

LEG. FINANCE - BILLS 1977 - 1978 887

SB 39 cont., thru SB 45

1 the holders of them, not later than the respective dates when the pro-
2 ceeds, together with the interest accruing on them, will be required for
3 the purposes intended.

4 Sec. 16.10.570. CREDIT OF STATE NOT PLEDGED. Obligations issued
5 under the provisions of secs. 510 - 560 of this chapter do not consti-
6 tute a debt, liability or obligation of the state or of any other
7 political subdivision of the state or a pledge of the faith and credit
8 of the state or a political subdivision of the state but are payable
9 solely from the revenues or assets of the authority. Each obligation
10 issued under this chapter shall contain on its face a statement that the
11 authority is not obligated to pay it nor the interest on it except from
12 the revenues or assets pledged for it and that neither the faith and
13 credit nor the taxing power of the state or of a political subdivision
14 of the state is pledged to the payment of the principal of or interest
15 on the obligation.

16 * Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-
17 070(c).

ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

SENATE BILL NO. 39

By KEPTTULA

"An Act authorizing the creation of salmon enhancement authorities; and providing for an effective date."

salmon enhancement authorities

Introduced in the Senate 1/13/77

HISTORY IN THE SENATE

19 77 Read first time and referred to Committee on

1 17 REOURCES, STATE AFFAIRS AND FINANCE

3 3 Reported back with *recommen- dation that 5 de pass & no. 20 to St. Affairs*

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



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 A. Smith
Signature of Camera Operator

2/26/90
Date

COMMITTEE REPORT
SENATE

_____ Date

Mr. President:

The Committee on _____ 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
- AY. attaches a report of its intent
- (Other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

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

Chairman

Introduced: 1/17/77
Referred: Health, Education &
Social Services, Labor &
Management & Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 43

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the investment authority of the
7 commissioner of revenue as custodian of the retire-
8 ment funds established by AS 14.25 and AS 39.35."

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

10 * Section 1. AS 14.25.180(b)(11) is amended to read:

11 (11) notes secured by mortgages of commercial and resi-
12 dential real estate or other security if the mortgages are insured by
13 a private mortgage insurance corporation which is authorized to do
14 business in Alaska and has combined capital, surplus and reserves
15 aggregating at least \$20,000,000; however, (A) no mortgage insurance
16 is necessary for commercial loans having loan-to-value ratios of less
17 than 50 per cent and the minimum coverage of other commercial loans
18 shall be 10 per cent for those having a loan-to-value ratio of 50-60 per
19 cent and 15 per cent for those having a loan-to-value ratio greater
20 than 60- but no more than 75 per cent, and (B) no mortgage insurance
21 is necessary for residential loans having a loan-to-value ratio of
22 less than 70 per cent and the minimum coverage of other residential
23 loans shall be 10 per cent for those having a loan-to-value ratio
24 greater than 70- but less than 90 per cent and 20 per cent for those
25 having a loan-to-value ratio of 90 per cent.

26 * Sec. 2. AS 14.25.180(b) is amended by adding new paragraphs to
27 read:

28 (16) bonds, debentures, notes, or other obligations issued,
29 guaranteed, or assumed as to both principal and interest by the govern-

1 (16) bonds, debentures, notes, or other obligations issued,
2 guaranteed, or assumed as to both principal and interest by the
3 government of the Dominion of Canada, or by any province of Canada or
4 by any municipality of Canada which has a population of not less than
5 150,000, if (A) the full faith and credit of the issuer, guarantor, or
6 assumer of the bonds, debentures, notes, or other obligations is
7 pledged for the payment of principal and interest on them, (B) the
8 principal and interest on them is payable in United States currency,
9 either unconditionally or at the option of the holder, and (C) these
10 obligations are rated A or an equivalent quality by a nationally
11 recognized rating organization;

12 (17) bankers' acceptances which are eligible for discount
13 at the Federal Reserve Bank and negotiable time certificates of
14 deposit issued by commercial banks.
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Introduced: 1/17/77
Referred: Health, Education &
Social Services, Labor &
Management & Finance

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16 is necessary for commercial loans having loan-to-value ratios of less
17 than 50 per cent and the minimum coverage of other commercial loans
18 shall be 10 per cent for those having a loan-to-value ratio of 50-60 per
19 cent and 15 per cent for those having a loan-to-value ratio greater
20 than 60- but no more than 75 per cent, and (B) no mortgage insurance
21 is necessary for residential loans having a loan-to-value ratio of
22 less than 70 per cent and the minimum coverage of other residential
23 loans shall be 10 per cent for those having a loan-to-value ratio
24 greater than 70- but less than 90 per cent and 20 per cent for those
25 having a loan-to-value ratio of 90 per cent.

26 * Sec. 2. AS 14.25.180(b) is amended by adding new paragraphs to
27 read:

28 (16) bonds, debentures, notes, or other obligations issued,
29 guaranteed, or assumed as to both principal and interest by the govern-

1 ment of the Dominion of Canada, or by any province of Canada, or by
2 any municipality of Canada which has a population of not less than
3 150,000, if (A) the full faith and credit of the issuer, guarantor, or
4 assumer of the bonds, debentures, notes, or other obligations is
5 pledged for the payment of principal and interest on them, (B) the
6 principal and interest on them is payable in United States currency,
7 either unconditionally or at the option of the holder, and (C) these
8 obligations are rated A or an equivalent quality by a nationally
9 recognized rating organization;

10 (17) bankers' acceptances which are eligible for discount
11 at the Federal Reserve Bank and negotiable time certificates of deposit
12 issued by commercial banks.

13 * Sec. 3. AS 39.35.110(a)(11) is amended to read:

14 (11) notes secured by mortgages of commercial or residential
15 real estate or other security if the mortgages are insured by a private
16 mortgage insurance corporation which is authorized to do business in
17 Alaska and has combined capital, surplus and reserves aggregating at
18 least \$20,000,000; however, (A) no mortgage insurance is necessary for
19 commercial loans having loan-to-value ratios of less than 50 per cent
20 and the minimum coverage of other commercial loans shall be 10 per
21 cent for those having a loan-to-value ratio of 50-60 per cent and 15
22 per cent for those having a loan-to-value ratio greater than 60- but
23 no more than 75 per cent, and (B) no mortgage insurance is necessary
24 for residential loans having a loan-to-value ratio of less than 70 per
25 cent and the minimum coverage of other residential loans shall be 10
26 per cent for those having a loan-to-value ratio greater than 70 per
27 cent but less than 90 per cent and 20 per cent for those having a
28 loan-to-value ratio of 90 per cent;

29 * Sec. 4. AS 39.35.110(a) is amended by adding new paragraphs to read

1 (16) bonds, debentures, notes, or other obligations issued,
2 guaranteed, or assumed as to both principal and interest by the
3 government of the Dominion of Canada, or by any province of Canada, or
4 by any municipality of Canada which has a population of not less than
5 150,000, if (A) the full faith and credit of the issuer, guarantor, or
6 assumer of the bonds, debentures, notes, or other obligations is
7 pledged for the payment of principal and interest on them, (B) the
8 principal and interest on them is payable in United States currency,
9 either unconditionally or at the option of the holder, and (C) these
10 obligations are rated A or an equivalent quality by a nationally
11 recognized rating organization;

12 (17) bankers' acceptances which are eligible for discount
13 at the Federal Reserve Bank and negotiable time certificates of
14 deposit issued by commercial banks.

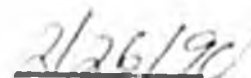


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Signature of Camera Operator



Date

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 44

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Professional Teaching Practices
7 Commission "

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

9 * Section 1. AS 14.20.380 is amended to read:

10 Sec. 14.20.380. CREATION OF A COMMISSION. There is a commission
11 [OF PROFESSIONAL EDUCATORS] known as the Professional Teaching Prac-
12 tices Commission.

13 * Sec. 2. AS 14.20.390 is amended to read:

14 Sec. 14.20.390. APPOINTMENT AND QUALIFICATIONS. The commission
15 consists of eleven [NINE] members appointed by the governor and con-
16 firmed by a majority of the members of the legislature in joint ses-
17 sion. Nine of the members must be professional educators who have
18 [EACH MEMBER, IN ADDITION TO HAVING] been actively engaged in the
19 teaching profession at least five years immediately preceeding their
20 [HIS] appointment. Two members must be public members and are subject
21 to AS 08.01.025. Each member must [, SHALL] be a citizen of the
22 United States and a resident of the state.

23 * Sec. 3. AS 14.20.400 is amended to read:

24 Sec. 14.20.400. COMPOSITION OF THE COMMISSION. The commission
25 consists of the following members:

- 26 (1) five classroom teachers;
27 (2) one principal;
28 (3) one superintendent;
29 (4) one representative of the office of the commissioner

1 of education;

2 (5) one representative of an Alaska institution of higher
3 learning;

4 (6) two representatives of the public.

5 * Sec. 4. AS 14.20.410(a) is amended to read:

6 (a) Members of the commission shall be selected as follows:

7 (1) the five classroom teachers from lists of names sub-
8 mitted by recognized Alaska teachers organizations, each list not to
9 exceed 12 names; however, in place [LIEU] of one of the five, one
10 classroom teacher may be selected from a list of not more than four
11 names signed and submitted by not less than 25 teachers who have no
12 affiliation with any organization qualified to submit nomination
13 lists, with the limitation that no teacher may sign more than one list
14 in any year;

15 (2) the principal from lists [A LIST] of three names sub-
16 mitted by the Alaska Association of Elementary Principals and by the
17 Alaska Association of Secondary Principals [ALASKA PRINCIPALS ASSOCI-
18 ATION];

19 (3) the superintendent from a list of three names submitted
20 by the Alaska Association of School Administrators [SUPERINTENDENTS
21 ADVISORY COMMISSION];

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

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

27 (6) the public members directly by the governor.

28 * Sec. 5. Notwithstanding the provisions of AS 14.20.420(a), the term
29 of office of one of the first two public members of the commission is two

1 years and the term of office of the other public member is three years.
2 The first two public members shall draw by lot for their initial terms of
3 appointment.

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THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. _____
 Title Relating to the Professional Teaching Practices Commission
 Requested by Office of the Governor Date Dec. 14, 1976

II. FISCAL DETAIL

Agency Affected Education
 Program Category Affected Pre, elementary & secondary
 Budget Request Unit(s) Affected Professional Teaching Practices Commission

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL		2.4	2.5	2.7	2.9	
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		2.4	2.5	2.7	2.9	

FUNDING (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify) Program Receipts		2.4	2.5	2.7	2.9	

POSITIONS

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
FULL TIME						
PART TIME						
TEMPORARY						

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

(a) Assume 4 meetings per year

1. \$150 travel per meeting x 2 members x 4 = \$1200
 2. \$150 per diem per meeting x 2 members x 4 = 1200
- Grand Total \$2400

(b) Assume 6% inflation in succeeding fiscal years.

IV. DATE Dec. 14, 1976 PREPARED BY Wm. D. Thomson, Director, Mgmt., Law & Finance
 AGENCY Education
 PHONE 465-2800
 Original Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

44

January 14, 1977

The Honorable John L. Rader
President of the Senate
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. President:

Under authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill making two changes in the law relating to the Professional Teaching Practices Commission.

First, the bill would change appropriate statutory provisions to increase the membership of the commission from nine to eleven. The additional two members would represent the general public on the commission, which is currently comprised exclusively of members of the teaching profession. The second change made by the bill would correct certain references made in AS 14.-20.410(a)(2) and (3) to the organizations which are authorized to nominate the school principal member and the school superintendent member, respectively. The named groups currently set out in the statute no longer exist under those names. The correct names are substituted by the bill.

Sincerely,

Jay S. Hammond
Governor

ALASKA ASSOCIATION OF SCHOOL ADMINISTRATORS

CITY AND BOROUGH OF JUNEAU SCHOOL DISTRICT

P. O. Box 808

Douglas, Alaska 99824

TOPIC: Newsletter on Legislation

FROM: John E. Coffee, President *JEC*
Alaska Association of School Administrators

DATE: March 24, 1977

The Alaska Association of School Administrators took the following positions regarding pending legislation during the recent meetings with legislators in Juneau.

1. A.A.S.A. supports the Governor's school construction legislation. This is embodied in Senate Bill 163. Under the bill, each district would be assured of 50% of the funding needed for needed school facilities with a sliding scale that would go upward from 50% based upon the individual community's ability to pay. This would be based upon assessed evaluations. The funding would be on the front end which would eliminate interest expenses on bonds which most municipalities currently have. Two other bills which would provide 80% and 90% funding for facilities also appear to have great merit but the Association is concerned about the State's ability to fund at these levels.

2. The A.A.S.A. supports the Governor's foundation support bill which is Senate Bill 225. The Association is committed to the forward funding idea of knowing one year in advance what the amount of foundation support per instructional unit will be. Such knowledge is vital for successful school district planning.

This bill calls for a \$27,500 instructional unit level for the 1977-78 school year. The bill also includes district differential based on a recent study of costs in various parts of the State. While the membership feels there probably are inequities and this needs further study it supports the general idea of differential updates.

The Governor's transmittal letter concerns us in that the figure of \$29,000 per instructional unit is suggested for the 1978-79 school year and that only if revenues are increased to meet the additional costs. We do not feel this will be adequate and would recommend the figure of \$33,000 for 1978-79. At the very least, a 10% increase will be mandatory for that year to enable most districts to maintain a status quo program.

March 24, 1977

Page 2

We feel very strongly that districts need to know one year in advance what the foundation funding will be. However, should it become possible that the foundation support for 1977-78 to be higher than the \$27,500 included in the Governor's bill, we certainly would not oppose such an increase.

SA 44
3/22/77
3. Senate Bill 44 - A.A.S.A. favors this bill. It would have the effect of broadening the Professional Teaching Practices Commission by adding two lay members to the Commission. These members would be appointed by the Governor. The Commission would then have eleven members. We support the bill because of the broadening feature. The current Commission is made up of a preponderance of teacher representatives. We feel this should change. The A.A.S.A. further urges that a legislative review of this agency be made. We simply do not feel it is accomplishing what it was originally created to do.

4. House Bill 109 - This bill clarifies the relationship between school boards and borough assemblies. The wording of the bill is as follows:

The borough assembly has only those powers with respect to education or to borough school boards that are granted by statute.

This would clearly delineate which body has the authority regarding various topics. A.A.S.A. favors this bill.

5. A.A.S.A. opposes House Bill 228. This bill would mandate that school boards grant administrative leave and pay travel costs of teacher union negotiators. We feel this would be an incentive to extend negotiations even longer than they are extended in most districts now. Many districts already grant, as part of their negotiated agreements, leaves of various types for teachers to attend association and union meetings and often negotiations skills are learned at such meetings. We do not feel the taxpayers should also subsidize the activities this bill would cover.

6. A.A.S.A. supports the full funding of community education as called for in the community education law. Therefore, we support House Bill 179 and Senate Bill 178. The community education concept and program are tremendous ideas for Alaska in our view. The better utilization of facilities by those who own them needs to be encouraged as strongly as possible.

Alaska State Legislature

HOME ADDRESS
P.O. BOX 63
GALENA, ALASKA 99741

WHILE IN OFFICE
FOURTH FLOOR
JUNEAU, ALASKA 99801
TELEPHONE 485-3725



SB 44

SENATOR
John C. Sackett
CHAIRMAN
SENATE FINANCE COMMITTEE
MEMBER
LABOR & MANAGEMENT COMMITTEE

Senate

April 26, 1977

Dr. Charles O. Ferguson, President
University of Alaska
Fairbanks, Alaska 99701

Dear Dr. Ferguson:

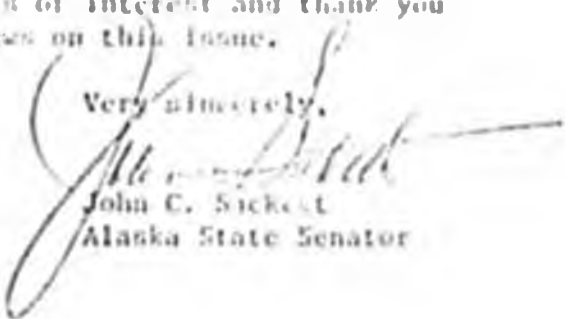
Your letter opposing S.B. 44, an Act relating to the Professional Teaching Practices Commission, has been received.

I strongly disagree with your statement that "members of the lay public" may not possess the necessary competency to serve on the Commission and find your attitude rather imperious. It may interest you to know that there are those of us who are not professional educators, but who are capable of exercising responsible judgment and oversight on teaching practices and performance.

Moreover, inasmuch as the Commission's duties and responsibilities are concerned with ensuring that those engaged in teaching are responsible to the public, it is my opinion that lay representation on the Commission is justified.

I hope this information is of interest and thank you for providing me with your views on this issue.

Very sincerely,


John C. Sackett
Alaska State Senator

JCS:nl



University of Alaska
Statewide System of Higher Education
Fairbanks, Alaska 99701

What is it.

18 April 1977

The Honorable John Sackett
Chairman, Senate Finance Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear John:

The University of Alaska has an interest in Senate Bill 44 - "An Act relating to the Professional Teaching Practices Commission." We are opposed to the provisions of this act and feel that regulations of members within a profession should be carried out by those in the profession having an understanding of professional competencies and expectations not typically possessed by members of the lay public.

If you wish a representative of the University to appear before your committee relative to the issues of SB 44, please let me know.

Sincerely,

Chuck F.

Charles O. Ferguson
President

COF/djh

Handwritten notes:
✓
...
...
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SB 44 - PTPC

AS 14.20.370 defines the teaching profession as follows:

Teachers required by Alaska law to be certified, instructors in institutions of higher learning, school administrators, school program administrators, and school counselors are within the teaching profession.

Thus, to say that adding two public members to the existing nine member commission would be changing the make-up from a majority of the teaching profession to a minority is not true. It is true that the five classroom teachers would no longer constitute a majority of the commission.

However, the intent of the existing statute as expressed in the definition of the teaching profession and also as expressed in the powers of the commission (AS 14.20.470) is that it be a commission of and for the whole teaching profession and not just the classroom teachers. One of the powers of the Commission (AS 14.20.470(a)(4) is to:

Suspend or revoke the certificate of a member of the teaching profession for one of the reasons set out in Sec. 10 of this Chapter except that in the case of an administrator, the Commissioner of Education must concur;

To amend SB 44 as has been proposed on the floor would remove all members of the profession, except teachers, from the commission and leave the power to revoke certificates of other members of the profession not represented on the commission.

Possibly a more moderate compromise would be to specify that the representative of an Alaska institution of higher education must be a classroom teacher. That would still leave a majority of six classroom teachers on an eleven member commission.

Judy Crondahl
5-13-77

Introduced: 1/17/77
Referred: Health, Education &
Social Services and Finance

*Changes are as
proposed in floor amendment.*

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

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13 * Sec. 2. AS 14.20.390 is amended to read:

14 Sec. 14.20.390. APPOINTMENT AND QUALIFICATIONS. The commission
15 consists of ^{eleven} ~~nine~~ members appointed by the governor and con-
16 firmed by a majority of the members of the legislature in joint ses-
17 sion. ^{Two} ~~Five~~ of the members must be professional educators who have
18 [EACH MEMBER, IN ADDITION TO HAVING] been actively engaged in the
19 teaching profession ^{for} at least five years immediately preceding their
20 [HIS] appointment. ^{Three} ~~Two~~ members must be public members and are subject
21 to AS 08.01.025. Each member must (. SHALL) be a citizen of the
22 United States and a resident of the state.

23 * Sec. 3. AS 14.20.400 is amended to read:

24 Sec. 14.20.400. COMPOSITION OF THE COMMISSION. The commission
25 consists of the following members:

- 26 (1) ^{Five} ~~Five~~ classroom teachers ^{and 1 representative of the public.}
- 27 (2) ~~one~~ principal,
- 28 (3) ~~one~~ superintendent,
- 29 (4) ~~one~~ representative of the office of the commissioner

of education:

~~(5) one representative of an Alaska institution of higher learning.~~

~~(6) two representatives of the public.~~

* Sec. 4. AS 14.20.410(a) is amended to read:

(a) Members of the commission shall be selected as follows:

(1) the ^{SIX} ~~five~~ classroom teachers from lists of names submitted by recognized Alaska teachers' organizations, each list not to exceed 12 names; however, in place ~~[FIVE]~~ of one of the ^{SIX} ~~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 lists [A LIST] of three names submitted by the Alaska Association of Elementary Principals and by the Alaska Association of Secondary Principals [ALASKA PRINCIPALS ASSOCIATION].~~

~~(3) the superintendent from a list of three names submitted by the Alaska Association of School Administrators [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;~~

~~(7) (6) the public members directly by the governor.~~

* Sec. 5. Notwithstanding the provisions of AS 14.20.420(a), the ^{term} term of office of one of the ~~five~~ two public members of the commission is two

2- appointed under this act

shall be for 1 year, two years, and 3 years

1 ~~years and the term of office of the other public member is three years.~~
2 The ~~first two~~ public members shall draw by lot for their initial terms of
3 ~~appointment.~~ *office.*

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A M E N D M E N T #2

Offered in the SENATE

By Huber, Croft and Sumner

TO: SENATE BILL NO. 44

Huber

Page 1, line 13, through page 3, line 3

Delete all material and insert:

* Sec. 2. AS 14.20.390 is amended to read:

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. Six of the members must be professional educators who have [EACH MEMBER, IN ADDITION TO HAVING] been actively engaged in the teaching profession for at least five years immediately preceding their [HIS] appointment. Three members must be public members and are subject to AS 08.01.025. Each member must [SHALL.] be a citizen of the United States and a resident of the state.

* Sec. 3. AS 14.20.400 is repealed and re-enacted to read:

Sec. 14.20.400. COMPOSITION OF THE COMMISSION. The commission consists of six classroom teachers and three representatives of the public.

* Sec. 4. AS 14.20.410(a) is repealed and re-enacted to read:

(a) Members of the commission shall be selected as follows:

(1) the six classroom teachers from lists of names submitted by recognized Alaska teachers' organizations, each list not to exceed 12 names; however, in place of one of the six, 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 public members directly by the governor.

* Sec. 5. Notwithstanding the provisions of AS 14.20.420(a), the initial terms of the public members appointed under this Act shall be for one year, two years, and three years. The public members shall draw by lot for their initial terms of office.

AMENDMENT #3

OFFERED IN THE SENATE:

By: FERGUSON

To: _____ SENATE BILL No. 44

HOUSE BILL No. _____

PAGE: 3

LINE: 4

Add a new Section

Sec. 6

This Act TAKES EFFECT July 1, 1978

AMENDMENT #3

OFFERED IN THE SENATE:

By: FERGUSON

To: _____ SENATE BILL No. 44

HOUSE BILL No. _____

PAGE: 3

LINE: 41

Add a new Section

*Sec. 6
This Act takes effect July 1, 1978*

A M E N D M E N T #1

Offered in the SENATE

By Huber, Croft and Sumner *Carlin*

TO: SENATE BILL NO. 44

Page 1, line 15

Delete "eleven [NINE]" and insert "nine"

Page 1, line 17

Delete "Nine" and insert "Six"

Page 1, line 19

After "profession" insert "for"

Page 1, line 20

Delete "Two" and insert "Three"

Page 1, line 26

Delete "five" and insert "six [FIVE]"

Page 1, lines 23 - 29, and page 2, lines 1 - 4

Delete all material and insert:

* Sec. 3. AS 14.20.400 is repealed and re-enacted to read:

Sec. 14.20.400. COMPOSITION OF THE COMMISSION. The commission consists of six classroom teachers and three representatives of the public.

Page 2, lines 5 - 27

Delete all material and insert:

* Sec. 4. AS 14.20.410(a) is repealed and re-enacted to read:

(a) Members of the commission shall be selected as follows:

(1) the six classroom teachers from lists of names submitted by recognized Alaska teachers' organizations, each list not to exceed 12 names; however, in place of one of the six, 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 public members directly by the governor.

Page 2, lines 28 and 29, and page 3, lines 1 - 3

Delete all material and insert:

* Sec. 5. Notwithstanding the provisions of AS 14.20.420(a), the initial terms of the public members appointed under this Act shall be for one year, two years, and three years. The public members shall draw by lot for their initial terms of office.

A M E N D M E N T #2

Offered in the SENATE

By Huber, Croft and Sumner

TO: SENATE BILL NO. 44

Page 1, line 13, through page 3, line 3

Delete all material and insert:

* Sec. 2. AS 14.20.390 is amended to read:

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. Six of the members must be professional educators who have [EACH MEMBER, IN ADDITION TO HAVING] been actively engaged in the teaching profession for at least five years immediately preceding their [HIS] appointment. Three members must be public members and are subject to AS 08.01.025. Each member must [, SHALL.] be a citizen of the United States and a resident of the state.

* Sec. 3. AS 14.20.400 is repealed and re-enacted to read:

Sec. 14.20.400. COMPOSITION OF THE COMMISSION. The commission consists of six classroom teachers and three representatives of the public.

* Sec. 4. AS 14.20.410(a) is repealed and re-enacted to read:

(a) Members of the commission shall be selected as follows:

(1) the six classroom teachers from lists of names submitted by recognized Alaska teachers' organizations, each list not to exceed 12 names; however, in place of one of the six, 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 public members directly by the governor.

* Sec. 5. Notwithstanding the provisions of AS 14.20.420(a), the initial terms of the public members appointed under this Act shall be for one year, two years, and three years. The public members shall draw by lot for their initial terms of office.

COMMITTEE REPORT
SENATE

5/10/77

Date _____

Mr. President:

The Committee on FINANCE has had SB 44
relating to Professional Teaching Practices Commission
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
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

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

Chairman

Page 2, lines 5 - 27

Delete all material and insert:

* Sec. 4. AS 14.20.410(a) is repealed and re-enacted to read:

(a) Members of the commission shall be selected as follows:

(1) the six classroom teachers from lists of names submitted by recognized Alaska teachers' organizations, each list not to exceed 12 names; however, in place of one of the six, 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 public members directly by the governor.

Page 2, lines 28 and 29, and page 3, lines 1 - 3

Delete all material and insert:

* Sec. 5. Notwithstanding the provisions of AS 14.20.420(a), the initial terms of the public members appointed under this Act shall be for one year, two years, and three years. The public members shall draw by lot for their initial terms of office.

A M E N D M E N T # 1

Offered in the SENATE

By Huber, Croft and Sumner *Calder*

TO: SENATE BILL NO. 44

Page 1, line 15

Delete "eleven [NINE]" and insert "nine"

Page 1, line 17

Delete "Nine" and insert "Six"

Page 1, line 19

After "profession" insert "for"

Page 1, line 20

Delete "Two" and insert "Three"

Page 1, line 26

Delete "five" and insert "six [FIVE]"

Page 1, lines 23 - 29, and page 2, lines 1 - 4

Delete all material and insert:

* Sec. 3. AS 14.20.400 is repealed and re-enacted to read:

Sec. 14.20.400. COMPOSITION OF THE COMMISSION. The commission consists of six classroom teachers and three representatives of the public.

A M E N D M E N T # 2

Offered in the SENATE

By Huber, Croft and Sumner

TO: SENATE BILL NO. 44

Page 1, line 13, through page 3, line 3

Delete all material and insert:

* Sec. 2. AS 14.20.390 is amended to read:

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. Six of the members must be professional educators who have [EACH MEMBER, IN ADDITION TO HAVING] been actively engaged in the teaching profession for at least five years immediately preceding their [HIS] appointment. Three members must be public members and are subject to AS 08.01.025. Each member must [. SHALL] be a citizen of the United States and a resident of the state.

* Sec. 3. AS 14.20.400 is repealed and re-enacted to read:

Sec. 14.20.400. COMPOSITION OF THE COMMISSION. The commission consists of six classroom teachers and three representatives of the public.

* Sec. 4. AS 14.20.410(a) is repealed and re-enacted to read:

(a) Members of the commission shall be selected as follows:

(1) the six classroom teachers from lists of names submitted by recognized Alaska teachers' organizations, each list not to exceed 12 names; however, in place of one of the six, 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 public members directly by the governor.

* Sec. 5. Notwithstanding the provisions of AS 14.20.420(a), the initial terms of the public members appointed under this Act shall be for one year, two years, and three years. The public members shall draw by lot for their initial terms of office.

COMMITTEE REPORT

SENATE

1/17/77

****FINANCE****

3/30/77

Date

Mr. President:

The Committee on HEALTH, EDUCATION & SOCIAL SERV. has had SB 44 relating to the Professional Teaching Practices Commission 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~~ ^{INDIVIDUAL} recommendation

AND attaches a report of its intent

(other) reports it back as follows:

MEMBERS SIGNING THE MAJORITY REPORT:

<u>[Signature]</u>	<u>Do Not Pass</u>
<u>[Signature]</u>	<u>Do Not Pass</u>
<u>[Signature]</u>	<u>Do Not Pass</u>
<u>[Signature]</u>	<u>Do Not Pass</u>
<u>[Signature]</u>	<u>Do Not Pass</u>

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

[Signature]
Chairman
do Pass

COMMITTEE REPORT

SENATE

3/31/77

Reiler

May 5, 1977

Date

Mr. President:

The Committee on FINANCE has had SB 44 relating to the Professional Teaching Practices Commission 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
- AND attaches a report of its intent
- (other) Submitted Recommendations

MEMBERS SIGNING THE MAJORITY REPORT:

<i>1</i>	<i>John Sackett</i>	<i>No Rec.</i>	<i>1</i>	<i>Melvin Wakee</i>
<i>1</i>	<i>John R. ...</i>	<i>No Rec.</i>	<i>2</i>	<i>Melvin ...</i>
	<i>Ordine</i>	<i>no rec</i>		<i>Not Pass</i>
<i>3</i>	<i>Hillian</i>	<i>Do pass</i>		

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

(1) *John Sackett*
Chairman
no rec

COMMITTEE REPORT

5/5/77

SENATE

May 6, 1977 Date

Mr. President:

The Committee on RULES has had SB 44
relating to the Professional Teaching Practices Commission
under consideration. A majority of the members of the Committee

- recommends it ~~do not pass~~ Be placed on the calendar (Mon.)
- 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
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

_____ recommends: _____

_____ recommends: _____

_____ recommends: _____

Chairman

Introduced: 1/17/77
Referred: Health, Education &
Social Services and Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 44

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

9 * Section 1. AS 14.20.380 is amended to read:

10 Sec. 14.20.380. CREATION OF A COMMISSION. There is a commission
11 [OF PROFESSIONAL EDUCATORS] known as the Professional Teaching Prac-
12 tices Commission.

13 * Sec. 2. AS 14.20.390 is amended to read:

14 Sec. 14.20.390. APPOINTMENT AND QUALIFICATIONS. The commission
15 consists of eleven [NINE] members appointed by the governor and con-
16 firmed by a majority of the members of the legislature in joint ses-
17 sion. Nine of the members must be professional educators who have
18 [EACH MEMBER, IN ADDITION TO HAVING] been actively engaged in the
19 teaching profession at least five years immediately preceding their
20 [HIS] appointment. Two members must be public members and are subject
21 to AS 08.01.025. Each member must [, SHALL] be a citizen of the
22 United States and a resident of the state.

23 * Sec. 3. AS 14.20.400 is amended to read:

24 Sec. 14.20.400. COMPOSITION OF THE COMMISSION. The commission
25 consists of the following members:

- 26 (1) five classroom teachers;
27 (2) one principal;
28 (3) one superintendent;
29 (4) one representative of the office of the commissioner

1 of education;

2 (5) one representative of an Alaska institution of higher
3 learning;

4 (6) two representatives of the public.

5 * Sec. 4. AS 14.20.410(a) is amended to read:

6 (a) Members of the commission shall be selected as follows:

7 (1) the five classroom teachers from lists of names sub-
8 mitted by recognized Alaska teachers organizations, each list not to
9 exceed 12 names; however, in place [LIEU] of one of the five, one
10 classroom teacher may be selected from a list of not more than four
11 names signed and submitted by not less than 25 teachers who have no
12 affiliation with any organization qualified to submit nomination
13 lists, with the limitation that no teacher may sign more than one list
14 in any year;

15 (2) the principal from lists [A LIST] of three names sub-
16 mitted by the Alaska Association of Elementary Principals and by the
17 Alaska Association of Secondary Principals [ALASKA PRINCIPALS ASSOCI-
18 ATION];

19 (3) the superintendent from a list of three names submitted
20 by the Alaska Association of School Administrators [SUPERINTENDENTS
21 ADVISORY COMMISSION];

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

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

27 (6) the public members directly by the governor.

28 * Sec. 5. Notwithstanding the provisions of AS 14.20.420(a), the term
29 of office of one of the first two public members of the commission is two

1 years and the term of office of the other public member is three years.
2 The first two public members shall draw by lot for their initial terms of
3 appointment.

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THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. _____
 Title Relating to the Professional Teaching Practices Commission
 Requested by Office of the Governor Date Dec. 14, 1976

II. FISCAL DETAIL

Agency Affected Education
 Program Category Affected Pre, elementary & secondary
 Budget Request Unit(s) Affected Professional Teaching Practices Commission

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL		2.4	2.5	2.7	2.9	
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		2.4	2.5	2.7	2.9	

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify) Program Receipts		2.4	2.5	2.7	2.9	

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

(a) Assume 4 meetings per year

1. \$150 travel per meeting x 2 members x 4 = \$1200
 2. \$150 per diem per meeting x 2 members x 4 = \$1200
- Grand Total \$2400

(b) Assume 6% inflation in succeeding fiscal years.

IV. DATE Dec. 14, 1976 PREPARED BY Wm. D. Thomson, Director, Mgt., Law & Finan.
 AGENCY Education
 Original Legislative Finance PHONE 665-2800
 cc Budget and Management
 Prime Sponsor (First Legislator Named)

44
January 14, 1977

The Honorable John L. Rader
President of the Senate
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. President:

Under authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill making two changes in the law relating to the Professional Teaching Practices Commission.

First, the bill would change appropriate statutory provisions to increase the membership of the commission from nine to eleven. The additional two members would represent the general public on the commission, which is currently comprised exclusively of members of the teaching profession. The second change made by the bill would correct certain references made in AS 14.-20.410(a)(2) and (3) to the organizations which are authorized to nominate the school principal member and the school superintendent member, respectively. The named groups currently set out in the statute no longer exist under those names. The correct names are substituted by the bill.

Sincerely,

Jay S. Hammond
Governor

ALASKA STATE LEGISLATURE

TENTH Legislature FIRST Session

SENATE BILL NO. 44

BY THE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

"An Act relating to the Professional Teaching Practices Commission."

Professional Teaching Practices Commission

Introduced in the Senate 1/17, 19 77

HISTORY IN THE SENATE

19	77	Read first time and referred to Committee on
1	17	Health, Education & Social Services & Finance
3	31	Reported back with <i>J.E.P.</i> recommendation that <i>deport fees to fund...</i>
		<i>Call Committee</i> Read second time and advanced
		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.

COMMITTEE REPORT
SENATE

_____ Date

Mr. President:

The Committee on FINANCE has had 70 96
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
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

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

Chairman

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. SENATE BILL NO. 44
 Title Relating to the Professional Teaching Practices Commission
 Requested by SENATOR B. L. WOOD Governor Date Nov. 10, 1976

B. FISCAL DETAIL
 Agency Affected Education
 Program Category Affected Prof. Development & Activities
 Budget Request Unit(s) Affected Professional Teaching Practices Commission

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL		2.0	2.5	2.7	2.9	
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLARMS, ETC.						
TOTAL		2.0	2.5	2.7	2.9	

FUNDING (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Program, Account)		2.0	2.5	2.7	2.9	

EMPLOYEES

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
FULL TIME						
PART TIME						
TEMPORARY						

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

(a) Assume 4 meetings per year

1. \$150 travel per meeting x 2 members x 4 = \$1200
 2. \$150 per diem per meeting x 2 members x 4 = \$1200
- Grand Total \$2400

(b) Assume 6% inflation in succeeding fiscal years.

BY DATE Nov. 10, 1976 PREPARED BY W. J. Thomas, Director, App. & Inv. Prod.

Original Expense Finance AGENCY Education
 Budget and Management PHONE 485-1804

Print Name (Last, First, Middle Initial)




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

HOUSE

_____ Date

Mr. Speaker:

The Committee on _____ 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
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

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

Chairman

Introduced: 1/17/77
Referred: Health, Education &
Social Services, Labor &
Management & Finance

IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

SENATE BILL NO. 43

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the investment authority of the commissioner of revenue as custodian of the retirement funds established by AS 14.25 and AS 39.35."

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

• Section 1. AS 14.25.180(b)(11) is amended to read

(11) notes secured by mortgages of commercial and residential real estate or other security if the mortgages are insured by a private mortgage insurance corporation which is authorized to do business in Alaska and has combined capital, surplus and reserves aggregating at least \$20,000,000, however, (A) no mortgage insurance is necessary for commercial loans having loan-to-value ratios of less than 50 per cent and the minimum coverage of other commercial loans shall be 10 per cent for those having a loan-to-value ratio of 50-60 per cent and 15 per cent for those having a loan-to-value ratio greater than 60- but no more than 75 per cent, and (B) no mortgage insurance is necessary for residential loans having a loan-to-value ratio of less than 70 per cent and the minimum coverage of other residential loans shall be 10 per cent for those having a loan-to-value ratio greater than 70- but less than 90 per cent and 20 per cent for those having a loan-to-value ratio of 90 per cent.

• Sec. 2. AS 14.25.180(b) is amended by adding new paragraphs to

read

(16) bonds, debentures, notes, or other obligations issued, guaranteed, or assumed as to both principal and interest by the govern-

ment of the Dominion of Canada, or by any province of Canada, or by any municipality of Canada which has a population of not less than 150,000, if (A) the full faith and credit of the issuer, guarantor, or assumer of the bonds, debentures, notes, or other obligations is pledged for the payment of principal and interest on them, (B) the principal and interest on them is payable in United States currency, either unconditionally or at the option of the holder, and (C) these obligations are rated A or an equivalent quality by a nationally recognized rating organization;

(17) bankers' acceptances which are eligible for discount at the Federal Reserve Bank and negotiable time certificates of deposit issued by commercial banks.

* Sec. 3. AS 39.35.110(a)(1) is amended to read:

(1) notes secured by mortgages of commercial or residential real estate or other security if the mortgages are insured by a private mortgage insurance corporation which is authorized to do business in Alaska and has combined capital, surplus and reserves aggregating at least \$20,000,000, however, (A) no mortgage insurance is necessary for commercial loans having loan-to-value ratios of less than 50 per cent and the minimum coverage of other commercial loans shall be 10 per cent for those having a loan-to-value ratio of 50-60 per cent and 15 per cent for those having a loan-to-value ratio greater than 60- but no more than 75 per cent, and (B) no mortgage insurance is necessary for residential loans having a loan-to-value ratio of less than 70 per cent and the minimum coverage of other residential loans shall be 10 per cent for those having a loan-to-value ratio greater than 70 per cent but less than 90 per cent and 20 per cent for those having a loan-to-value ratio of 90 per cent.

* Sec. 4. AS 39.35.110(a) is amended by adding new paragraphs to read:

1 (16) bonds, debentures, notes, or other obligations issued,
2 guaranteed, or assumed as to both principal and interest by the
3 government of the Dominion of Canada, or by any province of Canada, or
4 by any municipality of Canada which has a population of not less than
5 150,000, if (A) the full faith and credit of the issuer, guarantor, or
6 assumer of the bonds, debentures, notes, or other obligations is
7 pledged for the payment of principal and interest on them, (B) the
8 principal and interest on them is payable in United States currency,
9 either unconditionally or at the option of the holder, and (C) these
10 obligations are rated A or an equivalent quality by a nationally
11 recognized rating organization;

12 (17) bankers' acceptances which are eligible for discount
13 at the Federal Reserve Bank, and negotiable time certificates of
14 deposit issued by commercial banks.

January 14, 1977

The Honorable John L. Rader
President of the Senate
Alaska State Legislature
Juneau, Alaska 99811

Dear Mr. President:

Under the authority of art. III, sec. 18 of the Alaska Constitution, and in accordance with AS 24.30.060(b) and the Uniform Rules of the Alaska State Legislature, I am transmitting a bill which amends the investment provisions of the Teachers' Retirement System (AS 14.25) and the Public Employees' Retirement System (AS 39.35) and which establishes two new classes of authorized investments.

Sections 1 and 3 of the bill amend AS 14.25.100(b)(11) and AS 39.35.110(a)(11), respectively, to reduce the mortgage insurance requirement otherwise necessary to render certain commercial and residential mortgages proper investments for these retirement funds. A somewhat greater amount of coverage is required on commercial mortgages since these are generally riskier investments because the collateral is less readily marketed than residential real estate.

The Department of Revenue believes that the present mortgage insurance requirement constitutes nothing more than a boon to the mortgage insurance corporations and does not in fact add any significant protection to the state as an investor. The department believes that, in the commercial context, the state will almost invariably be able to obtain 50% or more of actual value upon a sale and likewise it feels that it will always obtain 70% of the actual value of residential real estate. Thus, this amendment specifies only that measure of coverage which the state actually requires to adequately protect the investment.

Sections 2 and 4 of the Bill amend AS 14.25.100(b) and AS 39.35.110(d), respectively, by adding two new classes of investments in which the commissioner is authorized to invest retirement funds. First, investments are allowed in bonds issued by the Canadian government and certain other Canadian political subdivisions if the full faith and credit of the issuer is pledged for payment of the principal and interest, if the principal and interest is payable in United States currency, and if the bonds are rated A or better by a nationally recognized rating organization. Second, investments in bankers' acceptances and negotiable time certificates of deposit are also expressly authorized.

Sincerely,

Jay S. Hammond
Governor

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. _____
Title Management & Investment of State Funds
Requested by Budget & Management Date _____

II. FISCAL DETAIL

Agency Affected Revenue
Program Category Affected Treasury Management
Budget Request Unit(s) Affected None

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	NONE	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

N/A

FULL TIME						
PART TIME						
TEMPORARY						

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

IV. DATE 12/20/76

PREPARED BY *John R. ...*

AGENCY Revenue

PHONE 2300

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

Introduced: 1/17/77
Referred: Health, Education &
Social Services, Labor &
Management & Finance

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 43

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the investment authority of the
7 commissioner of revenue as custodian of the retire-
8 ment funds established by AS 14.25 and AS 39.35."

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

10 * Section 1. AS 14.25.180(b)(11) is amended to read

11 (11) notes secured by mortgages of commercial and resi-
12 dential real estate or other security if the mortgages are insured by
13 a private mortgage insurance corporation which is authorized to do
14 business in Alaska and has combined capital, surplus and reserves
15 aggregating at least \$20,000,000, however, (A) no mortgage insurance
16 is necessary for commercial loans having loan-to-value ratios of less
17 than 50 per cent and the minimum coverage of other commercial loans
18 shall be 10 per cent for those having a loan-to-value ratio of 50-60 per
19 cent and 15 per cent for those having a loan-to-value ratio greater
20 than 60- but no more than 75 per cent, and (B) no mortgage insurance
21 is necessary for residential loans having a loan-to-value ratio of
22 less than 70 per cent and the minimum coverage of other residential
23 loans shall be 10 per cent for those having a loan-to-value ratio
24 greater than 70- but less than 90 per cent and 20 per cent for those
25 having a loan-to-value ratio of 90 per cent.

26 * Sec. 2. AS 14.25.180(b) is amended by adding new paragraphs to
27 read:

28 (16) bonds, debentures, notes, or other obligations issued,
29 guaranteed, or assumed as to both principal and interest by the govern-

1 ment of the Dominion of Canada, or by any province of Canada, or by
2 any municipality of Canada which has a population of not less than
3 150,000, if (A) the full faith and credit of the issuer, guarantor, or
4 assumer of the bonds, debentures, notes, or other obligations is
5 pledged for the payment of principal and interest on them, (B) the
6 principal and interest on them is payable in United States currency,
7 either unconditionally or at the option of the holder, and (C) these
8 obligations are rated A or an equivalent quality by a nationally
9 recognized rating organization;

10 (17) bankers' acceptances which are eligible for discount
11 at the Federal Reserve Bank and negotiable time certificates of deposit
12 issued by commercial banks.

13 * Sec. 3. AS 39.35.110(a)(11) is amended to read:

14 (11) notes secured by mortgages of commercial or residential
15 real estate or other security if the mortgages are insured by a private
16 mortgage insurance corporation which is authorized to do business in
17 Alaska and has combined capital, surplus and reserves aggregating at
18 least \$20,000,000; however, (A) no mortgage insurance is necessary for
19 commercial loans having loan-to-value ratios of less than 50 per cent
20 and the minimum coverage of other commercial loans shall be 10 per
21 cent for those having a loan-to-value ratio of 50-60 per cent and 15
22 per cent for those having a loan-to-value ratio greater than 60- but
23 no more than 75 per cent, and (B) no mortgage insurance is necessary
24 for residential loans having a loan-to-value ratio of less than 70 per
25 cent and the minimum coverage of other residential loans shall be 10
26 per cent for those having a loan-to-value ratio greater than 70 per
27 cent but less than 90 per cent and 20 per cent for those having a
28 loan-to-value ratio of 90 per cent.

29 * Sec. 4. AS 39.35.110(a) is amended by adding new paragraphs to read

1 (16) bonds, debentures, notes, or other obligations issued,
2 guaranteed, or assumed as to both principal and interest by the
3 government of the Dominion of Canada, or by any province of Canada, or
4 by any municipality of Canada which has a population of not less than
5 150,000, if (A) the full faith and credit of the issuer, guarantor, or
6 assumer of the bonds, debentures, notes, or other obligations is
7 pledged for the payment of principal and interest on them, (B) the
8 principal and interest on them is payable in United States currency,
9 either unconditionally or at the option of the holder, and (C) these
10 obligations are rated A or an equivalent quality by a nationally
11 recognized rating organization;

12 (17) bankers' acceptances which are eligible for discount
13 at the Federal Reserve Bank and negotiable time certificates of
14 deposit issued by commercial banks.



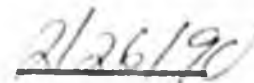
RECORDS CERTIFICATION



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

HOUSE

_____ Date

Mr. Speaker:

The Committee on FINANCE has had SB 4 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
- AND attaches a report of its intent
- (other) _____

MEMBERS SIGNING THE MAJORITY REPORT:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

MEMBERS NOT CONCURRING IN THE MAJORITY REPORT:

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

_____ Chairman

Original sponsor: Rules Committee by request
of the Governor

IN THE SENATE

BY THE FINANCE COMMITTEE

HOUSE CS FOR SENATE BILL NO. 45 (Finance)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to radiation protection."

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

* Section 1. AS 18.60 is amended by adding new sections to read:

ARTICLE 5. RADIATION PROTECTION.

Sec. 18.60.475. POWERS AND DUTIES OF DEPARTMENT. (a) The department shall

(1) adopt regulations necessary to carry out the purposes of secs. 475 - 545 of this chapter;

(2) develop comprehensive policies and programs for the evaluation and determination of hazards associated with the use of radiation sources and their amelioration;

(3) encourage, participate in, and conduct studies, investigations, training, research and demonstrations relating to the control of radiation hazards, the measurement of radiation, the effects on health of exposure to radiation and related problems it considers necessary or advisable for the discharge of its duties;

(4) collect and disseminate health education information relating to radiation protection;

(5) review plans and shielding specifications for radiation sources;

(6) inspect radiation sources, their shielding and immediate surroundings, and records concerning their operation for the determination of possible radiation hazard;

(7) contract with other state agencies to assist them in

performing functions which require expertise in determining and reducing the hazards of radiation.

(b) The department may keep confidential data obtained as a result of registration or investigation.

Sec. 18.60.485. RADIATION SOURCES. Radiation sources shall be shielded, transported, handled, used, and kept to prevent users and other persons from being exposed to concentrations of radionuclides or levels of radiation exceeding those limits established by the department in regulations.

Sec. 18.60.495. NOTIFICATION OF VIOLATION AND ORDER OF ABATEMENT. When the department finds, after inspection and examination of a source of radiation as constructed, operated, or maintained, that there has been a violation of a provision of secs. 475 - 545 of this chapter, it shall notify the person causing or permitting the violation of the nature of the violation and order the person to stop it.

Sec. 18.60.505. AUTHORITY OF DEPARTMENT IN CASES OF EMERGENCY. When the department finds that an emergency exists requiring immediate action to protect the public health or welfare from radiation, it may issue an order reciting the existence of an emergency and requiring that action be taken to meet the emergency. The order is effective immediately. A person to whom an order is directed shall comply with it immediately, but on application to the department shall be given a hearing under the Administrative Procedure Act (AS 44.62). After a hearing, the department may affirm, revoke, or modify the order.

Sec. 18.60.515. ASSISTING OTHER AGENCIES. The department shall, on the request of another state agency, contract with that agency to assist it in performing functions which require expertise in determining or reducing the hazards of radiation. This assistance may include conducting inspections and investigations and providing technical

assistance.

Sec. 18.60.525. EXCEPTIONS. (a) Sections 475 - 485 of this chapter do not limit the intentional exposure of patients to radiation for the purpose of diagnosis or therapy, or medical research, when conducted as authorized by law and in accordance with accepted radiation safety principles.

(b) Section 475(a)(5) and (6) of this chapter do not apply to the private use of radiation sources in the home.

(c) Sections 475 - 545 of this chapter do not apply to the Department of Military Affairs in carrying out the provisions of AS 26 which pertain to planning for and responding to radiation which results from the detonation of nuclear weapons.

Sec. 18.60.535. PENALTIES. A person who violates a regulation, standard, or order of the department adopted or issued under secs. 475 - 545 of this chapter is guilty of a misdemeanor and, upon conviction, is punishable by a fine of not more than \$500, or by imprisonment for not more than one year, or by both. Each day upon which a violation occurs constitutes a separate offense.

Sec. 18.60.545. DEFINITIONS. In secs. 475 - 545 of this chapter

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

(2) "electronic product" means a manufactured product which

(A) when in operation contains or acts as part of an electronic circuit and emits, or in the absence of effective shielding or other controls would emit, electronic product radiation, or

(B) is intended for use as a component, part, or accessory of a product described in (A) of this paragraph and which when in operation emits, or in the absence of effective shielding or

other controls would emit, electronic product radiation.

(3) "electronic product radiation" means any ionizing or non-ionizing, electromagnetic or particulate radiation, or a sonic, infra-sonic, or ultrasonic wave which is emitted from an electronic product as the result of the operation of an electronic circuit in the product.

(4) "radiation sources" means both electronic product and nuclear radiation sources.

(5) "radionuclide" means any atom which may spontaneously emit particles or gamma radiation or may emit X-radiation following orbital electron capture or may undergo spontaneous fission.

(6) "state agency" or "agency of the state" means a state department or agency, whether in the legislative, judicial, or executive branch, including such entities as the Alaska State Housing Authority. "state agency" or "agency of the state" does not include the University of Alaska, a municipality, or an agency of a municipality.

* Sec. 2. AS 44.65 is amended by adding a new section to read:

Sec. 44.65.060. RESTRICTION ON CONTRACTING WITH OR EMPLOYING EXPERTS ON RADIATION HAZARDS. (a) Except for the Department of Health and Social Services, the Department of Environmental Conservation, and the Department of Military Affairs, no state agency may

(1) contract, other than with the Department of Health and Social Services, to have services performed which require expertise in determining or reducing the hazards of radiation, or

(2) employ a person whose duties require expertise in determining or reducing the hazards of radiation.

(b) As used in this section, "state agency" or "agency of the state" means a state department or agency, whether in the legislative, judicial, or executive branch, including such entities as the Alaska State Housing Authority. "state agency" or "agency of the state" does

not include the University of Alaska, a municipality, or an agency of a municipality.

- * Sec. 3. AS 46.03.250 is repealed and re-enacted to read:

Sec. 46.03.250. AUTHORITY. The department shall adopt regulations establishing standards governing the discharge of radionuclides to the air, water, land, and subsurface land of the state.

- * Sec. 4. AS 46.03.260 is repealed and re-enacted to read:

Sec. 46.03.260. USE OF ATOMIC RADIATION. A person who conducts an operation which results in the discharge of radionuclides to the air, water, land or subsurface land of the state must obtain a permit from the department before commencing the discharge.

- * Sec. 5. AS 46.03.290 is repealed and re-enacted to read:

Sec. 46.03.290. AUTHORITY OF DEPARTMENT IN CASES OF EMERGENCY.

(a) When the department finds that an actual or imminent discharge of radionuclides to the air, water, land or subsurface land of the state poses an immediate threat to the public health or welfare, or the environment of the state, it may issue an order declaring an emergency and directing a person or persons to take action the department believes necessary to meet the emergency, and protect the public health, welfare, or environment.

(b) A person to whom an order is directed shall comply with it immediately, but on application to the department shall be given a hearing under the Administrative Procedure Act (AS 64.67). Thereafter the department may affirm, revoke or modify the order.

(c) During a period of emergency declared under (a) of this section, each state agency, including, when appropriate, the Department of Military Affairs under the authority conferred by AS 26.20, shall take whatever action the department finds necessary to meet the emergency, and to protect the public health, welfare, or environment.

* Sec. 6. AS 46.03.900 is amended by adding a new paragraph to read:

(23) "radionuclide" means any atom which may spontaneously emit particles or gamma radiation or may emit X-radiation following orbital electron capture or may undergo spontaneous fission.

* Sec. 7. AS 18.45 is amended by adding a new section to read:

Sec. 18.45.025. FACILITIES SITING PERMIT REQUIRED. No person may construct a nuclear fuel production facility, utilization facility, reprocessing facility, or nuclear waste disposal facility in the state unless he has first obtained a permit from the Department of Environmental Conservation. The Department of Environmental Conservation shall adopt regulations governing the issuance of these permits; however, no permit may be issued until

(1) the legislature has approved the regulations by a concurrent resolution concurred in by a majority of the members of each house;

(2) the local government with jurisdiction over the proposed facility site has approved the permit;

(3) the legislature has approved the permit by a concurrent resolution concurred in by a majority of the members of each house; and

(4) the governor has approved the permit.

* Sec. 8. AS 18.45.060 is amended to read:

Sec. 18.45.060. INJUNCTION PROCEEDINGS. When, in the opinion of the governor, a person is violating or is about to violate sec. 20 or 25 of this chapter, he shall (MAY) direct the attorney general to apply to the appropriate court for an order enjoining the person from engaging or continuing to engage in the activity and upon a showing that the person has engaged, or is about to engage in the activity, the court may grant a permanent or temporary injunction, restraining order, or other order.

* Sec. 9. Regulations adopted under authority of statutes repealed or

amended by this Act shall remain in effect until repealed by the Department of Environmental Conservation in consultation with the Department of Health and Social Services.

* Sec. 10. Section 1 of this Act does not confer authority on the Department of Health and Social Services or limit the authority of the Department of Labor to adopt regulations concerning radiation exposure in the occupational setting.

* Sec. 11. AS 18.45.010, 18.45.040, 18.45.050; AS 46.03.020(10)(F), 46.03.270, 46.03.280, 46.03.300, 46.03.310, 46.03.840, 46.03.900(7), 46.03.900(8), 46.03.900(16), and 46.03.900(17) are repealed.

POSITION PAPER
ON
HOUSE CS FOR SENATE BILL NO. 45

An Act relating to radiation protection.

S.B. 45 transfers the responsibility and authority for control of all sources of ionizing and non-ionizing radiation to the Department of Health and Social Services from the Department of Environmental Conservation. There is one exception. Environmental radiation control related to radionuclide contamination of the air, water and land remains the responsibility of the Department of Environmental Conservation.

Radiological health is a specialized field of public health, being concerned with the safe use of ionizing and non-ionizing radiation. In Alaska, this area of public health need is not being met. There are no funds appropriated for the purpose of radiation protection and there is not an identified position in the State for radiological health. Alaska is the only state in the fifty states that does not have at least one individual actively involved in this field.

Alaska's radiation protection regulations adopted by the Department of Environmental Conservation are essentially unenforced. Users of radiation sources are without surveillance and educational programs so important for safe use. For all practical purposes, this has been the case since 1970.

Typical sources of ionizing radiation in Alaska are X-ray machines and radioactive materials used in medicine, dentistry, research, educational institutions and industry. Typical non-ionizing radiation sources are microwave ovens, lasers, infrared and ultraviolet sources. At the present time the major source of radiation exposure of public health concern is use of X-rays in the healing arts, primarily medicine and dentistry.

Since there has been no program, the number and location of radiation sources in the state are unknown. However, it is known that the use of radiation in Alaska is similar to that of other states with a great increase in the use of industrial sources of radiation since initiation of pipeline construction. Presently there are 23 hospitals in Alaska, all having X-ray equipment, the larger hospitals with many units. There are numerous clinics having one or more X-ray units per clinic. In addition, it is estimated that there are 75 X-ray units located in private physicians' offices and 225 X-ray units located in dentists' offices. The above, in conjunction with the use of X-ray equipment by chiropractors and veterinarians as well as the educational, research and industrial uses of X-ray equipment and radionuclides, comprises a picture of the extent of the use of radiation throughout the state.

Requests to this Department for assistance and consultation in radiological health matters are handled on a very sporadic basis and in some instances not at all. Further, the requirement for yearly inspections under the Medicare and Medicaid inspection program is not being met. Some of these as well as numerous X-ray facilities in private offices in the state have not been inspected since 1969. In addition, it is estimated that over half of the educational and industrial users under the jurisdiction of the state have never been inspected.

The statutory transfer of this responsibility to the Department of Health and Social Services with the approval of the attached Fiscal Note will enable the Department to develop a program to meet the responsibility for radiological health required by this legislation.

This Department supports passage of S.B. 45.

Recommended by:

Robert I. Fraser 2/10/78
Robert I. Fraser M.D., Director (Date)
Division of Public Health

Approved by:

Helen D. Beirne 3/1/78
Helen D. Beirne, Commissioner (Date)
Department of Health & Social Services

THE LEGISLATURE OF THE STATE OF ALASKA
TENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. Senate Bill #55
 Title An Act Relating to Radiation Protection
 Requested by Office of the Governor Date _____

II. FISCAL DETAIL
 Agency Affected Health and Social Services
 Program Category Affected Environmental Health
 Budget Request Unit(s) Affected Environmental Health

EXPENDITURES (Thousands of Dollars)

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
100 PERSONAL SERVICES		41.8	35.0	52.1	65.2	60.0
200 TRAVEL		5.0	3.3	3.6	4.0	4.4
300 CONTRACTUAL		.0	1.0	1.1	1.2	1.3
400 COMMODITIES		.5	.5	.6	.7	.8
500 EQUIPMENT		3.5	1.0	1.1	1.2	2.0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
		51.7	51.7	56.7	62.4	69.4
TOTAL						

FUNDING (Thousands of Dollars)

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
GENERAL FUND		51.7	51.7	56.7	62.4	69.4
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
FULL TIME		1	1	1	1	1
PART TIME		1	1	1	1	1
TEMPORARY						

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

APPENDIX A
 APPENDIX B

IV. DATE 9/10/78 PREPARED BY R. Lee Jones, Jr., Sec'y
 AGENCY Health and Social Services
 Original: Legislative Finance PHONE 465-3120
 cc: Budget and Management
 Prime Sponsor (if not Legislator Name)

APPENDIX A

III. ANALYSIS

In computation of personal services costs, it has been assumed that the benefits will increase at the rate of 25%. An annual 10% yearly inflationary rate was used to project all other objects through FY 83.

PERSONAL SERVICES

Permanent full-time position (Range 20)	\$27,552
17.25% + \$1,143 (FICA) + \$986 (Health Insurance)	6,882
	<u>\$34,434</u>
One half-time Clerk Typist III (Range 8)	\$ 6,030
17.25% + \$365 (FICA) + \$493 (Health Insurance)	1,295
	<u>\$ 7,325</u>

Personal Services reflects one permanent full-time professional position in the specialized field of Radiological Health (Range 20) and one permanent part-time Clerk Typist III (Range 8); both located in Juneau. These are new positions requiring start-up funds in the first year for office equipment and furniture, new hire travel and specialized radiation measuring equipment.

TRAVEL & MOVING

\$ 5,000

Travel and moving costs include transportation and shipment of personal effects of the new hire, as well as travel for this position which will be extensive. One individual will be required to conduct radiation surveys of radiation producing equipment for the whole state.

CONTRACTUAL

\$ 900

The contractual costs will cover miscellaneous contractual items such as postage, telephone, telegrams, printing of inspection forms, legal notices, regulations, as well as repairs for equipment. These two positions will present no additional costs in rents and utilities since space is available in the Alaska Office Building.

COMMODITIES

\$ 500

These costs will cover general office supplies as well as miscellaneous small scientific supplies required for inspection of radiation facilities.

EQUIPMENT

\$ 3,500

Equipment money includes a secretarial chair and file cabinet. Other required office equipment is presently available. The remainder of the funds are for specialized radiation measuring equipment including a portable Alpha Beta Gamma Survey Meter and an all purpose industrial X-ray Gamma Survey Meter.

This program will be completely funded from the State General Fund.

APPENDIX B

DEPARTMENT OF HEALTH & SOCIAL SERVICES Fiscal Note - House CS For Senate Bill 45

ALASKA RADIOLOGICAL HEALTH PROGRAM

HISTORY

In 1962, the U.S. Public Health Service assigned a full-time radiological health staff member to Alaska to assist in the development of a comprehensive radiological health program. The understanding associated with this assignment was that the state would eventually assume responsibility for this activity. After approximately seven years of full-time assistance, the state created a position in radiological health. This occurred at the time of the establishment of the Department of Environmental Conservation, when the responsibility for radiological health was transferred from the Department of Health & Social Services to that Department.

Assignment of radiological health responsibilities to the Department of Environmental Conservation was not a satisfactory arrangement. The primary need for a radiological health program was not environmentally related. It had been well established for many years that approximately 90 percent of all unnecessary radiation exposure to the public resulted from X-rays used in diagnosis in the healing arts. It was clearly a public health problem. The program was an unwelcome stepchild in the Department of Environmental Conservation and consequently received little support. During the following four years, with the exception of two six-month periods, the position remained vacant. Therefore, in effect, the State of Alaska has not had a radiation protection program since 1970. In 1974 the Legislature eliminated the radiological health position, leaving the state without even a pretense of a program in this area. This is the case today. There are no funds appropriated for the purpose of radiation protection and there is not an identified position in the state in radiological health.

STATE AGENCY RESPONSIBILITY IN RADIOLOGICAL HEALTH

At the present time, there are at least four state agencies with an interest and/or responsibility in some area of radiation control or radiological health. These are the Alaska Disaster Office and Departments of Environmental Conservation, Labor and Health & Social Services.

The Alaska Disaster Office has a program based on civil defense considerations which involves monitoring of fallout levels by minimally trained individuals.

The Department of Environmental Conservation has statutory responsibility for all aspects of radiological health. In October of 1975, Commissioner Mueller, of the Department of Environmental Conservation, delegated authority to the Department of Health & Social Services to carry out all aspects of a radiological health program with the exception of environmental radiation control related to radionuclide contamination of the air, water and land. A copy of the delegating memorandum is attached.

No funds or position accompanied this delegation of authority. The following year that department initiated efforts to transfer statutory responsibility for all non-environmental radiation sources to the Department of Health & Social Services. The first attempt to transfer the responsibility was in the form of S.B. 536 which did not pass the legislature. During the first session of the Tenth Legislature, the bill was reintroduced as S.B. 45.

The Department of Labor has responsibility for radiation control in the work environment. In July 1973, the Department of Health and Social Services signed a Memorandum of Understanding with the Department of Labor to provide that department with radiation inspection services upon request. This move was necessary to assist the Department of Labor in qualifying as an agreement state under the OSHA Act, since Labor did not have qualified personnel in radiation protection. A copy of that agreement is attached.

The Department of Health & Social Services has, by necessity, maintained an involvement in radiological health because of internal departmental public health needs and lack of availability of this service from other agencies. The Department presently has the only individual in state service with the overall qualifications required for this activity. This led to the agreement with Environmental Conservation and Labor described above. The problem, however, is that the Department lacks a position in radiological health and the individual qualified to do the work has other full-time duties. Therefore, response to radiation problems and requests for assistance is limited to a time available basis which is inadequate for the need.

PRESENT STATUS OF RADIOLOGICAL HEALTH PROGRAM AND ACTIVITIES

For reasons stated above, the Department is not able to respond in a timely fashion to requests for assistance and consultation. In the past four months, 18 requests have been made to this Department for various kinds of assistance including review of plans for shielding requirements for X-ray clinics, inspection of X-ray baggage inspection systems, emergency follow-up to a fire involving radioactive materials, investigation of radiation overexposure complaints and requests for radiological health education. In addition, there is the constant unanswered demand to conduct radiation inspections of institutions for state licensing and/or Medicare and Medicaid certification purposes which are required of this Department. There are at present, approximately twenty-five such facilities in Alaska which require annual inspections. However, in the past three years the maximum number of facilities inspected was nine in 1974 with lesser numbers inspected in years following. In short, the state is not meeting established requirements for inspection of these facilities.

In general, Alaska's radiation protection regulations adopted by the Alaska Department of Environmental Conservation, are unenforced. The majority of the radiation users in Alaska have not been inspected for periods ranging up to as long as seven or eight years. Due to lack of enforcement of registration provisions the type and location of most sources of radiation are not known.

Hospitals have X-ray equipment ranging in numbers from one X-ray unit in smaller facilities to as high as a dozen in the larger facilities. It is estimated that there are seventy-five X-ray units in private physician's offices and clinics and at least 225 X-ray units located in dental offices. In addition, there are approximately twenty chiropractors and forty veterinarians in the state. Many of these offices have X-ray equipment. Such equipment is also being used in research, industry and educational facilities throughout the state.

It is difficult to make an estimate of the number of industrial and analytical radiation sources being used in the state at this time. Such sources would include industrial radiographic, X-ray diffraction, electron microscopes and various gauges to name a few. One thing is certain: with the drastic change in the state industrial activity in the past decade, due to oil exploration and pipeline construction, the increase in numbers of such sources is great.

There are approximately forty by-product material licenses issued by the Nuclear Regulatory Commission to individuals and organizations in the state. In addition, many companies employed in activities connected with the oil fields and the pipeline are using radioactive material in Alaska under authorization from licenses issued in other states. No estimation of these numbers is possible since the state has made no effort to get a handle on this situation. This does not include the non-ionizing radiation sources known to have health significance including lasers, microwave, ultraviolet and infrared sources.

CONCLUSION:

With the exception of those radioactive licensed sources which fall under the jurisdiction of the Nuclear Regulatory Commission, all ionizing and non-ionizing sources of radiation are unregulated and users are without surveillance and educational programs. This is particularly critical in the medical and dental diagnostic uses where people of all ages are directly exposed.

The health risks, both somatic and genetic, associated with exposure to ionizing radiation and some forms of non-ionizing radiation, are well known and universally accepted. Alaskans are not immune from these risks. With the exception of reactors and high energy accelerators, all common radiation sources are found here in the same proportion as elsewhere in the United States. Yet, for the past seven years, Alaska has not had a program in radiological health. Such a program is badly needed.

Attachments

State of Alaska

MEMORANDUM

DATE: October 23, 1975

TO: Hon. Francis S. P. Williamson

Commissioner

Department of Health

and Social Services

TELEPHONE NO.

Ernest W. Hecht

Dept. of Environmental Conservation

Radiological Health--
Delegation of
Authority

In recent discussions with you and members of your staff, it was the unanimous opinion that certain responsibilities of the Department of Environmental Conservation relating to radiation control and radiological health could more appropriately be handled by the Department of Health and Social Services.

The appropriate method of accomplishing a transfer of responsibility from one department to another would, of course, be by statutory change. Draft legislation to accomplish this transfer is currently being prepared by the Department of Law. However, in the interim, in view of the radiological health problems which need immediate attention, I wish to take the first step necessary to permit personnel from your Department to respond to the radiological health needs of the State. Therefore, under authority granted to me by AS 46.03.550(1), with your concurrence, I hereby delegate to qualified personnel of the Environmental Health Section of the Department of Health and Social Services, responsibility for all aspects of radiological health, covering both existing and non-existing radiation with the exception of environmental radiation control related to radionuclide contamination of the air, water, and land. This delegation of authority includes the power to enforce the radiation protection regulations, IS 46.03.010-12 and 46.03.010, promulgated by the Department of Environmental Conservation.

If you concur with this move, I would appreciate receiving written confirmation of that fact.

cc: Mr. Hecht
Mr. Hecht

RECEIVED
OCT 24 1975

Division of Public Health

MEMORANDUM OF UNDERSTANDING

The State Department of Labor as designee under PL 91-596 will contract with the Division of Public Health for radiation inspection services. Division of Public Health personnel when conducting inspections for the Commissioner of Labor will have the same rights and restrictions as imposed upon occupational safety compliance officers by CSSD 46 am (SLA 73).

The Division of Public Health will report the results and recommendations of their inspections to the Division of Occupational Safety and Health. Any citations issued or enforcement action taken will originate from the Division of Occupational Safety and Health.

If a health inspection reveals a hazard that presents an imminent danger to employees in a work place, such hazard shall be promptly reported to the Division of Occupational Safety and Health for immediate action by a compliance officer.

R. L. Smith
R. L. Smith
Commissioner of Labor

Fredrick P. McCormick
Fredrick P. McCormick
Commissioner of Health &
Social Services

Date *July 10, 1973*

House Finance Committee

JAY S. HAMMOND
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 15, 1978

The Honorable Steve Cowper
Chairman
House Finance Committee
Pouch V
Juneau, Alaska 99811

Dear Steve:

In reviewing HCS SB 45 it appears that excluding both the Department of Environmental Conservation and the Department of Military Affairs would preclude those agencies from carrying out their statutory responsibilities for radiation related activities.

It is recommended that the following amendments to HCS SB 45 be adopted:

Page 3, between lines 8 and 9, insert the following:

"(c) Sections 475 - 545 of this chapter do not apply to the functions and responsibilities of the Alaska Department of Military Affairs in carrying out the provisions of AS 26 pertaining to the planning for, and response to, radiation resulting from the detonation of atomic or nuclear weapons."

Page 4, lines 14 and 15:

Delete "No state agency other than the Department of Health and Social Services may" and insert in its place "Except for the Department of Health and Social Services, the Department of Environmental Conservation, and the Department of Military Affairs, no state agency may."

Thank you for your consideration.

Keith
Sincerely,

Keith

Keith W. Specking
Legislative Assistant
to the Governor

Page 6, line 11: Add new sections:

*Sec. 10. A.S. 18.45.010, 18.45.040, and 18.45.050 are repealed.

*Sec. 11. A.S. 18.45 is amended by adding a new section to read:

Sec. 18.45.025. FACILITIES SITING PERMIT REQUIRED. No person may construct a nuclear fuel production facility, utilization facility, reprocessing facility, or nuclear waste disposal facility^{in the state} unless he has first obtained a permit from the Alaska Department of Environmental Conservation. The Department of Environmental Conservation shall promulgate regulations governing the issuance of such permits, however, no permit may be issued until:

- 1) the regulations have been approved by a majority vote of each house of the legislature, and
- 2) the permit has been approved by the local government with jurisdiction over the proposed facility site, and
- 3) the permit has been approved by a majority vote of each house of the legislature, and
- 4) the permit has been approved by the governor.

*Section 12. A.S. 18.45.060 is amended to read:

Sec. 18.45.060. INJUNCTION PROCEEDINGS. When, in the opinion of the governor, a person is violating or is about to violate section 20 or section 25 of this chapter, he shall (MAY) direct the attorney general to apply to the appropriate court for an order enjoining the person from engaging or continuing to engage in the activity, or is about to engage in the activity, the court may grant a permanent or temporary injunction, restraining order, or other order.

Original sponsor: Rules Committee by request
of the Governor

Offered: 5/31/78
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 45 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to radiation protection."

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

8 * Section 1. AS 18.60 is amended by adding new sections to read:

9 ARTICLE 5. RADIATION PROTECTION.

10 Sec. 18.60.475. POWERS AND DUTIES OF DEPARTMENT. (a) The de-
11 partment shall

12 (1) adopt regulations necessary to carry out the purposes of
13 secs. 475 - 545 of this chapter;

14 (2) develop comprehensive policies and programs for the
15 evaluation and determination of hazards associated with the use of
16 radiation sources and their amelioration;

17 (3) encourage, participate in, and conduct studies, investi-
18 gations, training, research and demonstrations relating to the control
19 of radiation hazards, the measurement of radiation, the effects on
20 health of exposure to radiation and related problems it considers
21 necessary or advisable for the discharge of its duties;

22 (4) collect and disseminate health education information
23 relating to radiation protection.

24 (5) review plans and shielding specifications for radiation
25 sources;

26 (6) inspect radiation sources, their shielding and immediate
27 surroundings, and records concerning their operation for the determi-
28 nation of possible radiation hazard;

29 (7) contract with other state agencies to assist them in

performing functions which require expertise in determining and reducing the hazards of radiation.

(b) The department may keep confidential data obtained as a result of registration or investigation.

Sec. 18.60.485. RADIATION SOURCES. Radiation sources shall be shielded, transported, handled, used, and kept to prevent users and other persons from being exposed to concentrations of radionuclides or levels of radiation exceeding those limits established by the department in regulations.

Sec. 18.60.495. NOTIFICATION OF VIOLATION AND ORDER OF ABATEMENT. When the department finds, after inspection and examination of a source of radiation as constructed, operated, or maintained, that there has been a violation of a provision of secs. 475 - 545 of this chapter, it shall notify the person causing or permitting the violation of the nature of the violation and order the person to stop it.

Sec. 18.60.505. AUTHORITY OF DEPARTMENT IN CASES OF EMERGENCY. When the department finds that an emergency exists requiring immediate action to protect the public health or welfare from radiation, it may issue an order reciting the existence of an emergency and requiring that action be taken to meet the emergency. The order is effective immediately. A person to whom an order is directed shall comply with it immediately, but on application to the department shall be given a hearing under the Administrative Procedure Act (AS 44.62). After a hearing, the department may affirm, revoke, or modify the order.

Sec. 18.60.515. ASSISTING OTHER AGENCIES. The department shall, on the request of another state agency, contract with that agency to assist it in performing functions which require expertise in determining or reducing the hazards of radiation. This assistance may include conducting inspections and investigations and providing technical