,316	53,622
	Prac. Nurse II	R 10 B	1	13,440	16,252
	Prac. Nurse I	R 8 B	3	35,532	42,994
	Nursing Aide	R 6 D	5	55,680	67,373
Main.	Main. Mechanic WG II	K 52 B	1	20,065	24,279
	Main. Man WG V	R 55 B	1	16,491	19,995
	Custodial Worker WG VIII	R 58 B	2	24,254	29,348
	Janitor WG IX	R 59 B	2	25,191	30,481
	Groundsman WG VII	R 57 B	1	14,327	17,336
House- kpg.	Hskpg. Spvsr WG V	R 55 B	1	16,491	19,955
	Hskpg. Aide WG VIII	R 58 B	2	24,254	29,348
	Hskpg. Aide WG X	R 60 B	6	69,080	83,587
Food Serv.	Cook WG III	R 53 B	1	19,089	23,097
	Cook WG VI	R 56 B	1	15,409	18,645
	Cook WG VII	R 57 B	2	28,654	34,671
	Cook WG XI	R 59 B	1	12,595	15,241
	Food Svc Wkr WG X	R 60 B	6	69,080	83,587
Subtotals			48	647,972	784,043

Position	Range/ Step	New Positions	Total # of Positions	Plus 21% Benefits FY
Perm. Part-time <u>6 Months</u>				
Nursing Aide	R 6 D	1	5,568	6,737
Cook WG VII	R 57 B	1	7,163	8,668
Cook WG IX	R 59 B	1	6,297	7,620
Janitor WG IX	R 59 B	2	12,594	15,240
	Subtotal:	5	31,622	38,263

Temporary <u>6 Months Each</u>				Plus 7.35% Benefits FY
Nursing Aide	R 6 E	2	11,136	11,943
Janitor WG IX	R 59 B	1	6,297	6,754
Food Services Worker WG X	R 60 B	2	11,513	12,344
Hskpg. Aide WG X	R 60 B	2	11,513	12,344
	Subtotal:	7	40,459	43,392
	TOTAL:	<u>60</u>	<u>720,053</u>	<u>865,693</u>

Ketchikan Personal Services/Projected Inflation at 12% to FY 81

	FY 77	FY 78	FY 79	FY 80	FY 81
Personal Services	12%	12%	12%	12%	12%
	-865,693	-969,576	-1,085,925	-1,216,236	-1,362,184

1 IN THE SENATE

BY ZIEGLER

2 SENATE BILL NO. 25

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for the issuance of general obliga-  
7 tion bonds in the amount of \$5,000,000 for the purpose  
8 of paying the cost of constructing and equipping a  
9 pioneers' home in Ketchikan; and providing for an  
10 effective date."

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

12 \* Section 1. For the purpose of paying the cost of constructing and equip-  
13 ping a pioneers' home in Ketchikan, general obligation bonds of the state  
14 in the principal amount of not more than \$5,000,000 shall be issued and sold.  
15 The full faith, credit and resources of the state are pledged to the payment  
16 of the principal of and interest and redemption premium, if any, on these  
17 bonds. These bonds shall be issued under the provisions of AS 37.15 as those  
18 provisions read at the time of issuance.

19 \* Sec. 2. If the issuance of these bonds is authorized by the qualified  
20 voters of the state, a special fund of the state to be known as the "Ketch-  
21 ikan Pioneers' Home Construction Bond Fund" shall be established, to which  
22 shall be credited the proceeds of the sale of the bonds described in sec. 1 of  
23 this Act except for the accrued interest and premiums. There is appropriated  
24 from the "Ketchikan Pioneers' Home Construction Bond Fund" to the Department  
25 of Public Works the sum of \$5,000,000. The proceeds of these bonds shall be  
26 used for the constructing and equipping a pioneers' home in Ketchikan.

27 \* Sec. 3. If the issuance of these bonds is authorized by the qualified  
28 voters of the state, the amount of \$18,000 or as much of that amount as is  
29 found necessary is appropriated from the general fund of the state to the

1 state bond committee to carry out the provisions of this Act and to pay  
2 expenses incident to the sale and issuance of the bonds authorized in this  
3 Act. The amounts expended from the appropriation authorized by this section  
4 shall be reimbursed to the general fund from the proceeds of the sale of  
5 the bonds authorized by this Act.

6 Sec. 4. The question whether the bonds authorized in this Act are to be  
7 issued shall be submitted to the qualified voters of the state at the next  
8 state general election and shall read substantially as follows:

9 Proposition

10 State General Obligation Ketchikan Pioneers'

11 Home Construction Bonds \$5,000,000

12 Shall the State of Alaska issue its general obligation bonds  
13 in the principal amount of not more than \$5,000,000 for the  
14 purpose of paying the cost of constructing and equipping a  
15 pioneers' home in Ketchikan?

16 Bonds Yes [ ]

17 Bonds No [ ]

18 \* Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-  
19 070(c).

THE LEGISLATURE OF THE STATE OF ALASKA  
FISCAL NOTE  
 Second Session - Ninth Legislature

I. REQUEST

Bill No. Senate Bill No. 25 [Acquire Pioneers' Home in Ketchikan]  
 Title: Issuance of \$5,000,000 general obligation bonds to construct  
 Requested by: Kellus Sewell, Admin. Off., Dept. of Administration Date: March 15, 1976  
 Return Date Requested: March 16, 1976 of Administration  
 Agency: Dept. of Administration Program: Pioneers' Homes  
 Division of Pioneers' Benefits

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Alaska Pioneers' Homes

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES	0	0	0	0	1,216.2	1,362.2
200 TRAVEL	0	0	0	0	5.5	5.8
300 CONTRACTUAL	0	0	0	0	153.4	163.7
400 COMMODITIES	0	0	0	0	202.1	221.3
500 EQUIPMENT	0	0	0	0	10.1	11.5
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	9.1	10.4
	0	0	0	0		
TOTAL	0	0	0	0	1,594.4	1,778.9

B. FUNDING: (Thousands of dollars)

GENERAL FUND	0	0	0	0	1,594.4	1,778.9
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0

C. POSITIONS:

PERMANENT/TEMPORARY	0/0	0/0	0/0	0/0	53/7	53/7
MAN MONTHS (P./T.)	0/0	0/0	0/0	0/0	636/42	636/42

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

SEE ATTACHMENTS

IV. ATTACHMENTS

V. DATE: March 15, 1976 PREPARED BY: Frank C. Sisson

Original: Legislative Finance  
 cc: Budget and Management (2)  
 Prime Sponsor (First Legislator Named) SENATOR BUCKLE  
 Office of the COMMISSIONER  
SENATE FINANCE  
 Frank C. Sisson  
 Administrative Officer  
 Division of Pioneers' Benefits

Ketchikan Pioneers' Home  
Senate Bill No. 25  
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100-Personnel Services-Proposed Ketchikan Pioneers' Home  
 Estimated Personnel Needs for Approximately 65 Beds (26 Nursing Care &  
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	Cook WG XI	R 59 B	1	12,595	15,241
	Food Svc Wkr WG X	R 60 B	6	69,080	83,587
Subtotals			48	647,972	784,043

Position Perm. Part-time <u>6 Months</u>	Range/ Step	New Positions	Total # of Positions	Plus 21% Benefits FY
--	----------------	------------------	-------------------------	----------------------

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Temporary  
6 Months Each

Plus 7.35% Benefits FY

Nursing Aide	R 6 E	2	11,136	11,943
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Worker WG X	R 60 B	2	11,513	12,344
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TOTAL:	<u>60</u>	<u>720,053</u>	<u>865,693</u>
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	FY 77	FY 78	FY 79	FY 80	FY 81
	12%	12%	12%	12%	12%
Personal Services	-865,693	-969,576	-1,085,925	-1,216,236	-1,362,184



# 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

2/8/90  
Date

COMMITTEE REPORT

2/5

SENATE

Mr. President:

Date 2/12/57

The Committee on FINANCE has had SR 27

~~(transportation allowance for legislators)~~  
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>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>
<u>[Signature]</u>	<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


# MEMORANDUM

LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

POUCH Y — STATE CAPITOL  
JUNEAU, ALASKA 99811

TO: James Fennel  
Legislative Finance

DATE: Feb. 19, 1975

FROM: John M.  Elliott, Executive Director

SUBJECT: Fiscal Information  
re SB 27

In reply to your inquiry regarding the fiscal implications of SB 27, the following information is pertinent:

SB 27, as written to provide for legislators to ship 500 pounds of air freight would cost approximately \$13,000, based on the current membership of the legislature if all sixty shipped the maximum allowable freight. I would imagine that would ordinarily not be the case. The maximum amount would vary slightly from legislature to legislature depending on the home locations of the rural members.

Under the present law, the cost per year is approximately \$3,000. However, I would like to stress that the primary reason for changing the law is that the air lines have not been operating on an excess baggage system for several years and this has caused an administrative nightmare in that the fiscal officer, the way the law now stands, has to figure out what the excess baggage allowance was between two points at a time distant from the present. If the committee was to lower the number of pounds permitted, this would of course lower the cost correspondingly. It should be noted that even if the allowable amount was lowered to 100 pounds, a legislator would be permitted to ship more than under the outdated system and the maximum would be about the same (\$2,666).

Again, the main objective of this legislation is to bring the law into conformity with present practices of the airlines, regardless of what the legislature might decide a suitable poundage limit to be.

If you have any further questions regarding this bill, please do not hesitate to call.

JME:hg

# MEMORANDUM

LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

POUCH Y — STATE CAPITOL  
JUNEAU, ALASKA 99811

TO: James Fennel  
Legislative Finance

DATE: Feb. 19, 1975

FROM: John M. ~~9~~ Elliott, Executive Director

SUBJECT: Fiscal Information  
re SB 27

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SB 27, as written to provide for legislators to ship 500 pounds of air freight would cost approximately \$13,000, based on the current membership of the legislature if all sixty shipped the maximum allowable freight. I would imagine that would ordinarily not be the case. The maximum amount would vary slightly from legislature to legislature depending on the home locations of the rural members.

Under the present law, the cost per year is approximately \$3,000. However, I would like to stress that the primary reason for changing the law is that the air lines have not been operating on an excess baggage system for several years and this has caused an administrative nightmare in that the fiscal officer, the way the law now stands, has to figure out what the excess baggage allowance was between two points at a time distant from the present. If the committee was to lower the number of pounds permitted, this would of course lower the cost correspondingly. It should be noted that even if the allowable amount was lowered to 100 pounds, a legislator would be permitted to ship more than under the outdated system and the maximum would be about the same (\$2,666).

Again, the main objective of this legislation is to bring the law into conformity with present practices of the airlines, regardless of what the legislature might decide a suitable poundage limit to be.

If you have any further questions regarding this bill, please do not hesitate to call.

JME:hg

Original sponsor: Rules Committee by  
request of the Legislative Council

Offered: 5/20/75  
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2

CS FOR SENATE BILL NO. 27

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

NINTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to the transportation allowance of  
7 legislators; and providing for an effective date."

8

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

9

\* Section 1. AS 24.15.050 is amended to read:

10

Sec. 24.15.050. TRANSPORTATION ALLOWANCE. Each member of the

11

legislature is entitled to receive one round-trip transportation fare

12

not to exceed the cost of first-class airline fare from his place of

13

residence in the election district from which elected or appointed to

14

the capital for purposes of attending regular, reconvened regular, or

15

special sessions of the legislature. Each member receiving transporta-

16

tion fare is entitled to an [A BAGGAGE] allowance not to exceed the

17

cost of 100 pounds air freight [EXCESS BAGGAGE BY AIR] each way upon

18

submission of proper documentation to substantiate the baggage shipment.

19

\* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-

20

070(c).

21

22

23

24

25

26

27

28

29

#

1 IN THE SENATE

BY THE RULES COMMITTEE BY REQUEST  
OF THE LEGISLATIVE COUNCIL

2 SENATE BILL NO. 27

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the transportation allowance of  
7 legislators; and providing for an effective date."

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

9 \* Section 1. AS 24.15.050 is amended to read:

10 Sec. 24.15.050. TRANSPORTATION ALLOWANCE. Each member of the  
11 legislature is entitled to receive one round-trip transportation fare  
12 not to exceed the cost of first-class airline fare from his place of  
13 residence in the election district from which elected or appointed to  
14 the capital for purposes of attending regular, reconvened regular, or  
15 special sessions of the legislature. Each member receiving transporta-  
16 tion fare is entitled to an [A BAGGAGE] allowance not to exceed the  
17 cost of 500 [100] pounds air freight [EXCESS BAGGAGE BY AIR] each way  
18 upon submission of proper documentation to substantiate the air freight  
19 [BAGGAGE] shipment.

20 \* Sec. 2. This Act takes effect on July 1, 1975.



# 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

2/8/90  
Date

# COMMITTEE REPORT

1/22/78

## HOUSE

Mr. Speaker:

Date \_\_\_\_\_

The Committee on TEACHING PRACTICES has had \_\_\_\_\_

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

HOUSE JOURNAL

FINANCE COMMITTEE REPORT

ON

SENATE BILL 30

During the Finance Committee deliberation on SB 30, it was noted that nowhere in 14.20 does there appear a definition of "employer." It is the intent of the Committee that in SB 30, "employer" means a school district, the Department of Education, the State of Alaska or the University of Alaska.

---

Hugh Malone, Chairman  
House Finance Committee

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 SENATE BILL NO. 30

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to compensation for members of the  
7 Professional Teaching Practices Commission."

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

9 \* Section 1. AS 14.20.440 is amended to read:

10 Sec. 14.20.440. REIMBURSEMENT. Members of the commission shall  
11 receive per diem according to law and are to be granted administrative  
12 leave with full pay by their employer for time spent in the performance  
13 of official duties under secs. 370-510 of this chapter. If a member  
14 is required to spend more than 15 days in a fiscal year in the perfor-  
15 mance of his official duties under secs. 370 - 510 of this chapter,  
16 the state shall reimburse the employer for costs incurred after the  
17 15th day [ , BUT SHALL NOT RECEIVE COMPENSATION FOR SERVICES AS A  
18 MEMBER].

INFORMATION OF S.B. 30  
 COMPENSATION FOR MEMBERS OF THE PTPC

Cost per day

Assumption

- (a) University of Alaska, Department of Education member, and Principal, and Superintendent, members of PTPC, do not require substitutes.
- (b) Five teachers require substitute teachers while on official duty as a PTPC member.
- (c) Average state-wide substitute teacher's salary -- \$50.00/day -- with 5% increase each fiscal year.
- (d) Base Formula: 5 members x \$50.00/day = \$250.00/day reimbursement.
- (e) Assume following number of days per member for official PTPC duties:

	FY 75	FY 76	FY 77	FY 78
No. of days	10	12	15	18
5 members / day cost	<u>x \$250</u>	<u>x \$263</u>	<u>x \$276</u>	<u>x \$290</u>
TOTAL COST	\$2,500	\$3,156	\$4,140	\$5,220

COMMITTEE REPORT

1/22/75

HOUSE

Mr. Speaker:

Date Jan. 23, 1975

The Committee on FINANCE has had SB 30

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 SB 30 AND THAT

CS FOR SB 30 DO PASS

( ) "and" recommends it BE REFERRED TO THE \_\_\_\_\_

COMMITTEE

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

<u>J. Malone</u>	<u>E. Naughton</u>	_____
<u>T. Buchholz</u>	<u>Ed. D.</u>	_____
<u>Jan. Demers</u>	<u>Charles Greening</u>	_____
<u>Brenda T. Jette</u>	<u>Shor. O'Connell</u>	_____

Members NOT concurring in the Majority report:

<u>N. Hagen</u>	recommends: <u>no recommendation</u>
_____	recommends:
_____	recommends:
_____	recommends:
_____	recommends:

J. Malone Chairman

*Amended*

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99801

LEGISLATIVE AFFAIRS AGENCY

January 24, 1975

MEMORANDUM

TO: Rep. Hugh Malone, Chairman  
House Finance Committee

FROM: John M. Elliott, Executive Director

SUBJECT: Proposed House Committee Substitute for Senate Bill 30

I have reviewed the language which the committee desires to be incorporated into Senate Bill 30 defining "employer". It is my considered opinion that the additional language is superfluous and is not needed.

I do not believe that there is any way that one could construe the provisions of this bill as referring to any employer other than those you wished to spell out specifically. However, I have prepared the bill as requested, but would recommend the original version be adopted by the committee.

JME:pmk

63

Jahri.

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 30

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to compensation for members of the  
7 Professional Teaching Practices Commission."

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

9 \* Section 1. AS 14.20.440 is amended to read:

10 Sec. 14.20.440. REIMBURSEMENT. (a) Members of the commission shall  
11 receive per diem according to law and are to be granted administrative  
12 leave with full pay by their employer for time spent in the performance  
13 of official duties under secs. 370 - 510 of this chapter. If a member is  
14 required to spend more than 15 days in a fiscal year in the performance  
15 of his official duties under secs. 370 - 510 of this chapter, the state  
16 shall reimburse the employer for costs incurred after the 15th day  
17 [, BUT SHALL NOT RECEIVE COMPENSATION FOR SERVICES AS A MEMBER].

18 (b) In this section "employer" means a school district, the  
19 Department of Education, the State of Alaska, and the University of  
20 Alaska.

The Legislature of the State of Alaska  
FISCAL NOTE

First Session - Ninth Legislature

I. REQUEST

Bill No. Senate Bill #30  
 Title: Compensation for Members of PTPC  
 Requested by: Representative Hugh Malone Date: 1/22/75  
 Return Date Requested: 1/23/75  
 Agency: Education Program: Pre.-Elem.-Secondary

II. FISCAL DETAIL

Budget Request Unit(s) Affected: PTPC

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

B. FUNDING: (Thousands of dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

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

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

The case load of the PTPC will dictate the number of days members need to be away from their employment. Predictions at this time do not indicate that any member will need to be away from his place of employment in excess of 15 days.

IV. ATTACHMENTS

V. DATE: 1/23/75

PREPARED BY: William A. Thomas

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

**Effect of amendments.** — Prior to the 1966 amendment, effective July 1, 1966, leaves of absence without pay were approved by the local school board in an organized district or by the department in

a nondistrict school. The amendment also rewrote subsection (b). The 1971 amendment added subsections (d) and (e).

**Sec. 14.20.350. Definitions.** In §§ 280—350 of this chapter

(1) "teacher" means a certificated member of the teaching, supervisory, or administrative corps in the public schools of the state;

(2) "department" means the Department of Education. (§ 8 ch 13-1 SLA 1962)

**Article 5. Professional Teaching Practices Act.**

**Section**

- 370. Teaching profession
- 380. Creation of a commission
- 390. Appointment and qualifications
- 400. Composition of the commission
- 410. Selection of members
- 420. Term of office
- 430. Dismissal

**Section**

- 440. Reimbursement
- 450. Responsibilities of commission
- 460. Duties of commission
- 470. Powers of commission
- 480. Effect of standards
- 500. Support
- 510. Short title

**Sec. 14.20.370. Teaching profession.** Teachers required by Alaska law to be certificated, instructors in institutions of higher learning, school administrators, school program administrators, and school counselors are within the teaching profession. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.380. Creation of a commission.** There is a commission of professional educators known as the Professional Teaching Practices Commission. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.390. Appointment and qualifications.** The commission consists of nine members appointed by the governor and confirmed by a majority of the members of the legislature in joint session. Each member, in addition to having been actively engaged in the teaching profession for at least five years immediately preceding his appointment, shall be a citizen of the United States and a resident of the state. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.400. Composition of the commission.** The commission consists of the following members:

- (1) five classroom teachers;
- (2) one principal;
- (3) one superintendent;
- (4) one representative of the office of the commissioner of education;
- (5) one representative of an Alaska institution of higher learning. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.410. Selection of members.** (a) Members of the commission shall be selected as follows:

(1) the five classroom teachers from lists of names submitted by recognized Alaska teachers organizations, each list not to exceed 12 names; however, in lieu of one of the five, one classroom teacher may be selected from a list of not more than four names signed and submitted by not less than 25 teachers who have no affiliation with any organization qualified to submit nomination lists, with the limitation that no teacher may sign more than one list in any year;

(2) the principal from a list of three names submitted by the Alaska Principals Association;

(3) the superintendent from a list of three names submitted by the Superintendents Advisory Commission;

(4) the representative of the office of the commissioner of education from a list of three names submitted by the commissioner;

(5) the representative of an Alaska institution of higher learning from lists of names submitted by Alaska institutions of higher learning, each list not to exceed three names.

(b) The lists shall be submitted to the commissioner who shall submit them as a group to the governor's office.

(c) At least 30 days before a position on the commission is due to become vacant, the chairman shall cause notice of the impending vacancy to be published and to be conveyed to each organized group eligible to submit a list of nominees. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.420. Term of office.** (a) The term of office for each member of the commission is three years and until a successor is appointed, except that members of the first commission shall be appointed as follows: three members for one year, three members for two years, and three members for three years. Members of the first commission shall draw by lot for the initial term of appointment.

(b) Vacancies shall be filled by appointment by the governor for the unexpired term.

(c) No individual may serve more than a total of two 3-year terms.

(d) The commission shall select a chairman from among its members. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.430. Dismissal.** Any member may be removed by the governor for misconduct, malfeasance or nonfeasance in office, or incapacity. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.440. Reimbursement.** Members of the commission shall receive per diem according to law, but shall not receive compensation for services as a member. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.450. Responsibilities of commission.** (a) The commission shall have the initial responsibility of developing, through the teaching profession, criteria of professional practices in areas including, but not limited to:

- (1) ethical and professional performance;
- (2) preparation for and continuance in professional services; and
- (3) contractual obligations. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.460. Duties of commission.** The commission shall

- (1) establish procedures, and adopt rules to implement the purposes of §§ 370—510 of this chapter;
- (2) conduct investigations and hearings on alleged violations of ethical or professional teaching performance, contractual obligations, and professional teaching misconduct;
- (3) review the regulations of the department as they relate to teacher certification and recommend necessary changes;
- (4) review the decisions of the department regarding the issuance or denial of certificates and in its discretion recommend reversal of decisions. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.470. Powers of commission.** The commission may

- (1) study proposals developed by regular committees of any existing professional organization whose members are within the teaching profession;
- (2) subpoena witnesses, place them under oath, and maintain written records;
- (3) warn or reprimand members of the teaching profession, if in the judgment of the commission such action is warranted;
- (4) recommend to the department suspension or revocation of the certificate of a member of the teaching profession;
- (5) make any recommendation to the board or to school boards which will promote an improvement in the teaching profession;
- (6) request assistance through any of the investigative processes of any existing professional teaching organizations when analyzing charges of breach of ethical or professional teaching practices. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.480. Effect of standards.** Members of the teaching profession are obligated to abide by the professional teaching standards adopted by the commission. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.500. Support.** The commission shall be financed by members of the profession in accordance with regulations promulgated by the department including, if necessary, an increase in the fees for certificates. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.510. Short title.** Sections 370—510 of this chapter shall be known as the Professional Teaching Practices Act. (§ 35 ch 98 SLA 1966)

**Sec. 14.20.207. Definitions.**

Quoted in *State v. Redman*, Sup. Ct. Op. No. 755 (File No. 1431), 491 P.2d 157 (1971).

**Article 4. Sabbatical Leave.**

**Section**

345. Leave of absence without pay

**Sec. 14.20.345. Leave of absence without pay.**

(f) A teacher may make contributions to the retirement fund for each year or portion of a year of leave of absence taken. The contribution shall include the required per cent of the salary he would have received had he not taken the leave of absence, plus the required employer and state contributions that would have been made. Compound interest at the rate prescribed by regulation shall be added as computed from the beginning date of the leave of absence to the date the teacher pays the contribution.

(am § 1 ch 184 SLA 1972; am § 2 ch 99 SLA 1974)

**Effect of amendments.**

The 1972 amendment added subsection (f).

The 1974 amendment, effective July 1, 1974, inserted "or portion of a year" in the first sentence of subsec-

tion (f) and deleted "before July 1, 1971" from the end of that sentence.

As the rest of the section was not affected by the amendments, it is not set out.

**Article 5. Professional Teaching Practices Act.**

**Section**

470. Powers of commission

500. Support

**Sec. 14.20.470. Powers of commission. The commission may**

(7) appoint an executive secretary, delegate those ministerial functions to him as the commission may decide and set his compensation with a starting salary not exceeding range 26, step B of AS 39.27.010.

(am § 1 ch 77 SLA 1972)

Revisor's note (1972).—In ch. 77, SLA 1972, AS 14.20.470(7) referred to AS 39.27.010(1) which was repealed in ch. 87, SLA 1971. The citation has been corrected here.

Effect of amendment. — The 1972 amendment added paragraph (7).

As the rest of the section was not affected by the amendment, it is not set out.

Legislative committee report.—For report on ch. 77, SLA 1972 (SB 126), see 1972 House Journal, p. 1208.

**Sec. 14.20.500. Support.** In addition to available state funds, the commission shall also be financed by members of the profession in accordance with regulations promulgated by the department including, if necessary, an increase in the fees for certificates. (§ 35 ch 98 SLA 1966; am § 1 ch 73 SLA 1973)

Effect of amendment. — The 1973 amendment added "In addition to available state funds" to the begin-

ning of the section and inserted "also."

Board or Commission Appointee	Address	Term
**PROFESSIONAL TEACHING PRACTICES COMMISSION		
(AS 14.20.380; 9 members; 3-year term)		
Alfred L. Craig	7100 Foothill Drive Anchorage 99504	July 1, 1975
Dr. William A. Lewis Professor of Education	Alaska Methodist Univ. Anchorage 99504	July 1, 1975
Mrs. Elizabeth L. Johnson	Box 5337 College, Alaska 99701	July 1, 1975
John M. Poling	P. O. Box 578 Nome 99762	July 1, 1973
Jefferson C. Jeffers	617 A West 11th Juneau 99801	July 1, 1973
Mrs. Claire H. Strand	P. O. Box 505 Petersburg 99833	July 1, 1973
Mrs. Mary L. Meiners	P. O. Box 412 Juneau 99801	July 1, 1974
Bill G. Hand	Star Route A, Box 377A Anchorage 99502	July 1, 1974
Arthur Elliott	1513 Alder Anchorage 99504	July 1, 1974

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND  
SOCIAL SERVICES COMMITTEE

2 SENATE BILL NO. 31

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the suspension or revocation of  
7 teachers' certificates."

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

9 \* Section 1. AS 14.20.030 is amended to read:

10 Sec. 14.20.030. CAUSES FOR REVOCATION AND SUSPENSION. The  
11 commissioner, or the Professional Teaching Practices Commission subject  
12 to the approval of the commissioner, [DEPARTMENT] may revoke or suspend  
13 a certificate only for the following reasons [CAUSES]:

14 (1) incompetency, which is defined as the inability or the  
15 unintentional or intentional failure to perform the teacher's customary  
16 teaching duties in a satisfactory manner;

17 (2) immorality, which is defined as the commission of an act  
18 which, under the laws of the state, constitutes a crime involving moral  
19 turpitude; [OR]

20 (3) substantial noncompliance with the school laws of the  
21 state or the regulations of the department; or

22 (4) upon a determination by the Professional Teaching  
23 Practices Commission of a violation of ethical or professional standards  
24 or contractual obligations.

25 \* Sec. 2. AS 14.20.040 is repealed and re-enacted to read:

26 Sec. 14.20.040. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT  
27 The Administrative Procedure Act (AS 44.62) applies to all proceedings  
28 under sec. 30 of this chapter, and revocations and suspensions are  
29 final and reviewable in accordance with AS 44.62.560 - 44.62.570.

#

1 \* Sec. 3. AS 14.20.470(4) is amended to read:

2 (4) subject to approval by the commissioner of education,  
3 suspend or revoke [RECOMMEND TO THE DEPARTMENT SUSPENSION OR REVOCATION  
4 OF] the certificate of a member of the teaching profession for one of  
5 the reasons set out in sec. 30 of this chapter;

6 \* Sec. 4. AS 14.20.470 is amended by adding a new subsection to read:

7 (b) A decision issued by the commission with the approval of the  
8 commissioner of education under (a)(4) of this section is final.

9 \* Sec. 5. AS 14.20 is amended by adding a new section to read:

10 Sec. 14.20.475. APPLICABILITY OF THE ADMINISTRATIVE PROCEDURE ACT.  
11 The Administrative Procedure Act (AS 44.62) applies to regulations and  
12 proceedings under sec. 370 - 510 of this chapter.

13 \* Sec. 6. AS 44.62.330(a) is amended by adding a new paragraph to read:

14 (40) the Department of Education and the Professional  
15 Teaching Practices Commission with regard to proceedings to revoke or  
16 suspend a teacher's certificate under AS 14.20.030 - 040 and  
17 AS 14.20.470(4).