

Leg Finance-House & Senate Fin Comte Files (1985-1986) 2453.09

ANALYSIS OF DIV OF ELECTIONS FISCAL NOTE FOR CS HB 631 (FIN)

The changes made in CS HB 631 (Fin) remove the FY 87 fiscal impact on the division from the bill.

Section 5 of CS HB 631 (SA) prohibited purging of a name from the voters registration list if the person qualified for the most recent permanent fund dividend. This section created the FY 87 fiscal impact on the division. Since it is not in CS HB 631 (Fin), the bill has no cost in FY 87.

Similarly, section 7 of CS HB 631 (SA) had a negative fiscal impact on the division because it allowed REAA and CRSA elections to be conducted by mail. CS HB 631 (Fin) does not include this section. Instead, it gives the division the discretion to conduct a one issue statewide election (such as the 1983 AHFC veterans bond approval election) by mail. Old section 7 has been removed so that the people who vote in REAA and CRSA elections are not singled out for a vote-by-mail experiment. Instead, vote-by-mail can be tried on a statewide basis if a single issue election is necessary.

After consultation with voters in REAA and CRSA elections, the legislature may save money in this division in FY88 by changing the law in the 1987 legislative session. In the meantime, since there is no positive fiscal impact in FY87, there is no need to offset that cost by changing the law on REAA and CRSA elections at this time.

There will be fiscal impact from this bill in FY88 and future fiscal years. However, at this time, that cost cannot be accurately determined. The annual cost of allowing voters to register through the permanent fund dividend application could be as much as \$67,000. However, as the division develops experience with key punching necessitated by changes to the absentee procedures, this cost may be decreased. Also, if there is a single issue statewide election and the division conducts it by mail, there will be cost savings. Since it is not possible to predict if such an election will occur, it is not possible to predict the actual amount of cost savings at this time.

Original sponsor: Clocksin

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 631 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled. "An Act relating to elections; and providing for an
7 effective date."

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

9 * Section 1. AS 15.07.060(a) is amended to read:

10 (a) Each applicant who requests registration or reregistration
11 shall supply the following information under oath:

12 (1) name [AND SEX];

13 (2) address and other necessary information establishing
14 residence if requested;

15 (3) [REPEALED

16 (4)] term of residence in state and in election district;
17 and whether the applicant has previously been registered to vote in
18 another jurisdiction, and, if so, the jurisdiction and the address of
19 the previous registration;

20 (4) [(5)] a declaration that the registrant will be 18
21 years of age or older within 90 days of the date of registration;

22 (5) [(6)] a declaration that the registrant is a citizen of
23 the United States;

24 (6) [(7)] date of application;

25 (7) [(8)] signature or mark.

26 * Sec. 2. AS 15.07.060 is amended by adding a new subsection to read:

27 (e) The director shall prepare the forms used for voter regis-
28 tration so that a voter is advised that the information described in
29 (a) of this section is required for a registration and that

1 information required by AS 15.07.062 is permissive and the voter is
2 not required to furnish the permissive information.

3 * Sec. 3. AS 15.07 is amended by adding a new section to read:

4 Sec. 15.07.062. PERMISSIVE REGISTRATION INFORMATION. (a) Each
5 applicant who requests registration or reregistration may supply the
6 following information:

7 (1) the sex of the applicant;

8 (2) the date of birth of the applicant; or

9 (3) the social security number of the applicant.

10 (b) The director shall prepare the forms used for the registra-
11 tion of voters so that it is clear that the information requested by
12 (a) of this section is permissive and the voter need not provide it.

13 * Sec. 4. AS 15.15.198(a) is amended to read:

14 (a) If a voter's name does not appear on the official registra-
15 tion list in the precinct in which the voter [HE] seeks to vote, the
16 election judge shall affirmatively advise the voter that the voter may
17 cast a questioned ballot and the voter [HE] shall be allowed to vote a
18 questioned ballot.

19 * Sec. 5. AS 15.20 is amended by adding a new section to read:

20 ARTICLE 6. VOTING BY MAIL.

21 Sec. 15.20.750. VOTING BY MAIL. (a) The director may conduct
22 an election by mail if it is held at a time other than when the gen-
23 eral, party primary, or municipal election is held.

24 (b) If the director conducts an election under (a) of this
25 section by mail, the director shall send a ballot for each election
26 described in (a) of this section to each person whose name appears on
27 the official registration list prepared under AS 15.07.125 for that
28 election. The ballot shall be sent to the address stated on the
29 official registration list unless the voter has notified the director

1 or an election supervisor of a different address to which the ballot
2 should be sent. The director shall send ballots by first class,
3 nonforwardable mail.

4 (c) If the director conducts an election under (a) of this
5 section by mail, the director shall mail ballots under this section on
6 on or before the 22nd day before the election.

7 (d) The voter may cast the ballot under AS 15.20.081(d) - (e).

8 (e) The director shall review ballots voted under this section
9 under procedures established for the review of absentee ballots under
10 AS 15.20.201 and 15.20.203.

11 * Sec. 6. AS 43.23.015 is amended by adding a new subsection to read:

12 (i) The commissioner shall design the application form prepared
13 in conformity with (b) of this section so that an individual applying
14 for a permanent fund dividend may register to vote, update an existing
15 voter registration, and request the cancellation of a voter registra-
16 tion in another state. The commissioner shall promptly provide the
17 director of elections with the information obtained under this sub-
18 section. The commissioner may not use information obtained under this
19 subsection for any purpose except to assist a resident of the state to
20 complete or update voter registration.

21 * Sec. 7. Sections 1 - 4 and 6 of this Act take effect immediately in
22 accordance with AS 01.10.070(c).

23 * Sec. 8. Section 5 of this Act takes effect January 1, 1987.
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LETTER OF INTENT FOR CS HB 631 (FIN)

Various sections of CS HB 631 (Fin) clarify information necessary for voter registration. Even though these sections of the bill have an immediate effective date, the House Finance Committee does not intend that the Division of Elections reprint voter registration forms until the current supply of such forms is exhausted.

Section 7 of CS HB 631 (Fin), which requires that the permanent fund dividend application include a voter registration form, has an immediate effective date. This section takes effect immediately, instead of January 1, 1987, because the Department of Revenue solicits bids for printing of the permanent fund dividend application in December. It is the intent of the House Finance Committee that 1987 be the first year that a voter registration form is included in the permanent fund dividend application.

Representative Al Adams, Chair
House Finance Committee

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

HB 631

Revision Date: _____

REQUEST

Bill/Resolution No. OS HB 631(SA) #1
Title: "An act relating to elections."

FISCAL DETAIL

Agency Affected: Revenue
BRU: Permanent Fund Dividend

Sponsor: Rep. Clocksin
Requestor: House State Affairs
Date of Request: 2/17/86

Components: PFD - Administrative Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
OPERATING						
PERSONAL SERVICES	-	14.9	14.9	14.9	14.9	14.9
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	-	6.0	6.0	6.0	6.0	6.0
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-	20.9	20.9	20.9	20.9	20.9
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	20.9	20.9	20.9	20.9	20.9
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-	20.9	20.9	20.9	20.9	20.9

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	-	3	3	3	3	3
TEMPORARY	-	-	-	-	-	-

ANALYSIS: Attach a separate page if necessary

See attached

Prepared By: Ervin B. Jones, Director
Division: Administrative Services

Phone: 465-2313
Date: 3/12/86

Approved by Commissioner: [Signature]
Agency: Revenue

Date: 3/12/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Department of Revenue
Administrative Services Division
Fiscal Note Analysis
HB 631
3/12/86

Assumptions:

1. It is assumed that the provisions of Sec. 12 will be effective for the 1987 Permanent Fund Dividend (PFD) year. The 1986 PFD forms and booklets were bid in December, printed in January and February, and shipped this week to Alaska destinations. It is too late to implement Sec. 12 this year.
2. It is assumed that the requirements of Sec. 12 can be met in 1987 and thereafter as follows:
 - a) The Department of Revenue (DOR) will add one ply to the PFD booklet, providing three perforated forms 3-1/2" X 8-1/2" in size, one for each adult application in the booklet.
 - b) DOR will provide in the PFD booklet, instructions to applicants as to the use of the form for registering to vote, changing existing registration or cancelling registration in another state. The design of the form and the wording of the instructions will be coordinated with the Division of Elections.
 - c) Applicants will be instructed to attach the Elections form to the back of their PFD application.
 - d) Upon receipt of PFD applications during the period April 1 - June 30, DOR will search PFD applications for the Elections form, remove and accumulate such forms.
 - e) On a daily basis, DOR will deliver the accumulation of forms to the Division of Elections Juneau Office.
 - f) Division of Elections personnel will data enter the appropriate information from the forms into the Division of Elections computer system.
3. It is assumed that less than 15% of adult applications will have Division of Election forms attached (approximately 52,500).

Program Summary: See Assumption 2 above.

1. Positions

3 PPT Document Processor I, R7, @ \$1,663/Mo including salary and benefits for 3 months	=	\$14,967
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These positions will review each adult application for Division of Elections registration forms, remove, batch and deliver to Division of Elections daily

2. Other Expenditures

a) Travel: None.

b) Contractual:

Add an additional ply to the PFD booklet, containing 3 Voter Registration forms, perforated between forms. This will provide one Voter Registration form for each adult application in the booklet

= \$6,000.00

c) Supplies: None.

d) Equipment: None.

TOTAL EXPENDITURES

\$20,967

3. Funding: General Fund

4. Section Cost Analysis: N/A.

Computations: N/A

Economic Impact: N/A

Impact on Local Government: N/A

Attachments: None.

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

FISCAL DETAIL

Bill Resolution No.: CSHB 631 (SA) No. 2
Title: An Act relating to elections

Agency Affected: Office of Governor
BRU: Elections

Sponsor: Clocksie
Requestor: _____
Date of Request: 3-20-86

Components: II Primary & General
Component I Admin./REAA/CRSA

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		94.5	201.9	121.3	201.9	121.3
TRAVEL						
CONTRACTUAL		(49.0)	(60.6)	(61.1)	(61.8)	(62.4)
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		45.5	141.3	60.2	140.1	58.9

CAPITAL						
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REVENUE						
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FUNDING : (Thousands of Dollars)

GENERAL FUND		45.5	141.3	60.2	140.1	58.9
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY		26	26	26	26	26

ANALYSIS : Attach a separate page if necessary

See Attached Detail Sheets: Breakdown/REAA Savings
Fiscal Year Breakdown by Function
Personnel Costs/PF Impact on Registration and Purge

Prepared by: Linda Edgeworth Phone: 465-4611
Division: Elections Date: 3/24/86

Approved by Commissioner: *Linda Edgeworth* Date: 3/24/86
Agency: Division of Elections

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CSHB 631 (SA) #2

l.

ELECTION	FUNCTION	ACTUAL COST	COST AFTER STATUTORY CHANGES	EST. SAVINGS
REAA	Ballot rotation (rotation vs non-rotation).	\$13,224	\$11,517	\$(1,707)
	Sample ballot order.	997	-0-	(997)
	Absentee voting in person in 4 regional offices.	4,767	2,384	(2,383)
	Mailing of ballots & supply packets to precincts/absentee voting stations and officials.	1,822	-0-	(1,822)
	Precinct voting supplies (167 precincts).	11,064	-0-	(11,064)
	40-day posting notice of pending election.	1,253	1,253	-
	10-day posting notices (3 per precinct x 167 precincts).	1,253	1,253	-
	Printing of precinct registers (167)	396	-0-	(396)
	Printing of precinct tally books (334)	3,600	-0-	(3,600)
	Printing of question registers	536	-0-	(536)
	Printing of miscellaneous forms.	654	-0-	(654)
	Computer generated absentee ballot mailers & postage to and from voter (based on estimated 55,850 voters for an REAA election),	160	38,816	38,656
	Precinct board workers (judge and 3 clerks x 167 precincts).	61,122	-0-	(61,122)
	10 Clerk II to Stuff 55,850 ballots 3 weeks		20,693	20,693

CSNB 631(SA)#2

2.

District absentee boards:

Actual cost (4 workers x 36 hrs x \$10/hr x 4 regional offices).	5,760	-0-	(5,760)
Cost after statutory changes (4 workers x 96 hours x \$10/hr x 4 regional offices).	-0-	15,360	15,360
Questioned boards (4 workers x 36 hrs x \$10/hr x 4 regional offices).	5,760	-0-	(5,760)
State review board (final election audit prior to certification).	4,000	2,000	(2,000)
Temporary employees to assist with processing absentee-by-mail ballots:			
Actual cost (1 Clerk III x 2 mos, and overtime for regional office staff).	4,340	-0-	(4,340)
Cost after statutory changes (4 Clerk III's x 3 weeks x 4 regional offices).	-0-	10,560	10,560
Polling place rental (167 precincts),	5,010	-0-	(5,010)
Long distance phone calls to each precinct chairperson for training purposes.	5,000	-0-	(5,000)
Instructions to voters.	518	-0-	(518)
Instructions to board workers.	390	-0-	(390)
Absentee by-mail-applications.	355	-0-	(355)
Absentee in person applications.	300	-0-	(300)
Question envelopes.	2,517	-0-	(2,517)

3.

CSMB 631 #2

Polling place posters.	1,078	-0-	(1,07
Board appointment letters/postage.	264	-0-	(26
Ad orders notifying public of election.	<u>3,945</u>	<u>2,500</u>	<u>(1,44</u>
TOTAL SAVINGS:	\$140,085	\$106,336	(\$ 33,74

4.

a

HB 631 #2
Fiscal Note Detail
By Fiscal Year

Function Category	7/87-6/87 FY87	7/87-6/88 FY88	7/88-6/89 FY89	7/89-6/90 FY90	7/90-6/91 FY91
Print New Reg. Forms	6.0				
REAA/CRSA	(34.3)	(34.3)	(34.3)	(34.3)	(34.3)
Registrar Payments		(5.6)	(6.1)	(6.8)	(7.4)
Registration/ PF		7-9/87 67.1 87 Mun/REAA 5-6/88 40.3 88 P&G	Jul88 26.8 88 P&G	7-9/89 67.1 89 mun/REAA 5-6/88 40.3 90 P&G	7/90 26.8 90 P&G
Purge/PF	73.8	73.8	73.8	73.8	73.8
TOTAL	45.5	141.3	60.2	140.1	58.9

5.

Sample
Data Input
Manpower Costs

HB 631 #2

Based on 536,000 Permanent Fund Applicants

57%	Age Eligible Applicants	=	305,520
12%	Not currently Registered	=	36,662
40%	Anticipated Return on existing voter	=	<u>107,513</u>

Approximate Voter Records to be input	144,205
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Based on 2 1/2 minutes input time/voter	=	6,008 man hours
At 40 hours per week	=	160 man weeks
10 week period prior to registration deadline	=	16 people
15 Range 7 clerks @ \$9.55/hr + .075 SD*	=	
1 Range 12 data entry supervisor @ \$12.81/hr + .075 SD*	=	\$ 67,102.80

The balance of adult applications
would have to be input to avoid
purging: 161,315

Using same formula	\$ <u>73,813.08</u>
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\$140,915.88

* SD - Shift Differential

Offered: 3/16/86
Referred: Judiciary and
Finance

Original sponsor: Clocksin

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR HOUSE BILL NO. 631 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to elections; and providing for an
7 effective date."

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

9 * Section 1. AS 15.07.060(a) is amended to read:

10 (a) Each applicant who requests registration or reregistration
11 shall supply the following information under oath:

12 (1) name [AND SEX];

13 (2) address and other necessary information establishing
14 residence if requested;

15 (3) [REPEALED

16 (4)] term of residence in state and in election district;
17 and whether the applicant has previously been registered to vote in
18 another jurisdiction, and, if so, the jurisdiction and the address of
19 the previous registration;

20 (4) [(5)] a declaration that the registrant will be 18
21 years of age or older within 90 days of the date of registration;

22 (5) [(6)] a declaration that the registrant is a citizen of
23 the United States;

24 (6) [(7)] date of application;

25 (7) [(8)] signature or mark.

26 * Sec. 2. AS 15.07.060 is amended by adding a new subsection to read:

27 (e) The director shall prepare the forms used for voter regis-
28 tration so that a voter is advised that the information described in
29 (a) of this section is required for a registration and that

1 information required by AS 15.07.062 is permissive and the voter is
2 not required to furnish the permissive information.

3 * Sec. 3. AS 15.07 is amended by adding a new section to read:

4 Sec. 15.07.062. PERMISSIVE REGISTRATION INFORMATION. (a) Each
5 applicant who requests registration or reregistration may supply the
6 following information:

- 7 (1) the sex of the applicant;
8 (2) the date of birth of the applicant; or
9 (3) the social security number of the applicant.

10 (b) The director shall prepare the forms used for the registra-
11 tion of voters so that it is clear that the information requested by
12 (a) of this section is permissive and the voter need not provide it.

13 * Sec. 4. AS 15.07.130(b) is amended to read:

14 (b) Except as provided in (d) of this section, when [WHEN] a
15 registered voter has not reregistered or has not indicated in writing
16 a desire to remain registered as provided in this subsection within
17 the preceding two years or has not voted in a local, regional school
18 board, primary, special or general election at least once in two
19 consecutive calendar years, the voter shall be advised by mail sent to
20 the [HIS] last known address of the voter that the [HIS] registration
21 will be cancelled unless the voter [HE] indicates within 90 days on
22 forms furnished by the director a [HIS] desire to remain registered.

23 * Sec. 5. AS 15.07.130 is amended by adding a new subsection to read:

24 (d) The director may not cancel the registration of a voter
25 under this section if the voter has qualified for the most recent
26 permanent fund dividend under AS 37.13.

27 * Sec. 6. AS 15.15.198(a) is amended to read:

28 (a) If a voter's name does not appear on the official registra-
29 tion list in the precinct in which the voter [HE] seeks to vote, the

1 election judge shall affirmatively advise the voter that the voter may
2 cast a questioned ballot and the voter [HE] shall be allowed to vote a
3 questioned ballot.

4 * Sec. 7. AS 15.20 is amended by adding a new section to read:

5 ARTICLE 6. VOTING BY MAIL.

6 Sec. 15.20.750. VOTING BY MAIL. (a) The director may conduct
7 rural educational attendance area school board and coastal resource
8 service area elections by mail.

9 (b) If the director conducts an election under (a) of this
10 section by mail, the director shall send a ballot for each election
11 described in (a) of this section to each person whose name appears on
12 the official registration list prepared under AS 15.07.125 for that
13 election. The ballot shall be sent to the address stated on the
14 official registration list unless the voter has notified the director
15 or an election supervisor of a different address to which the ballot
16 should be sent.

17 (c) If the director conducts an election under (a) of this
18 section by mail, the director shall mail ballots under this section on
19 on or before the 22nd day before the election.

20 (d) The voter may cast the ballot under AS 15.20.081(d) - (e).

21 (e) The director shall review ballots voted under this section
22 under procedures established for the review of absentee ballots under
23 AS 15.20.201 and 15.20.203.

24 * Sec. 8. AS 15.25.055 is amended to read:

25 Sec. 15.25.055. REMOVAL OF NAME FROM PRIMARY BALLOT. A candi-
26 date's name will appear on the primary election ballot unless the
27 notice of [HIS] withdrawal from the primary is received by the direc-
28 tor at least 54 [40] days before the date of the primary election.

29 * Sec. 9. AS 15.25.110 is amended to read:

1 Sec. 15.25.110. FILLING VACANCIES BY PARTY PETITION. If a
2 candidate nominated at the primary election dies, withdraws, resigns,
3 becomes disqualified from holding office for which [HE IS] nominated,
4 or is certified as being incapacitated in the manner prescribed by
5 this section after the primary election and 47 [40] days or more
6 before the general election, the vacancy may be filled by party peti-
7 tion. The central committee of any political party or any party
8 district committee may certify as being incapacitated any candidate
9 nominated by their respective party by presenting to the director a
10 sworn statement made by a panel of three licensed physicians, not more
11 than two of whom may [SHALL] be of the same political party, that the
12 candidate is physically or mentally incapacitated to an extent that
13 would [IN HIS JUDGMENT] prevent the candidate from active service
14 during the term of office if elected. The director shall place the
15 name of the person nominated by party petition on the general election
16 ballot. The name of a candidate disqualified under this section may
17 [SHALL] not appear on the general election ballot.

18 * Sec. 10. AS 43.23.015 is amended by adding a new subsection to read:

19 (i) The commissioner shall design the application form prepared
20 in conformity with (b) of this section so that an individual applying
21 for a permanent fund dividend may register to vote, update an existing
22 voter registration, and request the cancellation of a voter registra-
23 tion in another state. The commissioner shall promptly provide the
24 director of elections with the information obtained under this
25 subsection. The commissioner may not use information obtained under
26 this subsection for any purpose except to assist a resident of the
27 state to complete or update voter registration.

28 * Sec. 11. The lieutenant governor shall identify the funds necessary
29 to implement the provisions of P.L. 98-435, requiring access to polling

1 places for handicapped and elderly voters, in a report to the legislature
2 within the first 10 days of the First Session of the Fifteenth Alaska State
3 Legislature.

4 * Sec. 12. Sections 1 - 6 and 10 - 11 of this Act take effect immed-
5 iately.

6 * Sec. 13. Sections 7 - 9 of this Act take effect January 1, 1987.

Introduced: 2/17/86
Referred: State Affairs
Judiciary and Finance

1 IN THE HOUSE

BY CLOCKSIN

2

HOUSE BILL NO. 631

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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14 residence if requested;

15 (3) [REPEALED BY SEC. 8 CH 100 SLA 1980.

16 (4)] term of residence in state and in election district;
17 and whether the applicant has previously been registered to vote in
18 another jurisdiction, and, if so, the jurisdiction and the address of
19 the previous registration;

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16 a desire to remain registered as provided in this subsection within
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18 board, primary, special or general election at least once in two
19 consecutive calendar years, the voter shall be advised by mail sent to
20 the [HIS] last known address of the voter that the [HIS] registration
21 will be cancelled unless the voter [HE] indicates within 90 days on
22 forms furnished by the director a [HIS] desire to remain registered.

23 * Sec. 5. AS 15.07.130 is amended by adding a new subsection to read:

24 (d) The director may not cancel the registration of a voter
25 under this section if the voter has qualified for the most recent
26 permanent fund dividend under AS 37.13.

27 * Sec. 6. AS 15.15.050 is amended to read:

28 Sec. 15.15.050. DISTRIBUTION OF ELECTION MATERIALS. The direc-
29 tor shall distribute an adequate supply of sample and official ballots

1 and all other materials, forms, and supplies required for the election
2 to the election supervisors for distribution to each chair [CHAIRMEN]
3 of an election board [BOARDS] in precincts not less than 30 [25] days
4 before the date for the election.

5 * Sec. 7. AS 15.15.198(a) is amended to read:

6 (a) If a voter's name does not appear on the official registra-
7 tion list in the precinct in which the voter [HE] seeks to vote, the
8 election judge shall affirmatively advise the voter that the voter may
9 cast a questioned ballot and the voter [HE] shall be allowed to vote a
10 questioned ballot.

11 * Sec. 8. AS 15.20.081(c) is amended to read:

12 (c) After receipt of an application by mail, the director shall
13 send the absentee ballot and other absentee voting material to the
14 applicant by the most expeditious mail service. The material shall be
15 [SENT AS SOON AS THEY ARE] ready for distribution and sent on or
16 before the 30th day before the election. The return envelope sent
17 with the materials shall be addressed to the election supervisor in
18 the district in which the voter is a resident.

19 * Sec. 9. AS 15.20 is amended by adding a new section to read:

20 ARTICLE 6. VOTING BY MAIL.

21 Sec. 15.20.750. VOTING BY MAIL. (a) The director may conduct
22 rural educational attendance area school board and coastal resource
23 service area elections by mail.

24 (b) If the director conducts an election under (a) of this
25 section by mail, the director shall send a ballot for each election
26 described in (a) of this section to each person whose name appears on
27 the official registration list prepared under AS 15.07.125 for that
28 election. The ballot shall be sent to the address stated on the
29 official registration list unless the voter has notified the director

1 or an election supervisor of a different address to which the ballot
2 should be sent.

3 (c) If the director conducts an election under (a) of this
4 section by mail, the director shall mail ballots under this section on
5 on or before the 22nd day before the election.

6 (d) The voter may cast the ballot under AS 15.20.081(d) - (e).

7 (e) The director shall review ballots voted under this section
8 under procedures established for the review of absentee ballots under
9 AS 15.20.201 and 15.20.203.

10 * Sec. 10. AS 15.25.055 is amended to read:

11 Sec. 15.25.055. REMOVAL OF NAME FROM PRIMARY BALLOT. A candi-
12 date's name will appear on the primary election ballot unless the
13 notice of [HIS] withdrawal from the primary is received by the direc-
14 tor at least 54 [40] days before the date of the primary election.

15 * Sec. 11. AS 15.25.110 is amended to read:

16 Sec. 15.25.110. FILLING VACANCIES BY PARTY PETITION. If a
17 candidate nominated at the primary election dies, withdraws, resigns,
18 becomes disqualified from holding office for which [HE IS] nominated,
19 or is certified as being incapacitated in the manner prescribed by
20 this section after the primary election and 47 [40] days or more
21 before the general election, the vacancy may be filled by party peti-
22 tion. The central committee of any political party or any party
23 district committee may certify as being incapacitated any candidate
24 nominated by ~~the~~ party by presenting to the director a
25 sw. ~~of~~ of three licensed physicians, not more
26 than two of whom may [SHALL] be of the same political party, that the
27 candidate is physically or mentally incapacitated to an extent that
28 would [IN HIS JUDGMENT] prevent the candidate from active service
29 during the term of office if elected. The director shall place the

1 name of the person nominated by party petition on the general election
2 ballot. The name of a candidate disqualified under this section may
3 [SHALL] not appear on the general election ballot.

4 * Sec. 12. AS 43.23.015 is amended by adding a new subsection to read:

5 (i) The commissioner shall design the application form prepared
6 in conformity with (b) of this section so that an individual applying
7 for a permanent fund dividend may, by checking additional boxes,
8 register to vote, update an existing voter registration, and request
9 the cancellation of a voter registration in another state. The
10 commissioner shall promptly provide the director of elections with the
11 information obtained under this subsection. The commissioner may not
12 use information obtained under this subsection for any purpose except
13 to assist a resident of the state to complete or update voter
14 registration.

15 * Sec. 13. The lieutenant governor shall identify the funds necessary
16 to implement the provisions of P.L. 98-435, requiring access to polling
17 places for handicapped and elderly voters, in a report to the legislature
18 November 15, 1986.

19 * Sec. 14. Sections 1 - 5, 7, and 12 - 13 of this Act take effect
20 immediately.

21 * Sec. 15. Sections 6 and 8 - 11 of this Act take effect January 1,
22 1987.

HOUSE
COMMITTEE REPORT

(11)

Date referred: 4/25/86

FURTHER REFERRALS:

DATE: 5-10-86

The FINANCE Committee has considered HB 634

"An Act relating to the Board of Nursing Home Administrators; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS HB 634 (Hess) same title
- new title

and recommends DO PASS

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note zero 3/17/86
 - zero fiscal note

SIGNING DO PASS:

Albert D. Lusk
John W. ...
Mike ...
John ...
Ronald J. ...
Pat ...
Kirk ...
Steve ...
Jim ...
John ...

SIGNING OTHER RECOMMENDATIONS:

Albert D. Lusk
Chairman

**STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE**

Page 1 of 2

Revision Date: _____

REQUEST

Bill/Resolution No.: CSHB 634 (HESS)
 Title: An Act relating to the Board of
 Nursing Home Administrators

Sponsor: House HESS
 Requester: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.
 BRU: Occupational Licensing

Components: _____

EXPENDITURES / REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		-0-	-0-	-0-	-0-	-0-
TRAVEL		-0-	-0-	-0-	[.5]	[.5]
CONTRACTUAL		-0-	-0-	-0-	-0-	-0-
SUPPLIES		-0-	-0-	-0-	-0-	-0-
EQUIPMENT		-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	[.5]	[.5]

CAPITAL						
---------	--	--	--	--	--	--

REVENUE		-0-	-0-	-0-	-0-	-0-
---------	--	-----	-----	-----	-----	-----

FUNDING: (Thousands of dollars)

GENERAL FUND		-0-	-0-	-0-	[.5]	[.5]
FEDERAL FUNDS						
OTHER					-	
TOTAL		-0-	-0-	-0-	[.5]	[.5]

POSITIONS:

FULL-TIME		-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary.

This bill provides for continuation of the Board of Nursing Home Administrators and reduces the number of board members from five to three by attrition. One Anchorage member would attend only one meeting in FY 87, therefore, per diem cost of \$80 would be eliminated for FY 88-91. This cost is not reflected as it is under \$100 annually.

(see attached for continuation)

Prepared by: Jennifer Strickler, Management Analyst
 Division: Occupational Licensing

Phone: 465-2144
 Date: 3-17-86

Approved by Commissioner: [Signature]
 Agency: Commerce and Economic Development

Date: 3/17/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSHB 634 (HESS) Page 2 of 2

The reduction in cost shown for FY 90 and FY 91 reflects the elimination of one Juneau member whose term expires October 1, 1988. This member would attend the face to face meeting in FY 89 but travel and per diem cost of \$512 in FY 90 and FY 91 would be eliminated.



Alaska State Legislature
House of Representatives
COMMITTEE ON HEALTH, EDUCATION
AND SOCIAL SERVICES

OFFICIAL BUSINESS

POUCH V
JUNEAU, AK 99811
465-3759

SUNSET REVIEW REPORT - HOUSE BILL NO. 634

February 24, 1986

Representative Ben Grussendorf
Speaker of the House
P.O. Box V
Juneau, Alaska 99811

Dear Mr. Speaker:

The House Committee on Health, Education and Social Services has considered the Sunset Review of the Board of Nursing Home Administrators, and recommends that the board be continued. The Committee has introduced HB 634 to fulfill the findings of the Committee.

As required by AS 44.60.050 (c), the Committee submits the following findings:

(1) the extent to which the board, commission or program has operated in the public interest.

The Division of Legislative Audit found that the board served no public purpose and should be eliminated, however, the Committee finds that the existence of the board is required by federal Medicaid law and should therefore be maintained so that Alaskan nursing home residents may continue to qualify for Medicaid funds.

(2) the extent to which the operation of the board, commission or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.



Federal law requires the existence of this board as a criterion for qualification for Medicaid funding.

(3) the extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest.

The statutes were amended to require biennial rather than annual licensing and to revoke licenses of those persons who do not uphold the board's standards.

(4) the extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations

and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

There have been four board meetings since 1982. For two meetings, there was insufficient hearing notice between time of publication and the meetings, and for a third meeting there was no notice.

(5) the extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions.

The board announces proposed changes to regulations in the newspaper according to the Administrative Procedures Act.

(6) the efficiency with which public inquiries or complaints regarding the activities of the board, commission or agency filed with it, with the department to which the board or commission is administratively assigned, or with the office of the ombudsman have been processed or resolved.

Only one complaint has been filed with the Division of Occupational Licensing in the past several years, and that complaint was dismissed as lacking merit. No complaints have been filed with the Office of the Ombudsman or the Attorney General's office.

(7) the extent to which the board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public.

50 persons are licensed as nursing home administrators in the state, with no evidence that unqualified practitioners have been licensed.

(8) the extent to which state personnel practices, including affirmative action practices, have been complied with by the board, commission or agency to its own activities and the area of activity or interest.

No complaints have been filed with the Office of Equal Employment Opportunity regarding the Board of Nursing Home Administrators.

(9) the extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

The Committee determined that the board should be reduced to three members to reduce the cost of operation. This change is reflected in HB 634, which the Committee introduced to continue the board.

As required by AS 44.60.050 (d), the Committee submits the following findings:

(1) an identification of the problems or the needs that the programs and activities of the board, commission or agency are intended to address.

The board needs to assure adequate notice of board meetings. The board wishes to investigate a preceptorship program and continuing

education requirements. The Committee determined that the board has the statutory authority to pursue these goals.

- (2) a statement, to the extent practicable, of the objectives of the program of the board, commission, or agency program, and its anticipated accomplishments.

The purpose of the board is to license qualified nursing home administrators to protect the public and assure that Alaska receives Medicaid funding. The board is fulfilling this function.

- (3) an identification of any other programs having similar, conflicting or duplicate objectives.

There are no other programs having a duplicate function.

- (4) an assessment of alternative methods of achieving the purposes of the program.

Because the Medicaid regulations require licensure by a board composed of members of different medical professions, the Committee determined that there are no alternatives other than this board for licensing nursing home administrators.

- (5) an assessment of the consequences of eliminating the board, commission or program and consolidating its activities with another program, or of funding it at a lower level.

Elimination of the board would make the state of Alaska liable for federal Medicaid sanctions. Since institutional facilities account for over half of the Medicaid budget, this would not be in the state's best interest. In order to save money, the Committee has reduced the number of members on the board to three from five.

- (6) a justification for the recommended continuation or extension of the board, commission or program, and an explanation of the manner in which it avoids duplication of or conflict with other efforts.

Since Alaska has no combined medical licensing boards which would meet federal regulations, the board must be continued.

- (7) any other information which, in the opinion of the committee, would improve the performance of the board, commission or agency with respect to its representation of and responsiveness to the public interest.

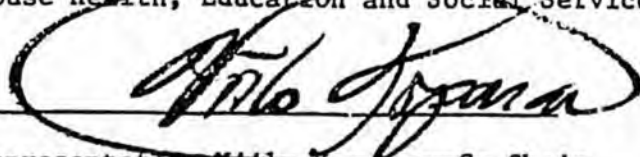
The Committee recommended that reduction of the board be accomplished by attrition. The Division of Occupational Licensing recommended that the meetings be reduced to one per year, but the Committee felt that teleconferenced meetings can and should be held so that the board can fulfill the mandate of AS 08.70.040 at little cost to the state. Such meetings will also allow the board to develop its proposed preceptorship program.

The Committee also recommends that licensing fees for the board be raised in order to produce income necessary to cover the operating

expenses of the board.



Representative Max E. Gruenberg, Jr., Co-Chair
House Health, Education and Social Services Committee



Representative Nillo Koponen, Co Chair
House Health, Education and Social Services Committee

A PERFORMANCE REPORT ON THE
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
BOARD OF NURSING HOME ADMINISTRATORS

September 30, 1985

Audit Control Number

08-1222-86-R

Commissioner, Department of
Commerce and Economic Development

Loren H. Lounsbury

Deputy Commissioners, Department of
Commerce and Economic Development

Greg Baker
Terry Elder

Members of the
Board of Nursing Home Administrators

Acting Chairperson
Member
Member
Member
Member

Ruth Roth, RN
Jane Sabes, NHA
Thomas E. Boling, NHA
Raymond A. Davidson
Eloise E. Deater

STATE OF ALASKA

AUDIT DIVISION
POUCH W
JUNEAU, ALASKA 99811

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

September 30, 1985

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Titles 24 and 44 of the
Alaska Statutes (sunset legislation), the attached report is
submitted for your review.

A PERFORMANCE REPORT ON THE
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
BOARD OF NURSING HOME ADMINISTRATORS

September 30, 1985

Audit Control Number

08-1222-86-R



Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

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Department of Commerce and Economic Development	19

PURPOSE OF THE REPORT

In accordance with the intent of Titles 24 and 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Board of Nursing Home Administrators for the past four fiscal years to determine if the Board has been operating in an efficient and effective manner.

Legislative intent requires consideration of this report during legislative oversight hearings to determine whether the Board of Nursing Home Administrators should be reestablished. The law now specifies that the Board will terminate June 30, 1986, and have one year from that date to conclude its affairs.

The major areas of our examination were the licensing, examination, administration, complaint, and affirmative action functions of the Board. We reviewed and performed the following:

1. Applicable statutes and regulations.
2. Tests of files and documents of licensees.
3. Interviews with the licensing examiners.
4. Complaints filed with the Division of Occupational Licensing, Equal Employment Opportunity Office, and the Ombudsman's Office.
5. Discussions with Board members.
6. Minutes of Board meetings and Division correspondence files.
7. Attorney General's Opinions applicable to professional boards.

ORGANIZATION AND FUNCTION

Federal law [U.S. Code, Title 42, Sect. 1396a(29)] requires a state to license nursing home administrators in order for that state to receive Medicaid assistance from the Federal government. Thus, to receive Medicaid funding, a nursing home must be administered by a licensed nursing home administrator.

In response to this requirement, the Board of Nursing Home Administrators was created by the Alaska Legislature in 1975. The Board is comprised of five members; two nursing home administrators, one registered nurse, and two public members. The purpose of the Board is to ensure that nursing home administrators have the knowledge and experience necessary to be competent administrators.

The major duties of the Board are to issue initial licenses to qualified applicants and to monitor the renewal of licenses. The Board is assisted in these duties by the Department of Commerce and Economic Development, Division of Occupational Licensing (OL). OL processes applications, maintains licensing files, answers correspondence dealing with the Board, and provides other administrative support as needed by the Board. In addition, OL investigates any complaints involving nursing home administrators.

Qualifications for licensure include work experience and educational requirements. Additionally, a passing score of 75% or better must be obtained on the exam given by the National Association of Boards of Nursing Home Administrators.

License renewal is required biennially. Renewal requires the licensee to complete a license renewal application, an affidavit of good moral character, and to submit a 50 dollar license fee.

There are currently 21 facilities in the State which are required to have licensed administrators.

REPORT CONCLUSION

Policy Issues

This report contains policy issues raised as a result of our evaluation of Board practices. The final policy decisions affecting these practices are not within the scope of this report but require legislative consideration. In debating these issues, the oversight committees should take into consideration the findings and recommendations presented in this report so the potential impact of policy changes can be evaluated.

Report Conclusion

We found no evidence the continuation of the Board of Nursing Home Administrators (BNHA) will benefit the public's safety or welfare. However, the Board needs to be reestablished in order to comply with Federal law governing the licensing of nursing home administrators. These laws require nursing homes to be administered by licensed administrators if the nursing homes are to be eligible to receive Federal Medicaid financial assistance. Therefore, we are recommending that BNHA pursue ways to reduce the cost of regulating nursing home administrators without jeopardizing the State's eligibility to receive Federal Medicaid funding (see Recommendation No. 1).

FINDING AND RECOMMENDATION

Recommendation No. 1

The Board of Nursing Home Administrators (BNHA) should consider, evaluate, and pursue ways to reduce the cost of regulating nursing home administrators without jeopardizing the State's eligibility to receive Federal Medicaid funding.

The existence of BNHA is not required to ensure the public's welfare. Public protection is provided through State and Federal nursing home license and certification reviews. With the exception of the five State-operated Pioneers' Homes, all of the 21 facilities in Alaska that are required to have licensed administrators are subject to these reviews.

The primary justification for continuing BNHA is to maintain the State's eligibility to receive Federal Medicaid funding. U.S. Code, Title 42, requires the State to have either a licensing board or an agency of the State responsible for licensing under the Healing Arts Act of the State. Since Alaska does not have a Healing Arts Act, the State is required to have a licensing board in order to be eligible for Medicaid funding.

Alaska Statutes 08.70.020-.040 require a five member board to meet twice annually. BNHA is relatively inactive. Board activity is largely limited to the approval of applicants for licensure, of which there are only 50 active licensees in the State. The number of board members and meetings required by the statutes is greater than is warranted by the Board's workload.

From FY 82 through September 30, 1985, only four formal meetings had been held. Due to a lack of business, two of the more recent meetings lasted less than two and one-half hours each. Additionally, during the last five years, unfilled board member vacancies caused the Board to operate at less than full membership.

For these reasons BNHA should determine and support a less expensive method of licensing administrators. In June 1985, the U.S. Department of Health and Human Services indicated that they would possibly approve a scheme by which licensing of administrators could be done by the Medical Board. This would allow the elimination of the BNHA without jeopardizing the State's eligibility for Federal Medicaid funding. We believe the Medical Board could accomplish the limited duties of the BNHA in the course of its regular activities and meetings with little or no increase in its workload. To best serve the public, we recommend that the BNHA study and support implementation of a cost-effective alternative to the current Board that will preserve the State's eligibility for Medicaid funding.

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative factors as they relate to the public need as defined in the "sunset" law. These analyses are not intended to be comprehensive, but to address those areas we were able to cover during our review.

- I. The extent to which the board, commission, or program has operated in the public interest.
 - A. We have determined that no public need for the Board has been demonstrated. The Board was created to comply with Federal law (see Recommendation No. 1).
 - B. The Board has initiated statutory changes which have benefited the public (see criteria III).
- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.
 - A. Federal law requires the State to have either a Board of Nursing Home Administrators or an agency of the State responsible for licensing under the Healing Arts Act of the State. Since Alaska does not have a Healing Arts Act, the State is mandated to have a licensing board.
- III. The extent to which the board, commission, or agency has recommended statutory changes which are generally of benefit to the public interest.
 - A. The statutes were amended to replace annual licensing renewal requirements with biennial requirements.
 - B. Statutes were established by which licenses can be revoked from persons who do not uphold the standards established by the Board.
- IV. The extent to which the board, commission, or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

IX. The extent to which statutory, regulatory, budgeting, or other changes are necessary to enable the agency, board, or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the previous section, Finding and Recommendation.

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative factors as they relate to the public need as defined in the "sunset" law. These analyses are not intended to be comprehensive, but to address those areas we were able to cover during our review.

- I. The extent to which the board, commission, or program has operated in the public interest.
 - A. We have determined that no public need for the Board has been demonstrated. The Board was created to comply with Federal law (see Recommendation No. 1).
 - B. The Board has initiated statutory changes which have benefited the public (see criteria III).
- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.
 - A. Federal law requires the State to have either a Board of Nursing Home Administrators or an agency of the State responsible for licensing under the Healing Arts Act of the State. Since Alaska does not have a Healing Arts Act, the State is mandated to have a licensing board.
- III. The extent to which the board, commission, or agency has recommended statutory changes which are generally of benefit to the public interest.
 - A. The statutes were amended to replace annual licensing renewal requirements with biennial requirements.
 - B. Statutes were established by which licenses can be revoked from persons who do not uphold the standards established by the Board.
- IV. The extent to which the board, commission, or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.

- A. It is the policy of the Division of Occupational Licensing (OL) to publish in Anchorage, Fairbanks, and Juneau newspapers public meeting notices 30 days prior to scheduled meeting dates in order to allow persons wishing to attend a meeting time to prepare for it. There have been four board meetings held since FY 82. For two meetings, inadequate time was allowed between publication and actual meeting dates. No publication of public notice was made for a third meeting.
- V. The extent to which the board, commission, or agency has encouraged public participation in the making of its regulations and decisions.
- A. The Board announces proposed regulation changes or additions in the newspaper, according to the Administrative Procedures Act.
- VI. The efficiency with which public inquiries or complaints regarding the activities of the board, commission, or agency filed with it, with the department to which a board or commission is administratively assigned, or with the Office of the Ombudsman have been process and resolved.
- A. In the past several years, only one complaint involving nursing home administrators has been filed with the Investigations Unit within OL. The complaint was dismissed as lacking merit and required no board action.
- B. The Office of the Ombudsman and the Attorney General's Office has no outstanding consumer complaints regarding the Board of Nursing Home Administrators.
- VII. The extent to which a board or commission which regulated entry into an occupation or profession has presented qualified applicants to serve the public.
- A. We found no instances where the Board had licensed unqualified practitioners.
- B. There are 50 persons licensed as nursing home administrators in Alaska.
- VIII. The extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission, or agency to its own activities and the area of activity or interest.
- A. No complaints have been filed with the Office of Equal Employment Opportunity regarding the Board of Nursing Home Administrators.

IX. The extent to which statutory, regulatory, budgeting, or other changes are necessary to enable the agency, board, or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the previous section, Finding and Recommendation.

APPENDIXES

APPENDIX B

BOARD OF NURSING HOME ADMINISTRATORS
EXAMINATION STATISTICS

Number of Examinations Given in Fiscal Years 1983-85

<u>Fiscal</u> <u>Year</u>	<u>Passes</u>	<u>Fails</u>	<u>Total</u>
1983	4	0	4
1984	2	1	3
1985	7	2	9

APPENDIX B

BOARD OF NURSING HOME ADMINISTRATORS
EXAMINATION STATISTICS

Number of Examinations Given in Fiscal Years 1983-85

<u>Fiscal Year</u>	<u>Passes</u>	<u>Fails</u>	<u>Total</u>
1983	4	0	4
1984	2	1	3
1985	7	2	9

APPENDIX C

BOARD OF NURSING HOME ADMINISTRATORS
ADMINISTRATIVE STATISTICS
September 30, 1985

Licensed Nursing Home Administrators	50
<u>Board Meetings in Fiscal Years 1983-1985</u>	
1983	0
1984	2
1985	1

BILL SHEFFIELD, GOVERNOR

**DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT**

DIVISION OF OCCUPATIONAL LICENSING

POUCH D
JUNEAU, ALASKA 99811
PHONE: (907) 465-2534

December 23, 1985

RECEIVED
DEC 24 1985

**LEGISLATIVE
AUDIT**

Mr. Gerald L. Wilkerson
Legislative Auditor
Division of Legislative Audit
Pouch W
Juneau, AK 99811

Dear Mr. Wilkerson:

Thank you for the opportunity to comment on your preliminary audit report for the Board of Nursing Home Administrators.

We concur with your findings and recommendations and agree that a less expensive method to administer licensing should be sought while preserving the State's eligibility to obtain Medicaid funding.

Thank you once again for the opportunity to comment on your audit.

Sincerely,


Loren H. Lounsbury
Commissioner

LHL/me1282M
122385b

STATE OF ALASKA 1986 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No. : HB 634
 Title : Continuation of the Board of Nursing Home Administrators
 Sponsor : House HESS
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : Commerce & Econ. Dev.
 BRU : Occupational Licensing
 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL					[.4]	[.4]
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-	[.4]	[.4]

CAPITAL						
---------	--	--	--	--	--	--

REVENUE		-0-	-0-	-0-	-0-	-0-
---------	--	-----	-----	-----	-----	-----

FUNDING : (Thousands of Dollars)

GENERAL FUND		-0-	-0-	-0-	[.4]	[.4]
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	[.4]	[.4]

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

This bill provides for continuation of the Board of Nursing Home Administrators and reduces the number of board members from five to three by attrition. One Anchorage member would attend only one meeting in FY 87, so per diem cost of \$80 would be eliminated for FY 88-91. This cost is not reflected as it is under \$100 annually.

Prepared by: Jennifer Strickler, Management Analyst Phone: 465-2144
 Division: Occupational Licensing Date: February 20, 1986

Approved by Commissioner: *Norm H. ...* Date: February 20, 1986
 Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB 634

The reduction in cost shown for FY 90 and FY 91 reflects the elimination of one Juneau member whose term expires October 1, 1988. This member would attend the face to face meeting in FY 89 but travel and per diem cost of \$432.00 in FY 90 and FY 91 would be eliminated.

Offered: 2/28/86
Referred: Labor & Commerce and
Finance

Original sponsor: Health, Education and
Social Services Committee

1 IN THE HOUSE BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE
2 CS FOR HOUSE BILL NO. 634 (HESS)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the Board of Nursing Home Admini-
7 strators; and providing for an effective date."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 08.03.010(c)(9) is amended to read:
10 (9) Board of Nursing Home Administrators (AS 08.70.010) --
11 June 30, 1990 [1986].
12 * Sec. 2. AS 08.70.020(a) is amended to read:
13 (a) The board consists of three [FIVE] members: one [TWO] nurs-
14 ing home administrator [ADMINISTRATORS] licensed under this chapter
15 and practicing in the state, a registered nurse licensed in the state
16 and having no direct financial interest in any nursing home, and one
17 person [TWO PERSONS] from the general public.
18 * Sec. 3. AS 08.70.155 is amended to read:
19 Sec. 08.70.155. GROUNDS FOR IMPOSITION OF DISCIPLINARY SANC-
20 TIONS. After a hearing the board may impose disciplinary sanctions
21 when it finds that a licensee
22 (1) secured a license through deceit, fraud, or intentional
23 misrepresentation;
24 (2) engaged in deceit, fraud, or intentional misrepresenta-
25 tion in the course of providing professional services or engaging in
26 professional activities;
27 (3) advertised professional services in a false or mislead-
28 ing manner;
29 (4) intentionally or negligently engaged in or permitted

1 the performance of patient care by persons under the licensee's super-
2 vision which does not conform to minimum professional standards re-
3 gardless of whether actual injury to the patient occurred;

4 (5) failed to comply with this chapter, with a regulation
5 adopted under this chapter, or with an order of the board;

6 (6) continued to practice after becoming unfit due to

7 [(A)] professional incompetence, [;

8 [(B)] addiction or severe dependency on alcohol or
9 other drugs which impairs the licensee's ability to practice
10 safely, or [;

11 [(C)] physical or mental disability and the licensee
12 has not been rehabilitated to the satisfaction of the board;

13 (7) sold or furnished a license to another;

14 (8) practiced as a nursing home administrator or used a
15 designation tending to imply that the licensee is a nursing home
16 administrator without a license issued under this chapter unless
17 exempted from licensure requirements under AS 08.70.080.

18 * Sec. 4. TRANSITION. Notwithstanding the provisions of AS 08.70.-
19 020(a) as amended by sec. 2 of this Act, the members of the Board of Nurs-
20 ing Home Administrators on the effective date of this Act shall remain on
21 the board until their terms expire or the positions otherwise become va-
22 cant.

23 * Sec. 5. This Act takes effect immediately in accordance with AS 01.-
24 10.070(c).

Introduced: 2/17/86
Referred: Health, Education &
Social Services, Labor & Commerce
and Finance

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 IN THE HOUSE

2 HOUSE BILL NO. 634

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Board of Nursing Home Admini-
7 strators; and providing for an effective date."

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

9 * Section 1. AS 08.03.010(c)(9) is amended to read:

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11 June 30, 1990 [1986].

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13 (a) The board consists of three [FIVE] members: one [TWO]
14 nursing home administrator [ADMINISTRATORS] licensed under this
15 chapter and practicing in the state, a registered nurse licensed in
16 the state and having no direct financial interest in any nursing home,
17 and one person [TWO PERSONS] from the general public.

18 * Sec. 3. TRANSITION. Notwithstanding the provisions of AS 08.70.-
19 020(a) as amended by sec. 2 of this Act, the members of the Board of Nurs-
20 ing Home Administrators on the effective date of this Act remain on the
21 board until their terms expire or the positions otherwise become vacant.

22 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
23 10.070(c).

HOUSE
COMMITTEE REPORT

(11)

Date referred: 3/5/86

FURTHER REFERRALS:

DATE: 3/19/86

The FINANCE Committee has considered HB 635

"An Act establishing the Willow Creek Recreation Area; and providing for an effective date."

and recommends:

- do pass
- do not pass
- do pass with attached amendment(s)
- no recommendation
- replace with CS HB 635 (Res) same title
- new title

and recommends DO PASS

further referral to the _____ Committee

- and attaches:
- letter of intent
 - first fiscal note
 - new fiscal note
 - zero fiscal note 2/28/86 (same as attached)

SIGNING DO PASS:

Albert G. Adams

John Conroy

Mike Symonick

James J. Ryan

Pat Fouchot

Ronald J. Jara

Kirk Hill

John J. ...

Alvin ...

Tom ...

Jim ...

SIGNING OTHER RECOMMENDATIONS:

Albert G. Adams
Chairman

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST

Bill/Resolution No.: CSHB 635 (RES)
 Title: An act establishing the Willow Creek State Resreation area
 Sponsor: Rep Larson
 Requestor: House Resource Committee
 Date of Request: 02-28-86

FISCAL DETAIL

Agency Affected: Natural Resources
 BRU: Parks Management

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

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

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

If there is a CIP appropriation for area improvements, there will be associated operating expenses.

Prepared by: Barbara Lee Hope *BLH* Phone: 762-4565
 Division: Parks & Outdoor Recreation Date: 02-28-86

Approved by Commissioner: *Mme D Arnold, Deputy* Date: 2/28/86
 Agency: Natural Resources

Distribution (by Agency preparing fiscal note) :

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Offered: 3/5/86
Referred: Finance

Original sponsor: Larson

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 CS FOR HOUSE BILL NO. 635 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing the Willow Creek State Recre-
7 ation Area; and providing for an effective date."

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

9 * Section 1. PURPOSE. The purpose of this Act is to:

10 (1) designate as a state recreation area the land and water
11 described in AS 41.21.491(a);

12 (2) emphasize and manage recreational uses and associated devel-
13 opment activities in the unit; and

14 (3) maintain and enhance the fishery and wildlife habitat in the
15 unit.

16 * Sec. 2. AS 41.21 is amended by adding new sections to read:

17 Sec. 41.21.491. WILLOW CREEK STATE RECREATION AREA. (a) The
18 surface estate in the land and water owned by the state as of the
19 effective date of this Act and all land and water acquired by the
20 state in the future, including shore and submerged land, lying within
21 the parcels described in this subsection is designated as the Willow
22 Creek State Recreation Area:

23 Township 19 North, Range 4 West, Seward Meridian

24 Section 5: Lot 3, Lot 4, S1/2NE1/4NE1/4, SE1/4NW1/4NE1/4,
25 SW1/4NE1/4, N1/2NW1/4SE1/4, S1/2NW1/4

26 Section 6: Lot 3, Lot 4, Lot 5, SE1/4NW1/4

27 Township 19 North, Range 5 West, Seward Meridian

28 Section 1: SE1/4, W1/2, Tract A, Tract B, Tract C

29 Section 2

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Section 3: N1/2

Township 20 North, Range 5 West, Seward Meridian

Section 34

Section 35

Section 36: S1/2

(b) The Department of Natural Resources may agree to manage land owned by the Matanuska-Susitna Borough that is within the parcels described in (a) of this section and that is designated by ordinance or resolution of the borough as a part of the Willow Creek State Recreation Area.

(c) Subject to valid existing rights, the land and water described in (a) of this section are designated as a special purpose area under art. VIII, sec. 7, Constitution of the State of Alaska.

(d) Except for oil and gas leasing under AS 38.05.180, the mineral estate in the state-owned land and water described in (a) of this section is closed to mineral entry under AS 38.05.181 - 38.05.280.

Sec. 41.21.492. DESIGNATION OF MANAGEMENT RESPONSIBILITIES. (a) The land and water described in AS 41.21.491(a) and the land and water owned by the Matanuska-Susitna Borough and designated by the borough under AS 41.21.491(b) are assigned to the Department of Natural Resources for control, maintenance, and development, consistent with the purposes of AS 41.21.491 - 41.21.497.

(b) Nothing in AS 41.21.491 - 41.21.497 affects the responsibilities of

(1) the Department of Fish and Game, the Board of Fisheries, or the Board of Game under AS 41.99.010 and AS 16;

(2) the Department of Environmental Conservation under AS 46.03; or

1 (3) state agencies and municipalities under AS 44.19.-
2 145(a)(11) and AS 46.40.100.

3 Sec. 41.21.493. COMPREHENSIVE MANAGEMENT PLAN. The commissioner
4 shall develop and adopt a comprehensive management plan for the Willow
5 Creek State Recreation Area with the concurrence of the Matanuska-
6 Susitna Borough.

7 Sec. 41.21.494. REGULATIONS. The commissioner shall adopt
8 regulations under the Administrative Procedure Act (AS 44.62) that are
9 necessary to achieve the purposes of AS 41.21.491 - 41.21.497 and to
10 implement the plan adopted under AS 41.21.493. The regulations shall

11 (1) designate incompatible uses and prohibit or restrict
12 them;

13 (2) allow road, railroad, and utility crossing of Willow
14 Creek so as to minimize disturbance to the river's habitat and scenic
15 and recreation values;

16 (3) allow fishery rehabilitation or enhancement practices
17 under terms that are compatible with AS 41.21.491 - 41.21.497;

18 (4) allow the legal taking of fur-bearing animals; and

19 (5) allow for hunting, except where it must be prohibited
20 for reasons of public safety.

21 Sec. 41.21.495. ADDITIONAL LAND. (a) The commissioner may
22 acquire, in the name of the state, title to or an interest in land or
23 improvements on land that is adjacent to or within the boundaries of
24 the Willow Creek State Recreation Area in order to achieve the pur-
25 poses of AS 41.21.491 - 41.21.497. This acquisition may be by lease,
26 purchase, exchange under AS 38.50, bequest, gift, or other lawful
27 means, but not by eminent domain.

28 (b) The commissioner may adjust the boundaries of the Willow
29 Creek State Recreation Area under AS 38.05.295 - 38.05.300 by adding

1 state-owned land and water to achieve the purposes of AS 41.21.491 -
2 41.21.497.

3 Sec. 41.21.496. COOPERATIVE MANAGEMENT AGREEMENTS. The commis-
4 sioner may enter into cooperative management agreements with a federal
5 agency, a municipality, another state agency, or a private landowner
6 to achieve the purposes of AS 41.21.491 - 41.21.497.

7 Sec. 41.21.497. CIVIL ENFORCEMENT. In addition to any other
8 remedy provided by law, the attorney general may seek an injunction
9 and damages, at the request of the commissioner, for a violation of a
10 regulation adopted under AS 41.21.494 or a regulation that is applica-
11 ble to the Willow Creek State Recreation Area established under
12 AS 41.21.491.

13 * Sec. 3. The commissioner of natural resources shall adopt the compre-
14 hensive management plan under AS 41.21.493, enacted by sec. 2 of this Act,
15 within two years after the effective date of this Act.

16 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
17 10.070(c).

18

CS (Res)
HB 635 - WILLOW CREEK STATE REC AREA

This bill would set aside some public lands in the Mat-Su Borough for public recreation around the mouth of Willow Creek. This is a prime destination for many Southcentral residents, especially during the summer sportfishing season. We envision this as one of the steps in developing optimum recreational opportunities in the Mat-Su area.

By setting aside this area in the state recreation system we can preclude it from other land use designations, while we work toward obtaining the necessary funding for such items as an access road and boat launch facility at the mouth of Willow Creek. We believe this would bolster tourism type activities and would be of great financial benefit to the Mat-Su area.

SECTIONAL ANALYSIS

Sec. 1: Describes the purposes for the land and water being set aside in the Willow Creek State Recreation Area.

Sec. 2(a) Establishes the Willow Creek State Recreation Area in AS 41.21.491 and gives the property description.

2(b) Allows for cooperation between the state and the borough.

2(c) Designates land and water in Willow Creek as a special use area under the state constitution.

2(d) Allows for oil and gas leasing within the lands described in AS 41.21.491.

Sec. 41.21.492:

Describes the management responsibilities of the Department of Natural Resources for Willow Creek State Recreation Area in relation to the Mat-Su Boro, the Department of Fish and Game and the Boards of Fish and Game.

→ only change in C.S. is property description

Sec. 41.21.493:

Directs the department to develop a management plan with the Mat-Su Boro.

Sec. 41.21.494

This section directs the commissioner to develop regulations necessary to carry out the provisions in the purposes section of the bill.

Sec. 41.21.495:

Allows the commissioner to add on new lands which are adjacent to Willow Creek State Recreation Area and that are needed to sustain the purposes described in AS 41.21.491 - 41.21.497.

Sec. 41.21.496:

Allows the commisssioner to enter into cooperative land agreements with other agencies or private parties in order to achieve the purposes described in AS 41.21.491 - 41.21.497.

Sec. 41.21.497

Allows for enforcement of the regulations adopted under AS 41.21.41.21.497.

Sec. 3: Requires the commissioner to adopt the management plan for Willow Creek State Recreation Area within two years after the effective date of this act.

Sec. 4: States when this act will take effect.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Sport Fish	BILL NUMBER HB 635	SPONSOR Representative Larson
DEPARTMENT POSITION Support			
PREPARED BY <i>Wron</i>	DATE <i>24 6/86</i>	COMMISSIONER'S SIGNATURE <i>Donnell Ellsworth</i>	DATE <i>2-29-86</i>

SUMMARY

OTHER AGENCIES AFFECTED BY BILL DNR, DEC, Matanuska-Susitna Borough	CONSTITUENT GROUP(S) AFFECTED BY BILL Cook Inlet basin residents and visitors
ORGANIZATIONAL SUPPORT FOR BILL Unknown	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

Create approximately a 4,000-acre state recreation area along Willow Creek near the Park Highway.

ANALYSIS OF BILL/PROGRAM EFFECTS

HB 635 is basically identical to HB 86 but cleans up major flaws in the location description of the Willow Creek site.

Creation of the Willow Creek recreation area will not adversely impact the operations of the department. Development of the site with appropriate campgrounds and boat launch facilities will improve access to Susitna River tributaries for hunters and anglers. Fish stocks can presently stand increased utilization.

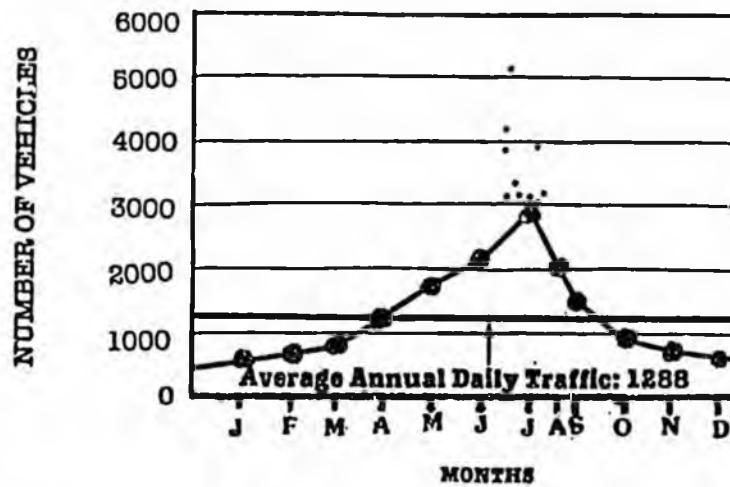
AMENDMENTS PROPOSED

Page 3, Line 19 (Sec. 41.21.494(3)).

(3) allow sport fishing, fishery rehabilitation or enhancement...

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

**Figure 8. PARKS HIGHWAY TRAFFIC VOLUMES
AT WILLOW, 1980**



Legend

- * 10 peak annual days
- Average Annual Daily Traffic (AADT)
- Average Monthly Daily Traffic (AMDT)

Source: Alaska Department of Transportation and Public Facilities

Land Ownership

Most of the land within the study area is publicly owned. The Matanuska-Susitna Borough and the State of Alaska own large blocks of land west of the Parks Highway. The area around the Parks Highway/Willow Creek junction is privately owned. Upstream of the Parks Highway, the Willow Creek State Recreation Site is a 240 acre parcel surrounded by private lands (see Figure 9, page 22). Ownership of the subsurface has been retained by the State of Alaska.

*Background Material
Comments from the
Plan for the Willow
Creek State Rec. Area.*

toric park is owned by the State of Alaska. It receives year-round recreational use, particularly during the winter season, when skiers and snowmachiners converge. Popular summertime activities include hiking, mountain climbing, and berrypicking.

City of Houston. The City of Houston owns and operates a campground bordering the Little Susitna River and the Parks Highway, located 15 miles south of Willow.

Private Sector. Several privately operated recreational facilities are located within the vicinity. The Willow Island Drive Inn is situated at the northwest corner of the Parks Highway/Willow Creek intersection. Facilities include parking, boat launch, trailer storage area, and camping units. Shore fishing is popular along the area's Willow Creek frontage.

Susitna Landing is a privately owned and operated boat launch located at the Susitna River/Kashwitna River confluence, 11 highway miles north of Willow Creek. From Susitna Landing, boaters travel to points north and south, including the Yentna River, Kroto Creek, and Alexander Creek.

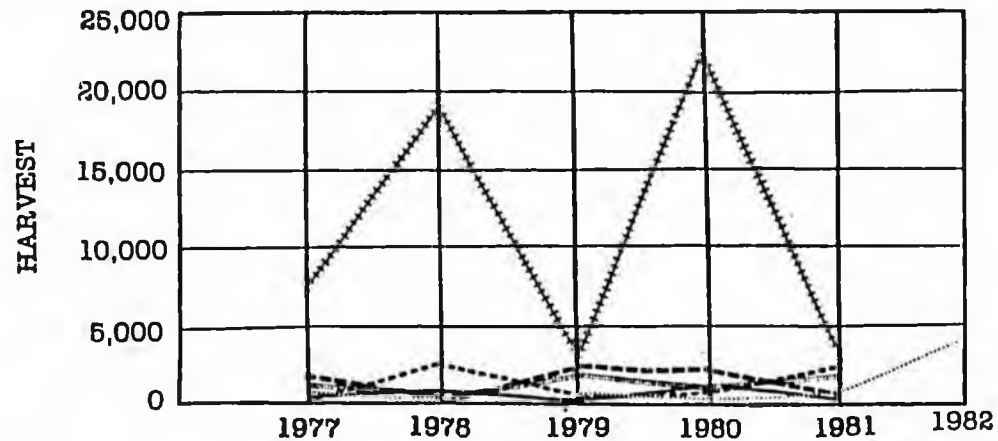
Willow Creek Sport Fishing

Most recreationists visiting Willow Creek are attracted to the stream by its sport fishing opportunities. Willow Creek hosts significant runs of king salmon, chum salmon, and pink salmon. A small run of silver salmon and year-round populations of rainbow trout and arctic grayling are also sport fishing attractions. See Figure 11, page 25 for a historical summary of fishing effort and harvest at Willow Creek.

Figure 11. WILLOW CREEK SPORT FISHERY HARVEST, 1977-1982

Legend

- coho salmon
- silver salmon
- rainbow trout
- total king salmon (includes jacks)
- grayling
- +++++++ pink salmon



Source: Alaska Department of Fish and Game

Willow Creek waters open for king salmon fishing stretch from the mouth to the Parks Highway bridge. Other salmon species may be taken legally from the mouth up to the Deception Creek confluence.

Fishing occurs at two major activity nodes: near the Parks Highway and railroad bridges; and at the mouth where the stream enters the Susitna River. The road-accessible node receives very heavy use beginning in mid-June as the king salmon enter Willow Creek, and tapering off as the pink salmon run ends in late August. During the busy season, this area will often host several hundred shore anglers. These anglers are often fishing from privately owned land, an issue which is receiving increasing attention (see page 28).

The activity node at the Willow Creek mouth is accessible by riverboat only. Most effort is expended during four consecutive weekend openings during the king salmon run. At the peak of the run, shore anglers will line up elbow-to-elbow along a particularly good 300 foot stretch of the Susitna River immediately downstream of the southernmost Willow Creek mouth. At such times, the number of anglers will exceed 100. There are no sanitary facilities in this area, which has raised concerns about the effects of random and untreated human waste and litter. Fishermen will also anchor their riverboats offshore during these weekend openings and cast into fishing holes.

King Salmon. The king salmon has historically been the most sought-after sport fish

species at Willow Creek and throughout the Susitna River basin. In 1964, due to dangerous declines in fish stocks, king salmon fishing throughout the Susitna basin was prohibited. As the stocks rebounded, fishing was again opened, but on a much reduced basis. Allowable king salmon catch in Willow Creek has been set at 300 fish (over 20 inches in length), although biologists suspect that this number could be raised without endangering the run.

Pink Salmon. Pink salmon enter Willow Creek in very large numbers in even-numbered years, and in moderate numbers in odd-numbered years. This species provides excellent opportunities for family-oriented outings, with much higher rates of fishing success than for other salmon species.

Chum Salmon. Chum salmon is attracting increasing attention as a sport fish species, due to its relatively large size and its fighting abilities. Harvest at Willow Creek increased from 343 in 1977 to 1,533 in 1981.

Silver Salmon. Despite a small run, an important silver salmon sport fishery does occur at the mouth of Willow Creek. Silvers destined for spawning grounds at other streams temporarily hold in the clear waters of the Willow Creek/Susitna River confluence, where they become available for harvest. Figures from 1980 show 1,207 silver salmon harvested in this manner, with a drop in 1981 to 747 fish.

Rainbow Trout. Rainbow trout attract a significant number of anglers to Willow

Creek. Most effort for rainbows occurs early in the season before salmon species arrive, and again after the salmon have spawned. Use is dispersed over a wider area than for the salmon species, extending from the mouth past the Parks Highway bridge and up into the Talkeetna Mountain foothills.

Willow Creek Riverboating

A major recreational use of Willow Creek is as a riverboating corridor. Most boaters launch at commercial facilities near the Parks Highway bridge.

The great majority of riverboat traffic is downstream, and then towards outlying areas within the Susitna basin. Thus, Willow Creek serves as an important transportation corridor by accessing the roadless areas to the west, where dispersed settlements have developed as a result of government land sales, homesteading, mining, and other attractions. As these areas have become more settled, the volume of riverboat traffic on Willow Creek has risen correspondingly. Important destination points include Kroto Creek (Deshka River), the Yentna River, and Alexander Creek.

Recreational Issues

Angler-Boater Conflicts. The most difficult problem concerning use of Willow Creek is the growing conflict between riverboaters and shore anglers. Riverboaters have traditionally traveled between the Parks Highway and the mouth to gain access to

fishing spots and to outlying areas. But as population increases have brought more sport fishermen to Willow Creek, clashes have become more common between the two user groups. Anglers complain that high speed boats create wakes which disturb fishing holes, create safety hazards, and harm spawning grounds. Boaters respond that Willow Creek is the only reasonable access to outlying areas and that high speed operation is required in order to maintain maneuverability. After a State Recreation Area is established at Willow Creek, the Division of Parks will have responsibility for managing the stream's water column and for resolving this conflict.

Fishing Regulations. Because demand for king salmon far exceeds the natural run in Willow Creek, the Department of Fish and Game has regulated sport fishing in order to ensure that escapement goals are met. There are concerns that state park establishment would bring more anglers and place additional pressures on fish stocks, forcing the Department of Fish and Game to shorten the king salmon season.

Winter Recreation Management. Because the Willow area receives abundant snowfall and moderate temperatures, its potential for winter recreation is high. Development of a trail network along Willow Creek will invite skiers, snowmachiners, and dog mushers. These user groups have experienced conflicts at other locations, and the Division of Parks should manage the area to avoid such problems.

Trespass Recreation. "Trespass recreation," the inadvertent or deliberate use of private property by recreationists, is an issue. Trespass situations are increasing, particularly upstream of the Parks Highway bridge. Private owners have posted signs and taken other actions to protect their property interests.

Commercial Activities. At present, commercial riverboat operators have established businesses at the Parks Highway bridge. Clients include those destined only for the mouth and others bound for outlying areas. With establishment of the park unit, state regulations will govern all commercial enterprises within the park boundaries.

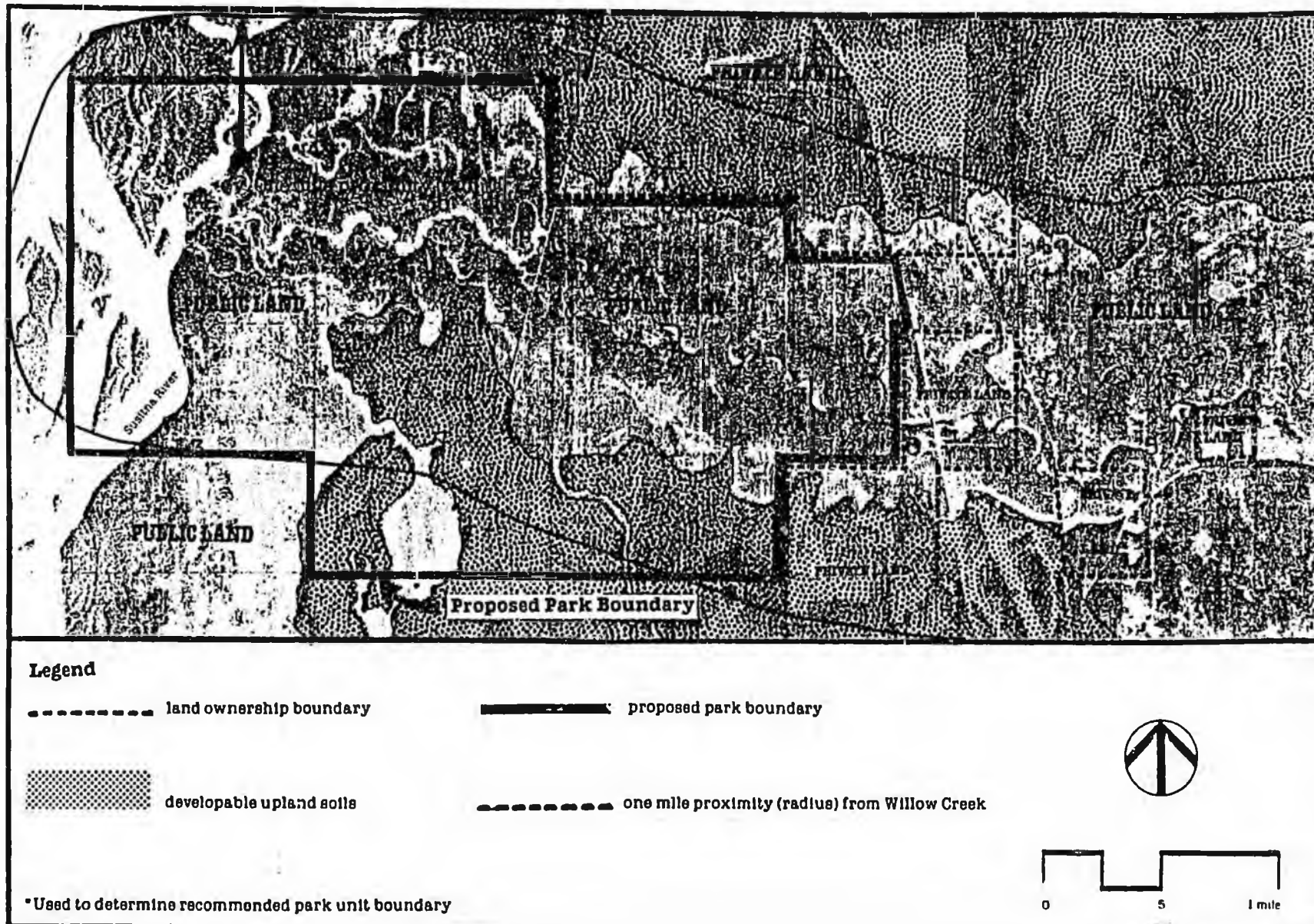
Trail Management. Concern has been expressed about difficult foot access to Willow

Creek below the Parks Highway bridge. At present, primitive trails extend a short distance downstream before disappearing. This has the effect of concentrating anglers around the highway bridge in spite of excellent fishing areas further downstream.

Other issues include the following:

- power transmission lines
- hunting and trapping regulation
- sanitation
- fish habitat protection
- preservation of archaeological resources
- handicapped access to fishing areas
- historic trails
- state competition with private recreation providers
- road development within the park
- floodplain or wetlands construction
- regional road network

Figure 18. BOUNDARY ANALYSIS*



6 GENERAL RECOMMENDATIONS

Zoning

To further clarify the intent for management of land and resources within state park units, all lands within each park unit are classified into one or more of the following zones:

- natural zone
- cultural zone
- recreational development zone
- wilderness zone

Figure 19a, page 44, is excerpted from the Alaska State Park System: Statewide Framework, published in 1982. The intent and management considerations for each zone are described.

The proposed Willow Creek State Recreation Area is zoned in Figure 19b, page 45. Only the recreational development and natural zones are applied within this park unit.

Regulation of Commercial Activities

With legislative establishment of the Willow

Creek State Recreation Area, the Division of Parks will become responsible for regulating commercial activities within the park. At the present time, commercial activities are limited to riverboat operators whose charter services are based at the Park Highway bridge. A large portion of the boat traffic on Willow Creek is by commercial operators.

As the facilities recommendations of this plan are implemented, a boat launch will be built at the Willow Creek mouth. At that time, it is recommended that the Division of Parks institute a permit system which will allow commercial riverboat operations to be conducted at the boat launch area. Permits will be issued with appropriate stipulations.

This recommendation is intended to reduce conflicts between boaters and anglers by re-locating the commercial operations to a better location. It is consistent with proposed regulations governing the operation of state park units.

Riverboating Regulation

With establishment of a state park unit at Willow Creek, Division of Parks will accept responsibility and authority to resolve conflicts and protect the area's natural environment. One management tool is the authority to regulate the various recreational activities.

A major recreational issue at Willow Creek is the growing conflict between riverboaters and other users and increasing concerns about the environmental impacts of riverboating. In an effort to resolve this issue, a new boat launch at the Willow Creek mouth is recommended (see recommendation, page 55).

By providing an alternative to boat launching at the Parks Highway bridge, the new launch is intended to alleviate the problem. If conflicts continue in spite of the alternative launch, it is recommended that the director exercise the Division of Parks' authority and close Willow Creek to motorized boating. Such a closure would take place after appropriate public notice and review.

Visitor Education, Interpretation

A nature trail is recommended as one component of an interpretive program (see recommendation, page 59). As visitation at Willow Creek increases, another component should be an active, ranger-assisted series of topical programs. A third component, which should be initiated early, is the production of a brochure describing the area's natural features and resources.

A final educational subject should concern boating safety and handling techniques. With construction of the new boat launch at the Willow Creek mouth, boaters will be launching into the difficult and potentially dangerous waters of the Susitna River. It is recommended that the Division of Parks take every opportunity to educate boaters, with such devices as bulletin boards, lectures, and demonstrations.

Archaeological Preservation

The locations of facilities in this plan have been selected without the benefit of a comprehensive cultural resources survey (see recommendation, page 53). It is possible that a survey will discover significant resources in an area slated for development. In such a case, the Division of Parks should make every reasonable effort to reroute or relocate the facilities to avoid the prehistoric resources. If rerouting or relocation is not feasible, other efforts to preserve the cultural materials will be explored, including excavation and removal.

Driveways, Intersections on the Willow Creek Parkway

Although primarily a park road, the Willow Creek Parkway can meet multiple use objectives by providing access to lands south of the park. The Matanuska-Susitna Borough owns land bordering the park. In the future, the borough may choose to dispose of the land. In anticipation, this plan identifies acceptable locations where access roads might intersect the parkway (see Figure 20, page 46). These points have been selected

and spaced so as to preserve the natural experience of the parkway while providing reasonable access to outlying areas. Permits for parkway intersections will be issued by the Division of Parks only for those designated points.

Vegetation Thinning, Revegetation

Most of the facilities recommended in this plan will be located on the forested upland benches south of Willow Creek, where vegetation limits distant views of Mount McKinley and the Alaska Range. Selective hand thinning of trees and brush should be performed in certain areas to enhance scenic qualities. Specific areas will be identified by landscape architects during the site planning phase of development and again during construction.

During construction of new facilities, vegetation will inevitably be impacted by heavy equipment. To the extent practical, impacted areas should be reclaimed and revegetated. Road cut and fill slopes should be dressed with surplus topsoil and seeded or planted with native ground cover and brush species. These revegetation efforts will be detailed by landscape architects during the construction phase of development.

Disposal of Construction Waste Materials

Based upon investigations by the Alaska Department of Transportation and Public Facilities, it has been determined that the silty soils found on-site are not acceptable

road construction materials. These organic silts must be excavated, typically to a depth of two feet, and removed before suitable materials can be brought in from off-site.

In order to reduce construction costs, two disposal sites within the park have been identified to receive surplus excavated material (see Figure 20, page 46). In this manner, transportation costs are reduced and these topsoils are available for later use.

The disposal sites will be revegetated according to guidelines set forth by landscape architects during the site planning process. Access will be limited by gates or other barriers.

Signing

Because of the size and magnitude of facilities proposed for the Willow Creek State Recreation Area, a signing plan should be formulated at an early stage to ensure that regulatory and informational signs are both effective and consistent with park values. The sign plan will be particularly valuable during the lengthy period of development, expected to occur in phases over several years.

Trapping

The Willow Creek corridor supports a number of fur-bearing animals, most notably beaver. Trappers have for many years taken fur-bearers in the corridor, in a sustained yield manner which has not substantially dimin-