

ALASKA LEGISLATURE COMMITTEE BILL FILES - 1987 - 1988 8879

HB 343 cont. thru SSHB 346 340

Chris
copy if bill files

Parent Advisory Council
Gastineau School, Douglas, AK.
January 15, 1985

JAN 15

To: Representative Johnny Ellis

Dear Representative Ellis,

Gastineau School, in the Juneau School District, serves the community of Douglas and Douglas Island. Our student population is currently set at 312 elementary schoolchildren. For the past year, our parent group has sponsored a Japanese teacher who has provided our children with instruction in the Japanese language and exposure to the culture and customs of Japan. Parents, teachers and students have expressed such satisfaction with the program, we are preparing to extend the stay of our teacher for another year. The financial burden this places on our Parent Group is staggering, especially in light of our relatively small student population and the current economic slump being experienced by Juneau. As is usually the case, the benefits of such a program are shared by all of our students, while the commitment to fundraising is borne by a few of our more dedicated parents.

Your introduction of House Bills 341 and 343 which would appropriate funding and establish an Asian Language Fund for Alaskan schools, is a most timely and progressive step in preparing our children for their futures. Our Parent Advisory Council would like to extend our appreciation to you for recognizing this need and offer strong support for the passage of these bills. We would hope that the Alaska legislature would join you in your efforts to develop and maintain strong educational ties with the Pacific Rim.

Sincerely,

Janette M. Simpson

Janette M. Simpson
Exec. Director
Parent Advisory Council
Gastineau School, Douglas



IDITAROD

Area School District

POST OFFICE BOX 90 • McGRATH, ALASKA 99627- (907)524-3033

Alaska
Local mail
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March 1, 1988

Representative Johnny Ellis
Co-Chairman, House HESS Committee
House of Representatives
Committee on Health, Education & Social Services
Pouch V
Juneau, Alaska 99811

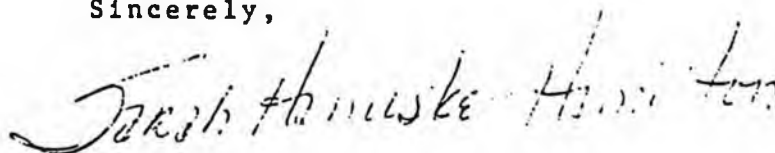
Dear Mr. Ellis:

I would like to offer my support for legislation HB 343. Representing a rural district I see this as an opportunity for the Alaska Department of Education to use the state's television capabilities to offer these language courses statewide. Along with the language, districts could purchase or copy selected videos on the history and culture of these countries.

Many districts are participating in the Sister-Schools project with some Pacific-Rim countries. The correspondence between students now is in English. This could change.

I see this legislation tying together Pacific Rim studies and the Sister-Schools programs and enhancing their relevancy for students.

Sincerely,



Sarah Hanuske-Hamilton
Superintendent

SHH:stc

Language Barrier

By Audrey Olsen

The problem many Americans face is their ignorance to foreign languages. This is a major problem in Alaska because of it. Alaska has a hard time keeping up with trading to the fishing industry. Here at Mt. Edgewood, we are trying to break this language barrier. By introducing the Japanese and Chinese languages, one of which is required to graduate. A Pacific Rim Culture class is also required here for one year. This means that the students will have a good background and a greater understanding for these cultures.

Manufactured Products
By Jaylene Peterson

Have you ever noticed that almost every little fact-book, textbook, stuffed animal, dish set, pencil and pen are all manufactured in either China, Korea, Hong Kong, the Philippines or Japan? Later in these countries it is much less costly than it is here in the United States, so companies have their products manufactured in one of these places, and have it shipped to the U.S. Last year, the media class held a grass conference with a group of Japanese businessmen in the girls dormitory lounge. I asked one of the men whether or not he'd picked up any souvenirs to take back from his stay in Alaska, and he replied, "I looked around, but everything I saw was made and sent here from home!" Sergei Butler took next time!

Timber Trade

A major part of Alaska's economy is in the timber industry. A lot of money in the state is made selling timber directly to Pacific Rim countries such as Japan and China. Without trade with these two countries, our timber export would most likely be cut in half. This would lead to many unemployed people here in the state!

Trade

By Alex Singh

Alaska trades its oil, gas, timber, minerals, and fish with the Pacific Rim Countries. In return they send us electronic items, food, minerals, and other energy products which we need. Alaska trade is different in the sense that we don't actually trade the items mentioned above, we sell it to them and then we purchase the items from them that they have the we need.

We trade with these countries in the Pacific Rim Korea, Japan, Hong Kong, Taiwan, and the Peoples Republic of China.

Alaskan Economy

Alaska economy is based on how much trade we do, produce and catch, and how many tourists come and visit our great state.

For the year of 1986, Alaska produced 12.2 to 27.0 billion barrels of oil and an estimated 90 trillion to 167 trillion cubic feet of gas in the lumber business an average of 20,000 to 100,000 trees were cut and used. About 80% of those trees were traded to other nations. Alaska accounts for 50% of the total amount of fish caught in the U.S.

With a wholesale seafood sales value of \$1 billion, in minerals a total of 28 million tons of coal and 1.5 billion of quartz were mined and since 1800's 30 million ounces of gold, more than a billion pounds of copper, 50 million pounds of lead, and 20 million pounds of silver has been extracted from Alaska mines. Alaska produces 22 out of the 30 minerals purchased from the Pacific Rim countries. In tourism, 800,000 people visited Alaska last year, with total expenditures of a billion dollars. It is anticipated that by the year 1990, 1 million people will have visited Alaska.



Mary Hudson & Alexander Singh are making Gung Bao GI Ding (Hot & Spicy Chicken)

Currency
By Mike Kimber

Exchange rates are very important in today's business. In Alaska we pay more attention to exchange rates in the Pacific Rim Nations because most of our trade economy is based in the Pacific Rim. It is very important for us to keep an eye on it because it helps predict whether an economy of a country will boom or bust and it also helps us decide to invest in foreign nations.

Listed below are some of the important exchange rates:

COUNTRY/CURRENCY	FOREIGN-U.S.	U.S.-FOREIGN
AUSTRALIA/DOLLAR	675	1.49
CANADA/DOLLAR	73	1.37
HONG KONG/DOLLAR	133	7.52
JAPAN/YEN	00626	139.75
CHINA/YUAN	822	
N. KOREA/YON	94	

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Corporation Invasion

Japanese companies are now conquering American markets by opening factories in the United States. They prefer to open them in the mid west and south because they see some of the "sacrificing" work ethics that Japanese workers had just after the war.

Japanese companies will offer a projected

840,000 additional new jobs in the next decade. The record showings of the Yen against the U.S. dollar and the labor unions inability to organize has allowed for successful expansion into the United States.

This will be a blessing for consumers and middle class blue collar workers.

PACIFIC RIM THE FUTURE IS NOW!



Pacific Rim Languages
By Andy Iliam

Here are some of the languages of the countries. Among these you will notice languages depending on the population.

- | | | | |
|--------------|---------------|------------|---------------|
| China | Philip | nes | Russia |
| Cantonese | Philip | | Azerbaijani |
| Hakka | Togo | | Byelorussian |
| Chinese | Illoc | | Czech |
| Mandarin | Cebu | | Chuosh |
| Shanghai | Biki | | Georgian |
| Fukien | Pano | | Kuzakh |
| Tibetan | Hiligay | | Kirghiz |
| Uigur | | | Molduin |

South Korea - **Japan**
Korean - Japanese



Mt. Edgewood sister school in Hefei, China



Pacific Rim Sister Schools
By Andrea Porter

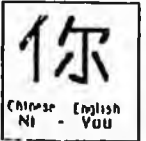
A sister school is a program put together by the Department of Education to exchange letters, videos, and photographs and also develop a basis for a student and staff travel exchange program.

After a school applies for a sister school and recommends an area of location, the DOE matches up and assigns a school.

At Mt. Edgewood High School we have two sister schools located in the Pacific Rim. One of which is "Hefei Middle School" in China. Hefei is the capital of Anhui Province, which is situated between the Yangtze River and the Hwai River in East China. The other school which we are exchanging with is "Hwaran High School" which is located in Hokkaido, Japan.

Chinese Pen Pals

There are a few students here at Edgewood who are corresponding with students in China. The students who are attending their second year in a Chinese class at MHS have pen pals from the Hefei #2 Middle School, which is also one of our sister schools. If you would like to have a Pacific Rim pen pal you should contact Mrs. Vergara, the Chinese instructor at Mt. Edgewood. Chinese language is not necessary, and help is offered.



Japanese Lifestyles
By Carrie Pegues

The theme: The traditional Japanese-style houses were usually two stories high made of wooden beams and walls, with a tiled roof. They also use sliding panels on windows and doors. The floor was covered with traditional straw mats called "tatami" for their comfort. These mats were always clean, because shoes were never worn in the house. But then, they usually slept on bedding that was raised up on the "tatami." This bedding was stored away in closets during the day so the space could be used for other purposes. As a result of using space wisely, very little furniture was needed.

However, the Japanese people are more taking to the Western style of living. One reason being because more high-tech apartments are being built. They now use things like chairs, tables, beds and other kinds of furniture, although the traditional sliding doors and "tatami" floors are still being used. The Westerner has widely influenced the modern Japanese lifestyle, but their ancient cultural ways will never fade away.

Cuisine
Oriental food: The Japanese diet mainly revolves around what they can catch or grow in the ocean. Fish, for instance, has been the main source of protein in the Japanese diet. Other seafoods are shrimp, salmon, and tuna. They are



Mr. Kayaishi demonstrates his technique to watchful viewers.

prepared in a number of ways, for example, they can be stir-fried, deep-fried, and in some cases, eaten raw or alive.

Now, the Japanese have started to accept the Western way of eating meat. They are adopting a taste for the Westerners' habit of cooking the meat or using processed meat in their meals. Somewhat more slowly, Americans are accepting Japanese food into their diet. Someday, maybe Japanese food will be a more common part of our daily diet.

Population Projections

Did you realize that if Japan's over-increasing population grows 5% a year, during the year 2000, it would have almost doubled its current population of 119,996,000. By the year 2033, the Japanese would surpass China's current population of 1,031,563,000.

If China's prolific population underwent a 20% increase a year, by the year 2025, their number of people or inhabitants occupying a specific geographical facility, such as a country, institution, or world would increase from 1 billion to 1 trillion people!

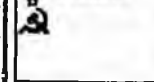
If the U.S. population accelerated to an increase of 4% a year, in the year 2005 our numbers will have doubled, and by the year 2014 our numbers will have tripled.

Primary Countries

People's Republic of China



U.S.S.R.



Philippines



Japan



South Korea



Secondary Countries

Canada

Australia

New Zealand

South Pacific Islands

Thailand

Taiwan

U.S.A.



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March 14, 1988

TO: Representative Al Adams, Chairman
Members, House Finance Committee

FROM: Judy Salo, NEA-Alaska

RE: CSHB 341 & CSHB 343; "An Act creating the Pacific Rim Language Study Grant Fund" and the companion appropriations bill.

NEA-Alaska supports and encourages passage of CSHB 343 and CSHB 341.

We support the concept of the addition of foreign language study opportunities for Alaska students.

The geographic location and trade relations of Alaska, particularly with regard to the fishing industry, make the study of Pacific Rim languages potentially very useful for Alaska students.

Our expectations are that foreign language teachers under this program will be fully qualified and certified.

By providing a quality program in Asian language for our students we may promote Pacific Rim trade and a cultural exchange. Perhaps more importantly, we may provide economic opportunity for our students.

Many fishing and tourism industry jobs would be immediately open to young Alaskans fluent in Japanese and other Pacific Rim languages.

LC/HB341343/dl

STATE OF ALASKA

OFFICE OF THE GOVERNOR

OFFICE OF INTERNATIONAL TRADE

STEVE COWPER, GOVERNOR

7TH FLOOR FRONTIER BUILDING
3601 C STREET, SUITE 798
ANCHORAGE, ALASKA 99503-5934
PHONE: (907) 681-5585

March 15, 1988

Representative Johnny Ellis
Co-Chair, House Health, Education and Social Services
Room 106 , Capitol
Juneau, Alaska 98111

Dear Representative Ellis and HESS Committee members:

I write in support of CS HB343 , an act creating the Pacific Rim language study grant fund and CS HB 341, an act appropriating funds to the language program.

The primary mission of the Office of International Trade is to foster and promote international economic development for and by Alaskans wishing to internationalize their businesses. It is critical that future generations of Alaskans understand not only the economic language of the marketplace but the cultural and diplomatic language of the host country for business purposes.

Alaska's primary trading relationships are with the Pacific Rim nations. This includes, but is not limited to, Japan, South Korea, Taiwan, China and the Soviet Union. By appropriating state resources to the study of these nations' languages, the state encourages students to learn the linguistic elements of Pacific nations' languages while also contributing to a generation of Alaskans who better understand our trading partners.

In addition to urging prompt attention to this bill, I would like to add three comments:

1. It is essential that the Department of Education seek advice on methodologies for developing language training in Alaska;

PAGE -- 2 -- REPRESENTATIVE ELLIS

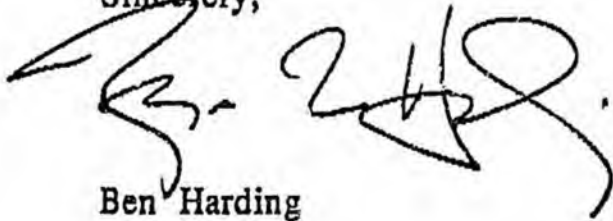
2. It is important to emphasize the distinction between written and spoken language training. Written languages are important for the following reasons:

- * research
- * appreciation of cultures; general systems of understanding and organizing thoughts, patterns of cultural interaction;
- * facilitation of rapid acculturation when travelling in a foreign nation;
- * encourages host nationals respect for the foreigners efforts to learn a bit about their nation.

3. Governor Cowper is presently promoting an Alaska-Soviet Far East Initiative which seeks to increase trade and cultural exchanges with our Siberian neighbors. It is highly likely that Alaska's relations with Siberia will continue to expand; it will be increasingly important that Alaskans understand our neighbors language, culture and trading patterns. Therefore, I encourage you to consider mentioning the Russian language as an important, but not pivotal, arena for future studies.

Please do not hesitate to call upon our office for any further information. Again, I urge you and your committee members to pass CS HB 343 and 341.

Sincerely,



Ben Harding
Acting Director

PACIFIC RIM LANGUAGE GRANT FUND

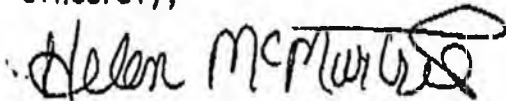
On behalf of the Pacific Rim Society of Ketchikan, I would like to extend a show of support to this grant fund. As a Pacific Rim community, we feel knowledge of second languages is an important asset to our community development. Anthropologists will testify that culture is passed through language. Having the opportunity to study the Pacific Rim languages is important to understand the cultures that are our closest neighbours.

Our community has a great deal of contact with our Pacific Rim neighbours, especially in the area of trade. Recently the Pacific Rim Society hosted visits by Japanese Professors, Taiwan businessmen, and the Australian Consul General. We have an exchange program with Katayama, Japan where a number of our students travelled to Japan and a number of Japanese students returned to visit Ketchikan. Many of our Ketchikan students realized the value of knowing the language in order to communicate with the Japanese. These are our communities' future employment pool and will probably in some way be involved with these Pacific Rim countries.

On a personal level, my daughter, (an 8th grader) who is planning to participate in the exchange this year by going to Japan, prepared for the visit by housing one of the Japanese students last year and, finding it difficult to communicate with the student, enrolled in the college and took an evening Japanese language course in addition to her full course load at the Junior High school.

We support any language grant fund for the future of our community. Any communicative skills that we can offer our future leaders is an important project to pursue.

Sincerely,



Helen McMurtrie
President, Pacific Rim Society of Ketchikan



NEA-ALASKA

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PACIFIC RIM THE FUTURE IS NOW!



Pacific Rim Languages

by Andy Iliam

Here are some of the languages that are spoken in our five main Pacific Rim countries. Among these you will notice languages depending on the population.

China Philip nes Russia

- China: Cantonese, Hakka, Chinese, Mandarin, Shanghai, Fukien, Tibetan, Uigur
- Philippines: Filipino, Igo, Iloc, Cebu, Bik, Pone, Hiligay
- Russia: Azerbaironi, Byelarussian, Chuvosh, Czech, Georgian, Kuzakh, Kirghiz, Morduin

South Korea



Mr. Edgcombe visits Hefei, China

Japan



Hefei, China

Pacific Rim Sister Schools

By Andrew Porter

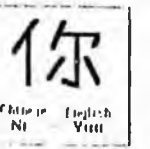
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Nowadays, the Japanese people are more and more taking to the Western style of living. One reason being because more high-rise apartments are being built. They now use things like chairs, tables, beds and other kinds of furniture. Although the traditional sliding doors and "tatami" floors are still being used, the Westerner has widely influenced the modern Japanese lifestyle, but their ancient cultural ways will never fade away.

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Oriental food. The Japanese diet mainly revolves around what they can catch or grow in the ocean. Fish, for instance, has been the main source of protein in the Japanese diet. Other seafoods are shrimp, salmon, and tuna. They are prepared in a number of ways, for example, they can be stir-fried, deep fried, and in some cases, eaten raw or alive.



Mr. Koyashi demonstrates his unique technique to traditional viewers.

Novadays, the Japanese people are more and more taking to the Western style of living. One reason being because more high-rise apartments are being built. They now use things like chairs, tables, beds and other kinds of furniture. Although the traditional sliding doors and "tatami" floors are still being used, the Westerner has widely influenced the modern Japanese lifestyle, but their ancient cultural ways will never fade away.

Population Projections

Did you realize that if Japan's ever-increasing population grew 5% a year, during the year 2000, it would have almost doubled its current population of 119,996,000. By the year 2035, the Japanese would surpass China's current population of 1,031,563,000.

If China's prolific population underwent a 20% increase a year, by the year 2025, their number of people or inhabitants occupying a specific geographical locality, such as a country, territory, or world would increase from 1 billion to 1 trillion people!

If the US population accelerated to an increase of 48 a year, in the year 2005 our numbers will have doubled, and by the year 2014 our numbers will have tripled.



People's Republic of China



U.S.S.R.



Philippines



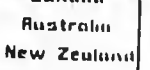
Japan



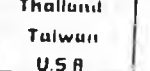
South Korea



Canada



Australia



New Zealand



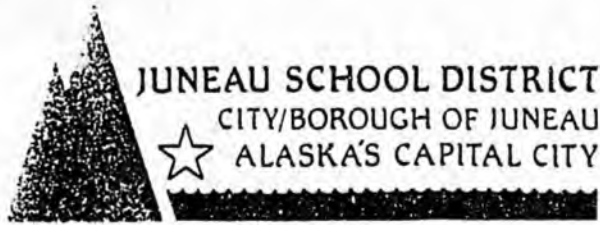
South Pacific Islands



Thailand

Taiwan

U.S.A.



10014 Crazy Horse Dr., Juneau, AK 99801 • (907) 586-2303

February 12, 1988

Chris

FEB 23 1988

The Honorable Johnny Ellis
House of Representatives
House HESS Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Ellis:

The purpose of this letter is to provide support for HB 34, "An Act Creating the Pacific Rim language study grant fund."

The Juneau School District is vitally interested in providing Pacific Rim language skills for the students of our district. Several of our schools have brought exchange teachers over from Japan for language and cultural education within the elementary schools. Most of these teachers are supported by parent groups who raise money through various fund-raising activities such as hotdog sales, garage sales, et cetera. As yet, we do not have budgetary means by which to support this important activity.

At the high school level, we have tried a number of ways to facilitate the teaching of Japanese and are currently contracting with the University of Alaska-Southeast to provide some Japanese language experience. We hope to be able to continue to provide service but it is dependent upon a variety of factors, including funding.

Please add us to your list of supporters. Alaska needs to be at the forefront in contributing to the communications between all Pacific Rim countries. Because of our location and our positive attitude, we have a wonderful opportunity to bridge the gaps between countries.

If you need a live example of the wonderful experiences provided by the representatives from Japan that the Juneau School District currently has, please let me know. Our Japanese exchange teachers at Gastineau and Harborview are outstanding.

Thank you for your interest in this critical issue.

Sincerely yours,

Elaine M. Hopson, Ph.D.
Director of Personnel

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Membership Coordinator
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 Fairbanks, AK 99775
 H 479-6642 W 474-6520

**Anchorage Area
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 Andy Kirk, President
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 Chugiak, AK 99567
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 for the Social Studies**
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 H 479-8421 W 452-4751

D.O.E. Liaison
 Marjorie Corsuch
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 Juneau, AK 99801
 H 586-2854

NCSS Liaison
 Doug Phillips
 2310 Paxson
 Anchorage, AK 99504
 H 533-2522

NCSS ANNUAL MEETINGS

11/13-17/1987 Dallas Texas
 6/22-25/1988 Vancouver Canada
 11/18-22/1988 Orlando Florida
 11/10-14/1989 St. Louis Missouri



ALASKA COUNCIL FOR THE SOCIAL STUDIES

IN AFFILIATION WITH THE NATIONAL COUNCIL FOR THE SOCIAL STUDIES

Chris

February 23, 1988

Representative Johnny Ellis
 Co-Chair, House HESS Committee
 P. O. Box V
 Juneau, AK 99811

Dear Representative Ellis:

On behalf of the Alaska Council for the Social Studies, I would like to recognize your fine effort regarding HB343. The creation of a Pacific Rim language grant fund is of paramount importance. Two years ago I was part of an educational tour that visited schools in Indonesia, Japan, Hong Kong and the People's Republic of China. Our whole group quickly realized the significance of a working knowledge of linguistics during our school visits.

Alaska's young people need this linguistic knowledge to successfully compete with other states and countries within the Pacific Rim.

The Alaska Council for the Social Studies urges you to continue to support HB343.

Sincerely,

Louie Yannotti

Louie Yannotti
 President-elect, Alaska
 Council for the Social Studies
 P. O. Box 115
 Yakutat, AK 99689



Matanuska-Susitna Borough School District

125 WEST EVERGREEN — P.O. BOX 1688 — PALMER, ALASKA 99645-1688 — (907) 745-4822

Bruce P. DeMond, Superintendent

February 16, 1988

Johnny Ellis
Co-Chair
House HFSS Committee
Alaska State Legislature
House of Representatives
Pouch V
Juneau, AK 99811

Dear Mr. Ellis:

Mat-Su Borough School District supports HB 343, which creates a Pacific Rim Language Grant Fund within the Department of Education. However, the Mat-Su Borough School District has concerns about adding any new programs to the curriculum of the School District when it is presently facing budget cuts and reductions to the curriculum as a whole. For example because of budget reductions the present foreign language programs in Spanish and French are offering fewer courses to interested students.

Many of our worthwhile elective programs have been reduced or eliminated in the last two years, creating parental concern with regards to students ability to compete for scholarships in the colleges and universities of their choice.

In summary, we support HB 343 as long as sufficient monies are available to support any additions to the curriculum.

Regards,

Norm Palenske
Norm Palenske
Assistant Superintendent



ANCHORAGE
SCHOOL DISTRICT

4600 DeBarr Avenue
P.O. Box 196614
Anchorage, Alaska 99519-6614
AREA CODE [907] 333-9561

SCHOOL BOARD

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SUPERINTENDENT

William Coats, Ph.D.

February 12, 1988

Rep. Johnny Ellis, Co-Chair
House HESS Committee
Pouch V
Juneau, AK 99811

FEB 13 1988

HOUSE BILL 343

The Anchorage School District supports funding for the introduction of Pacific Rim languages in Alaska's schools.

The Anchorage School District is currently offering Japanese in two of our high schools. We are also in the process of a pilot elementary foreign language program in Japanese and/or Spanish.

Other Pacific Rim activities within the District included a Statewide conference in April of 1986 which was attended by more than 400 people. We are also pilot testing a Japanese social studies unit at the Kindergarten level and in the process of developing a first grade Chinese social studies unit. This month will mark the opening of the Asian Alaskan Cultural Center which was constructed in conjunction with one of our elementary schools.

The Anchorage School District recognizes and supports the cultural and economic ties between Alaska and the Pacific Rim. The recommendations of our Pacific Rim Advisory Committee incorporated into our long range plans include the addition of social studies units on Pacific Rim countries and the introduction of Pacific Rim languages into the curriculum. House Bill 343 would enable us to introduce additional languages without deleting any other languages or program from the current curriculum.

WILLIAM COATS - SUPERINTENDENT

WW

cc Gene Thompson, Deputy Superintendent of Instruction
Ruth A. Keitz, Executive Director, Curriculum and
Instructional Services
Doug Phillips, Coordinator, Social Studies Program

WW16.12

Unalaska City School District



February 9, 1988

FEB 12 1988

Representative Johnny Ellis, Co-Chair
Alaska House of Representatives
Committee on Health, Education, and Social Services
Pouch V
Juneau, Alaska 99811

file

Dear Representative Ellis:

Thank you for providing me with copies of HB 341 and HB 343 relating to Asian Language instruction. I strongly support this proposal. I agree whole-heartedly with your expressed concern that the need for knowlege of a second language, particularly an Asian language, is going to be essential for the children in our schools today who intend to participate in the economic and business life of Alaska and the world of the twenty-first century.

As a school administrator in small rural high schools of Alaska, I have successfully introduced one such language (Russian) into the curriculum, and hope that, with funds available, I can continue to implement such instruction.

Thanks again for keeping me informed.

Sincerely yours,

John S. Novak, Superintendent

STEPHEN V. YATES
Superintendent
907-832-5625

KENNETH SATRE
Principal
907-832-5464

BILL SPEAR
Business Manager

NENANA CITY PUBLIC SCHOOLS

P.O. BOX 00010
NENANA, ALASKA 99760
907-832-5464

February 4, 1988

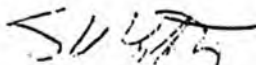
FEB 5

Honorable Johnny Ellis
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, Ak. 99811

Dear Representative Ellis,

On behalf of the students, staff and parents of the Nenana City Public School District I want to thank you for sponsoring House Bill 343 and House Bill 341, promoting Pacific Rim language study. Please be aware that we enthusiastically support these bills and stand ready to do anything we can to assure their passage.

Sincerely,


Stephen V. Yates
Superintendent

SVY/ks

file



ANCHORAGE
SCHOOL DISTRICT

4600 DeBarr Avenue
P.O. Box 196614
Anchorage, Alaska 99519-6614
AREA CODE [907] 333-9561

FEB 8 1988

Chris

Inlet View School
1219 "N" Street
Anchorage, Ak. 99501

February 5, 1988

Representative Johnny Ellis
Co-Chairman House HESS Committee
Alaska State Legislature
Juneau, AK 99811

Dear Representative Ellis,

Thank you for your vision in the drafting of HB 341 and HB 343. This particular legislation and funding would certainly enable the Inlet View School and community to further explore with children the Pacific Rim relationship and languages that show us much promise for the future of our state.

Please do vigorously pursue the above legislation knowing that our staff and educational community are supportive.

Sincerely,

George Rakos, Principal
Inlet View School

GR/mta

1024 WEST SIXTH AVENUE
ANCHORAGE, ALASKA 99501
(907) 274-4031

WHILE IN SESSION
P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-3704

ALASKA STATE HOUSE

OFFICE OF MAJORITY WHIP

CO-CHAIR
HEALTH, EDUCATION & SOCIAL SERVICES

LABOR & COMMERCE
SUBCOMMITTEE ON FOREIGN TRADE



REPRESENTATIVE JOHNNY ELLIS

M E M O R A N D U M

TO: Rep. Al Adams, Chair
House Finance Committee

FROM: Rep. Johnny Ellis *JE*

DATE: January 25, 1988

SUBJECT: Request for hearing on CSHB 341 (HESS) and
CSHB 343 (HESS)

I would like to request that a hearing on CSHB 341 (HESS) and CSHB 343 (HESS) be scheduled in your committee at your earliest convenience. These two bills would create a Pacific Rim language grant fund and make an appropriation to the fund.

As you know, there is currently a great deal of interest in making Alaskans viable participants in Pacific Rim trade. One way to reach this goal is to give Alaskan students the opportunity to be knowledgeable in the language and culture of our Pacific Rim trading partners. I feel that this goal, addressed by Governor Cowper in his State of the State Address last January, is worthwhile and deserves the support of this legislature.

CSHB 341 (HESS) and CSHB 343 (HESS) would establish within the Department of Education a fund to enable school districts to offer Pacific Rim languages as an adjunct to their normal foreign language curriculum. School districts would submit to the state a proposal as to how they would use the grant money.

This Pacific Rim language fund would be open for programs K-12, and districts would be asked to describe their long-range plan for developing a Pacific Rim language curriculum.

If you have any questions regarding this legislation, please contact Chris Herberger of my staff.

Thank you very much for your consideration of this request.

Department of Foreign Languages
University of Alaska
Fairbanks, Alaska 99775-1020
February 27, 1988

MAR 01 1988

Representative Johnny Ellis
PO Box 0
Juneau, Alaska 99811

Subject: House Bill 343, Pacific Rim Language Study Grant Fund

Dear Johnny:

I am pleased to see Legislative interest in promoting Pacific Rim languages and cultures as indicated by HB 343. I have been an Assistant Professor of Japanese at UAF for four years. I have lived in Japan for over ten years, both during my childhood and while pursuing my Bachelor's and Master's degrees. I completed my Ph.D. in Japanese literature for the Dept. of Asian Languages at Stanford University in 1985, and have held teaching appointments at Stanford, at the University of California, Berkeley and Davis campuses, and at Whitman College before coming to Fairbanks. I was attracted to Alaska both for its fine country and for the opportunities it offered for beginning and expanding programs in Pacific Rim languages and cultures. I have, therefore, given much thought to this bill, and would like to make the following observations and recommendations.

The threefold purpose of the bill as set forward in Section 1 is worthy and merits support. I believe the overall objective should be to provide students in Alaska with the opportunity to study a Pacific Rim language in a quality program long enough to gain functional use of the language. The bill as constituted, however, is not likely to meet these objectives in that it does not yet address the existing problems in continuity of programs and quality of programs. Indeed, it may exacerbate these problems.

The Continuity Problem. For such a program to function properly there must be continuity over time and from level to level. There must be smooth and rational transitions from the elementary program to the junior high program to the high school program to the college program. It is most important that the college offer a complete major program if the Alaskan students are to achieve the proficiency necessary to use the language in professional international transactions or if they are to teach the language to successive generations.

If the bill is enacted as presently written it will, I fear, generate a smattering of transitory and dead end programs around the state. With current funding problems, I expect that school districts will compete for grants as an additional source of funding but will not continue the programs when their eligibility for special funding expires. Further, if a district hires a teacher to teach Chinese for

grades 1-3, what will they do when these students move to fourth grade and beyond? Will the teacher move up with them, or will additional teachers be hired? Will there be programs at the junior high and high school levels? Usually a high school draws from several elementary schools. What if one elementary school had a program in Japanese and another opted for Tagalog? Can we cover both in the high school? When the chain is broken, the entire investment is wasted, because the students will not have learned enough of these difficult languages to be functional in them.

Fortunately, the chain is closest to being complete at the college level. At present the University of Alaska, Fairbanks offers four years of Russian providing a major in Russian Studies, three years of Japanese, providing a language minor, as well as two years of Korean and two years of Chinese. Courses are offered as well in Japanese literature, culture, and history; in Chinese history and politics; and in Korean culture. Students who take Japanese do so in order to use it in business, in resource management, in law, and in education. Students cannot learn enough of an Asian language in three years, however, to use the language adequately at a professional level. Moreover, the language department is understaffed, and some courses can only be offered on a rotating basis. Since there is not an Asian language major, students wishing such a major must transfer to a university outside of the state. (One of our best students of Japanese was recently accepted in a graduate program in Japanese at the University of Washington. We are pleased that she intends to return to Alaska to teach in a high school.)

The Quality Problem. For any ambitious educational program to work well and be worth the investment it must be conducted by qualified teachers with specific training and demonstrated skills. We require that our teachers of Math, English, Science, Spanish, French, etc., be well schooled in these disciplines and certified to teach them. But when it comes to teaching Asian Languages, the trained, qualified teachers have not been available in Alaska.

Alaskan school districts offering an Asian language have mostly relied on locally available native speakers of these languages to provide instruction. Many of these instructors are reasonably well educated but nevertheless lack any training in teaching their own language. They are no more qualified to teach Japanese to Alaskans, than I am qualified to teach English to Japanese. The educational results are at best uneven. In my experience, the resulting quality comes nowhere near that which we expect of our credentialed teachers in other subjects. Yet the cost is nearly the same and, more important, the time spent (or lost) by the students is the same.

The quality of instruction at the University level suffers in part from inadequate preparation of entering students for college work. It is sad how many of my beginning students in Japanese do not understand the structure of English sentences and have only the vaguest idea of the geographical relationships of Japan, Korea and China. Many of the

students in my Japanese Culture course find it difficult to appreciate Japanese art or literature in translation because Western art and literature are foreign to them.

Recommendations. The state can make the most efficient use of the proposed funding by developing major programs in key Asian languages at the University level, followed closely by expansion to the high school level. If we look at other states with quality language programs at the secondary and primary level, we will see that these programs exist because of close cooperation between the State Department of Education, the individual school districts, and the universities in that state with strong foreign language departments. In the San Francisco Bay Area, for example, secondary and primary school programs in Japanese and Chinese language and culture were developed through the assistance of the Bay Area China Education Project (BACEP) and Teaching Japan in Schools (TJIS), programs created by graduate students in language and history at the University of California, Berkeley and Stanford University. In Hawaii high school programs in Japanese were developed through the cooperative efforts of the Department of East Asian Languages at the University of Hawaii and the Hawaii State Dept. of Education.

With adequate staffing and strong programs in Asian Languages, the University of Alaska will be able to assist school districts by providing teacher workshops and producing graduates capable of teaching Pacific Rim languages and cultures in our schools. In order to raise the current UAF programs in Japanese, Chinese and Korean to major programs, permanent funding for 3.5 additional positions would be required. If you wish to provide major programs in any of these languages at UAA, funding for two positions per language would be necessary.

The argument for expanding from complete University programs to the high school level is twofold. First of all, these high school students would be assured of the possibility of continuing language study at the university level. Secondly, it is almost imperative for a student to begin the study of a Pacific Rim language in high school in order to be proficient in that language after graduating from college. It takes almost three times longer for a student to reach the same level of oral competency in Chinese, Japanese, or Korea than it takes a student to reach in Spanish or French. (This does not even bring in the issue of written competency.) The Department of Defense and the Foreign Service place Asian languages in Category IV in their scale of difficulty. Russian is in Category III, German in Category II, and French and Spanish are in Category I.

Given the difficulty of learning and, indeed teaching, Russian and Asian languages, the need for qualified teachers at all levels is clear. There are many Universities that have certification programs in the individual Asian Languages and from which the school districts could recruit good teachers. Whoever is recruited should receive endorsements from the Foreign Language Department at the University of Alaska.

We have a tendency in Alaska to try to do too much all at once. Our failures in such efforts are legion. Rather than spend a million dollars in a random and haphazard fashion with Tagalog here in grades 7-9, and Japanese there in grades 1-3, with no assurance of quality or continuity, I suggest that we focus on Russian, Japanese, and Korean or Chinese at the high school and university levels. Once these programs are well established at these levels, we can expand the programs at the same level to include other languages, or we can expand the programs downward to pick up grades K-9.

What can be done immediately at the elementary and junior high level is the introduction of Pacific Rim cultures by existing staff. Faculty from several disciplines at the University of Alaska, Fairbanks, have expressed an interest in offering summer workshops for teachers in the history, geography, culture (visual and performing arts, literature), and languages of Pacific Rim nations. The State Department of Education in Juneau could put together a comprehensive list (with evaluations or reviews, if possible) of instructional materials developed in other states for teaching various aspects of Asian cultures at the primary and secondary levels. Students will be more excited about learning a Pacific Rim language if they have already developed an interest in the culture.

The preparation of Alaskan students through study of Pacific Rim cultures and languages will serve our State well in the long run. Despite the fact that my suggestions will center more of the funding initially at the University, students and communities across the State will benefit over time. I hope my ideas will be helpful in shaping this important bill into a form which will serve Alaskans for years to come.

Sincerely,

Karen Colligan-Taylor

Dr. Karen Colligan-Taylor
Assistant Professor of Japanese



Telegram

08003 TDA ANIAX AK 91 02-02 1000A AST

PMS

REF JOHNNY ELLIS, CO-CHAIRMAN, HOUSE BESS COMMITTEE 465-3704

JUNEAU AK

TO: BESS

RE: SUPPORT FOR HR-343

SINCE WE ALREADY HAVE BISTER SCHOOLS IN BOTH JAPAN AND CHINA WE ARE VERY EXCITED ABOUT THE POSSIBILITIES THAT YOUR BILL OFFERS. RECENTLY I ACQUIRED THE U.S. ARMY'S INTRODUCTION TO BASIC JAPANESE LANGUAGE COURSE. WE ARE VERY INTERESTED AND HAVE THE SUPPORT OF THE KUSKOKWIM NATIVE CORPORATION IN OUR DESIRE TO PARTICIPATE.

WE WOULD BE HONOURED TO BECOME INVOLVED IN LEARNING THE LANGUAGES AND THE CULTURES OF OUR PACIFIC RIM TRADING PARTNERS.

CONSIDER US EXCITED VOLUNTEERS.

FOR THE BOARD AND CHILDREN OF THE KUSPUK SCHOOL DISTRICT,

BOB R MCHEERY, SUPERINTENDENT OF SCHOOLS

AFLA

ALASKA FOREIGN LANGUAGE ASSOCIATION

415 Farewell
Fairbanks, Alaska, 99701
January 10, 1988

Representative Johnny Ellis
House of Representatives
P.O. Box V.
Juneau, Alaska 99811

JAN 15 1988

Dear Johnny:

This is a response to your idea to provide 100% funding for starting or enhancing public school Asian language programs in Alaska.

Further details of the plan are needed, of course, but at the business meeting of the 1987 Conference of the Alaska Foreign Language Association, the membership came out strongly in favor of this proposal. Subsequent discussion led to the following suggestions:

1. In the interest of increasing cultural and economic awareness worldwide, the Alaska Foreign Language Association (AFLA) supports the expansion of all foreign language programs in the state. Of particular importance is expansion to include articulation of middle, junior high and elementary school programs with those in high schools. As such, AFLA agrees with the phrase in the proposal which states that the Asian language programs thus funded would supplement and not replace existing foreign language programs.
2. Schools and/or school districts with state-funded programs would use the money to hire qualified, certified teachers directly under the school and/or district hiring policy, whether or not this involves a statewide or out-of-state search. AFLA's intent is to ensure that the best possible teachers are hired to give the programs their best possible chance of success.
3. Members of AFLA are willing and able to provide input, suggestions and constructive criticism of the plan as it develops. Specific recommendations will include key schools and age groups to be targeted, and goals and objectives of the program.

AFLA appreciates the interest shown by you and the HESS Committee in developing foreign language programs in the state, and the presence of Mike Travis from DOE at the AFLA state conference. We look forward to being part of this exciting proposal to expand Asian language programs in the state.

Sincerely,

Doug Bruce

Doug Bruce, President, AFLA

AFLA

ALASKA FOREIGN LANGUAGE ASSOCIATION

January 20, 1968

Representative
Johnny Ellis
P.O. Box V
Juneau, AK 99811

JAN 25 1968

Respond

Dear Representative Ellis:

I commend you for proposing an Asian Language Study Grant fund of \$1,000,000 with the Department of Education. The bill acknowledges the fact that Alaska cannot hope to develop close commercial and cultural ties with North Pacific Rim countries without preparing the citizens for this new opening. Our immediate competitors -- I think of California, Oregon and Washington -- are also trying to provide special educational opportunities to their students. In fact, they seem to be, in a number of areas, ahead of us.

*Chris
Leate
?*

I would like to stress in this context that any effort to develop foreign language programs, especially the ones focused upon in your legislation, requires CONTINUITY: continuity in funding on the part of the Legislature and the Department of Education; continuity in offering a given language over time and on several levels, on the part of the school districts involved.

Learning another language, in particular these Asian languages, takes a lot of time and commitment. Preparing Alaskans, and keeping them prepared, for closer ties with Asia must be a long-term, an on-going thing -- just as we hope to do business with these nations on a long-term, on-going basis. Alaska will reap the benefits of the proposed legislation not in two or three, but rather in ten or twenty years, if the effort can be kept up.

Can funding continuity be built into the initial bill creating the fund? Have you considered an endowment whose interest would pay for grants to schools? Tied in with a sliding scale and perhaps with matching funds (from districts, Alaskan business and federal sources), an endowment of 5 - 10 million could make possible a lot of learning over a ten year span. On the other hand, is an endowment of that magnitude realistically feasible?.....

Another crucial point are undoubtedly the eligibility criteria and other guidelines, but I suppose these will be worked out by the DOE staff, once the fund has been established.

Once again: I deeply appreciate your initiative. Please do not hesitate to call upon me if you have questions or if you think I might be of help in any way.

Sincerely,

[Handwritten signature]

Dr. Bill Hollerbach
Professor of French and Spanish, AF
Resident, AFA, 1970 - 71

1000 1/2 Franklin Street, Juneau, Alaska 99801

*Chris
copy if bill files*

Parent Advisory Council
Gastineau School, Douglas, AK.
January 15, 1988

JAN 1 2

To: Representative Johnny Ellis

Dear Representative Ellis,

Gastineau School, in the Juneau School District, serves the community of Douglas and Douglas Island. Our student population is currently set at 312 elementary schoolchildren. For the past year, our parent group has sponsored a Japanese teacher who has provided our children with instruction in the Japanese language and exposure to the culture and customs of Japan. Parents, teachers and students have expressed such satisfaction with the program, we are preparing to extend the stay of our teacher for another year. The financial burden this places on our Parent Group is staggering, especially in light of our relatively small student population and the current economic slump being experienced by Juneau. As is usually the case, the benefits of such a program are shared by all of our students, while the commitment to fundraising is borne by a few of our more dedicated parents.

Your introduction of House Bills 341 and 343 which would appropriate funding and establish an Asian Language Fund for Alaskan schools, is a most timely and progressive step in preparing our children for their futures. Our Parent Advisory Council would like to extend our appreciation to you for recognizing this need and offer strong support for the passage of these bills. We would hope that the Alaska legislature would join you in your efforts to develop and maintain strong educational ties with the Pacific Rim.

Sincerely,

Paullette M. Simpson

Paullette M. Simpson
Exec. Director
Parent Advisory Council
Gastineau School, Douglas

EDITOR
Area School District

POST OFFICE BOX 90 - McGRATH, ALASKA 99627- (907)524-3033

Handwritten note:
Nick...
Leah...
for...

MAR 07 1988

March 1, 1988

Representative Johnny Ellis
Co-Chairman, House HESS Committee
House of Representatives
Committee on Health, Education & Social Services
Pouch V
Juneau, Alaska 99811

Dear Mr. Ellis:

I would like to offer my support for legislation HB 343. Representing a rural district I see this as an opportunity for the Alaska Department of Education to use the state's television capabilities to offer these language courses statewide. Along with the language, districts could purchase or copy selected videos on the history and culture of these countries.

Many districts are participating in the Sister-Schools project with some Pacific-Rim countries. The correspondence between students now is in English. This could change.

I see this legislation tying together Pacific Rim studies and the Sister-Schools programs and enhancing their relevancy for students.

Sincerely,

Sarah Hanuske-Hamilton
Superintendent

SHH:stc

Original sponsors: Ellis, Martin,
Brown, Boyer, et al.

1 IN THE HOUSE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2

CS FOR HOUSE BILL NO. 343 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act creating the Pacific Rim language study grant
7 fund."

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

9 * Section 1. PURPOSE. It is the purpose of this Act to

10 (1) assist the public school system to provide Pacific Rim
11 language study programs;

12 (2) encourage pupils in the study of Pacific Rim languages;

13 (3) promote growth in relations between the state and Pacific
14 Rim nations.

15 * Sec. 2. AS 14.30 is amended by adding new sections to read:

16 ARTICLE 9. PACIFIC RIM LANGUAGE STUDY GRANT FUND.

17 Sec. 14.30.700. PACIFIC RIM LANGUAGE STUDY GRANT FUND. (a) The
18 Pacific Rim language study grant fund is established. The department
19 may make grants from the fund to eligible districts in the public
20 school system for both written and spoken Pacific Rim language study
21 programs in grades K-12. Pacific Rim language study programs must be
22 in addition to and not in replacement of existing foreign language
23 programs.

24 (b) The department shall establish by regulation eligibility
25 criteria for receiving grants under this section. The department may
26 not award a grant to a district of the public school system under this
27 section for more than three consecutive fiscal years.

28 (c) In this section, "Pacific Rim languages" means Russian,
29 Tagalog, Chinese, Japanese, or Korean languages.

1 IN THE HOUSE

BY ELLIS, MARTIN, BROWN
AND BOYER

2

HOUSE BILL NO. 343

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act creating the Asian language study grant
7 fund."

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

9 * Section 1. PURPOSE. It is the purpose of this Act to

10 (1) assist the public school system to provide Asian language
11 study programs;

12 (2) encourage pupils in the study of Asian languages;

13 (3) promote growth in relations between the state and Pacific
14 Rim nations.

15 * Sec. 2. AS 14.30 is amended by adding new sections to read:

16 ARTICLE 9. ASIAN LANGUAGE STUDY GRANT FUND.

17 Sec. 14.30.700. ASIAN LANGUAGE STUDY GRANT FUND. (a) The Asian
18 language study grant fund is established. The department may make
19 grants from the fund to eligible districts in the public school system
20 for Asian language study programs in grades K-12. Asian language
21 study programs must be in addition to and not in replacement of exist-
22 ing foreign language programs.

23 (b) The department shall establish by regulation eligibility
24 criteria for receiving grants under this section. The department may
25 not award a grant to a district of the public school system under this
26 section for more than three consecutive fiscal years.

27 (c) For purposes of this section, "Asian language" means
28 Chinese, Japanese, or Korean languages.

C S H B

3 4 4 4

Original sponsor: Health, Education and
Social Services Committee

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 THE HOUSE

2

CS FOR HOUSE BILL NO. 344 (HESS)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the protection of persons with
7 disabilities and to disabled adults who are victims
8 of physical or sexual assault."

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

10 * Section 1. AS 09.65.150(a) is amended to read:

11 (a) The driver of a vehicle approaching a physically disabled
12 pedestrian who is carrying a white or metallic-colored cane, or using
13 special equipment for mobility, or using a service animal, shall take
14 precautions necessary to avoid injury to the pedestrian or the service
15 animal. A driver who fails to take necessary precautions and, as a
16 result, causes injury to the pedestrian or the service animal, or
17 causes property damage, is liable [IN DAMAGES] for the injury or
18 damage caused.

19 * Sec. 2. AS 11.76.130(a) is amended to read:

20 (a) A person commits the crime of interference with the rights
21 of a disabled person if the person intentionally prevents or restricts
22 (1) a physically or mentally disabled person from having
23 full and free pedestrian use of a street, highway, sidewalk, walkway,
24 or other thoroughfare, to the same extent that any other person has a
25 right to pedestrian use; or

26 (2) a physically disabled person from being accompanied or
27 assisted by a certified service animal, without an extra charge for
28 the service animal, in a common carrier, place of public accommoda-
29 tion, or other place to which the general public is invited, except as

1 provided in (b) of this section.

2 * Sec. 3. AS 47.24 is amended by adding new sections to read:

3 ARTICLE 2. PROTECTION OF DISABLED ADULTS.

4 Sec. 47.24.110. REPORTS OF PHYSICAL OR SEXUAL ASSAULT. (a) The
5 following persons who, in the performance of their professional
6 duties, have reasonable cause to believe that a disabled adult is a
7 victim of assault under AS 11.41.200 - 11.41.230 or sexual assault
8 under AS 11.41.410 - 11.41.420, and that the disabled adult is unable
9 to report the crime, shall promptly report the crime to the nearest
10 law enforcement agency:

- 11 (1) a physician or other licensed health care provider;
- 12 (2) a mental health professional as defined in AS 47.30.-
13 915;
- 14 (3) a pharmacist;
- 15 (4) an administrator or employee of a nursing home, resi-
16 dential care, or health care facility;
- 17 (5) a caretaker of the disabled adult;
- 18 (6) a guardian or conservator of the disabled adult;
- 19 (7) a police officer as defined in AS 18.65.290;
- 20 (8) a village public safety officer;
- 21 (9) a village health aide;
- 22 (10) a social worker;
- 23 (11) a member of the clergy;
- 24 (12) a staff employee of a program or project serving dis-
25 abled adults;
- 26 (13) a licensed foster care provider;
- 27 (14) a paid employee of a domestic violence and sexual
28 assault program or a crisis intervention and prevention program as
29 defined in AS 18.66.900;

1 (15) an employee of a homemaker program or home health aide
2 program;

3 (16) an emergency medical technician or paramedic in the
4 mobile intensive care program.

5 (b) A person who knowingly fails or refuses to make a report
6 required under (a) of this section is guilty of a class B misdemeanor.

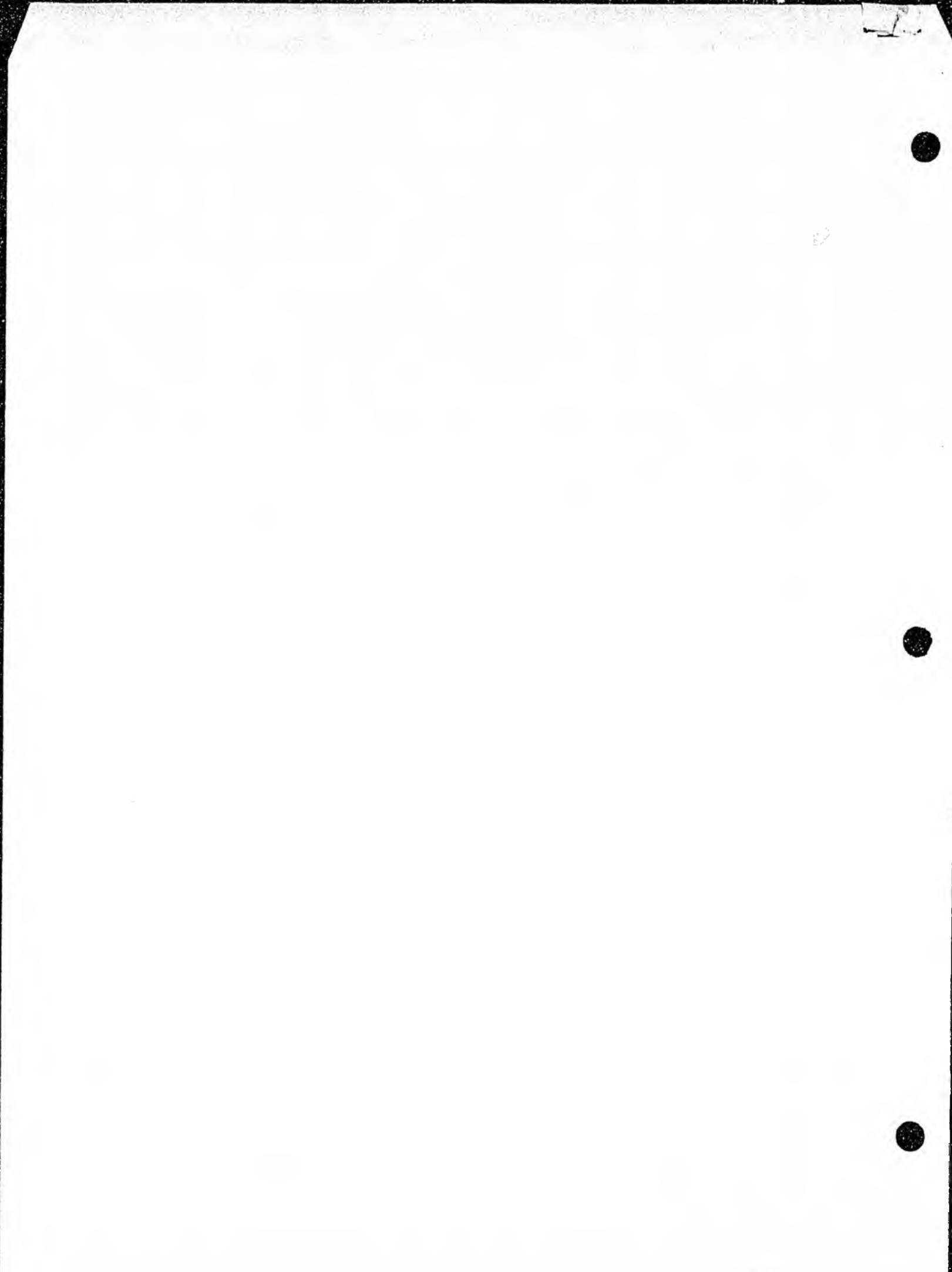
7 (c) In this section, "disabled adult" means a person 18 years of
8 age or older who has a physical or mental disability, or physical or
9 mental impairment, as defined in AS 18.80.300.

10 Sec. 47.24.120. IMMUNITY FROM LIABILITY; RETALIATION PROHIBITED.

11 (a) A person who in good faith makes a report under AS 47.24.110,
12 regardless of whether the person is required to do so, is immune from
13 civil or criminal liability that might otherwise be incurred or im-
14 posed for making the report.

15 (b) An employer or supervisor of a person who in good faith
16 makes a report under AS 47.24.110 may not discharge, demote, transfer,
17 reduce pay or benefits or work privileges of, prepare a negative work
18 performance evaluation of, or take other detrimental action against
19 the person because the person made the report. The person making the
20 report may bring a civil action for compensatory and punitive damages
21 against an employer or supervisor who violates this subsection. In
22 the civil action there is a rebuttable presumption that the detri-
23 mental action by the employer or supervisor was retaliatory if it was
24 taken within 90 days after the report was made.

25 * Sec. 4. AS 28.15.031(b)(4) is repealed.



STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CSHB 344 (HESS)
PUBLISH DATE: HOUSE 2/17/88

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Health & Social Services
 Title: relating to the rights of physically and mentally disabled persons BRU: _____
 Sponsor: HESS Committee Components: _____
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	-0-					
TRAVEL	-0-					
CONTRACTUAL	-0-					
SUPPLIES	-0-					
EQUIPMENT	-0-					
LAND & STRUCTURES	-0-					
GRANTS, CLAIMS	-0-					
MISCELLANEOUS	-0-					
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

The enactment of HB 344 would have no direct fiscal impact on the Department of Health & Social Services.

Prepared by: Mei Henry, Director of Mental Health & D.D.
 Division: Division of Mental Health & Develop. Svs.

Phone: 465-3370
 Date: 1/21/88

Approved by Commissioner: Myra Munson
 Agency: Health & Social Services

Date: 2-1-88

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

SENATE COMMITTEE REPORT

revd 4/28

FURTHER

FINANCE

4/28/88

DATE TURNED INTO OFFICE

Mr. President:

JUDICIARY

Committee considered

CSHB 344 (HESS)

protection of persons with disabilities and to disabled adults who are victims of physical or sexual assault

and recommended

[] replace with _____ CS _____) [] same title
[] or adopt _____ CS _____) [] new title

[] attached amendment(s) and

[] do pass

[] do not pass

[] no recommendation

[X] individual recommendations

[] further referral to _____

[] letter of intent adopted _____

Committee [X] attached or [] adopted fiscal note(s)

[] new [] updated or [X] previous

[X] zero [] fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Handwritten signatures of committee members: Joe Josephson, Robert Koley, Curtis Suplein, Jack...

Blank lines for other recommendations.

Chairman signature and recommendation

[] Committee Backup attached

SENATE COMMITTEE REPORT

FURTHER

JUDICIARY
FINANCE

3/16/88

DATE TURNED INTO OFFICE 4/28/88

Mr. President:

HESS

Committee considered CSHB 344 (HESS)

protection of persons with disabilities and to disabled adults who are victims of physical or sexual assault

and recommended

replace with _____ CS _____) same title
 or adopt _____ CS _____) new title

attached amendment(s) and

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted _____

Committee attached or adopted ~~fiscal note(s)~~

new updated or previous

zero fiscal impact

(whole)

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]
[Signature]
[Signature]
[Signature]

Paul Meike (Do Pass)
Chairman signature and recommendation

Committee Backup attached

HB

345



Date referred: 2/8/88

FURTHER REFERRALS:

DATE: 2-10-88

The Finance Committee has considered HB 345

"An Act relating to coroners' inquests; and providing for an effective date."

RECOMMENDS:

- replace with CS HB 345 (HESS) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published 2/8/88
- zero with analysis

SIGNING DO PASS:

Adams Al Adams

Purchot Pat Purchot

Larson Ronald Larson

Goll Jim Goll

Swack Bob Swack

Boyer Mark Boyer

Rieger Steve Rieger

Frank Don Frank

Wallis F. Key Wallis

Brown Tay Brown

Davis Mike Davis

SIGNING OTHER RECOMMENDATIONS:

Al Adams
Chairman's signature

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to
coroners' inquests;...
Sponsor: Adams and Taylor
Requestor: _____

Agency Affected: Health & Social Services
BRU: State Health Services
Components: EMS Certification and
Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
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						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

The enactment of HB 345 would have no direct fiscal impact on the Department of Health and Social Services.

Prepared by: Elizabeth Ward, Director *Elizabeth Ward* Phone: 465-3090
Division: Public Health Date: 1-19-88

Approved by Commissioner: Mrs. M. Mueser Date: Feb 1, 1988
Agency: Department of Health & Social Services

Distribution (by preparer):

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

STATE OF ALASKA 1988 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____

Bill Version: HB 345 (FIN)
Publish Date: 1/18/88

Revision Date:
Title: An act relating to coroner's inquests

Agency Affected: Alaska Court System
BRU: Trial Courts

Sponsor: Adams & Taylor
Requestor: House Finance

Components:

EXPENDITURES/REVENUES:		(Thousands of Dollars)					
	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93	
OPERATING							
Personal Services	
Travel	
Contractual	
Supplies	
Equipment	
Land & Structures	
Grants & Claims	
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	
CAPITAL	
REVENUE	

FUNDING:		(Thousands of Dollars)					
General Funds	0.0	0.0	0.0	0.0	0.0	0.0	
Federal Funds	.....	.....	.....	.....	.....	.....
Other	.....	.....	.....	.....	.....	.....
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	

POSITIONS:							
Full-time	.....	.....	.....	.....	.....	.....
Part-time	.....	.....	.....	.....	.....	.....
Temporary	.....	.....	.....	.....	.....	.....

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: *Jan Strandberg*
Jan Strandberg, General Counsel
Division: Alaska Court System

Phone: 264-8228
Date: 2-1-88

Approved by: *Stephanie Cole for*
Arthur H. Snowden, II, Administrative Director
Agency: Alaska Court System

Date: 2-1-88

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management & Budget
 - Impacted Agency(ies)
 - Senate Secretary

RECEIVED
FEB 1 1988
LEGISLATIVE FINANCE

12 345

Original sponsors: Adams, Taylor
and Koponen

1 IN THE HOUSE
2
3 CS FOR HOUSE BILL NO. 345 (HESS)
4 IN THE LEGISLATURE OF THE STATE OF ALASKA
5 FIFTEENTH LEGISLATURE - SECOND SESSION
6 A BILL
7 For an Act entitled: "An Act relating to coroners' inquests."
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
9 * Section 1. AS 12.65.020 is amended to read:
10 Sec. 12.65.020. DUTIES. (a) When a person dies unattended by a
11 physician, or when no physician is prepared to execute the certificate
12 of death prescribed by AS 18.50 (Vital Statistics Act) [THE VITAL
13 STATISTICS ACT], the coroner assigned to serve the place where the
14 death occurs may, by written order, direct a medical examiner to view
15 the remains of the deceased person and to perform the post mortem
16 examination, including an autopsy, necessary to make a proper deter-
17 mination of the cause of death and to execute the prescribed death
18 certificate. When the medical examiner has completed [UPON THE COM-
19 PLETION OF] the examination, the examiner shall, without delay, submit
20 a report of the findings and conclusions to the coroner.
21 (b) The coroner may [SHALL] order an inquest under this chapter
22 if the findings and conclusions of the medical examiner, together with
23 other information available to the coroner, warrant the inquest.
24 Otherwise the coroner shall enter an order dispensing with the inquest
25 and shall record the certificate of death as prescribed by law.
26 * Sec. 2. AS 12.65.040 is repealed and reenacted to read:
27 Sec. 12.65.040. INQUIRY INTO CAUSE OF DEATH. (a) When in-
28 formed that a person has been killed by another or has died under cir-
29 cumstances that afford a reasonable ground to suspect that the death
is the result of a crime or suicide, the coroner may inquire under

1 AS 12.65.050 - 12.65.090 into the cause and manner of death.

2 (b) In deciding whether to conduct an inquest, the coroner shall
3 make a preliminary examination or direct a peace officer to conduct
4 the examination and report findings. On the basis of the preliminary
5 examination, the coroner shall determine whether an inquest is war-
6 ranted and, if warranted, conduct the inquest.

7 (c) This section does not apply if the death will be inquired
8 into by a grand jury.

STATE OF ALASKA 1988 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: _____ Bill Version: HB 345(FIN)
Publish Date: 1/18/88

Revision Date: _____ Agency Affected: Alaska Court System
Title: An act relating to coroner's BRU: Trial Courts
 inquests
Sponsor: Adams & Taylor Components:
Requestor: House Finance

EXPENDITURES/REVENUES:		(Thousands of Dollars)					
	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93	
OPERATING							
Personal Services	
Travel	
Contractual	
Supplies	
Equipment	
Land & Structures	
Grants & Claims	
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	
CAPITAL	
REVENUE	

FUNDING:		(Thousands of Dollars)					
General Funds	0.0	0.0	0.0	0.0	0.0	0.0	
Federal Funds	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Other	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	

POSITIONS:							
Full-time	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Part-time	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Temporary	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: *Jan Strandberg* Jan Strandberg, General Counsel Phone: 264-8228
Division: Alaska Court System Date: 2-1-83

Approved by: *Stephanie Cole for* Arthur H. Snowden, II, Administrative Director Date: 2-1-88
Agency: Alaska Court System

- Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management & Budget
 Impacted Agency(ies)
 Senate Secretary

RECEIVED
FEB 4 1988
LEGISLATIVE FINANCE

HB 345



Official Business

Alaska State Legislature

House of Representatives

Al Adams
Chairman
Committee on Finance

WHILE IN SESSION
P.O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-3706

OUT OF SESSION
P.O. Box 333
Kotzebue, Alaska 99752
(907) 442-3320

1024 W. 6th
Anchorage, Alaska 99501
(907) 274-0615

DATE: February 9, 1988

TO: Finance Committee Members

FROM: Representative Al Adams, Chairman
House Finance Committee

RE: HB 345, "An Act relating to coroners' inquests;
and providing for an effective date."

The intent of this bill is to allow coroners the discretion in cases where the cause of death is clear, but statutes demand inquest proceedings, to be able to decide not to hold the inquest proceedings.

In particular, situations have arisen in my district in cases of suicide where the preponderance of evidence left no doubt of the cause of death, but coroners were left no discretionary ability. The inquest process put families of the deceased through unnecessary grief and incurred costs to a court system already functioning with a minimum of staff.

Beyond remedying this situation, there is another problem in the state of a lag time between suicidal deaths and that information being obtained by the Bureau of Vital Statistics. This has occurred because of the inquest procedure in these cases delaying information being given to the Bureau. One problem cited in The Daily News series on suicides among Alaska Natives touched on this issue of inaccurate records of suicidal deaths because of this delay.

Position Paper

CS HB 345 *Ken*

For an Act entitled: "An Act relating to coroners' inquests; and providing for an effective date."

This Act amends AS 12.64 to allow the coroner discretion in deciding the need for an inquiry in the case of a death where the deceased is unattended by a physician or when no physician is prepared to execute the certificate of death. It further allows the coroner discretion in deciding the need for a formal inquiry in the case of a death that may have been occasioned by criminal means.

This increased coroner discretion will prevent the time and expense of unwarranted inquiries.

Position

This bill would have no direct impact on the Department of Health and Social Services. The position of the department is neutral.

Recommended by: *Elizabeth Ward*
Elizabeth Ward, M.N.
Director
Division of Public Health

Date: *January 19, 1988*

Approved by: *Myra M. Munson*
Myra M. Munson
Commissioner
Department of Health and
Social Services

Date: *Feb 1, 1988*



Alaska Court System
State of Alaska
OFFICE OF ADMINISTRATIVE DIRECTOR

JANALEE R. STRANDBERG
Staff Counsel

303 K Street
Anchorage, AK 99501
(907) 284-8228

January 21, 1988

Representative Albert P. Adams
Alaska State Legislature
P. O. Box V
Juneau, AK 99811

Re: Act relating to coroners' inquests


Dear Representative Adams:

Thank you for this opportunity to comment on proposed legislation which would give coroners/public administrators the discretion to hold inquests in certain cases involving death by criminal means or suicide. The court system favors the concept of giving coroners/public administrators and magistrates discretion to dispense with inquests in these kinds of cases. We believe that guidance for the exercise of this discretion as well as a review process can be effected by court rule.

We also have two technical comments about this legislation. First, in section one, line 21, the change of the word "shall" to "may" could be interpreted to allow a coroner to dispense with an inquest even when the findings and information warrant an inquest. Because the discretionary nature of the inquest is clarified in the changes in section two, the present use of the word "shall" should be sufficient. Second, in section two, at lines 5 and 6, the phrase "unless the death is or will be inquired into by the grand jury, in which case an inquest by jury under this section is not required" should be deleted because the coroner is being given the discretion to hold inquests in these cases.

I would be happy to discuss this bill further with you or answer any questions you have.

Sincerely,


Janalee R. Strandberg
Staff Counsel

JRS:bh

1/29/88-7

Original sponsors: Adams, Taylor
and Koponen

1 IN THE HOUSE BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR HOUSE BILL NO. 345 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to coroners' inquests."

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

8 * Section 1. AS 12.65.020 is amended to read:

9 Sec. 12.65.020. DUTIES. (a) When a person dies unattended by a
10 physician, or when no physician is prepared to execute the certificate
11 of death prescribed by AS 18.50 (Vital Statistics Act) [THE VITAL
12 STATISTICS ACT], the coroner assigned to serve the place where the
13 death occurs may, by written order, direct a medical examiner to view
14 the remains of the deceased person and to perform the post mortem
15 examination, including an autopsy, necessary to make a proper deter-
16 mination of the cause of death and to execute the prescribed death
17 certificate. When the medical examiner has completed [UPON THE COM-
18 PLETION OF] the examination, the examiner shall, without delay, submit
19 a report of the findings and conclusions to the coroner.

20 (b) The coroner may [SHALL] order an inquest under this chapter
21 if the findings and conclusions of the medical examiner, together with
22 other information available to the coroner, warrant the inquest.
23 Otherwise the coroner shall enter an order dispensing with the inquest
24 and shall record the certificate of death as prescribed by law.

25 * Sec. 2. AS 12.65.040 is repealed and reenacted to read:

26 Sec. 12.65.040. INQUIRY INTO CAUSE OF DEATH. (a) When in-
27 formed that a person has been killed by another or has died under cir-
28 cumstances that afford a reasonable ground to suspect that the death
29 is the result of a crime or suicide, the coroner may inquire under

1 AS 12.65.050 - 12.65.090 into the cause and manner of death.

2 (b) In deciding whether to conduct an inquest, the coroner shall
3 make a preliminary examination or direct a peace officer to conduct
4 the examination and report findings. On the basis of the preliminary
5 examination, the coroner shall determine whether an inquest is war-
6 ranted and, if warranted, conduct the inquest.

7 (c) This section does not apply if the death will be inquired
8 into by a grand jury.

1 IN THE HOUSE

BY ADAMS AND TAYLOR

2

HOUSE BILL NO. 345

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

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

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

9 * Section 1. AS 12.65.020 is amended to read:

10 Sec. 12.65.020. DUTIES. When a person dies unattended by a
11 physician, or when no physician is prepared to execute the certificate
12 of death prescribed by AS 18.50 (Vital Statistics Act) [THE VITAL
13 STATISTICS ACT], the coroner assigned to serve the place where the
14 death occurs may, by written order, direct a medical examiner to view
15 the remains of the deceased person and to perform the post mortem
16 examination, including an autopsy, necessary to make a proper deter-
17 mination of the cause of death and to execute the prescribed death
18 certificate. Upon the completion of the examination, the examiner
19 shall, without delay, submit a report of the findings and conclusions
20 to the coroner. The coroner may [SHALL] order an inquest under this
21 chapter if the findings and conclusions of the medical examiner,
22 together with other information available to the coroner, warrant the
23 inquest. Otherwise the coroner shall enter an order dispensing with
24 the inquest and shall record the certificate of death as prescribed by
25 law.

26 * Sec. 2. AS 12.65.040 is amended to read:

27 Sec. 12.65.040. INQUIRY INTO CAUSE OF DEATH. When [THE CORONER
28 SHALL, WHEN] informed that a person has been killed by another or has
29 suddenly died under such circumstances as to afford a reasonable

1 ground to suspect that the death has been occasioned by criminal means
2 or the person has committed suicide, the coroner may inquire by the
3 intervention of a jury into the cause and manner of the death, and
4 shall perform other related duties in the manner prescribed by law,
5 unless the death is or will be inquired into by the grand jury, in
6 which case an inquest by jury under this section is not required. The
7 coroner shall go to the place where the dead person is, or, in the
8 alternative, arrange for a peace officer to do so and report peace
9 officer's findings to the coroner, on the basis of which the coroner
10 may proceed with an inquest if an inquest is warranted.

11 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c)

S S H B

3 4 6

HOUSE COMMITTEE REPORT

Date referred: 3/16/88

FURTHER REFERRALS:

DATE: 3-21-88

The Finance Committee has considered SSHB 346

"An Act authorizing the Board of Fisheries to establish noncommercial fishing seasons and areas for children and elderly persons; and providing for an effective date."

RECOMMENDS:

- replace with CS SS HB 346 (Res) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note ^{2/10/88}_{2/11/88} same as previous zero fiscal note published 3/16/88
- zero with analysis

SIGNING DO PASS:

Adams Ale Adams

Pouchot Karl Pouchot

Gall John Gall

SWACK Ed Swack

Boyer Mark Boyer

Larson Ronald Larson

Wallis Ray Wallis

Davis Michael Davis

SIGNING OTHER RECOMMENDATIONS:

Rieger Steve Rieger

Brown Tay Brown No Rec

Frank Frank No Rec.

Ale Adams
Chairman's signature

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: An act authorizing the Board of Fisheries to establish noncommercial fishing seasons...
 Sponsor: Adams, Goll
 Requestor: House Resources

Agency Affected: Public Safety
 BRU: Fish & Wildlife Protection
 Components: Enforcement

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

No fiscal impact is anticipated.

JNR
2/10/88

Prepared by: Captain Conrad G. Seibel *C. Seibel* Phone: 269-5509
 Division: Fish & Wildlife Protection Date: 2/2/88
 Approved by Commissioner: David H. ... Date: 2-11-88
 Agency: Department of Public Safety

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

RECEIVED
FEB 11 1988

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Fish and Game
 Title: Authorizing Bd. of Fish to BRU: Boards
establish fishing areas for children & elderly
 Sponsor: Adams and Goll Components: _____
 Requestor: House Resources

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

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)

Prepared by: Beth Stewart Phone: 465-4100
 Division: Boards Date: 2/11/88

Approved by Commissioner: [Signature] Date: 2/11/88
 Agency: Fish and Game

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

DECISION
 FEB 19 1988
 LEGISLATIVE FINANCE

FILE 3/1/88

Original sponsors: Adams, Goll
and Wallis

1 IN THE HOUSE BY THE RESOURCES COMMITTEE
2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 346 (Resources)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FIFTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act authorizing the Board of Fisheries to estab-
7 lish noncommercial fishing seasons and areas for
8 elderly persons; and providing for an effective
9 date."

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

11 * Section 1. FINDINGS. The legislature finds that many people 60 years
12 of age and older may need separate seasons and areas in order to continue
13 sport, personal use, or subsistence fishing because they are generally less
14 able to gain access to fishing areas that may be open to all age groups.

15 * Sec. 2. AS 16.05.251(a) is amended to read:

16 (a) The Board of Fisheries may adopt regulations it considers
17 advisable in accordance with the Administrative Procedure Act (AS 44.-
18 62) for

19 (1) setting apart fish reserve areas, refuges, and sanctu-
20 aries in the waters of the state over which it has jurisdiction,
21 subject to the approval of the legislature;

22 (2) establishing open and closed seasons and areas for the
23 taking of fish; if consistent with resource conservation and develop-
24 ment goals, the board may adopt regulations establishing restricted
25 seasons and areas necessary for persons 60 years of age and older to
26 participate in sport, personal use, or subsistence fishing;

27 (3) setting quotas, bag limits, harvest levels, and sex and
28 size limitations on the taking of fish;

29 (4) establishing the means and methods employed in the

1 pursuit, capture, and transport of fish;

2 (5) establishing marking and identification requirements
3 for means used in pursuit, capture, and transport of fish;

4 (6) classifying as commercial fish, sport fish, personal
5 use fish, subsistence fish, or predators or other categories essential
6 for regulatory purposes;

7 (7) watershed and habitat improvement, and management,
8 conservation, protection, use, disposal, propagation, and stocking of
9 fish;

10 (8) investigating and determining the extent and effect of
11 disease, predation, and competition among fish in the state, exercis-
12 ing control measures considered necessary to the resources of the
13 state;

14 (9) prohibiting and regulating the live capture, posses-
15 sion, transport, or release of native or exotic fish or their eggs;

16 (10) establishing seasons, areas, quotas, and methods of
17 harvest for aquatic plants;

18 (11) establishing the times and dates during which the
19 issuance of fishing licenses, permits, and registrations and the
20 transfer of permits and registrations between registration areas is
21 allowed; however, this paragraph does not apply to permits issued or
22 transferred under AS 16.43;

23 (12) regulating commercial, sport, subsistence, and personal
24 use fishing as needed for the conservation, development, and utiliza-
25 tion of fisheries;

26 (13) requiring, in a fishery, observers on board fishing
27 vessels, as defined in AS 16.05.475(d), that are registered under the
28 laws of the state, as defined in AS 16.05.475(c), after making a
29 written determination that an on-board observer program

1 (A) is the only practical data-gathering or enforce-
2 ment mechanism for that fishery;
3 (B) will not unduly disrupt the fishery;
4 (C) can be conducted at a reasonable cost; and
5 (D) can be coordinated with observer programs of other
6 agencies, including the National Marine Fisheries Service, North
7 Pacific Fishery Management Council, and the International Pacific
8 Halibut Commission;
9 (14) establishing nonexclusive, exclusive, and superexclu-
10 sive registration and use areas for regulating commercial fishing.
11 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Public Safety
 Title: An act authorizing the Board of Fisheries to establish noncommercial fishing seasons... BRU: Fish & Wildlife Protection
 Sponsor: Adams, Goll Components: Enforcement
 Requestor: House Resources

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

No fiscal impact is anticipated.

JNR
2/10/88
 Prepared by: Captain Conrad G. Seibel *C. Seibel* Phone: 269-5509
 Division: Fish & Wildlife Protection Date: 2/2/88
 Approved by Commissioner: [Signature] Date: 2-11-88
 Agency: Department of Public Safety

Distribution (by preparer):

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

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Fish and Game
 Title: Authorizing Bd. of Fish to BRU: Boards
establish fishing areas for children & elderly
 Sponsor: Adams and Goll Components: _____
 Requestor: House Resources

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

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)

Prepared by: Beth Stewart *BS* Phone: 465-4100
 Division: Boards Date: 2/11/88

Approved by Commissioner: *Wmua* Date: 2/11/88
 Agency: Fish and Game

Distribution (by preparer) :
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Boards	BILL NUMBER HB 346	SPONSOR Adams & Goll
SHORT TITLE OF BILL An act authorizing the Board of Fisheries to establish noncommercial fishing seasons and areas for children and elderly persons; and providing and providing for an effective date.			
DEPARTMENT POSITION Neutral			
PREPARED BY Beth Stewart	DATE 2/11/88	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 2/11/88

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Board of Fisheries	CONSTITUENT GROUP(S) AFFECTED BY BILL Fishermen
ORGANIZATIONAL SUPPORT FOR BILL Unknown	ORGANIZATIONAL OPPOSITION TO BILL Unknown

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

Introduced by Adams & Goll

ANALYSIS OF BILL/PROGRAM EFFECTS

In the past, the board has received proposals to establish restricted areas and seasons for people in certain age groups, or for those with physical handicaps. The Attorney General's Office advised the board that those proposals were beyond the scope of their authority. This bill would clarify that authority. In addition, there have been questions about the constitutionality of such arrangements under the exclusive fisheries or equal protection clauses of the Alaska Constitution. To address these concerns, the Attorney General's Office has suggested that the legislation include a set of findings in the bill sufficient to justify the special treatment of these groups.

AMENDMENTS PROPOSED

RECEIVED
FEB 12 1988

LEGISLATIVE FINANCE

Alaska State Legislature
House of Representatives



Official Business

Al Adams
Chairman
Committee on Finance

WHILE IN SESSION
P.O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-3706

OUT OF SESSION
P.O. Box 333
Kotzebue, Alaska 99752
(907) 442-3320

1024 W. 6th
Anchorage, Alaska 99501
(907) 274-0615

DATE: January 29, 1988

TO: Representative Adelheid Herrmann
Co-chair, House Resources Committee

Representative Sam Cotton
Co-chair, House Resources Committee

FROM: Representative Al Adams, ^{AAA}Chair
House Finance Committee

RE: HB 346 "An Act Authorizing the Board of Fisheries to establish noncommercial fishing seasons and areas for children and elderly persons; and providing for an effective date."

I would like to request that HB 346 be scheduled in the Resources Committee at your earliest convenience.

This bill would allow the Board of Fisheries to open closed fishing areas to elderly residents and children under age 12 as long as those decisions meet conservation goals. The type of fishing allowed would be limited to personal use, sport and subsistence fishing.

Concerns emerged in Unalakleet as well as other areas of the state where rivers were closed to fishing but continued sport and subsistence fishing by residents in the aforementioned age groups would not harm conservation efforts. The Board of Fisheries lacked the statutory authority to grant exemptions. This bill would provide it.

Attached is a legal interpretation which supports the constitutionality of the bill. Also attached is a statement from the Department of Fish and Game.

Kotzebue's Fish and Game Advisory Committee and the Southern Norton Sound Fish and Game Advisory Committee have expressed verbal support and will send written endorsement later this month following their next meetings.

STEVE COWPER, GOVERNOR

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

P.O. BOX 3-2000
JUNEAU, ALASKA 99802
PHONE: (907) 465-4100

January 29, 1988

The Honorable Al Adams
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

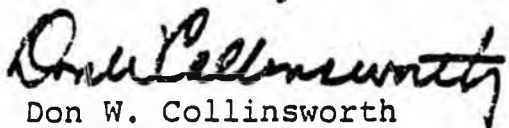
Dear Representative Adams:

The department has reviewed HB 346 authorizing the Board of Fisheries to establish noncommercial fishing seasons and areas for children and elderly persons, and have the following comments.

In the past, the board has received proposals to establish restricted areas and seasons for people in certain age groups, or for those with physical handicaps. The Attorney General's Office advised the board that those proposals were beyond the scope of their authority. This bill would clarify that authority. In addition, there have been questions about the constitutionality of such arrangements under the exclusive fisheries or equal protection clauses of the Alaska Constitution. To address these concerns, the Attorney General's Office has suggested that the legislation include a set of findings in the bill sufficient to justify the special treatment of these groups.

If the Legislature wishes to give the board this authority, I am certain that the board will consider any proposals it receives for these types of fisheries.

Sincerely,



Don W. Collinsworth
Commissioner

STATE OF ALASKA
THE LEGISLATURE

POUCH 1 STATE CAPITOL
UNIVERSAL ALASKA PAPER
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 26, 1988

SUBJECT: Constitutionality of HB 346
TO: Representative Al Adams
FROM: Edward H. Hein *EH*
 Legislative Counsel

You have asked whether HB 346 is constitutional. The bill authorizes the Board of Fisheries to establish restricted noncommercial fishing seasons and areas for children and elderly persons, if consistent with resource conservation goals and if necessary to assist these two groups to participate in sport, personal use, or subsistence fishing.

The authorization provided in the bill is consistent with the mandate of Art. VIII, secs. 1, 2, 4, and 5 of the Alaska Constitution. These sections provide (emphasis supplied):

SECTION 1. STATEMENT OF POLICY. It is the policy of the State to encourage the settlement of its land and the development of its resources by making them available for maximum use consistent with the public interest.

SECTION 2. GENERAL AUTHORITY. The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.

SECTION 4. SUSTAINED YIELD. Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.

SECTION 5. FACILITIES AND IMPROVEMENTS. The legislature may provide for facilities, improvements, and services to

Representative Al Adams

Page 2

January 26, 1988

assure greater utilization, development, reclamation, and settlement of lands, and to assure fuller utilization and development of the fisheries, wildlife, and waters.

In keeping with this constitutional mandate, the authority given to the Board of Fisheries is clearly for a public purpose and is very narrowly drawn. The exercise of the board's power is subject to two conditions: the establishment of restricted seasons and areas must be consistent with resource conservation goals, and must also be necessary in order to help children and the elderly to participate in noncommercial fishing. In other words, the circumstances must be such that these groups would not be able to participate adequately in fishing without this sort of assistance from the board.

It is envisioned that areas which would be set aside for children and elderly persons would be areas that otherwise would not be open to the public. These would be areas in which the fish stocks could not withstand extensive effort beyond that anticipated by children and the elderly. An example would be a creek in Anchorage that is not currently open to fishing, but which could serve nicely as a place for children to learn how to fish.

Finally, although virtually any law that allows a government agency to give special treatment to certain groups has a potential for abuse, the board is required to exercise its authority in a manner consistent with the constitution. The regulations adopted should not be any more restrictive or discriminatory than necessary to accomplish the goals of the legislation. It is assumed, moreover, that the board will act in accordance with the legal advice of the Attorney General's office.

EHH:bb
wkb2/005

formal hearing has been concluded. (Eff. 3/25/83, Reg. 85)

Authority: AS 16.05.340 AS 16.05.460
AS 16.05.380 AS 43.05.080
AS 16.05.390 AS 44.25.020

15 AAC 116.070. FEES, REPORTS, AND LICENSE INVENTORY DUE WHEN LICENSE OFFICER APPOINTMENT EXPIRED, SUSPENDED, OR REVOKED. The reporting and accounting obligations of the license officer, all money collected, except the license officer's commission, and all license inventory are due by the last day of the month following the month during which the license officer appointment expired, was suspended, or was revoked. (Eff. 3/25/83, Reg. 85)

Authority: AS 16.05.340 AS 16.05.460
AS 16.05.380 AS 43.05.080
AS 16.05.390 AS 44.25.020

ARTICLE 2. LICENSING

Section

- 100. Qualifications for license and proof of qualification
- 110. Persons exempt from licensing requirements
- 120. Refund of license fees
- 130. Lost or destroyed licenses

15 AAC 116.100. QUALIFICATIONS FOR LICENSE AND PROOF OF QUALIFICATION. (a) Only natural persons may be issued licenses under AS 16.05 and this chapter.

(b) An applicant claiming entitlement to a resident license or special status license has the burden of proving to the license officer that he is entitled to the license and shall take an oath administered by the license officer certifying the truthfulness of the applicant's status.

(c) The license officer shall accept as adequate proof of residency an Alaska driver's license, voter registration card, school records, proof of home ownership or rental receipts, tax records, employment records, or court or other governmental agency records, showing that the applicant is a resident. (Eff. 3/25/83, Reg. 85)

Authority: AS 16.05.330 AS 43.05.080
AS 16.05.360 AS 44.25.020
AS 16.05.450

15 AAC 116.110. PERSONS EXEMPT FROM LICENSING REQUIREMENTS. (a) A person who is 60 years of age or older and who has been a resident of Alaska for one year or more, and is currently a resident, may apply for a permanent identification card from the department for purposes of AS 16.05.400. In this subsection, "one year" means any 12-consecutive-month period preceding the date of application.

(b) A person who has lawfully obtained a permanent identification card under (a) of this section is not required to obtain hunting, fishing, or trapping licenses to engage in those activities.

(c) If a person who has been issued a permanent identification card ceases to be a resident of Alaska, that person must surrender the card to the department. (Eff. 3/25/83, Reg. 85; am 6/17/84, Reg. 90)

Authority: AS 16.05.400
AS 43.05.080
AS 44.25.020

15 AAC 116.120. REFUND OF LICENSE FEES. (a) License officers may not refund license fees. A person who wishes a refund of a license fee must apply directly to the department.

(b) A refund of a license fee will be granted by the department only if the licensee or his representative demonstrates that

(1) he or she was unable to make any use of the license as a result of death, or serious, disabling illness or injury occurring after purchase of the license and before the opening of any season for which the license could have been used; in the case of illness or injury, the illness or injury must have lasted until all seasons for which the license could be used are closed;

(2) the opening of all seasons to which the license applied were permanently cancelled, rendering the license unusable at any time during the year for which it was issued; or

(3) other extraordinary circumstances beyond the control and reasonable anticipation of the licensee exist, which the department determines to justify a refund.

1 IN THE HOUSE

BY ADAMS AND GOLL

2

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 346

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act authorizing the Board of Fisheries to estab-
lish noncommercial fishing seasons and areas for
children and elderly persons; and providing for an
effective date."

7

8

9

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

11

* Section 1. AS 16.05.251(a) is amended to read:

12

(a) The Board of Fisheries may adopt regulations it considers
advisable in accordance with the Administrative Procedure Act (AS 44.-
62) for

13

14

15

(1) setting apart fish reserve areas, refuges, and sanctu-
aries in the waters of the state over which it has jurisdiction,
subject to the approval of the legislature;

16

17

18

(2) establishing open and closed seasons and areas for the
taking of fish; if consistent with resource conservation goals and
necessary to assist children and elderly persons to participate in
sport, personal use, and subsistence fishing, the board may adopt
regulations establishing restricted seasons and areas for persons 12
years of age and younger and 60 years of age and older;

19

20

21

22

23

24

(3) setting quotas, bag limits, harvest levels, and sex and
size limitations on the taking of fish;

25

26

(4) establishing the means and methods employed in the
pursuit, capture, and transport of fish;

27

28

(5) establishing marking and identification requirements
for means used in pursuit, capture, and transport of fish;

29

1 (6) classifying as commercial fish, sport fish, personal
2 use fish, subsistence fish, or predators or other categories essential
3 for regulatory purposes;

4 (7) watershed and habitat improvement, and management,
5 conservation, protection, use, disposal, propagation, and stocking of
6 fish;

7 (8) investigating and determining the extent and effect of
8 disease, predation, and competition among fish in the state, exercis-
9 ing control measures considered necessary to the resources of the
10 state;

11 (9) prohibiting and regulating the live capture, posses-
12 sion, transport, or release of native or exotic fish or their eggs;

13 (10) establishing seasons, areas, quotas, and methods of
14 harvest for aquatic plants;

15 (11) establishing the times and dates during which the
16 issuance of fishing licenses, permits, and registrations and the
17 transfer of permits and registrations between registration areas is
18 allowed; however, this paragraph does not apply to permits issued or
19 transferred under AS 16.43;

20 (12) regulating commercial, sport, subsistence, and personal
21 use fishing as needed for the conservation, development, and utiliza-
22 tion of fisheries;

23 (13) requiring, in a fishery, observers on board fishing
24 vessels, as defined in AS 16.05.475(d), that are registered under the
25 laws of the state, as defined in AS 16.05.475(c), after making a
26 written determination that an on-board observer program

27 (A) is the only practical data-gathering or enforce-
28 ment mechanism for that fishery;

29 (B) will not unduly disrupt the fishery;

1 (C) can be conducted at a reasonable cost; and
2 (D) can be coordinated with observer programs of other
3 agencies, including the National Marine Fisheries Service, North
4 Pacific Fishery Management Council, and the International Pacific
5 Halibut Commission;

6 (14) establishing nonexclusive, exclusive, and superexclu-
7 sive registration and use areas for regulating commercial fishing.

8 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).