

ALASKA LEGISLATURE COMMITTEE BILL FILES - 1987 - 1988 8879

CSHB 523, HB 526 ~~Final~~ 390

C S H B

5 2 3

SENATE COMMITTEE REPORT

FURTHER

DATE TURNED INTO OFFICE 5/2/88

4/7/88
Mr. President:

Finance Committee considered CSHB 523 (L&C)

preference for recycled products in state, municipal, and school district procurements

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

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Handwritten signatures: J. Z. ...]

[Handwritten signature: J. ...]

[Handwritten signature: ...]

[Handwritten signature: ...]

[Handwritten signature: W. Kennedy]

[Handwritten signature: Rick Halford]

Chairman signature and recommendation

Committee Backup attached

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CSHB 523 (L&C)
PUBLISH DATE: HOUSE 3/28/88

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act relating to procurement preference for certain products"
Sponsor: Representative Frank
Requestor: State Affairs Committee

Agency Affected: Commerce & Econ. Dev.
BRU: Division of Business Development

Components: _____

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)
CS HB 523 (L&C) extends a product preference for recycled products whenever they are of comparable quality of equivalent price and appropriate for the intended use. The preference applies to municipalities and school districts as well as the state. The implementation of this legislation will be handled within the division budget at this time.

Prepared by: Larry Mercurieff, Director
Division: Business Development
Phone: 465-2017
Date: March 24, 1988

Approved by Commissioner: J. Anthony Smith
Agency: Department of Commerce & Economic Development
Date: March 24, 1988

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

Original sponsors: Frank and Menard

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR HOUSE BILL NO. 523 (L&C)

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 a preference for recycled products in state, municipal, and school district procurements."

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8

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

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* Section 1. AS 14.03 is amended by adding a new section to read:

11

Sec. 14.03.085. PROCUREMENT PREFERENCE. A school district shall comply with AS 29.71.040, except that in AS 29.71.040(a) - (e) and (g), "municipal" and "municipality" are read as "school district." In this section, "school district" does not include regional educational attendance areas.

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* Sec. 2. AS 29.10.200 is amended by adding a new paragraph to read:

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(49) AS 29.71.040 (procurement preferences)

18

* Sec. 3. AS 29.71 is amended by adding a new section to read:

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Sec. 29.71.040. PROCUREMENT PREFERENCES. (a) Alaska recycled products shall be used in municipal procurements when the products are of comparable quality, of equivalent price, and appropriate for the intended use.

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(b) Unless the procurement is governed by AS 36.15.050, in the evaluation of a bid or proposal for a procurement by a municipality, if a bid or proposal designates the use of recycled Alaska products for the products identified in the contract specifications, and if the recycled Alaska products meet the contract specifications, the bid or offer shall be decreased by the percentage of preference given to the recycled Alaska products under AS 36.30.332.

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1 (c) The contract specifications for a municipal procurement must
2 include a provision that describes the preference granted under (b) of
3 this section.

4 (d) If a successful bidder or offeror who receives the prefer-
5 ence under (b) of this section fails to use the designated recycled
6 Alaska product for a reason within the control of the successful
7 bidder or offeror, each payment under the contract shall be reduced by
8 the percentage reduction scheduled under AS 36.30.330(a) for the
9 classification the product has received under AS 36.30.332.

10 (e) In the evaluation of a bid or proposal for a municipal
11 procurement, a person is not a responsible bidder or offeror if,
12 during two contracts for which the person received a preference under
13 (b) of this section during the preceding three years, the person
14 failed to use the recycled Alaska product designated in the person's
15 bids or proposals for the contracts for reasons within the control of
16 the bidder or offeror.

17 (f) This section applies to home rule and general law municipal-
18 ities.

19 (g) In this section, "recycled Alaska product" has the meaning
20 given in AS 36.30.338.

21 * Sec. 4. AS 36.30.324 is amended to read:

22 Sec. 36.30.324. USE OF ALASKA PRODUCTS. Alaska products shall
23 be used whenever practicable in procurements for an agency. Recycled
24 Alaska products shall be used when they are of comparable quality, of
25 equivalent price, and appropriate for the intended use.

26 * Sec. 5. AS 36.30.332(a) is amended to read:

27 (a) The commissioner of commerce and economic development shall
28 adopt regulations establishing the value added in the state for mate-
29 rials and supplies produced or manufactured in the state that are used

1 in a state procurement and establishing whether a product qualifies as
2 a recycled Alaska product. The commissioner [AND] shall publish a
3 list of the products annually. A supplier may request inclusion of
4 its product on the appropriate list.

5 * Sec. 6. AS 36.30.338 is amended by adding a new paragraph to read:

6 (4) "recycled Alaska product" means an Alaska product of
7 which not less than 50 percent of the value of the product consists of
8 a product that was previously used in another product, if the re-
9 cycling process is done in the state.

Alaska State Legislature

STEVE FRANK

DISTRICT 20A
Finance Committee

1125 Sunset Drive
Fairbanks, Alaska 99701



While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3709

House of Representatives

TO: House Finance Committee

FROM: Rep. Steve Frank

RE: **HB 523** - "An Act relating to a preference for recycled products in state, municipal, and school district procurements."

DATE: March 24, 1988

House Bill 523 would statutorily recognize recycled products under the state product preference code and extend the recycled preference to include municipalities and municipal school districts.

While recycled products would probably fall under the state's existing Alaska Product Preference Code, I believe it is important to singularly identify them in state law. Presently the only recycling operation in the state is located in Fairbanks; however, other such businesses would undoubtedly spring up depending on the success of recycling.

A second aspect of this legislation is to include municipalities and municipal school districts in the recycled product preference. Since the state and local governments are major purchasers of goods and services, we think that it is appropriate for them to make an extra effort to purchase Alaska recycled products when those products are "of comparable quality, of equivalent price, and appropriate for the intended use."

Recycling waste materials is prudent and timely. Currently, approximately 30 states either have existing recycled products preferences or are considering them. This industry can create new jobs for Alaskan workers. For example, the Fairbanks North Star Borough land fill was recently contracted to a private businessman who is recycling municipal garbage. The number of employees at that operation increased from nine, under Borough management, to twenty-five now that the plant is recycling.

Thank you for your consideration.

HOUSE FINANCE BACK-UP

The BidNet Link

Communication Between Buyer and Seller

The Importance of Buying Recycled Products

By Richard Keller and Nancy Vandenberg

The long-homeless garbage barge dramatized the social and political problems associated with solid waste disposal. Yet, even without the drama, there is sufficient cause for concern. According to a recent study for the Environmental Protection Agency (EPA) by Franklin Associates, Ltd., the United States produced 133 million tons of garbage in 1984; and it is predicted that this total will rise to 141 million tons in 1990. Although the capacity of resource recovery incinerators is expected to double during the same period, in 1990 there will still remain 128 million tons—or 41,290 bargeloads—of waste material for other disposal. As a consequence, states and cities all across the country are embracing recycling as a key waste management strategy.

Recycling will not work, however, if there are not adequate markets for the materials to be collected. One way to create these markets is to increase demand for products made with recycled content. In the "Post Barge Era," the government purchasing community has a major role to play in solving the government waste disposal problem. Strategies include:

- Buying for waste reduction, i.e. two-sided copiers; washable, not disposable, institutional linens.
- Buying recyclable materials, i.e. white, not yellow scratch pads.
- Buying rebuilt telephones, computers and automotive parts.
- Buying recycled plastic garbage bags and other recycled products.

Within a year, four out of every five Americans could live in a state with a program to buy recycled products.

An indication of the popular support for "buying recycled" is the number of preference programs being legislated. At least eighteen states and four local governments have enacted legislation favoring the purchase of recycled products, ten of these during 1986 or the first half of 1987. Together, those eighteen states represent 59% of the U.S. population. In addition, eleven other states—representing 22% of the population—are addressing this issue. Thus, it is conceivable that, within a year, four out of every five Americans could live in a state with a program to buy recycled products.

Activity is greatest in the Northeast where an action agenda for solid waste management proposed by the New York State Legislative Commission on Solid Waste Management, including a coordinated approach to recycled product procurement, has been endorsed by participants at the two major regional recycling conferences. Also, the New England Waste Management Officials Association and the National Recycling Coalition spon-

sored a seminar which brought together key purchasing and solid waste officials to discuss issues associated with buying recycled products. In the West, all three coastal states have addressed ways to strengthen their recycled product purchasing programs in the past year.

At the federal level, the EPA is poised to publish guidelines for purchasing recycled paper and re-refined lubricating oil, and additional guidelines are being developed.

It is becoming increasingly important for purchasing and solid waste agencies to work together to develop buying programs that can be implemented efficiently. The skills of the purchasing community are particularly needed in standardizing recycled product definitions. To illustrate this point, eight of the ten states that have defined recycled paper define it differently in terms of percentages and acceptable recycled feedstocks. This inconsistency is very costly. Manufacturers cannot produce a standard product that suits all markets. Instead, they must run special orders for each state's specifications. This problem is also beginning to appear with recycled plastic products. Emerging national standards are included in the following definitions.

DEFINITIONS

General

Postconsumer waste material: any product generated by a business or a consumer which has served its intended end use, and which has been separated from solid waste for the purposes of collection, recycling and disposition and which does not include secondary waste or secondary waste paper material.

Secondary waste material: industrial by-products which would otherwise go to disposal facilities and waste generated after completion of a manufacturing process, but specifically excludes internally generated scrap commonly returned to industrial or manufacturing processes such as home scrap and mill broke. (Mill broke is the waste generated on-site at a paper mill.)

(continued on page 2)

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Recycled Products (continued from page 1)

Paper

Recycled paper product: any product having a total weight consisting of not less than 50% postconsumer waste materials and/or secondary waste paper material.

Secondary waste paper material: paper waste material generated after completion of a papermaking process, including but not limited to envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls and mill wrappers; except that secondary waste paper material shall not include fibrous waste generated during the manufacturing process, such as fibers recovered from wastewater or trimmings of paper machine rolls, fibrous by-products of harvesting, extractive or woodcutting processes, and odd forest residue such as bark.

Plastic

Recycled plastic product: any plastic product with a total weight consisting of not less than 25% of postconsumer waste material and/or secondary recycled plastic content.

Secondary waste plastic: obsolete product inventories, overruns, contaminated industrial scrap and manufacturing wastes generated after a production process, but specifically excludes internally generated scrap, or home scrap, because it is commonly returned to the production process and also excludes off-spec virgin resins.

OPPORTUNITIES TO BUY RECYCLED

There is no reason to restrict recycled purchases to the obvious. Purchasing agencies, and the agencies they serve, can take credit for every single ton of recycled content in items used each year.

Paper Products

Paper towels and tissue products for institutional use: these now are made universally with recycled content. Depending on the supplier, content can be 100% recycled with very high percentages of postconsumer content.

The BidNet Link

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Newsprint: items like the *Federal Register* and draft legislation can be made from recycled newspaper. There is sufficient competition around the country to satisfy federal government needs.

Pad backing, file dividers, legal pads, book covers, and so on: recycled content is now the industry standard. If these are not currently purchased with recycled content, they should be.

There is no reason to restrict recycled purchases to the obvious.

Fine and printing papers: these are available, but harder to get. The preferences for paper target those papers which always cannot be purchased competitively with their virgin counterparts.

Other Types of Products

Plastic garbage bags: these are available with secondary recycled content, though that fact is rarely publicized. One company consumes 60,000,000 lbs. of recycled polyethylene per year for a well known brand, but so far, this information is kept quiet. New York State specifications specifically allow recycled content.

Carpet and carpet pads: recycled polyester fabric scraps and recycled PET bottles and scraps are used for carpet pads. Recycled PET bottles and recycled nylons are being used for commercial grades of carpet.

Fatigue mats, plastic runners and urinal screens: all are being made from recycled plastic.

Playground equipment: this can be made from recycled plastic.

Recycled plastic car bumper stops: at least two firms, one in Iowa, the other in Florida, market these.

Retreaded tires: these are available for passenger cars, and retreading services are standard for trucks and heavy equipment.

Recycled and rebuilt automotive parts: these have become a major cost saver for insurance agencies and individuals. They are equally available to government buyers.

Solvents: recycled solvents are adequate to clean equipment. Solvent reclaiming service solves the expensive disposal headache and reduces hazardous waste while it increases use of a recycled product.

Other Agency Purchases

Everything governments use is not purchased by the procurement agency. Many items, particularly in construction, are bought by contractors or other agencies.

Recycled asphalt: nearly every state allows recycled asphalt in its specs, but use is not universal. In New York State only about 5% of the contracts include recycled asphalt. How can use be increased?

Recycled concrete: in Michigan, recycled concrete is so reusable and valuable that contractors don't expect to be paid to take it away. Michigan also allows recycled concrete as an aggregate in new concrete construction. It also can be used as sub-base or structural fill in many states. New York State is now encouraging this use.

Coal combustion fly ash in cement: redi-mix concrete suppliers use it regularly in New England. Contractors in Nebraska prefer it. Can use be expanded in all states? All state specifications allow it.

Resource recovery plant ash: structural properties already have
(continued on page 5)

Recycled Products (continued from page 2)

been proved for some uses. If current testing programs prove that contaminants don't reach into the environment, there will be plenty of this material available for use. It bears watching.

Glass as structural fill: some regions have few users of waste glass. Whenever supply outstrips demand, it can be used to replace gravel.

Compost: yard wastes are nearly 18% of municipal refuse according to the Franklin Associates study for EPA. Communities can use compost as a soil amendment in parks, on government and institutional grounds, and along highways.

Scrap tires as an energy resource: tires are noxious in disposal facilities. If the retreading and rubber re-use industries cannot absorb all the scrap tires, every effort should be made to determine their feasibility as fuel.

Insulation: weatherization programs still are insulating homes and buildings to achieve energy conservation. These programs, and construction contracts can specify recycled insulation. Various types of insulation can use recycled materials:

- Cellulose—80% old newspaper
- Fiberglass—can be made from postconsumer bottles
- Rigid foam—almost universally contains recycled plastic
- Mineral wool—often is made from industrial slags

RECORDS AND SIMPLIFYING THE RECORD-KEEPING PROCEDURES

The next key issue affects buyers and vendors alike. Even if every product a purchasing agency bought during a year had recycled content, it wouldn't count unless there was proof in the records. But, records can't reflect recycled content in purchases unless the vendors provide that information when products are offered on competitive bids. Landmark legislation in Rhode Island and Iowa has set the precedent. In those two states,

(continued on page 6)



Examples of savings on traffic supplies by one western city:

Item	BidNet Client	Next Lowest Bidder	Savings
Sign Faces	\$ 7,052.70	\$ 8,743.00	23.96%
Roll Goods	\$10,459.35	\$12,208.00	16.71%
Letters	\$ 603.90	\$ 654.50	8.37%
TOTALS:	\$18,115.95	\$21,606.50	19.26%

Other examples of savings acquired through BidNet:

- Savings of 65% off list price for projection lamps for a southern junior college (10% better than previous contracts);
- 15.2 percent saved on computer paper for a northeastern town;

ABOUT BidNet

D & B Credit Reports Now Available to Purchasers through BidNet

Through a special arrangement with Dun & Bradstreet Credit Services, public purchasing offices now can obtain D & B Business Information Reports (generally referred to as credit reports) through BidNet on an as-needed, pay-only-for-what-you-order basis. The Business Information Reports, which assist purchasers in evaluating the capabilities of bidders to perform under contract, previously were available on a subscription basis only.

The information provided by a Business Information Report about a company includes:

- Name, address, and telephone number
- Name and title of chief executive
- Products and services sold
- D & B rating
- When started
- Special events (such as a fire)
- Payment record
- Changes (such as a move)
- Sales
- Net worth
- Number of employees
- Size, type and location of facilities
- Credit history
- Financing
- Condition
- Trend

To obtain more information, or to order an individual D & B Business Information Report, contact BidNet at 1/800/543-0495, extension 1000. When ordering, please provide the name of the company and the state in which it is located. An invoice for \$50 will be included with each written report mailed to a purchasing office that sends its bid solicitations to BidNet. Purchasing offices which do not send their solicitations to BidNet will be invoiced at the rate of \$75 per credit report ordered through BidNet. ■

- 9.3 percent (\$618) saved on uniforms for a southern city;
- \$900 savings on a \$37,000 contract with a northeastern county for propane;
- 1.1% on a flat trailer for a southeastern county;
- 8.2% on a vibratory compaction roller for a southern city's transportation division.
- 18.86% on linen supplies for a northwestern state. ■

Recycled Products (continued from page 5)

vendors will be required to provide recycled content data when they respond to bids.

Records can't reflect recycled content in purchases unless the vendors provide that information when products are offered on competitive bids. Landmark legislation in Rhode Island and Iowa has set the precedent.

Solid waste agencies want to know how much of their recyclable supplies are consumed by their government's purchases. For instance, one ton of 100% recycled towels consumes slightly more than one ton of waste paper. These agencies also should be pleased to handle the analytical work if the data is supplied through purchasing records. Purchasing agencies already gather most of the information that is needed. For recycled products, only two bits of data are missing—percentage of recycled content and unit weight.

Percentage of recycled content: percentages can range from 0% (virgin product) to 100%. Vendors can certify to a minimum recycled content in products shipped. Comparison of the two will allow federal purchasing agencies to determine if minimum content standards can be raised.

Unit weight: this data can be provided by purchasing officers as supplied by vendors. It is important because supplies of recyclable feedstocks are recorded in pounds or tons.

Performance: purchasing agencies test the products they buy and reject those that don't work. A common, but rarely substantiated, complaint about recycled products is that they don't meet performance requirements. The primary objective [of buying recycled products] is to reduce waste; if recycled products don't work, they become waste. But, they deserve a fair trial. Tests should be run on the competing virgin product as well. A summary record of the tests and products that fail will serve everyone's needs.

The primary objective [of buying recycled products] is to reduce waste; if recycled products don't work, they become waste.

Specifications reviewed and those that are changed: many specifications were reviewed in the 70's to remove discrimination against recycled content. Records of specifications that allow recycled content can be used to alert suppliers and the public that recycled content is welcome.

Preference dollars spent: for states that allow a price preference for recycled products, this information allows analysis of the costs versus the benefits of reduced waste disposal. A very simplified example: if preference costs for recycled paper were \$50,000, 50% recycled paper was purchased and disposal costs were \$50 per ton, all paper purchased over 2,000 tons saves the taxpayers money.

Manufacturers: purchasing agencies commonly record manufacturer's names, and they usually know where the product is made. This information is valuable for economic incentive pro-

grams now being discussed in many states. If recycled products commonly are purchased from other regions of the country, would economic incentives attract manufacturing capacity into the local region, especially if recyclable feedstocks can be supplied? It worked in Oregon, and Oregon now is a net importer of postconsumer newspapers.

Simplifying the recordkeeping burden: computers are the answer to easy records and reports, and purchasing agencies are automating right now. If purchasing software can recognize recycled content, most of the recordkeeping and reporting can be done by punchbutton.

According to purchasing software experts, records of recycled purchases can be flagged when recycled content greater than 0% is entered on the normal purchasing record. The computer can then generate, by time period, reports on:

- the total number of purchases
- the total number of purchases of a given item containing recycled materials in comparison to purchases of virgin materials
- quantities of consistent units of a given item
- which departments use recycled products
- total dollars spent on recycled products
- comparative values of recycled versus virgin products
- recycled products by vendor or manufacturer

Individual records can be examined for special information, such as locations of manufacturers, specific recycled content percentages and other information useful to solid waste planners. The analytical burden can be carried by the agency with the most interest, but only if the records are easily available.

Costs: the cost for this additional feature is nothing, if it is designed into the system at the outset. Costs for adapting existing software depend on the type of system in use, its complexity and capabilities and the extent of demand for such adaptations.

Resources

Unfortunately, no up-to-date directories of recycled products exist. A listing of organizations and suppliers is available, however, from Mr. Keller, c/o the Maryland Energy Office, 301 West Preston Street, Baltimore, Maryland 21201. A listing of state and city procurement programs for recycled products also is available from Mr. Keller. ■

AUTHORS

Richard Keller is the Manager of Procurement and Waste Management for the Maryland Energy Office and is a frequent speaker on recycling and energy issues. As a result of his work, the U.S. Department of Energy gave the State of Maryland two 1985 awards for energy innovation for the programs in buying recycled pipe and promoting auto and truck recycling. Maryland programs are often used as models by other organizations. Mr. Keller serves on the Board of Directors of the National Recycling Coalition and is a member of the Maryland Public Purchasing Association. He has been named the 1987 Outstanding Government Leader of the Year by the National Recycling Coalition.

Nancy Vandenberg is a consultant in marketing development for recycled products. She coordinates Markets for Recycled Products at the Council on the Environment of New York City, conducts feasibility research on EPA guidelines, and is a frequent lecturer and contributor to the trade press. The organizations of which she is a member include the National Recycling Coalition and the International Coalition of Procurement Standards.

STEVE COWPER, GOVERNOR

**DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT**

P O BOX EE
JUNEAU, ALASKA 99811-0200
PHONE: (907) 465-2017

DIVISION OF BUSINESS DEVELOPMENT

February 16, 1988

Dear Manufacturer:

Enclosed is a copy of the list of the preliminary classification of products for which application has been made for certification under the Alaska Product Preference. In accordance with regulation, this list is being published 45 days before the publication of the final list. The list is a preliminary list published so that interested parties may file objections if they have any.

According to regulations, "objections to any aspect of a preliminary list must be made in writing to the Commissioner no later than 30 days before the publication of the final list." Objections must be postmarked no later than March 1, 1988 and should be addressed to Sandi Anderson, Division of Business Development, Department of Commerce and Economic Development, P.O. Box D, Juneau, AK 88911-0800.

Inclusion on the preliminary list does not guarantee that the product or firm will be included on the final list to be published April 1. Final certifications of eligibility for Alaska Product Preference will be issued prior to the publication of the final list on April 1.

If you have any questions or need further information, please call Sandi Anderson at 465-2253 or 465-2017.

Sincerely,

Division of Business
Development

dg10486k
021688a
Enclosure

PRODUCT PREFERENCE LIST - BY PRODUCT
PRELIMINARY LISTING
FEBRUARY 16, 1988

PAGE 1

PRODUCT

ACETYLENE

BIG THREE LINCOLN ALASKA, INC.
6415 ARCTIC BLVD.
430 WEST COMMERCIAL, PALMER
ANCHORAGE AK 99515
APPROVED: Y CLASS: III

AGRICULTURAL CHEMICALS

ALAMASU, INC.
MILE 1403 1/2 ALASKA HIGHWAY
DELTA JUNCTION AK 99737
APPROVED: Y CLASS: III

ALTERNATIVE POWER ACCESSORIES

INVERTECH ALASKA
PO BOX 13168
MILE .25 WEST PETERSVILLE RD
TRAPPER CREEK AK 99683
APPROVED: Y CLASS: III

AMMUNITION - RELOADED

ARCTIC AMMUNITION COMPANY
PO BOX 771641
11141 KATLIAN DRIVE
EAGLE RIVER AK 99577
APPROVED: Y CLASS: III

ANIMAL BEDDING

THERMO-KOOL OF ALASKA, INC.
6348 QUINHAGAK
ANCHORAGE AK 99507
APPROVED: Y CLASS: III

ANIONIC EMULSIONS

EMULSION PRODUCTS OF ALASKA, INC.
4206 NORTH STAR DRIVE
HOLLAND AVIATION ST, NORTH POLE
ANCHORAGE AK 99503
APPROVED: Y CLASS: III

ASPHALT CUTBACK

EMULSION PRODUCTS OF ALASKA, INC.
4206 NORTH STAR DRIVE
HOLLAND AVIATION ST, NORTH POLE
ANCHORAGE AK 99503
APPROVED: Y CLASS: III

AUTOMATIC WEATHER OBSERVATION SYSTEM

ALASKA QUALITY CONTROL & TECHNICAL SVCS.
907 E DOWLING RD, SUITE 29
ANCHORAGE AK 99518-1427
APPROVED: Y CLASS: I

BATTERY PACKS

REVL, INC DBA REVL COMMUNICATIONS
200 W 34TH STREET, SUITE 321
549 W INT'L AIRPORT RD.
ANCHORAGE AK 99503
APPROVED: Y CLASS: III

BUILDINGS - PREFABRICATED

O.K. LUMBER COMPANY, INC.
PO BOX 10449
649 FOHLOF STREET
FAIRBANKS AK 99710
APPROVED: Y CLASS: III

BUILDINGS, PRE-ENGINEERED

ALCHEM, INC.
3617 STRAWBERRY ROAD
ANCHORAGE AK 99502
APPROVED: Y CLASS: III

BUTTONS

NORTH STAR WOODCRAFTERS
PO BOX 90283
5901 ARCTIC BLVD #P
ANCHORAGE AK 99509
APPROVED: Y CLASS: III

CABINETS

BUSINESS FURNITURE OF ALASKA, INC.
1301 E DOWLING RD, SUITE 106
5650 OLD SEWARD HWY, SUITE A
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

THE CABINET WORKS
6350 NEILSON WAY
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

CATIONIC EMULSIONS

EMULSION PRODUCTS OF ALASKA, INC.
4206 NORTH STAR DRIVE
HOLLAND AVIATION ST, NORTH POLE
ANCHORAGE AK 99503
APPROVED: Y CLASS: III

CLOCKS

NORTH STAR WOODCRAFTERS
PO BOX 90283
5901 ARCTIC BLVD #P
ANCHORAGE AK 99509
APPROVED: Y CLASS: III

PRODUCT

FAIRBANKS SAND & GRAVEL, INC.
PO BOX 1511
MILE 2.5 OLD RICHARDSON HWY
FAIRBANKS AK 99707
APPROVED: Y CLASS: III

CONCRETE PRODUCTS - PRECAST MANHOLES

A & E CONCRETE COMPANY
2140 E DIMOND BLVD.
ANCHORAGE AK 99507
APPROVED: Y CLASS: III

PRE CAST COMPANY
8811 TOLOFF
2099 E 88TH
ANCHORAGE AK 99507
APPROVED: Y CLASS: III

CONCRETE PRODUCTS - PRECAST MISC. ITEMS

PRE CAST COMPANY
8811 TOLOFF
2099 E 88TH
ANCHORAGE AK 99507
APPROVED: Y CLASS: III

CONCRETE PRODUCTS - PRECAST UTILITY BOX

PRE CAST COMPANY
8811 TOLOFF
2099 E 88TH
ANCHORAGE AK 99507
APPROVED: Y CLASS: III

CONCRETE PRODUCTS - PRECAST VAULTS

PRE CAST COMPANY
8811 TOLOFF
2099 E 88TH
ANCHORAGE AK 99507
APPROVED: Y CLASS: III

CONCRETE PRODUCTS - PRESTRESSED GIRDERS

ALASKA AGGREGATE CORPORATION
240 WEST 68TH AVENUE
7800 LAKE OTIS PARKWAY
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

FAIRBANKS SAND & GRAVEL, INC.
PO BOX 1511
MILE 2.5 OLD RICHARDSON HWY
FAIRBANKS AK 99707
APPROVED: Y CLASS: III

CONCRETE PRODUCTS - READY-MIX CONCRETE

ALASKA AGGREGATE CORPORATION
240 WEST 68TH AVENUE
7800 LAKE OTIS PARKWAY
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

FAIRBANKS SAND & GRAVEL, INC.
PO BOX 1511
MILE 2.5 OLD RICHARDSON HWY
FAIRBANKS AK 99707
APPROVED: Y CLASS: III

CONCRETE PRODUCTS - RETAINING WALL CUBES

MALLINGER MASONRY
5984 LUND STREET
JUNEAU AK 99801
APPROVED: Y CLASS: III

CONCRETE PRODUCTS - ROOF PAVERS

ALASKA AGGREGATE CORPORATION
240 WEST 68TH AVENUE
7800 LAKE OTIS PARKWAY
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

FAIRBANKS SAND & GRAVEL, INC.
PO BOX 1511
MILE 2.5 OLD RICHARDSON HWY
FAIRBANKS AK 99707
APPROVED: Y CLASS: III

CONCRETE PRODUCTS - ROOFS

ALASKA AGGREGATE CORPORATION
240 WEST 68TH AVENUE
7800 LAKE OTIS PARKWAY
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

FAIRBANKS SAND & GRAVEL, INC.
PO BOX 1511
MILE 2.5 OLD RICHARDSON HWY
FAIRBANKS AK 99707
APPROVED: Y CLASS: III

CONCRETE PRODUCTS - SLABS

ALASKA AGGREGATE CORPORATION
240 WEST 68TH AVENUE
7800 LAKE OTIS PARKWAY
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

FAIRBANKS SAND & GRAVEL, INC.
PO BOX 1511
MILE 2.5 OLD RICHARDSON HWY
FAIRBANKS AK 99707
APPROVED: Y CLASS: III

CONCRETE PRODUCTS - STEPPING STONES

MALLINGER MASONRY
5984 LUND STREET
JUNEAU AK 99801
APPROVED: Y CLASS: III

CONCRETE PRODUCTS - SUPPORTS

ALASKA AGGREGATE CORPORATION
240 WEST 68TH AVENUE
7800 LAKE OTIS PARKWAY
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

FAIRBANKS SAND & GRAVEL, INC.
PO BOX 1511
MILE 2.5 OLD RICHARDSON HWY
FAIRBANKS AK 99707
APPROVED: Y CLASS: III

PRODUCT

DON CHEMICAL CO DBA ALASKA MILL & FEED
114 NORTH ORCA
ANCHORAGE AK 99501
APPROVED: Y CLASS: III

FERTILIZER

ALAMASU, INC.
MILE 1403 1/2 ALASKA HIGHWAY
DELTA JUNCTION AK 99737
APPROVED: Y CLASS: III

DON CHEMICAL CO DBA ALASKA MILL & FEED
114 NORTH ORCA
ANCHORAGE AK 99501
APPROVED: Y CLASS: III

FIBERGLASS PRODUCTS

PROCTOR'S GROUP
HC02-7520
PALMER AK 99645
APPROVED: Y CLASS: III

FIBERGLASS SHELTERS

ALASKA FIBERGLASS PRODUCTS
200 W 34TH STREET, SUITE 321
5631 SILVERADO WAY, SUITE G
ANCHORAGE AK 99503
APPROVED: Y CLASS: III

FILTER HOUSING

NORTHLAND ENTERPRISES, INC.
601 WEST 58TH AVENUE
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

FIREPROOFING - SPRAY

KLONDIKE FOAM & FIREPROOFING, INC.
PO BOX 10220
3366 MINK LANE
FAIRBANKS AK 99710
APPROVED: Y CLASS: III

FISH FOOD - DRY PELLET

ICICLE SEAFOODS, INC.
PO BOX 8
SEWARD FISHERIES
SEWARD AK 99664
APPROVED: Y CLASS: III

FISH MEAL

ICICLE SEAFOODS, INC.
PO BOX 8
SEWARD FISHERIES
SEWARD AK 99664
APPROVED: Y CLASS: III

FISH OIL

ICICLE SEAFOODS, INC.
PO BOX 8
SEWARD FISHERIES
SEWARD AK 99664
APPROVED: Y CLASS: III

ICICLE SEAFOODS, INC.
PO BOX 8
SEWARD FISHERIES
SEWARD AK 99664
APPROVED: Y CLASS: III

FLOATATION BILLETS

WESTERN INSULFOAM, INC.
628 WESTERN DRIVE
ANCHORAGE AK 99501
APPROVED: Y CLASS: III

FURNITURE - BOOK CASES

BUSINESS FURNITURE OF ALASKA, INC.
1301 E DOWLING RD, SUITE 106
5650 OLD SEWARD HWY, SUITE A
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

FURNITURE - COMPUTER STANDS

BUSINESS FURNITURE OF ALASKA, INC.
1301 E DOWLING RD, SUITE 106
5650 OLD SEWARD HWY, SUITE A
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

FURNITURE - CREDENZAS

BUSINESS FURNITURE OF ALASKA, INC.
1301 E DOWLING RD, SUITE 106
5650 OLD SEWARD HWY, SUITE A
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

FURNITURE - DESKS

BUSINESS FURNITURE OF ALASKA, INC.
1301 E DOWLING RD, SUITE 106
5650 OLD SEWARD HWY, SUITE A
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

FURNITURE - FILING CABINETS

BUSINESS FURNITURE OF ALASKA, INC.
1301 E DOWLING RD, SUITE 106
5650 OLD SEWARD HWY, SUITE A
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

FURNITURE - ORGANIZERS

BUSINESS FURNITURE OF ALASKA, INC.
1301 E DOWLING RD, SUITE 106
5650 OLD SEWARD HWY, SUITE A
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

FURNITURE - TABLES

BUSINESS FURNITURE OF ALASKA, INC.
1301 E DOWLING RD, SUITE 106
5650 OLD SEWARD HWY, SUITE A
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

PRODUCT

WRANGELL FOREST PRODUCTS, LTD.
PO BOX 5380
MILE 6 ZIMOVIA HWY, WRANGELL
KETCHIKAN AK 99901
APPROVED: Y CLASS: III

LUMBER - TIMBERS AND CANTS

SOUTH CENTRAL TIMBER DEVELOPMENT, INC.
255 E FIREWEED LAKE, SUITE 104
JACKALOFF BAY, AK
ANCHORAGE AK 99503
APPROVED: Y CLASS: III

METAL - REINFORCING STEEL FABRICATION

ANCHORAGE SAND & GRAVEL CO., INC.
1813 EAST FIRST AVENUE
1800 E 2ND AVE/HIGHLAND DR
ANCHORAGE AK 99501
APPROVED: Y CLASS: III

METAL - STEEL FABRICATION

ALLIED CONSTRUCTION SERVICES
7600 KING STREET
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

BOB'S SERVICES, INC.
2009 SPAR AVENUE
ANCHORAGE AK 99501
APPROVED: Y CLASS: III

CONTRACTING SERVICES CO.
PO BOX 309
LOT #1, JOHNSON ROAD
SEWARD AK 99664
APPROVED: Y CLASS: III

STEEL FABRICATORS
2132 RAILROAD AVENUE
ANCHORAGE AK 99510
APPROVED: Y CLASS: III

METALS - STEEL FABRICATION

S & S WELDING, INC.
2908 COMMERCIAL DR
ANCHORAGE AK 99501
APPROVED: Y CLASS: III

MULCH - HYDDROSEEDING

THERMO-KOOL OF ALASKA, INC.
6348 QUINHAGAK
ANCHORAGE AK 99507
APPROVED: Y CLASS: III

OIL CONTAINMENT BOOM

FIRE CONTROL SYSTEMS, INC.
PO BOX 4150
MILE 18 1/2 SPUR ROAD
KENAI AK 99611
APPROVED: Y CLASS: III

OXYGEN

BIG THREE LINCOLN ALASKA, INC.
6415 ARCTIC BLVD.
430 WEST COMMERCIAL, PALMER
ANCHORAGE AK 99515
APPROVED: Y CLASS: I

PAINT

ALASKAN PAINT MANUFACTURING COMPANY, INC
2040 SPAR AVENUE
ANCHORAGE AK 99501
APPROVED: Y CLASS: III

PANELS - NONSTRUCTURAL CURTAIN WALL

THERMASAVE/APC
PO BOX 190747
AUDIE STREET, WASILLA
ANCHORAGE AK 99519-0747
APPROVED: Y CLASS: III

PANELS - STRUCTURAL SANDWICH FOAM

THERMASAVE/APC
PO BOX 190747
AUDIE STREET, WASILLA
ANCHORAGE AK 99519-0747
APPROVED: Y CLASS: III

PANELS - STRUCTURAL, INSULATED

WESTERN INSULFOAM, INC.
628 WESTERN DRIVE
ANCHORAGE AK 99501
APPROVED: Y CLASS: III

PICTURE FRAMES

NORTH STAR WOODCRAFTERS
PO BOX 90283
5901 ARCTIC BLVD #P
ANCHORAGE AK 99509
APPROVED: Y CLASS: III

PIPE - PRE-INSULATED ARCTIC

VERTECS CORPORATION
PO BOX 111128
KLATT ROAD AT THE ALASKA RR
ANCHORAGE AK 99511
APPROVED: Y CLASS: III

PLASTIC PIPE LINE WEIGHTS

HUB CITY CONSTRUCTION, INC.
2775 HANSON ROAD
FAIRBANKS AK 99709
APPROVED: Y CLASS: III

PLAYGROUND EQUIPMENT

LOG SPECIALTIES, INC.
13327 BRANT WAY
BEAR CREEK MILLSITE, HOPE, AK
ANCHORAGE AK 99515
APPROVED: Y CLASS: III

PRODUCT

VAN CLEEVE PRINTING, INC.
409 W NORTHERN LIGHTS BLVD
ANCHORAGE AK 99503
APPROVED: Y CLASS: III

PRINTING - SILK SCREEN

COMMERCIAL ART, INC.
PO BOX 1708
171 SHATTUCK WAY
JUNEAU AK 99802
APPROVED: Y CLASS: III

RAVEN SCREENS INC
616 12TH AVENUE
FAIRBANKS AK 99701
APPROVED: Y CLASS: III

SPECTRA SHIRTS
1200 E 76TH, SUITE 1204
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

STELLAR DESIGNS, INC.
1220 E 68TH AVE., #101
ANCHORAGE AK 99518
APPROVED: Y CLASS: III

PUMPS - DIESEL POWERED

WAUKESHA ALASKA CORPORATION
1301 HUFFMAN ROAD
6871 OLD SEWARD HIGHWAY
ANCHORAGE AK 99515
APPROVED: Y CLASS: III

REFLECTIVE BARRICADES

WARNING LITES OF ALASKA, INC.
591 WEST 67TH AVENUE
ANCHORAGE AK 99518-1555
APPROVED: Y CLASS: III

REFLECTIVE RUNWAY MARKERS

WARNING LITES OF ALASKA, INC.
591 WEST 67TH AVENUE
ANCHORAGE AK 99518-1555
APPROVED: Y CLASS: III

REFLECTIVE SIGNS

WARNING LITES OF ALASKA, INC.
591 WEST 67TH AVENUE
ANCHORAGE AK 99518-1555
APPROVED: Y CLASS: III

SCREENS - ALUMINUM

JUREK CONSTRUCTION COMPANY
348 WELL STREET
FAIRBANKS AK 99701
APPROVED: Y CLASS: III

SEEDS

ALAMASU, INC.
MILE 1403 1/2 ALASKA HIGHWAY
DELTA JUNCTION AK 99737
APPROVED: Y CLASS: III

SPORTING & ATHLETIC GOODS - CANVAS BAGS

CANVAS BAG COMPANY
3787 ERICKSON
FAIRBANKS AK 99709
APPROVED: Y CLASS: III

STAIRS, RAILINGS

S & S WELDING, INC.
2908 COMMERCIAL DR
ANCHORAGE AK 99501
APPROVED: Y CLASS: III

STEEL FABRICATORS
2132 RAILROAD AVENUE
ANCHORAGE AK 99510
APPROVED: Y CLASS: III

TANKS

GREER TANK, INC.
PO BOX 190708
2921 W INT'L AIRPORT RD
ANCHORAGE AK 99519
APPROVED: Y CLASS: III

S & S WELDING, INC.
2908 COMMERCIAL DR
ANCHORAGE AK 99501
APPROVED: Y CLASS: III

STEEL FABRICATORS
2132 RAILROAD AVENUE
ANCHORAGE AK 99510
APPROVED: Y CLASS: III

TANKS - FIBERGLASS

ALASKA FIBERGLASS PRODUCTS
200 W 34TH STREET, SUITE 321
5631 SILVERADO WAY, SUITE G
ANCHORAGE AK 99503
APPROVED: Y CLASS: III

TRUSSES

JUNEAU TRUSS
5401 GLACIER HWY
JUNEAU AK 99801
APPROVED: Y CLASS: III

O.K. LUMBER COMPANY, INC.
PO BOX 10449
649 FOHLOF STREET
FAIRBANKS AK 99710
APPROVED: Y CLASS: III

TV EQUIPMENT - CLOSED CIRCUIT SURVEILLAN

SECURITY ENGINEERING OF ALASKA
PO BOX 772157
19133 UNALASKA CIRCLE
EAGLE RIVER AK 99577
APPROVED: Y CLASS: I

PRODUCT

WELDING REPAIR

S & S WELDING, INC.
2908 COMMERCIAL DR
ANCHORAGE AK 99501

APPROVED: N CLASS:

APPROVED: N = Not Approved
APPROVED: Y = Approved

POSITION PAPER
HB 523

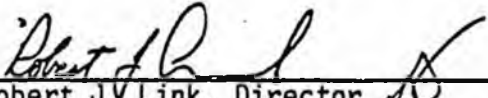
This bill attempts to encourage the manufacture of recycled products within Alaska by providing a 5% preference above existing preferences. A bidder offering Alaskan products made of recycled products could qualify for a total of 17% in preferences. The impact of the cost of administering the bid process would be minimal.

We have a neutral position on this bill because we have no way to assess the positive impact of encouraging the use of recycled products versus the potential increase in purchase price and having a preference which favors one Alaskan bidder over another.

We would recommend amending the bill as follows:

Section 6, Section 36.30.338(5) "recycled Alaska product" means an Alaskan product of which not less than 50% of the value of the product consists of a product that was previously used in another product and the recycling process was performed in Alaska.

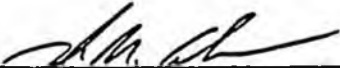
This would avoid the situation in which one Alaskan vendor received a 5% greater preference for using a product which was recycled someplace other than Alaska.



Robert J. Link, Director
Division of General Services & Supply

2/25/88

Date



Commissioner John M. Andrews
Department of Administration

2/29/88

Date

Alaska State Legislature

STEVE FRANK

DISTRICT 20A
Finance Committee

1125 Sunset Drive
Fairbanks, Alaska 99701



While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3709

House of Representatives

TO: The House State Affairs Committee

FROM: Rep. Steve Frank

RE: House Bill 523 - "An Act relating to
procurement preferences for certain products"

DATE: March 2, 1988

The major purpose of this legislation is to place recycled Alaskan products on equal footing with other Alaskan products.

The proposed committee substitute does not propose any additional subsidies for recycled products. However, it would require the State to purchase recycled products from Alaskan companies that are price competitive, and whose products are appropriate for the intended use and are of comparable quality.

Under HB 523, recycled products would be eligible for the existing Alaska bidder preference and Alaska product preference, as are other Alaskan produced goods.

Currently, approximately 20 states have laws related to recycling either in the form of tax credits, incentives, or laws mandating the use of recycled products.

This legislation, if passed, would assist a new Alaskan industry and would enhance the quality of our environment.

Thank you for your consideration.



Alaska Environmental Lobby, Inc.

1000 W. 11TH AVENUE, ANCHORAGE, ALASKA 99502

907-586-2345

March 1, 1988

Rep. Steve Frank
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Re: HB 523

Dear Representative Frank:

We here at the Alaska Environmental Lobby support procurement preferences by state agencies for recycled Alaska products, as would be required by your bill, HB 523.

This bill does two things. It encourages the wise use of our resources by providing additional incentives for recycling, and it encourages the use of Alaska products, thereby helping to strengthen and diversify our state economy.

We particularly believe that initiative such as that demonstrated by Bernie Karl in Fairbanks should be encouraged and supported by the state. Mr. Karl's recycling/re-processing business has reduced garbage going into the Fairbanks landfill by 90%; has extended the landfill's life by 75 years; has added 27 jobs to the Fairbanks market; and, in so doing, has turned Fairbanksans' garbage into fuel, building materials, and re-cycled goods.

Actions by other state governments have increasingly shown the importance of recycling to our nation's economic and environmental health. This bill would be an important first step by this state in promoting the use of recycled products. Therefore, AEL supports the passage of HB 523.

Sincerely,

Gail Gatton
Gail Gatton
Executive Director

Alan Phipps
Alan Phipps
AEL Volunteer

- ALASKA CENTER FOR THE ENVIRONMENT • ALASKA CHAPTER SIERRA CLUB • JUNEAU GROUP SIERRA CLUB • SITKA GROUP SIERRA CLUB
- KNIK GROUP SIERRA CLUB • DENALI GROUP SIERRA CLUB • ANCHORAGE AUDUBON SOCIETY • ARCTIC AUDUBON SOCIETY
- DENALI CITIZENS COUNCIL • ALASKA FRIENDS OF THE EARTH • JUNEAU AUDUBON SOCIETY • KACHEMA RIVER CONSERVATION SOCIETY
- KENAI PENINSULA AUDUBON SOCIETY • KODIAK AUDUBON SOCIETY • LYNN CANAL CONSERVATION • ALASKA WILDLIFE ALLIANCE
- SITKA CONSERVATION SOCIETY • NORTHERN ALASKA ENVIRONMENTAL CENTER • SOUTHEAST ALASKA CONSERVATION COUNCIL

Sec. 36.30.320. Small procurements. (a) A procurement for supplies, services, or construction that does not exceed an aggregate dollar amount of \$5,000 may be made in accordance with regulations adopted by the commissioner for small procurements.

(b) A contract for professional services that does not exceed \$25,000 may be made under regulations adopted by the commissioner for small procurements, except that an agency may not contract for the services of legal counsel without the approval of the attorney general.

(c) Small procurements need not be made through competitive sealed bidding or competitive sealed proposals but shall be made with competition that is practicable under the circumstances.

(d) Procurement requirements may not be artificially divided or fragmented so as to constitute a purchase under this section or to circumvent the source selection procedures required by AS 36.30.100 — 36.30.270.

(e) The procurement officer shall give adequate public notice of intent to make a procurement under this section in accordance with regulations adopted by the commissioner. (§ 2 ch 106 SLA 1986; am § 12 ch 65 SLA 1987)

Effect of amendments. — The 1987 amendment, effective January 1, 1988, deleted the former second sentence of subsection (e), which read "Notices shall also be provided to those Alaska bidders designated by the commissioner under AS 36.30.050(d)."

Article 5. Preference for Alaska Products.

Section
322. Use of local forest products
324. Use of Alaska products
326. Contract specifications
328. Grant of preference
330. Penalty for failing to use designated products

Section
332. Classification of Alaska products
334. Identification of Alaska products
336. Application
338. Definitions

Cross references. — For similar provisions applicable to procurements using state money of forest, agricultural, and fisheries products, see AS 36.15.

Effective date of article. — Section 69, ch. 106, SLA 1986, as amended by § 27, ch. 65, SLA 1987, provides that this article takes effect January 1, 1988.

Sec. 36.30.322. Use of local forest products. (a) Only timber, lumber, and manufactured lumber products originating in this state from Alaska forests may be procured by an agency or used in construction projects of an agency unless the manufacturers and suppliers who have notified the commissioner of commerce and economic development of their willingness to manufacture or supply Alaska forest products

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(c) Dur: tor shall n: products o reasonably the procur adopted by (§ 2 ch 10

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(1) have been given reasonable notice of the forest product needs of the procurement or project; and

(2) are unable to supply the products at a cost that is within seven percent of the price offered by a manufacturer or supplier of non-Alaska forest products.

(b) The provisions of AS 36.30.326 — 36.30.332 do not apply to procurements of timber, lumber, and manufactured lumber products or the use of those items in construction projects of an agency.

(c) During the period of performance of a state contract, the contractor shall maintain records showing efforts made in using Alaska forest products or evidence of Alaska forest products not being available or reasonably competitive. The contractor shall provide the records to the procurement officer on a periodic basis, as required by regulations adopted by the commissioner of commerce and economic development. (§ 2 ch 106 SLA 1986; am §§ 13, 14 ch 65 SLA 1987)

Effect of amendments. — The 1987 amendment, effective January 1, 1988, in the introductory language of subsection (a) substituted "Alaska" for "local" pre-

ceding "forest" and deleted "the commissioner of commerce and economic development certifies that" following "agency unless" and added subsection (c).

Sec. 36.30.324. Use of Alaska products. Alaska products shall be used whenever practicable in procurements for an agency. (§ 2 ch 106 SLA 1986)

Sec. 36.30.326. Contract specifications. Contract specifications for a procurement for an agency must include a provision that a bidder or offeror that designates in a bid or proposal the use of Alaska products identified in the specifications will receive the preference granted under AS 36.30.328 in the evaluation of the bid or proposal if the designated Alaska products meet the contract specifications. (§ 2 ch 106 SLA 1986)

Sec. 36.30.328. Grant of preference. In the evaluation of a bid or proposal for a procurement for an agency, a bid or offer that designates the use of Alaska products identified in the contract specifications and designated as Class I, Class II, or Class III state products under AS 36.30.332 is decreased by the percentage of the value of the designated Alaska products under AS 36.30.332. (§ 2 ch 106 SLA 1986)

Sec. 36.30.330. Penalty for failing to use designated products. (a) If a successful bidder or offeror who designates the use of an Alaska product in a bid or proposal for a procurement for an agency fails to use the designated product for a reason within the control of the successful bidder or offeror, each payment under the contract shall be reduced according to the following schedule:

- (1) for a Class I designated Alaska product — four percent;
 - (2) for a Class II designated Alaska product — six percent;
 - (3) for a Class III designated Alaska product — eight percent;
- (b) A person is not a responsible bidder or offeror if, in the preceding three years, the person has twice designated the use of an Alaska product in a bid or proposal for a procurement for an agency and has each time failed to use the designated Alaska product for reasons within the control of the bidder or offeror.

(c) The procurement officer shall report to the commissioner of commerce and economic development each contractor penalized under (a) of this section. The commissioner of commerce and economic development shall maintain a list of contractors determined not to be responsible bidders under (b) of this section. (§ 2 ch 106 SLA 1986)

Sec. 36.30.332. Classification of Alaska products. (a) The commissioner of commerce and economic development shall adopt regulations establishing the value added in the state for materials and supplies produced or manufactured in the state that are used in a state procurement and shall publish a list of the products annually. A supplier may request inclusion of its product on the appropriate list.

(b) Materials and supplies with value added in the state that are

- (1) more than 25 percent and less than 50 percent produced or manufactured in the state are Class I products;
- (2) 50 percent or more and less than 75 percent produced or manufactured in the state are Class II products; and
- (3) 75 percent or more produced or manufactured in the state are Class III products.

(c) In a bid or proposal evaluation a

- (1) Class I product is given a three percent preference;
- (2) Class II product is given a five percent preference;
- (3) Class III product is given a seven percent preference. (§ 2 ch 106 SLA 1986; am § 15 ch 65 SLA 1987)

Effect of amendments. — The 1987 amendment, effective January 1, 1988, in subsection (b) in paragraphs (1) and (2) substituted "produced or manufactured in the state are" for "of the manufacturer's quoted price is a" and "products" for "product" and in paragraph (3) substituted "producer or manufactured in the state are" for "of a manufacturer's quoted price is a" and "products" for "product."

Sec. 36.30.334. Identification of Alaska products. An agency may identify specific Alaska products for use in making a procurement. (§ 2 ch 106 SLA 1986)

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§ 2 ch 106

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§ 36.30.336

PUBLIC CONTRACTS

§ 36.30.338

Sec. 36.30.336. Application. Notwithstanding other provisions of this chapter, AS 36.30.322 — 36.30.338 apply to all procurements subject to this chapter, except as provided in AS 36.15.050 and AS 36.30.322(b). (§ 2 ch 106 SLA 1986; am § 3 ch 62 SLA 1987; am § 16 ch 65 SLA 1987)

Effect of amendments. — The first 1987 amendment, effective January 1, 1988, substituted "this chapter" for "AS 36.30" and "AS 36.15.050" for "AS 36.30.170(b) and 36.30.322(b)."

The second 1987 amendment, effective January 1, 1988, substituted "this chapter" for "AS 36.30" and "AS 36.30.322(b)" for "AS 36.30.170(b) and 36.30.322(b)."

Sec. 36.30.338. Definitions. In AS 36.30.322 — 36.30.338

(1) "Alaska product" means a product of which not less than 25 percent of the value, as determined in accordance with regulations adopted under AS 36.30.332(a), has been added by manufacturing or production in the state;

(2) "produced or manufactured" means processing, developing, or making an item into a new item with a distinct character and use through the application within the state of materials, labor, skill, or other services;

(3) "product" means materials or supplies but does not include gravel and asphalt. (§ 2 ch 106 SLA 1986; am § 17 ch 65 SLA 1987)

Revisor's notes. — Reorganized in 1986 to alphabetize the defined terms.

Effect of amendments. — The 1987 amendment, effective January 1, 1988, in paragraph (1) substituted the language

beginning "of which not less than 25 percent" for "produced or manufactured in the state if the value added in the state is not less than 25 percent of the quoted price of the manufacturer."

Article 6. Contract Formation and Modification.

Section

- 340. Review and approval by the Attorney General
- 350. Bid cancellation, rejection
- 360. Determination of responsibility
- 362. Determination to award a contract to a nonresident
- 365. Notice of intent to award a contract
- 370. Types of contracts
- 390. Multi-term contracts

Section

- 400. Cost or pricing data
- 410. Right to inspect plant
- 420. Right to audit records
- 430. Standard modification clauses for contracts
- 460. Modification of standard clauses
- 470. Fiscal responsibility
- 480. Cost principle regulations

Effective date of article. — Section 69, ch. 106, SLA 1986, as amended by § 27, ch. 65, SLA 1987, provides that this article takes effect January 1, 1988.

Collateral references. — Effect of stipulation, in public building or construction contract, that alterations or extras

must be ordered in writing. 1 ALR3d 1273.

Validity and construction of "no damage" clause with respect to delay in building or construction contract. 74 ALR3d 187.

Construction contract provision excus-

SENATE COMMITTEE REPORT

FURTHER

FINANCE

3/29/88

DATE TURNED INTO OFFICE _____

Mr. President:

LABOR AND COMMERCE

Committee considered CSHB 523 (L&C)

preference for recycled products in state, municipal, and school district procurements

and recommended

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

[] attached amendment(s) and

Mazouy
[x] do pass

[] do not pass

[] no recommendation

[] 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

Richard
Rich Ueh

Jahrkamp

Tim Kelly - Do Pass
Chairman signature and recommendation

[] Committee Backup attached

Senate L & C Report

HB

526

Date referred: 4/6/88

FURTHER REFERRALS:

DATE: 4/8/88

The Finance Committee has considered HB 526

"An Act relating to the practice of social work and establishing the Board of Social Worker Examiners; and providing for an effective date."

RECOMMENDS:

- replace with CS HB 526 (Fin.) 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 _____
- zero with analysis

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

POURCHOT *[Signature]*

LARSON *[Signature]*

BOYER *Mark Boyer / DOESN'T GO / FAR ENOUGH / good start*

FRANK *[Signature]*

WALLIS *Ray Wallis*

ADAMS *[Signature] - NO Rec*

GOLL *[Signature] - no rec*

[Signature]
Chairman's signature

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to the practice of clinical social work...
Sponsor: House Labor & Commerce
Requestor: _____

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

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL		3.5	3.5	3.5	3.5	3.5
CONTRACTUAL		1.0	1.0	1.0	1.0	1.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		4.5	4.5	4.5	4.5	4.5
CAPITAL						
REVENUE		15.0	3.0	21.0	3.0	27.0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER		4.5	4.5	4.5	4.5	4.5
TOTAL		4.5	4.5	4.5	4.5	4.5

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

The bill establishes a Board of Clinical Social Work Examiners to regulate and license approximately 50 practitioners. The expenses identified above include travel funds for the board to meet and contractual funds to cover printing, advertising and communication expenses. (CONTINUED ON ATTACHED)

Prepared by: Jennifer Strickler, Management Analyst Phone: 465-2144
Division: Occupational Licensing Date: 3/31/88

Approved by Commissioner: J. Anthony Smith Date: 4/4/88
Agency: Commerce and Economic Development

Distribution (by preparer):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSHB 526 (L&C)

The expenses identified do not include administrative overhead costs. All licensing programs under central licensing are expected to cover a portion of the overhead expenses. To accomplish this, the division has established a formula used to spread overhead costs in each licensing area based on the number of licensees within an occupation. For clinical social workers, 50 practitioners equal 0.24% of the current licensees; therefore, 0.24% of the overhead is assigned to the clinical social work licensing program to be covered by licensing fees.

Therefore, the total cost of the clinical social work licensing program is \$15,400 in the first year and licensing fees would need to attempt to cover this cost.

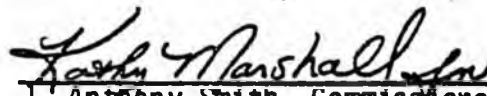
Clinical social workers have expressed their willingness to pay up to \$150 per year (\$300 biennial) for licensing fees. As a result, the profession will just about cover the costs of its licensing program in the first year. Revenues identified on even-numbered years are based on 10 new licensees. Because of the renewal cycle of licenses, expenses in a nonrenewal year will have to be subsidized by general funds or through other licensing fees for those occupations undergoing renewal.

CSHB 526 (L&C): An Act relating to the practice of clinical social work and exempting certain persons from licensure as clinical social workers; and providing for an effective date.

CSHB 526 establishes a Board of Clinical Social Work Examiners to regulate the practice of clinical social work performed by independent practitioners and exempts individuals who practice clinical social work as an employee of a federal, state or local government, or of a private nonprofit organization.

Currently, clinical social workers practice independently with no oversight of individual qualifications, or means to pursue unethical practice. Clinical social workers often work closely with psychologists and psychiatrists in diagnosing and treating emotional disorders. Although other classifications of social workers generally receive supervision through their employment by the state or a clinic or medical facility, clinical social workers have been isolated from such oversight.

The department supports the licensing of clinical social workers, provided that the profession is cooperative in attempting to support adequate funding for the new licensing function through realistic licensing fees.



J. Anthony Smith, Commissioner
Department of Commerce and
Economic Development

Date: 4/4/88

JS/dg10066o
040488b

Original sponsors: Pourchot, Phillips
and Collins

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 526 (Finance)

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 practice of clinical social
7 work and exempting certain persons from licensure as
8 clinical social workers; and providing for an effec-
9 tive date."

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

11 * Section 1. PURPOSE. The purpose of this Act is to protect the public
12 by

13 (1) setting standards for the education, training, and experi-
14 ence for persons practicing clinical social work; and

15 (2) promoting high standards of professional performance by
16 those persons licensed to practice clinical social work.

17 * Sec. 2. AS 08 is amended by adding a new chapter to read:

18 CHAPTER 95. CLINICAL SOCIAL WORK.

19 ARTICLE 1. BOARD OF CLINICAL SOCIAL WORK EXAMINERS.

20 Sec. 08.95.010. CREATION AND MEMBERSHIP OF THE BOARD. (a)

21 There is created the Board of Clinical Social Work Examiners composed
22 of five members. Four members must be persons licensed under this
23 chapter, including at least one person who is not an employee of a
24 federal, state, or local government or of a private nonprofit organi-
25 zation that is exempt from federal income tax. One member must be a
26 public member.

27 (b) Members of the board shall elect a member of the board as
28 chair. The chair serves for a term of one year.

29 Sec. 08.95.020. BOARD MEETINGS. The board shall hold at least

1 one meeting each year. The board may hold additional meetings at the
2 call of the chair or of a majority of the board members.

3 Sec. 08.95.030. DUTIES. The board shall

4 (1) issue licenses to qualified applicants;

5 (2) submit an annual report of its proceedings to the
6 department;

7 (3) after a hearing, impose disciplinary sanctions on a
8 person who violates this chapter or the regulations or orders of the
9 board;

10 (4) adopt regulations requiring that continuing education
11 requirements be satisfied before a license is renewed;

12 (5) adopt regulations necessary to carry out the purpose of
13 this chapter.

14 Sec. 08.95.040. CONTINUING EDUCATION REQUIREMENT. (a) The
15 board shall adopt continuing education requirements for persons li-
16 censed under this chapter. Continuing education requirements must
17 include a minimum of 45 hours per biennium of education or training
18 with a minimum of six hours in substance abuse and six hours in cross-
19 cultural education emphasizing Alaskan Natives.

20 (b) The board shall appoint three persons licensed under this
21 chapter to serve as a continuing education committee. The committee
22 shall advise the board on matters related to continuing education for
23 clinical social workers. One person appointed to the committee must
24 be familiar with social problems in the rural areas of the state.

25 ARTICLE 2. LICENSING.

26 Sec. 08.95.100. LICENSE REQUIRED. (a) A person who practices
27 clinical social work without obtaining a license issued by the board
28 and without qualifying for an exemption from this chapter is guilty of
29 a class B misdemeanor.

1 (b) A person who is not licensed as a clinical social worker, or
2 whose license is suspended or revoked, or whose license has lapsed,
3 who uses in connection with the person's name the words or letters
4 "L.C.S.W.," "Licensed Clinical Social Worker," or other letters,
5 words, or insignia indicating or implying that the person is a li-
6 censed clinical social worker, or who in any way, orally, or in writ-
7 ing, directly or by implication, holds out as a licensed clinical
8 social worker is guilty of a class B misdemeanor.

9 (c) A person not licensed under this chapter may use the title
10 of "social worker."

11 Sec. 08.95.110. LICENSE TO PRACTICE CLINICAL SOCIAL WORK. The
12 board shall issue a license to practice clinical social work to a
13 person who

14 (1) has received a master's degree or a doctoral degree in
15 social work from a college or university accredited by the Council on
16 Social Work Education;

17 (2) has completed, within the 10 years before application
18 for licensure and under the supervision of a licensed clinical social
19 worker, licensed psychologist, licensed psychiatrist, or, with ap-
20 proval of the board, a clinical social worker who is exempt from this
21 chapter under AS 08.95.910, either (A) a minimum of two years of
22 continuous full-time employment in postgraduate clinical social work;
23 or (B) a minimum of 3,000 hours of less than full-time employment in a
24 period of not less than two years in postgraduate clinical social
25 work; at least 100 hours of supervision required under this paragraph
26 shall be conducted by a qualified person approved by the board;

27 (3) is in good professional standing and is fit to practice
28 social work as determined by the board;

29 (4) has provided three professional references to the

1 board;

2 (5) has satisfactorily completed the examination given by
3 the board; and

4 (6) has paid required fees.

5 Sec. 08.95.120. LICENSING BY CREDENTIALS. The board shall issue
6 a license to practice clinical social work without examination if the
7 applicant

8 (1) holds a current license to practice clinical social
9 work in another jurisdiction that at the time of original issuance of
10 the license had requirements for licensure equal to or more stringent
11 than those of this state;

12 (2) is not the subject of an unresolved complaint or disci-
13 plinary action before a regulatory authority or a professional social
14 work association;

15 (3) has not failed the examination for a license to prac-
16 tice clinical social work in this state;

17 (4) has not had a license to practice clinical social work
18 revoked or suspended in this state or another jurisdiction;

19 (5) has submitted proof of continued competency satis-
20 factory to the board; and

21 (6) has paid required fees.

22 Sec. 08.95.130. DISPLAY OF LICENSE. A person licensed under
23 this chapter shall display the license in a conspicuous place where
24 the licensee practices.

25 ARTICLE 3. GENERAL PROVISIONS.

26 Sec. 08.95.900. CONFIDENTIALITY OF COMMUNICATION. (a) A li-
27 censed clinical social worker may not reveal to another person a
28 communication made to the licensee by a client about a matter concern-
29 ing which the client has employed the licensee in a professional

1 capacity. This section does not apply to

2 (1) a case conference with other clinical social workers or
3 with psychologists, psychological associates, physicians, or surgeons;

4 (2) the release of information which the client in writing
5 authorized the licensee to reveal; or

6 (3) information revealed as part of the discovery of evi-
7 dence related to a court proceeding or introduced in evidence in a
8 court proceeding.

9 (b) Notwithstanding (a) of this section, a licensed clinical
10 social worker shall report incidents of child abuse or neglect as
11 required by AS 47.17.020.

12 Sec. 08.95.910. EXEMPTIONS. This chapter does not apply to a
13 person who

14 (1) practices clinical social work as an employee of a
15 federal, state, or local government or of a private nonprofit orga-
16 nization that is exempt from federal income tax; or

17 (2) is a qualified member of a recognized profession, other
18 than clinical social work, and does not represent to the public by
19 title or description of service as practicing clinical social work.

20 Sec. 08.95.990. DEFINITIONS. In this chapter

21 (1) "board" means the Board of Clinical Social Work Ex-
22 aminers;

23 (2) "clinical social work" means a service in which a
24 special knowledge of social resources, human capabilities, and the
25 part that unconscious motivation plays in determining behavior is
26 directed, through the application of social work principles and meth-
27 ods, at helping individuals to achieve more adequate, satisfying, and
28 productive social adjustments;

29 (3) "clinical social worker" means a person who practices

1 clinical social work;

2 (4) "department" means the Department of Commerce and
3 Economic Development;

4 (5) "social work principles and methods" include counseling
5 and using techniques of applied psychotherapy of a nonmedical nature
6 to assist in the diagnosis and treatment of mental and emotional
7 conditions of individuals, families, and groups; providing information
8 and referral services; providing or arranging for the provision of
9 social services; explaining and interpreting the psychosocial aspects
10 in the situations of individuals, families, or groups; helping commu-
11 nities to organize, provide, or improve social and health services;
12 and doing research related to social work.

13 * Sec. 3. AS 08.01.010 is amended by adding a new paragraph to read:

14 (28) Board of Clinical Social Work Examiners (AS 08.95.010).

15 * Sec. 4. AS 08.02.010(a) is amended to read:

16 (a) An audiologist licensed under AS 08.11, a person licensed in
17 the state as a chiropractor under AS 08.20, a dentist under AS 08.36,
18 a medical practitioner or osteopath under AS 08.64, a registered nurse
19 under AS 08.68, an optometrist under AS 08.72, a registered pharmacist
20 under AS 08.80, a registered physical therapist or occupational thera-
21 pist under AS 08.84, [OR] a psychologist under AS 08.86, or a clinical
22 social worker licensed under AS 08.95, shall use as professional
23 identification appropriate letters or a title after that person's name
24 which represents that person's specific field of practice. The let-
25 ters or title shall appear on all signs, stationery, or other ad-
26 vertising in which the person offers or displays personal professional
27 services to the public. In addition, a person engaged in the practice
28 of medicine or osteopathy under AS 08.64.380(2) or a person engaged in
29 any manner in the healing arts who diagnoses, treats, tests, or

1 counsels other persons in relation to human health or disease and uses
2 the letters "M.D." or the title "doctor" or "physician" or another
3 title that tends to show that the person is willing or qualified to
4 diagnose, treat, test, or counsel another person, shall clarify the
5 letters or title by adding the appropriate specialist designation, if
6 any, such as "dermatologist", "radiologist", "audiologist", "naturo-
7 path", or the like.

8 * Sec. 5. AS 08.03.010(c) is amended by adding a new paragraph to read:

9 (21) Board of Clinical Social Work Examiners (AS 08.95.010)

10 -- June 30, 1992.

11 * Sec. 6. INITIAL APPOINTMENTS TO THE BOARD OF CLINICAL SOCIAL WORK
12 EXAMINERS. Notwithstanding AS 08.95.010, as enacted by sec. 2 of this Act,
13 a person is eligible for an initial appointment as a professional member of
14 the Board of Social Work Examiners, if the person

15 (1) has received a master's degree or a doctoral degree in
16 social work from a college or university accredited by the Council on
17 Social Work Education;

18 (2) has completed, within the preceding 10 years, either

19 (A) a minimum of two years of continuous full-time employ-
20 ment in postgraduate clinical social work; or

21 (B) a minimum of 3,000 hours of less than full-time employ-
22 ment in postgraduate clinical social work in a period of not less than
23 two years;

24 (3) is in good professional standing; and

25 (4) has practiced clinical social work in this state within the
26 year preceding appointment.

27 * Sec. 7. TRANSITIONAL LICENSURE. (a) Notwithstanding AS 08.95.110,
28 as enacted by sec. 2 of this Act, the Board of Clinical Social Work Ex-
29 aminers shall issue a license to practice clinical social work to a person

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who

(1) applies for a license before July 1, 1989; and

(2) satisfies the requirements of AS 08.95.110(1) - (4) and (6).

(b) Notwithstanding AS 08.95.110(2) as enacted by sec. 2 of this Act, the board shall issue a license to practice clinical social work to a person who applies for licensure under this section without regard to whether the supervising clinical social worker is licensed in this state.

* Sec. 8. This Act takes effect July 1, 1988.

Original sponsors: Pourchot, Phillips
and Collins

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 526 (Finance)

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 practice of clinical social
7 work and exempting certain persons from licensure as
8 clinical social workers; and providing for an effec-
9 tive date."

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

11 * Section 1. PURPOSE. The purpose of this Act is to protect the public
12 by

13 (1) setting standards for the education, training, and experi-
14 ence for persons practicing clinical social work; and

15 (2) promoting high standards of professional performance by
16 those persons licensed to practice clinical social work.

17 * Sec. 2. AS 08 is amended by adding a new chapter to read:

18 CHAPTER 95. CLINICAL SOCIAL WORK.

19 ARTICLE 1. BOARD OF CLINICAL SOCIAL WORK EXAMINERS.

20 Sec. 08.95.010. CREATION AND MEMBERSHIP OF THE BOARD. (a)

21 There is created the Board of Clinical Social Work Examiners composed
22 of five members. Four members must be persons licensed under this
23 chapter, including at least one person who is not an employee of a
24 federal, state, or local government or of a private nonprofit organi-
25 zation that is exempt from federal income tax. One member must be a
26 public member.

27 (b) Members of the board shall elect a member of the board as
28 chair. The chair serves for a term of one year.

29 Sec. 08.95.020. BOARD MEETINGS. The board shall hold at least

1 one meeting each year. The board may hold additional meetings at the
2 call of the chair or of a majority of the board members.

3 Sec. 08.95.030. DUTIES. The board shall

- 4 (1) issue licenses to qualified applicants;
5 (2) submit an annual report of its proceedings to the
6 department;
7 (3) after a hearing, impose disciplinary sanctions on a
8 person who violates this chapter or the regulations or orders of the
9 board;
10 (4) adopt regulations requiring that continuing education
11 requirements be satisfied before a license is renewed;
12 (5) adopt regulations necessary to carry out the purpose of
13 this chapter.

14 Sec. 08.95.040. CONTINUING EDUCATION REQUIREMENT. (a) The
15 board shall adopt continuing education requirements for persons li-
16 censed under this chapter. Continuing education requirements must
17 include a minimum of 45 hours per biennium of education or training
18 with a minimum of six hours in substance abuse and six hours in cross-
19 cultural education emphasizing Alaskan Natives.

20 (b) The board shall appoint three persons licensed under this
21 chapter to serve as a continuing education committee. The committee
22 shall advise the board on matters related to continuing education for
23 clinical social workers. One person appointed to the committee must
24 be familiar with social problems in the rural areas of the state.

25 ARTICLE 2. LICENSING.

26 Sec. 08.95.100. LICENSE REQUIRED. (a) A person who practices
27 clinical social work without obtaining a license issued by the board
28 and without qualifying for an exemption from this chapter is guilty of
29 a class B misdemeanor.

1 (b) A person who is not licensed as a clinical social worker, or
2 whose license is suspended or revoked, or whose license has lapsed,
3 who uses in connection with the person's name the words or letters
4 "L.C.S.W.," "Licensed Clinical Social Worker," or other letters,
5 words, or insignia indicating or implying that the person is a li-
6 censed clinical social worker, or who in any way, orally, or in writ-
7 ing, directly or by implication, holds out as a licensed clinical
8 social worker is guilty of a class B misdemeanor.

9 (c) A person not licensed under this chapter may use the title
10 of "social worker."

11 Sec. 08.95.110. LICENSE TO PRACTICE CLINICAL SOCIAL WORK. The
12 board shall issue a license to practice clinical social work to a
13 person who

14 (1) has received a master's degree or a doctoral degree in
15 social work from a college or university accredited by the Council on
16 Social Work Education;

17 (2) has completed, within the 10 years before application
18 for licensure and under the supervision of a licensed clinical social
19 worker, licensed psychologist, licensed psychiatrist, or, with ap-
20 proval of the board, a clinical social worker who is exempt from this
21 chapter under AS 08.95.910, either (A) a minimum of two years of
22 continuous full-time employment in postgraduate clinical social work;
23 or (B) a minimum of 3,000 hours of less than full-time employment in a
24 period of not less than two years in postgraduate clinical social
25 work; at least 100 hours of supervision required under this paragraph
26 shall be conducted by a qualified person approved by the board;

27 (3) is in good professional standing and is fit to practice
28 social work as determined by the board;

29 (4) has provided three professional references to the

1 board;

2 (5) has satisfactorily completed the examination given by
3 the board; and

4 (6) has paid required fees.

5 Sec. 08.95.120. LICENSING BY CREDENTIALS. The board shall issue
6 a license to practice clinical social work without examination if the
7 applicant

8 (1) holds a current license to practice clinical social
9 work in another jurisdiction that at the time of original issuance of
10 the license had requirements for licensure equal to or more stringent
11 than those of this state;

12 (2) is not the subject of an unresolved complaint or disci-
13 plinary action before a regulatory authority or a professional social
14 work association;

15 (3) has not failed the examination for a license to prac-
16 tice clinical social work in this state;

17 (4) has not had a license to practice clinical social work
18 revoked or suspended in this state or another jurisdiction;

19 (5) has submitted proof of continued competency satis-
20 factory to the board; and

21 (6) has paid required fees.

22 Sec. 08.95.130. DISPLAY OF LICENSE. A person licensed under
23 this chapter shall display the license in a conspicuous place where
24 the licensee practices.

25 ARTICLE 3. GENERAL PROVISIONS.

26 Sec. 08.95.900. CONFIDENTIALITY OF COMMUNICATION. (a) A li-
27 censed clinical social worker may not reveal to another person a
28 communication made to the licensee by a client about a matter concern-
29 ing which the client has employed the licensee in a professional

1 capacity. This section does not apply to

2 (1) a case conference with other clinical social workers or
3 with psychologists, psychological associates, physicians, or surgeons;

4 (2) ^[OF IN THE CASE] the release of information which the client in writing
5 authorized the licensee to reveal; ^[A COMMUNICATION] ~~or~~

6 (3) information revealed as part of the discovery of evi-
7 dence related to a court proceeding or introduced in evidence in a
8 court proceeding.

9 (b) Notwithstanding (a) of this section, a licensed clinical
10 social worker shall report incidents of child abuse or neglect as
11 required by AS 47.17.020.

12 Sec. 08.95.910. EXEMPTIONS. This chapter does not apply to a
13 person who

14 (1) practices clinical social work as an employee of a
15 federal, state, or local government or of a private nonprofit orga-
16 nization that is exempt from federal income tax; or

17 (2) is a qualified member of a recognized profession, other
18 than clinical social work, and does not represent to the public by
19 title or description of service as practicing clinical social work.

20 Sec. 08.95.990. DEFINITIONS. In this chapter

21 (1) "board" means the Board of Clinical Social Work Ex-
22 aminers;

23 (2) "clinical social work" means a service in which a
24 special knowledge of social resources, human capabilities, and the
25 part that unconscious motivation plays in determining behavior is
26 directed, through the application of social work principles and meth-
27 ods, at helping individuals to achieve more adequate, satisfying, and
28 productive social adjustments;

29 (3) "clinical social worker" means a person who practices

1 clinical social work;

2 (4) "department" means the Department of Commerce and
3 Economic Development;

4 (5) "social work principles and methods" include counseling
5 and using techniques of applied psychotherapy of a nonmedical nature
6 to assist in the diagnosis and treatment of mental and emotional
7 conditions of individuals, families, and groups; providing information
8 and referral services; providing or arranging for the provision of
9 social services; explaining and interpreting the psychosocial aspects
10 in the situations of individuals, families, or groups; helping commu-
11 nities to organize, provide, or improve social and health services;
12 and doing research related to social work.

13 * Sec. 3. AS 08.01.010 is amended by adding a new paragraph to read:

14 (28) Board of Clinical Social Work Examiners (AS 08.95.010).

15 * Sec. 4. AS 08.02.010(a) is amended to read:

16 (a) An audiologist licensed under AS 08.11, a person licensed in
17 the state as a chiropractor under AS 08.20, a dentist under AS 08.36,
18 a medical practitioner or osteopath under AS 08.64, a registered nurse
19 under AS 08.68, an optometrist under AS 08.72, a registered pharmacist
20 under AS 08.80, a registered physical therapist or occupational thera-
21 pist under AS 08.84, [OR] a psychologist under AS 08.86, or a clinical
22 social worker licensed under AS 08.95. shall use as professional
23 identification appropriate letters or a title after that person's name
24 which represents that person's specific field of practice. The let-
25 ters or title shall appear on all signs, stationery, or other ad-
26 vertising in which the person offers or displays personal professional
27 services to the public. In addition, a person engaged in the practice
28 of medicine or osteopathy under AS 08.64.380(2) or a person engaged in
29 any manner in the healing arts who diagnoses, treats, tests, or

1 counsels other persons in relation to human health or disease and uses
2 the letters "M.D." or the title "doctor" or "physician" or another
3 title that tends to show that the person is willing or qualified to
4 diagnose, treat, test, or counsel another person, shall clarify the
5 letters or title by adding the appropriate specialist designation, if
6 any, such as "dermatologist", "radiologist", "audiologist", "naturo-
7 path", or the like.

8 * Sec. 5. AS 08.03.010(c) is amended by adding a new paragraph to read:

9 (21) Board of Clinical Social Work Examiners (AS 08.95.010)

10 -- June 30, 1992.

11 * Sec. 6. INITIAL APPOINTMENTS TO THE BOARD OF CLINICAL SOCIAL WORK
12 EXAMINERS. Notwithstanding AS 08.95.010, as enacted by sec. 2 of this Act,
13 a person is eligible for an initial appointment as a professional member of
14 the Board of Social Work Examiners, if the person

15 (1) has received a master's degree or a doctoral degree in
16 social work from a college or university accredited by the Council on
17 Social Work Education;

18 (2) has completed, within the preceding 10 years, either

19 (A) a minimum of two years of continuous full-time employ-
20 ment in postgraduate clinical social work; or

21 (B) a minimum of 3,000 hours of less than full-time employ-
22 ment in postgraduate clinical social work in a period of not less than
23 two years;

24 (3) is in good professional standing; and

25 (4) has practiced clinical social work in this state within the
26 year preceding appointment.

27 * Sec. 7. TRANSITIONAL LICENSURE. (a) Notwithstanding AS 08.95.110,
28 as enacted by sec. 2 of this Act, the Board of Clinical Social Work Ex-
29 aminers shall issue a license to practice clinical social work to a person

1 who

2 (1) applies for a license before July 1, 1989; and

3 (2) satisfies the requirements of AS 08.95.110(1) - (4) and (6).

4 (b) Notwithstanding AS 08.95.110(2) as enacted by sec. 2 of this Act,
5 the board shall issue a license to practice clinical social work to a
6 person who applies for licensure under this section without regard to
7 whether the supervising clinical social worker is licensed in this state.

8 * Sec. 8. This Act takes effect July 1, 1988.
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Alaska State Legislature

REPRESENTATIVE
PAT POURCHOT

HOUSE FINANCE COMMITTEE,
VICE CHAIR

HOUSE ETHICS COMMITTEE, CHAIR

LEGISLATIVE BUDGET & AUDIT
COMMITTEE



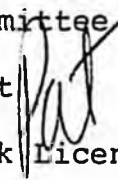
House of Representatives

ANCHORAGE
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JUNEAU
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M E M O R A N D U M

TO: Members, House Finance Committee

FROM: Representative Pat Pourchot 

RE: CSHB 526 (Fin), Social Work Licensing

DATE: April 7, 1988

I am writing to call your attention to CSHB 526(Fin), which would establish licensure for clinical social workers.

Licensure of social workers is an issue that has been before the Legislature in the past, but due to strong opposition from some groups has failed to achieve passage into law. The primary opposition has come from Native non-profit organizations concerned about the impact licensure might have on the ability of the Native community to continue to provide services to its people. Lesser opposition has come from the State Division of Family and Youth Services (DFYS) who is concerned about the feasibility of licensing state employees and the difficulty of attracting licensed professionals to remote areas of the state.

The bill before you is a scaled-down version of earlier licensing proposals. It meets the concerns of the Native non-profits and DFYS, is supported by the Alaska Chapter of the National Association of Social Workers (ANASW), and meets the most pressing consumer protection issue -- social workers providing counseling or psychotherapy services in unsupervised private practice.

Proposed CSHB 526(Fin) would apply only to clinical social workers in private practice, a subset (approximately 50 persons) of the general social work profession. A clinical social worker is classified according to NASW's standardized definition and is set apart from other social workers by the fact that he or she performs psychotherapy (diagnosis and assessment of persons with mental and emotional conditions). This aspect of social work requires specialized knowledge and training and can have detrimental effects if wrongly

CSHB 526 (Fin)
April 7, 1988
Page 2

applied. Social workers employed by federal, state, or local government entities and by private non-profits (e.g. social workers who, by the nature of their employment, operate within a supervised structure) would be specifically exempt from licensure.

HB 526 should not be interpreted to mean that consumer protection and standard of practice issues arise only with clinical social workers. Probably each decision made by each social worker impacts somebody's life, and there are many people who feel that this justifies licensure of all social workers. However, there is simply not support for that approach. I am convinced that CSHB 526 (Fin) will do much to enhance consumer protection and improve the standard of care by targeting those social workers that are totally unregulated at this time, and I would urge your support.

The bill will have no fiscal impact, as license fees (approximately \$150 per year) would cover the cost of licensing. I would also note that licensure would facilitate the receipt of third party insurance payments by clinical social workers, which would have the general effect of increasing the availability of their services.

HB 526 received a unanimous "do pass" recommendation from both the House Labor and Commerce Committee and the House Health, Education, and Social Services Committee after supportive testimony was received from the Alaska Chapter of the National Association of Social Workers, the Alaska Department of Health and Social Services, the State Division of Occupational Licensing, and the Alaska Federation of Natives.

The Finance Committee Substitute contains only one change from earlier versions of the bill. In response to a concern expressed by the House HESS Committee, the confidentiality provision has been amended to remove any apparent conflict between the bill (which implies that social workers are exempt from the court's authority to require testimony) and the court rules (which authorize the courts to require persons to testify or to grant them the privilege of confidentiality). Page 5, lines 1-5 now recognize the court's authority.

I urge your support.

Alaska State Legislature

REPRESENTATIVE
PAT POURCHOT

HOUSE FINANCE COMMITTEE,
VICE CHAIR

HOUSE ETHICS COMMITTEE, CHAIR

LEGISLATIVE BUDGET & AUDIT
COMMITTEE



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House of Representatives

April 7, 1988

CSHB 526(Fin), An Act relating to the practice of clinical social work.

BILL ANALYSIS

Section 1 Purpose

Protect the public by setting standards of professional performance for clinical social workers.

Section 2, 08.95.010 Board Make-up

Four licensed clinical social workers and one public member.

Section 08.95.020 Board Meetings

At least once a year.

Section 08.95.030 Duties of the Board

Issue licenses, impose disciplinary sanctions, adopt regulations, and prepare an annual report.

Section 08.95.040 Continuing Education

Minimum of 45 hours per biennium of education or training, with a minimum of 6 hours in substance abuse and 6 hours in cross-cultural education that emphasizes Alaska Natives.

Section 08.95.100 Penalties

Class B misdemeanor (maximum 90 day sentence) for practicing clinical social work or using the title "clinical social worker" without a license. Unlicensed persons may use the title "social worker".

Section 08.95.110 Licensure

Qualifications: (1) Masters or doctoral degree in social work; (2) 2-years of full-time supervised employment in clinical social work or 3,000 supervised hours of less than full-time employment; (3) good professional standing; (4) 3 professional references; (5) pass examination; (6) pay fees.

Section 08.95.130 Display of License

Must be in a conspicuous place.

Section 08.95.900 Confidentiality

Required except under certain conditions (case conferences with other licensed professionals, written consent, court proceedings, incidents of child abuse or neglect).

Section 08.95.910 Exemptions

Employees of federal/state/local government, non-profits, other qualified professionals.

Section 08.95.990 Definitions

Defines "clinical social work" and "social work principles and methods".

Section 3-4 DCED Duties

08.01.010 places Social Work Board under the centralized licensing statute.
08.01.050 authorizes DCED to provide investigative services to the Board.

Section 5, 08.02.010(a) Use of Title

Must be used on all signs, stationery, or other advertising.

Section 6, 08.03.010(c) Sunset

June 30, 1992

Section 7 Initial Appointments to Board

Persons with masters or doctoral degree in social work, 2 years or 3000 hours of experience, good professional standing, and who practiced in Alaska during the past year are eligible.

Section 8 Transitional Licensure

License without exam until June 30, 1989 for persons who meet all other licensure requirements.

Section 9 Effective Date

July 1, 1988

Original sponsors: Pourchot, Phillips
and Collins

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 CS FOR HOUSE BILL NO. 526 (Finance)

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 practice of clinical social
7 work and exempting certain persons from licensure as
8 clinical social workers; and providing for an effective
9 date."

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

11 * Section 1. PURPOSE. The purpose of this Act is to protect the public
12 by

13 (1) setting standards for the education, training, and experience
14 for persons practicing clinical social work; and

15 (2) promoting high standards of professional performance by
16 those persons licensed to practice clinical social work.

17 * Sec. 2. AS 08 is amended by adding a new chapter to read:

18 CHAPTER 95. CLINICAL SOCIAL WORK.

19 ARTICLE 1. BOARD OF CLINICAL SOCIAL WORK EXAMINERS.

20 Sec. 08.95.010. CREATION AND MEMBERSHIP OF THE BOARD. (a)

21 There is created the Board of Clinical Social Work Examiners composed
22 of five members. Four members must be persons licensed under this
23 chapter, including at least one person who is not an employee of a
24 federal, state, or local government or of a private nonprofit organization
25 that is exempt from federal income tax. One member must be a
26 public member.

27 (b) Members of the board shall elect a member of the board as
28 chair. The chair serves for a term of one year.

29 Sec. 08.95.020. BOARD MEETINGS. The board shall hold at least

1 one meeting each year. The board may hold additional meetings at the
2 call of the chair or of a majority of the board members.

3 Sec. 08.95.030. DUTIES. The board shall

4 (1) issue licenses to qualified applicants;

5 (2) submit an annual report of its proceedings to the
6 department;

7 (3) after a hearing, impose disciplinary sanctions on a
8 person who violates this chapter or the regulations or orders of the
9 board;

10 (4) adopt regulations requiring that continuing education
11 requirements be satisfied before a license is renewed;

12 (5) adopt regulations necessary to carry out the purpose of
13 this chapter.

14 Sec. 08.95.040. CONTINUING EDUCATION REQUIREMENT. (a) The
15 board shall adopt continuing education requirements for persons li-
16 censed under this chapter. Continuing education requirements must
17 include a minimum of 45 hours per biennium of education or training
18 with a minimum of six hours in substance abuse and six hours in cross-
19 cultural education emphasizing Alaskan Natives.

20 (b) The board shall appoint three persons licensed under this
21 chapter to serve as a continuing education committee. The committee
22 shall advise the board on matters related to continuing education for
23 clinical social workers. One person appointed to the committee must
24 be familiar with social problems in the rural areas of the state.

25 ARTICLE 2. LICENSING.

26 Sec. 08.95.100. LICENSE REQUIRED. (a) A person who practices
27 clinical social work without obtaining a license issued by the board
28 and without qualifying for an exemption from this chapter is guilty of
29 a class B misdemeanor.

1 (b) A person who is not licensed as a clinical social worker, or
2 whose license is suspended or revoked, or whose license has lapsed,
3 who uses in connection with the person's name the words or letters
4 "L.C.S.W.," "Licensed Clinical Social Worker," or other letters,
5 words, or insignia indicating or implying that the person is a li-
6 censed clinical social worker, or who in any way, orally, or in writ-
7 ing, directly or by implication, holds out as a licensed clinical
8 social worker is guilty of a class B misdemeanor.

9 (c) A person not licensed under this chapter may use the title
10 of "social worker."

11 Sec. 08.95.110. LICENSE TO PRACTICE CLINICAL SOCIAL WORK. The
12 board shall issue a license to practice clinical social work to a
13 person who

14 (1) has received a master's degree or a doctoral degree in
15 social work from a college or university accredited by the Council on
16 Social Work Education;

17 (2) has completed, within the 10 years before application
18 for licensure and under the supervision of a licensed clinical social
19 worker, licensed psychologist, licensed psychiatrist, or, with ap-
20 proval of the board, a clinical social worker who is exempt from this
21 chapter under AS 08.95.910, either (A) a minimum of two years of
22 continuous full-time employment in postgraduate clinical social work;
23 or (B) a minimum of 3,000 hours of less than full-time employment in a
24 period of not less than two years in postgraduate clinical social
25 work; at least 100 hours of supervision required under this paragraph
26 shall be conducted by a qualified person approved by the board;

27 (3) is in good professional standing and is fit to practice
28 social work as determined by the board;

29 (4) has provided three professional references to the

board;

1
2 (5) has satisfactorily completed the examination given by
3 the board; and

4 (6) has paid required fees.

5 Sec. 08.95.120. LICENSING BY CREDENTIALS. The board shall issue
6 a license to practice clinical social work without examination if the
7 applicant

8 (1) holds a current license to practice clinical social
9 work in another jurisdiction that at the time of original issuance of
10 the license had requirements for licensure equal to or more stringent
11 than those of this state;

12 (2) is not the subject of an unresolved complaint or disci-
13 plinary action before a regulatory authority or a professional social
14 work association;

15 (3) has not failed the examination for a license to prac-
16 tice clinical social work in this state;

17 (4) has not had a license to practice clinical social work
18 revoked or suspended in this state or another jurisdiction;

19 (5) has submitted proof of continued competency satis-
20 factory to the board; and

21 (6) has paid required fees.

22 Sec. 08.95.130. DISPLAY OF LICENSE. A person licensed under
23 this chapter shall display the license in a conspicuous place where
24 the licensee practices.

25 ARTICLE 3. GENERAL PROVISIONS.

26 Sec. 08.95.900. CONFIDENTIALITY OF COMMUNICATION. (a) A li-
27 censed clinical social worker may not reveal to another person a
28 communication made to the licensee by a client about a matter concern-
29 ing which the client has employed the licensee in a professional

1 capacity. This section does not apply to

2 (1) a case conference with other clinical social workers or
3 with psychologists, psychological associates, physicians, or surgeons;

4 (2) ^{[OR IN THE CASE} the release of information which the client in writing
5 authorized the licensee to reveal; ^[A COMMUNICATION] or

6 (3) information revealed as part of the discovery of evi-
7 dence related to a court proceeding or introduced in evidence in a
8 court proceeding.

9 (b) Notwithstanding (a) of this section, a licensed clinical
10 social worker shall report incidents of child abuse or neglect as
11 required by AS 47.17.020.

12 Sec. 08.95.910. EXEMPTIONS. This chapter does not apply to a
13 person who

14 (1) practices clinical social work as an employee of a
15 federal, state, or local government or of a private nonprofit orga-
16 nization that is exempt from federal income tax; or

17 (2) is a qualified member of a recognized profession, other
18 than clinical social work, and does not represent to the public by
19 title or description of service as practicing clinical social work.

20 Sec. 08.95.990. DEFINITIONS. In this chapter

21 (1) "board" means the Board of Clinical Social Work Ex-
22 aminers;

23 (2) "clinical social work" means a service in which a
24 special knowledge of social resources, human capabilities, and the
25 part that unconscious motivation plays in determining behavior is
26 directed, through the application of social work principles and meth-
27 ods, at helping individuals to achieve more adequate, satisfying, and
28 productive social adjustments;

29 (3) "clinical social worker" means a person who practices

1 clinical social work;

2 (4) "department" means the Department of Commerce and
3 Economic Development;

4 (5) "social work principles and methods" include counseling
5 and using techniques of applied psychotherapy of a nonmedical nature
6 to assist in the diagnosis and treatment of mental and emotional
7 conditions of individuals, families, and groups; providing information
8 and referral services; providing or arranging for the provision of
9 social services; explaining and interpreting the psychosocial aspects
10 in the situations of individuals, families, or groups; helping commu-
11 nities to organize, provide, or improve social and health services;
12 and doing research related to social work.

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19 under AS 08.68, an optometrist under AS 08.72, a registered pharmacist
20 under AS 08.80, a registered physical therapist or occupational thera-
21 pist under AS 08.84, [OR] a psychologist under AS 08.86, or a clinical
22 social worker licensed under AS 08.95, shall use as professional
23 identification appropriate letters or a title after that person's name
24 which represents that person's specific field of practice. The let-
25 ters or title shall appear on all signs, stationery, or other ad-
26 vertising in which the person offers or displays personal professional
27 services to the public. In addition, a person engaged in the practice
28 of medicine or osteopathy under AS 08.64.380(2) or a person engaged in
29 any manner in the healing arts who diagnoses, treats, tests, or

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2 the letters "M.D." or the title "doctor" or "physician" or another
3 title that tends to show that the person is willing or qualified to
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5 letters or title by adding the appropriate specialist designation, if
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9 (21) Board of Clinical Social Work Examiners (AS 08.95.010)

10 -- June 30, 1992.

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17 Social Work Education;

18 (2) has completed, within the preceding 10 years, either

19 (A) a minimum of two years of continuous full-time employ-
20 ment in postgraduate clinical social work; or

21 (B) a minimum of 3,000 hours of less than full-time employ-
22 ment in postgraduate clinical social work in a period of not less than
23 two years;

24 (3) is in good professional standing; and

25 (4) has practiced clinical social work in this state within the
26 year preceding appointment.

27 * Sec. 7. TRANSITIONAL LICENSURE. (a) Notwithstanding AS 08.95.110,
28 as enacted by sec. 2 of this Act, the Board of Clinical Social Work Ex-
29 aminers shall issue a license to practice clinical social work to a person

1 who

2 (1) applies for a license before July 1, 1989; and

3 (2) satisfies the requirements of AS 08.95.110(1) - (4) and (6).

4 (b) Notwithstanding AS 08.95.110(2) as enacted by sec. 2 of this Act,
5 the board shall issue a license to practice clinical social work to a
6 person who applies for licensure under this section without regard to
7 whether the supervising clinical social worker is licensed in this state.

8 * Sec. 8. This Act takes effect July 1, 1988.

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to the practice of clinical social work...
Sponsor: House Labor & Commerce
Requestor: _____

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

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL		3.5	3.5	3.5	3.5	3.5
CONTRACTUAL		1.0	1.0	1.0	1.0	1.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		4.5	4.5	4.5	4.5	4.5

CAPITAL	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93

REVENUE	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
		15.0	3.0	21.0	3.0	27.0

FUNDING: (Thousands of Dollars)

GENERAL FUND	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
FEDERAL FUNDS						
OTHER		4.5	4.5	4.5	4.5	4.5
TOTAL		4.5	4.5	4.5	4.5	4.5

POSITIONS:

POSITIONS	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
FULL-TIME		0	0	0	0	0
PART-TIME		0	0	0	0	0
TEMPORARY		0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

The bill establishes a Board of Clinical Social Work Examiners to regulate and license approximately 50 practitioners. The expenses identified above include travel funds for the board to meet and contractual funds to cover printing, advertising and communication expenses. (CONTINUED ON ATTACHED)

Prepared by: Jennifer Strickler, Management Analyst Phone: 465-2144
Division: Occupational Licensing Date: 3/31/88

Approved by Commissioner: J. Anthony Smith Date: 4/4/88
Agency: Commerce and Economic Development

Distribution (by preparer):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. CSHB 526 (L&C)

The expenses identified do not include administrative overhead costs. All licensing programs under central licensing are expected to cover a portion of the overhead expenses. To accomplish this, the division has established a formula used to spread overhead costs in each licensing area based on the number of licensees within an occupation. For clinical social workers, 50 practitioners equal 0.24% of the current licensees; therefore, 0.24% of the overhead is assigned to the clinical social work licensing program to be covered by licensing fees.

Therefore, the total cost of the clinical social work licensing program is \$15,400 in the first year and licensing fees would need to attempt to cover this cost.

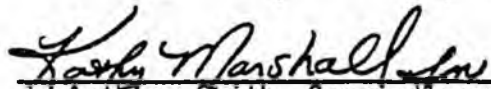
Clinical social workers have expressed their willingness to pay up to \$150 per year (\$300 biennial) for licensing fees. As a result, the profession will just about cover the costs of its licensing program in the first year. Revenues identified on even-numbered years are based on 10 new licensees. Because of the renewal cycle of licenses, expenses in a nonrenewal year will have to be subsidized by general funds or through other licensing fees for those occupations undergoing renewal.

CSHB 526 (L&C): An Act relating to the practice of clinical social work and exempting certain persons from licensure as clinical social workers; and providing for an effective date.

CSHB 526 establishes a Board of Clinical Social Work Examiners to regulate the practice of clinical social work performed by independent practitioners and exempts individuals who practice clinical social work as an employee of a federal, state or local government, or of a private nonprofit organization.

Currently, clinical social workers practice independently with no oversight of individual qualifications, or means to pursue unethical practice. Clinical social workers often work closely with psychologists and psychiatrists in diagnosing and treating emotional disorders. Although other classifications of social workers generally receive supervision through their employment by the state or a clinic or medical facility, clinical social workers have been isolated from such oversight.

The department supports the licensing of clinical social workers, provided that the profession is cooperative in attempting to support adequate funding for the new licensing function through realistic licensing fees.



J. Anthony Smith, Commissioner
Department of Commerce and
Economic Development

Date: 4/4/88

JS/dg10066o
040488b

277

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CSHB 526 (L&C)
PUBLISH DATE: HOUSE 3/28/88

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Health and Social Services
Title: The practice of clinical social work and exempting certain persons from licensure BRU: _____
Sponsor: Pourchot, Phillips, Collins Components: _____
Requestor: _____

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	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

N/A

Prepared by: Yvonne M. Chase, Director *AMC* Phone: 465-3170
Division: Division of Family and Youth Services Date: 03/24/88

Approved by Commissioner: Myra M. Munson *Myra M. Munson* Date: 3/24/88
Agency: Department of Health and Social Services

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

POSITION PAPER
COMMITTEE SUBSTITUTE FOR HOUSE BILL No. 526

For an Act entitled: "An Act relating to the practice of clinical social work and exempting certain persons from licensure as clinical social workers; and providing for an effective date."

The Committee Substitute for House Bill 526 would provide for a licensing body with the authority to regulate the practice of clinical social work in Alaska. The provisions in this Committee Substitute would:

1) promote high standards of professional performance by persons licensed to practice clinical social work.

As a result of this legislation, only persons found by the Board to meet the requirements under Section 08.95.110 would be issued a license to practice clinical social work. Clinical social workers intervene in complex situations involving interpersonal, social, financial, and legal dimensions, and in an area where the professional capabilities of the individual have such an important impact on the persons receiving services, it is essential that the standards of quality of one's professional performance are consistently high. Licensure or certification has been effected in 43 states, the Virgin Islands, and Puerto, as a mechanism to ensure those standards.

2) protect the consumer by insuring that persons using the title of clinical social worker have specific educational training designed to prepare persons for the field of social work.

There are presently no requirements for clinical social work practitioners, and while consumers of these services can contact the Alaska Chapter of the National Association of Social Workers (NASW) to see if the person is a member, membership in NASW is voluntary and therefore all "licensable" social workers may not belong to NASW. In addition, while persons who are members of NASW are required to conduct their practices according to the national organization's code of ethics, censoring a member for unethical practices does not stop them from practicing in Alaska; that can only be accomplished through licensure.

3) provide individuals in the community with more options for treatment than what presently exists.

Licensure provides the clinical social worker with the ability to seek financial reimbursement for services through a number of insurance companies which presently will only reimburse "licensed" professionals. The result of the present situation is that persons seeking treatment services are forced to wait for the availability of other professionals if they need to pay for these services through insurance. Social workers provide a large percentage of the clinical services offered in Alaska, particularly in the rural areas, and the availability of those services often means the difference between some treatment and no treatment.

4) provide for privileged communication between the professional social worker and the client.

While the information acquired by state social workers in their performance of their duties under AS 47.10.090, 47.17.040, 47.35.060, and 47.35.070 is confidential, social workers in private agencies or in private practice have no similar protection of their clients' information.

The Department of Health and Social Services strongly supports both the recognition of the profession of social work and the commitment of the Alaska Legislature to regulate that practice in order to assure quality service to clients.

RECOMMENDED:

Yvonne M. Chase
Yvonne M. Chase, Director
Division of Family
and Youth Services

DATE:

3/24/88

APPROVED:

Myra M. Munson
Myra M. Munson, Commissioner
Department of Health
and Social Services

DATE:

3/24/88

Alaska State Legislature

REPRESENTATIVE
PAT POURCHOT

HOUSE FINANCE COMMITTEE,
VICE CHAIR

HOUSE ETHICS COMMITTEE, CHAIR

LEGISLATIVE BUDGET & AUDIT
COMMITTEE



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House of Representatives

March 22, 1988

Proposed CSHB 526(L&C), An Act relating to the practice of clinical social work.

BILL ANALYSIS

Section 1 Purpose

Protect the public by setting standards of professional performance for clinical social workers.

Section 2, 08.95.010 Board Make-up

Four licensed clinical social workers and one public member.

Section 08.95.020 Board Meetings

At least once a year.

Section 08.95.030 Duties of the Board

Issue licenses, impose disciplinary sanctions, adopt regulations, and prepare an annual report.

Section 08.95.040 Continuing Education

Minimum of 45 hours per biennium of education or training, with a minimum of 6 hours in substance abuse and 6 hours in cross-cultural education that emphasizes Alaska Natives.

Section 08.95.100 Penalties

Class B misdemeanor (maximum 90 day sentence) for practicing clinical social work or using the title "clinical social worker" without a license. Unlicensed persons may use the title "social worker".

Section 08.95.110 Licensure

Qualifications: (1) Masters or doctoral degree in social work; (2) 2-years of full-time supervised employment in clinical social work or 3,000 supervised hours of less than full-time employment; (3) good professional standing; (4) 3 professional references; (5) pass examination; (6) pay fees.

Section 08.95.130 Display of License

Must be in a conspicuous place.

Section 08.95.900 Confidentiality

Required except under certain conditions (case conferences with other licensed professionals, written consent, incidents of child abuse or neglect).

Section 08.95.910 Exemptions

Employees of federal/state/local government, non-profits, other qualified professionals.

Section 08.95.990 Definitions

Defines "clinical social work" and "social work principles and methods".

Section 3-4 DCED Duties

08.01.010 places Social Work Board under the centralized licensing statute.
08.01.050 authorizes DCED to provide investigative services to the Board.

Section 5, 08.02.010(a) Use of Title

Must be used on all signs, stationery, or other advertising.

Section 6, 08.03.010(c) Sunset

June 30, 1992

Section 7 Initial Appointments to Board

Persons with masters or doctoral degree in social work, 2 years or 3000 hours of experience, good professional standing, and who practiced in Alaska during the past year are eligible.

Section 8 Transitional Licensure

License without exam until June 30, 1989 for persons who meet all other licensure requirements.

Section 9 Effective Date

July 1, 1988

ALASKA FEDERATION OF NATIVES, INC.

411 W. 4th Avenue, Suite 301 • Anchorage, Alaska 99501 • Phone (907) 274-3611



March 24, 1988

Representative Pat Pourchot
Alaska State Legislature
P. O. Box V
Juneau, Alaska 99811

Dear Representative Pourchot:

AFN has reviewed the proposed Committee Substitute for House Bill 526 (L & C). At this time, AFN has no objection to this substitute moving forward. Our concerns in previous drafts seem to have been met, specifically the very clear exemption for non-profit and state social workers.

If you have any questions please give me a call.

Sincerely,

Julie Kitka
Executive Vice President

NASW Statement

LICENSING OF CLINICAL SOCIAL WORKERS IN PRIVATE PRACTICE

The Alaska Chapter of the National Association of Social Workers supports the passage of legislation to regulate social workers who are engaged in the private-for-profit, independent practice of clinical social work. Currently 35 States provide some control over clinical social work in their jurisdiction through registration, certification, or licensure of social workers and 9 States including California and Oregon regulate only the practice of clinical social work.

The standard adopted by NASW for the independent practice of clinical social work includes a master's degree in social work from an accredited program and two years of supervised experience in a clinical setting. Clinical settings include but are not limited to mental health clinics, hospitals, and counseling centers. Only clinical social workers are qualified to diagnose and treat mental illness and emotional disorders utilizing psychosocial methods and psychotherapeutic techniques. Clinical social workers deliver over 50% of mental health services on the national and statewide level. Clinical social workers are the only unlicensed mental health professionals currently permitted by State statute to evaluate clients for commitment in mental health proceedings.

The majority of social workers engaged in private practice throughout the State are clinical social workers. There are several masters level and some bachelors level social workers engaged in private practice as consultants but it would be difficult to regulate this group because they do not possess a standard body of knowledge in comparison to clinical social workers. Consumers of clinical social work services by private practitioners are those consumers most at risk of receiving services from unqualified or unethical practitioners.

NASW believes that licensing of all social workers is beneficial to the public but licensing of private practitioners is absolutely necessary to protect consumers. Clients of agencies can file complaints with the worker's supervisor, director, or governing board, but clients of private practitioners have no such recourse. Recently there have been several reports indicating that complaints against social workers accused of sexually abusing clients has sharply increased. The Alaska Chapter of NASW is currently in the process of handling a complaint of this nature against one of our members. Because NASW can only handle complaints against members, the only sanction we can impose is to revoke membership.

We estimate that approximately 40-50 clinical social workers are engaged in the private practice of clinical social work on a part-time or full-time basis in Alaska and an additional 50-80 clinical social workers employed by agencies, clinics, and hospitals will meet the qualifications. Licensing of clinical social workers will enable private practitioners to collect third-party payments for treatment of mental and emotional disorders. Licensing of clinical social workers will expand treatment options for many Alaskans because clinical social workers frequently charge less for their services, and because clinical social workers are more likely to reside in rural areas of the State than psychiatrists or psychologists. In addition, many clinical social workers have developed expertise in areas such as treating victims of domestic violence and sexual abuse, but have had difficulty establishing their expertise as competent witnesses in courtroom settings because social workers are not licensed.

Submitted by: Marsha Schneider, MSW, ACSW
Executive Director
Alaska Chapter, NASW
3/22/88

THE FAMILY THERAPY CENTER

Tudor Professional Building

4325 Laurel Street

Anchorage, Alaska 99508

(907) 561-2868

March 23, 1988

MARTHA HOUCK, MSW, ACSW

KATHY APPLE, RN, MS, ANP

ANN GORSUCH, MSW, ACSW

The Honorable Niilo Koponen, Vice Chairman
House Labor and Commerce Committee
Alaska House of Representatives
P.O. Box V
Juneau, Alaska 99811

Dear Representative Koponen:

This letter is with regard to Committee Substitute for House Bill 526, an Act entitled: "Licensing of Social Work." CS526 is scheduled to come before your committee on Thursday and I urge you to support this bill.

CS526 is a bill that will protect consumers. Consumers currently can receive services that are provided by any individual who is called a "social worker," regardless of education, training or experience. This bill will provide much needed protection for mental health clients as well as set standards for persons practicing clinical social work.

Again, I urge your support of CS526.

Sincerely,

Ann Gorsuch, MSW, ACSW.

THE FAMILY THERAPY CENTER

Tudor Professional Building

4325 Laurel Street

Anchorage, Alaska 99508

(907) 561-2868

March 23, 1988

The Honorable Dave Donley, Vice Chairman
House Labor and Commerce Committee
Alaska House of Representatives
P.O. Box V
Juneau, Alaska 99811

MARTHA HOUCK, M.S.W., ACSW

KATHY APPLE, R.N., M.S., A.N.P.

ANN GORSUCH, M.S.W., ACSW

Dear Representative Donley:

This letter is with regard to Committee Substitute for House Bill 526, an Act entitled: "Licensing of Social Work." C5526 is scheduled to come before your committee on Thursday and I urge you to support this bill.

C5526 is a bill that will protect consumers. Consumers currently can receive services that are provided by any individual who is "called a 'social worker,'" regardless of education, training, or experience. This bill will provide much needed protection for mental health clients as well as set standards for persons practicing clinical social work.

Again, I urge your support of C526.

Sincerely,

Ann Gorsuch, M.S.W., A.C.S.W.

Original sponsors: Pourchot, Phillips
and Collins

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2

CS FOR HOUSE BILL NO. 526 (L&C)

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 practice of clinical social
7 work and exempting certain persons from licensure as
8 clinical social workers; and providing for an effective date."
9

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

11 * Section 1. PURPOSE. The purpose of this Act is to protect the public
12 by

13 (1) setting standards for the education, training, and experi-
14 ence for persons practicing clinical social work; and

15 (2) promoting high standards of professional performance by
16 those persons licensed to practice clinical social work.

17 * Sec. 2. AS 08 is amended by adding a new chapter to read:

18 CHAPTER 95. CLINICAL SOCIAL WORK.

19 ARTICLE 1. BOARD OF CLINICAL SOCIAL WORK EXAMINERS.

20 Sec. 08.95.010. CREATION AND MEMBERSHIP OF THE BOARD. (a)

21 There is created the Board of Clinical Social Work Examiners composed
22 of five members. Four members must be persons licensed under this
23 chapter, including at least one person who is not an employee of a
24 federal, state, or local government or of a private nonprofit organi-
25 zation that is exempt from federal income tax. One member must be a
26 public member.

27 (b) Members of the board shall elect a member of the board as
28 chair. The chair serves for a term of one year.

29 Sec. 08.95.020. BOARD MEETINGS. The board shall hold at least

1 one meeting each year. The board may hold additional meetings at the
2 call of the chair or of a majority of the board members.

3 Sec. 08.95.030. DUTIES. The board shall

4 (1) issue licenses to qualified applicants;
5 (2) submit an annual report of its proceedings to the
6 department;

7 (3) after a hearing, impose disciplinary sanctions on a
8 person who violates this chapter or the regulations or orders of the
9 board;

10 (4) adopt regulations requiring that continuing education
11 requirements be satisfied before a license is renewed;

12 (5) adopt regulations necessary to carry out the purpose of
13 this chapter.

14 Sec. 08.95.040. CONTINUING EDUCATION REQUIREMENT. (a) The
15 board shall adopt continuing education requirements for persons li-
16 censed under this chapter. Continuing education requirements must
17 include a minimum of 45 hours per biennium of education or training
18 with a minimum of six hours in substance abuse and six hours in
19 cross-cultural education emphasizing Alaskan Natives.

20 (b) The board shall appoint three persons licensed under this
21 chapter to serve as a continuing education committee. The committee
22 shall advise the board on matters related to continuing education for
23 clinical social workers. One person appointed to the committee must
24 be familiar with social problems in the rural areas of the state.

25 ARTICLE 2. LICENSING.

26 Sec. 08.95.100. LICENSE REQUIRED. (a) A person who practices
27 clinical social work without obtaining a license issued by the board
28 and without qualifying for an exemption from this chapter is guilty of
29 a class B misdemeanor.

1 (b) A person who is not licensed as a clinical social worker, or
2 whose license is suspended or revoked, or whose license has lapsed,
3 who uses in connection with the person's name the words or letters
4 "L.C.S.W.," "Licensed Clinical Social Worker," or other letters,
5 words, or insignia indicating or implying that the person is a li-
6 censed clinical social worker, or who in any way, orally, or in writ-
7 ing, directly or by implication, holds out as a licensed clinical
8 social worker is guilty of a class B misdemeanor.

9 (c) A person not licensed under this chapter may use the title
10 of "social worker."

11 Sec. 08.95.110. LICENSE TO PRACTICE CLINICAL SOCIAL WORK. The
12 board shall issue a license to practice clinical social work to a
13 person who

14 (1) has received a master's degree or a doctoral degree in
15 social work from a college or university accredited by the Council on
16 Social Work Education;

17 (2) has completed, within the 10 years before application
18 for licensure and under the supervision of a licensed clinical social
19 worker, licensed psychologist, licensed psychiatrist, or, with ap-
20 proval of the board, a clinical social worker who is exempt from this
21 chapter under AS 08.95.910, either (A) a minimum of two years of
22 continuous full-time employment in postgraduate clinical social work;
23 or (B) a minimum of 3,000 hours of less than full-time employment in a
24 period of not less than two years in postgraduate clinical social
25 work; at least 100 hours of supervision required under this paragraph
26 shall be conducted by a qualified person approved by the board;

27 (3) is in good professional standing and is fit to practice
28 social work as determined by the board;

29 (4) has provided three professional references to the

1 board;

2 (5) has satisfactorily completed the examination given by
3 the board; and

4 (6) has paid required fees.

5 Sec. 08.95.120. LICENSING BY CREDENTIALS. The board shall issue
6 a license to practice clinical social work without examination if the
7 applicant

8 (1) holds a current license to practice clinical social
9 work in another jurisdiction that at the time of original issuance of
10 the license had requirements for licensure equal to or more stringent
11 than those of this state;

12 (2) is not the subject of an unresolved complaint or disci-
13 plinary action before a regulatory authority or a professional social
14 work association;

15 (3) has not failed the examination for a license to prac-
16 tice clinical social work in this state;

17 (4) has not had a license to practice clinical social work
18 revoked or suspended in this state or another jurisdiction;

19 (5) has submitted proof of continued competency satis-
20 factory to the board; and

21 (6) has paid required fees.

22 Sec. 08.95.130. DISPLAY OF LICENSE. A person licensed under
23 this chapter shall display the license in a conspicuous place where
24 the licensee practices.

25 ARTICLE 3. GENERAL PROVISIONS.

26 Sec. 08.95.900. CONFIDENTIALITY OF COMMUNICATION. (a) A li-
27 censed clinical social worker may not reveal to another person a
28 communication made to the licensee by a client about a matter concern-
29 ing which the client has employed the licensee in a professional

1 capacity. This section does not apply to a case conference with other
2 clinical social workers or with psychologists, psychological associ-
3 ates, physicians, or surgeons, or in the case in which the client in
4 writing authorized the licensee to reveal a communication.

5 (b) Notwithstanding (a) of this section, a licensed clinical
6 social worker shall report incidents of child abuse or neglect as
7 required by AS 47.17.020.

8 Sec. 08.95.910. EXEMPTIONS. This chapter does not apply to a
9 person who

10 (1) practices clinical social work as an employee of a
11 federal, state, or local government or of a private nonprofit orga-
12 nization that is exempt from federal income tax; or

13 (2) is a qualified member of a recognized profession, other
14 than clinical social work, and does not represent to the public by
15 title or description of service as practicing clinical social work.

16 Sec. 08.95.990. DEFINITIONS. In this chapter

17 (1) "board" means the Board of Clinical Social Work Ex-
18 aminers;

19 (2) "clinical social work" means a service in which a
20 special knowledge of social resources, human capabilities, and the
21 part that unconscious motivation plays in determining behavior is
22 directed, through the application of social work principles and meth-
23 ods, at helping individuals to achieve more adequate, satisfying, and
24 productive social adjustments;

25 (3) "clinical social worker" means a person who practices
26 clinical social work;

27 (4) "department" means the Department of Commerce and
28 Economic Development;

29 (5) "social work principles and methods" include counseling

1 and using techniques of applied psychotherapy of a nonmedical nature
2 to assist in the diagnosis and treatment of mental and emotional
3 conditions of individuals, families, and groups; providing information
4 and referral services; providing or arranging for the provision of
5 social services; explaining and interpreting the psychosocial aspects
6 in the situations of individuals, families, or groups; helping commu-
7 nities to organize, provide, or improve social and health services;
8 and doing research related to social work.

9 * Sec. 3. AS 08.01.010 is amended by adding a new paragraph to read:

10 (28) Board of Clinical Social Work Examiners (AS 08.95.010).

11 * Sec. 4. AS 08.02.010(a) is amended to read:

12 (a) An audiologist licensed under AS 08.11, a person licensed in
13 the state as a chiropractor under AS 08.20, a dentist under AS 08.36,
14 a medical practitioner or osteopath under AS 08.64, a registered nurse
15 under AS 08.68, an optometrist under AS 08.72, a registered pharmacist
16 under AS 08.80, a registered physical therapist or occupational thera-
17 pist under AS 08.84, [OR] a psychologist under AS 08.86, or a clinical
18 social worker licensed under AS 08.95, shall use as professional
19 identification appropriate letters or a title after that person's name
20 which represents that person's specific field of practice. The let-
21 ters or title shall appear on all signs, stationery, or other ad-
22 vertising in which the person offers or displays personal professional
23 services to the public. In addition, a person engaged in the practice
24 of medicine or osteopathy under AS 08.64.380(2) or a person engaged in
25 any manner in the healing arts who diagnoses, treats, tests, or coun-
26 sels other persons in relation to human health or disease and uses the
27 letters "M.D." or the title "doctor" or "physician" or another title
28 that tends to show that the person is willing or qualified to diag-
29 nose, treat, test, or counsel another person, shall clarify the

1 letters or title by adding the appropriate specialist designation, if
2 any, such as "dermatologist", "radiologist", "audiologist", "naturo-
3 path", or the like.

4 * Sec. 5. AS 08.03.010(c) is amended by adding a new paragraph to read:

5 (21) Board of Clinical Social Work Examiners (AS 08.95.010)

6 -- June 30, 1992.

7 * Sec. 6. INITIAL APPOINTMENTS TO THE BOARD OF CLINICAL SOCIAL WORK
8 EXAMINERS. Notwithstanding AS 08.95.010, as enacted by sec. 2 of this Act,
9 a person is eligible for an initial appointment as a professional member of
10 the Board of Social Work Examiners, if the person

11 (1) has received a master's degree or a doctoral degree in
12 social work from a college or university accredited by the Council on
13 Social Work Education;

14 (2) has completed, within the preceding 10 years, either

15 (A) a minimum of two years of continuous full-time employ-
16 ment in postgraduate clinical social work; or

17 (B) a minimum of 3,000 hours of less than full-time employ-
18 ment in postgraduate clinical social work in a period of not less than
19 two years;

20 (3) is in good professional standing; and

21 (4) has practiced clinical social work in this state within the
22 year preceding appointment.

23 * Sec. 7. TRANSITIONAL LICENSURE. (a) Notwithstanding AS 08.95.110,
24 as enacted by sec. 2 of this Act, the Board of Clinical Social Work Ex-
25 aminers shall issue a license to practice clinical social work to a person
26 who

27 (1) applies for a license before July 1, 1989; and

28 (2) satisfies the requirements of AS 08.95.110(1) - (4) and (6).

29 (b) Notwithstanding AS 08.95.110(2) as enacted by sec. 2 of this Act,

1 the board shall issue a license to practice clinical social work to a
2 person who applies for licensure under this section without regard to
3 whether the supervising clinical social worker is licensed in this state.

4 * Sec. 8. This Act takes effect July 1, 1988.

1 IN THE HOUSE

BY POURCHOT AND PHILLIPS

2

HOUSE BILL NO. 526

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 practice of social work and
7 establishing the Board of Social Worker Examiners;
8 and providing for an effective date."

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

10 * Section 1. PURPOSE. The purpose of this Act is to assure the public
11 that persons providing services under the title "social worker" have com-
12 pleted professional social work education or training, adhere to a code of
13 professional ethics, and are subject to licensing by the Board of Social
14 Worker Examiners.

15 * Sec. 2. AS 08 is amended by adding a new chapter to read:

16 CHAPTER 90. SOCIAL WORKERS.

17 ARTICLE 1. BOARD OF SOCIAL WORKER EXAMINERS.

18 Sec. 08.90.010. CREATION AND MEMBERSHIP OF BOARD. There is
19 created a Board of Social Worker Examiners consisting of five members,
20 including three licensed master social workers, one of whom is li-
21 censed as an independent social worker, one licensed bachelor social
22 worker, and one public member. To the extent possible members shall
23 be appointed from different geographic regions of the state.

24 Sec. 08.90.020. ELECTION OF OFFICERS. The board shall elect
25 officers from among its members. Officers serve for a term not ex-
26 ceeding two years.

27 Sec. 08.90.030. DUTIES OF THE BOARD. The board shall

28 (1) provide for the examination of eligible applicants for
29 licenses under this chapter;

1 (2) submit an annual report of its proceedings to the
2 governor, including recommended changes to this chapter;

3 (3) adopt nationally recognized specialty designations for
4 the private practice of social work and authorize speciality desig-
5 nations on licenses issued under this chapter;

6 (4) after a hearing, impose disciplinary sanctions against
7 a person who violates this chapter, an order of the board, or a regu-
8 lation of the board;

9 (5) adopt regulations relating to requirements for the
10 supervision of persons engaged in social work under this chapter who
11 are not licensed master social workers, including qualifications for
12 supervisors;

13 (6) adopt regulations requiring proof of continued compe-
14 tency before a license is renewed;

15 (7) adopt regulations to carry out the purposes of this
16 chapter.

17 ARTICLE 2. LICENSING OF SOCIAL WORKERS.

18 Sec. 08.90.050. LICENSING OF SOCIAL WORKERS. (a) A person is
19 eligible for a license as a bachelor social worker (LBSW) if the
20 person

21 (1) is in good professional standing and is fit to practice
22 social work as determined under regulations of the board;

23 (2) has satisfactorily completed the state examination for
24 the license;

25 (3) provides three professional references to the board;

26 (4) has

27 (A) a bachelors degree in social work from a school
28 with a social work program accredited by the Council on Social
29 Work Education or a bachelors degree in a behavioral sciences