

LEGISLATIVE FINANCE-HOUSE / SENATE FINANCE COMM. FILES 8879

SB 169 cont. - SB 172 629 220

1 engaged in treatment of alcoholics, intoxicated persons, [AND] drug
2 abusers, and inhalant abusers, and establish standards for training
3 paraprofessional alcoholism, [AND] drug abuse, and inhalant abuse
4 workers;

5 (8) sponsor and encourage research into the causes and
6 nature of alcoholism, [AND] drug abuse, and inhalant abuse, and the
7 treatment of alcoholics, intoxicated persons, [AND] drug abusers, and
8 inhalant abusers, and serve as a clearinghouse for information relat-
9 ing to alcoholism, [AND] drug abuse, and inhalant abuse;

10 (9) specify uniform methods for keeping statistical infor-
11 mation by public and private agencies, organizations, and individuals,
12 and collect and make available relevant statistical information,
13 including number of persons treated, frequency of admission and read-
14 mission, and frequency and duration of treatment;

15 (10) advise the governor in the preparation of a comprehen-
16 sive plan for treatment of alcoholics, intoxicated persons, [AND] drug
17 abusers, and inhalant abusers;

18 (11) review all state health, welfare, and treatment plans
19 to be submitted for federal funding, and advise the commissioner on
20 provisions to be included relating to alcoholics, intoxicated persons,
21 [AND] drug abusers, and inhalant abusers;

22 (12) assist in the development of, and cooperate with,
23 alcohol, [AND] drug abuse, and inhalant abuse education and treatment
24 programs for employees of state and local governments and businesses
25 and industries in the state;

26 (13) use the support and assistance of interested persons in
27 the community, particularly recovered alcoholics, [AND] drug abusers,
28 and inhalant abusers, to encourage alcoholics, [AND] drug abusers, and
29 inhalant abusers to voluntarily undergo treatment;

1 (14) cooperate with the Department of Public Safety and the
2 Department of Transportation and Public Facilities in establishing and
3 conducting programs designed to deal with the problem of persons
4 operating motor vehicles while intoxicated or under the influence of
5 drugs;

6 (15) encourage hospitals and other appropriate health facil-
7 ities to admit without discrimination alcoholics, intoxicated persons,
8 [AND] drug abusers, and inhalant abusers and to provide them with
9 adequate and appropriate treatment;

10 (16) encourage all health and disability insurance programs
11 to include alcoholism and drug abuse as a covered illness;

12 (17) submit to the legislature an annual report covering the
13 activities of the office;

14 (18) develop and implement a training program on alcoholism
15 and drug abuse for employees of state and municipal governments, and
16 private institutions;

17 (19) develop curriculum materials on drug and alcohol abuse
18 and the misuse of hazardous volatile substances for use in grades
19 kindergarten through 12, as well as a course of instruction for teach-
20 ers to be charged with presenting the curriculum.

21 * Sec. 3. AS 47.37.130(a) is amended to read:

22 (a) The office shall establish a comprehensive and coordinated
23 program for the treatment of alcoholics, intoxicated persons, [AND]
24 drug abusers, and inhalant abusers. Subject to the approval of the
25 commissioner, the coordinator may divide the state into appropriate
26 regions to conduct the program and establish standards for the devel-
27 opment of the program on the regional level. In establishing the
28 regions, consideration shall be given to the city and borough lines
29 and population concentrations and, when feasible, programs must be

1 established with maximum local community involvement.

2 * Sec. 4. AS 47.37.150 is amended to read:

3 Sec. 47.37.150. ACCEPTANCE FOR TREATMENT. The coordinator shall
4 adopt regulations for the admission of persons into the treatment
5 program, considering available treatment resources and facilities, for
6 the purpose of early and effective treatment of alcoholics, intox-
7 icated persons, [AND] drug abusers, and inhalant abusers. In adopting
8 the regulations the coordinator shall be guided by the following
9 standards:

10 (1) if possible a patient must be treated on a voluntary
11 rather than an involuntary basis;

12 (2) a patient must be initially assigned or transferred to
13 outpatient or intermediate treatment, unless the patient is found to
14 require inpatient treatment;

15 (3) a person may not be denied treatment solely because the
16 person has withdrawn from treatment against medical advice on a prior
17 occasion or because the person has relapsed after earlier treatment;

18 (4) an individualized treatment plan must be prepared and
19 maintained on a current basis for each patient;

20 (5) provision must be made for a continuum of coordinated
21 treatment services, so that a person who leaves a facility or a form
22 of treatment will use other appropriate treatment and facilities.

23 * Sec. 5. AS 47.37.270 is amended by adding new paragraphs to read:

24 (15) "hazardous volatile material or substance"

25 (A) means a material or substance that is readily
26 vaporizable at room temperature and whose vapors or gases, when
27 inhaled,

28 (i) pose an immediate threat to the life or
29 health of the person; or

1 (ii) are likely to have adverse delayed effects on
2 the health of the person;
3 (B) includes, but is not limited to,
4 (i) gasoline;
5 (ii) materials and substances containing petroleum
6 distillates; and
7 (iii) common household materials and substances
8 whose containers bear a notice warning that inhalation of
9 vapors or gases may cause physical harm;
10 (16) "inhalant abuse" means the misuse of a hazardous vola-
11 tile material or substance by inhaling its vapors.
12 * Sec. 6. This Act takes effect July 1, 1989.

TANANA CHIEFS CONFERENCE, INC.
Board of Directors
Resolution No. 89-107

INHALANT ABUSE

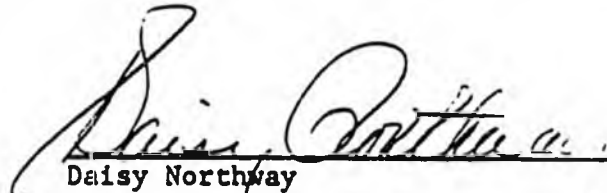
WHEREAS, there is an increase in inhalant abuse in the State of Alaska and

WHEREAS, the damage caused by inhalant abuse, the warning signs of abuse, and where to go for help are not well known in the State.

NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference Board of Directors strongly urge the Office of Alcoholism and Drug Abuse to include programs and activities relating to the misuse of hazardous volatile substances and to act as a clearinghouse for concerned citizens and organizations with respect to information on inhalant abuse and what can be done to stop or prevent it.

C E R T I F I C A T I O N

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 16, 1989 at Fairbanks, Alaska and a quorum was duly established.



Daisy Northway
Secretary-Treasurer
Tanana Chiefs Conference, Inc.

Submitted by: Alcohol Workshop

than chance expectancy. The declines for cocaine (-16.1%) and stimulants (-10.2%), were also found to be statistically significant ($p < .01$). The small increase noted for marijuana (+1.1%) was not statistically significant, but the increase in hallucinogens (+8.7%) was found to be greater than chance expectancy ($p < .01$).

(3) Lifetime Experience with a Drug

Table 5-3 shows a pattern of increases and decreases for lifetime experience with different drugs (excluding alcohol and tobacco). Consistent with the findings in Tables 5-1 and 5-2, increases are noted for marijuana (3.6%) and hallucinogens (4.5%). A relatively large increase for inhalants (9.4%) is also noted, which is consistent with its reported increase in availability reported in Table 5-1. All of the differences in lifetime

Table 5-3
Comparison of 1983 and 1988 Findings
Lifetime Experience with Chemical Substances
Eight School Districts

Substance	1988 Percent*	1983 Percent**	Percent Change
Marijuana	53.0	49.4	+ 3.6***
Cocaine	14.4	18.3	- 3.9***
Stimulants	24.2	27.2	- 3.0****
Hallucinogens	13.2	8.7	+ 4.5***
Depressants	9.8	14.3	- 4.5***
Heroin	2.0	2.2	+ 0.2
Inhalants	25.9	16.5	+ 9.4***
Tranquilizers	9.9	11.5	- 1.6****

*N=3814 (Unweighted) **N=3509 (Unweighted)

*** $p < .01$.

**** $p < .05$.

From Alcohol and Drug Use among Youth
Study, University of Alaska - Anchorage
Dr. Bernie Segal. November 1988

In other research.

(g) Depressants

Depressants, largely in the form of barbiturates, has experienced a decline since 1983, a trend that is consistent with reports from other surveys.

(h) Tranquilizers

Use of substances such as Valium or Librium, classified as tranquilizers, have also declined since 1983, a trend which is also consistent with findings from other research.

(i) Inhalants

Of all the illicit chemical substances, inhalants have shown the largest increase. This increase is consistent with a small increase reported across the nation by Johnston et al. (1987). Inhalants have tended to be the substance of choice among very young users, largely because they are cheap, readily available, and induce an intense altered state of consciousness, perhaps emulating the perceived experience of the substances the naive user cannot readily obtain. Additionally, older adolescents may resort to using inhalants when other substances are unavailable. Beauvais and Oetting (1987) noted that inhalant use, at every age, "marks a very high level of drug involvement for that group and suggests potentially serious adjustment difficulties. Some of these difficulties include disruptive family relationships, poor school and job adjustment, serious emotional problems, and higher levels of deviance than other drug users" (p. 781). The statistics regarding inhalants should be of particular concern because most, if not all inhalant substances, are highly toxic and can cause irreversible brain damage or death.

(j) Alcohol

Consistent with the findings from different studies of drinking among youth across the nation, experience with alcohol in Alaska is ubiquitous among adolescents. It would also seem that drinking during adolescent years no longer represents a lifestage phenomenon, but has become an adolescent life-style phenomenon. To a large extent the drinking among adolescents could be considered to model the drinking behavior of the

- the pending reorganization of Office of Financing and Coverage Policy, would continue.
2. Transfer all of NIMH to NIH, where, it is argued, research on mental illness would finally reach the stature accorded other diseases. This is the plan in the Inouye bill.
3. Transfer only the research effort of NIMH to NIH, and rename the remaining components of ADAMHA the "National Center for Addictive Disorders," consisting of the two institutes on drugs and alcohol. NAMI's Havel said his organization could support either of these two plans.
4. Separate all the research and non-research functions of ADAMHA. The research portions of all three existing institutes would go to NIH as a single entity. Then the alcohol and drug institutes could form an Institute on Addictive Disorders, with service-related components of NIMH administered separately. Since this would combine alcohol and drugs into one entity, "many people feel strongly one way or the other" on this point, Lewin said. Advocates for those suffering from drug addiction, as opposed to alcohol addiction, believe that the demographics of drug addicts are not the same as those of alcoholics. Therefore, they say, the institutes must maintain their identities.
Another variation of this option would call for the three entities to go to NIH as three separate institutes. But some of the service sectors could go either to the Centers for Disease Control or the National Center for Health Services Research. Administration of state block grants and some of the demonstration programs would become the responsibility of the Health Resources and Services Administration. Another option would be to create a bureau of ADM delivery-of-services efforts within HRSA.
5. Realign the existing ADAMHA structure to make research the exclusive mission of all three institutes. All service-related functions would be shifted to a bureau in ADAMHA, whose director would be on a par with the three institute directors. Proponents of this arrangement argue that there is much similarity in the services administered by the three institutes. This seems the most popular option among the drug and alcohol field.

Goodwin May Be Named

ADAMHA reorganization is a delicate subject right now since Frederick Goodwin, MD, who

heads NIMH's Intramural Research Program, is expected to be named ADAMHA administrator sometime in February. Several sources cited possible conflicts among the various institute directors as the parent agency undergoes rearrangement. "There are institutional positions, and positions that people maintain in their heart of hearts," one HHS staffer said. "All the institute directors are in a tight spot."

If nominated and confirmed, Goodwin would succeed Donald Ian Macdonald, a pediatrician who has been serving as both ADAMHA Administrator and Director of the Drug Abuse Policy Office for nearly a year. Macdonald, who will stay on at his White House post which also carries the title of Special Assistant to the President for Drug Abuse Issues, has been heading ADAMHA since his confirmation in April 1985.

Goodwin, 51, an expert in depressive disorders, has been with the NIMH intramural effort, the clinical research program located at the National Institutes of Health campus in Bethesda, since 1965. He became its director in 1982.

The appointment of the ADAMHA administrator is subject to Senate confirmation. ADAMHA sources said White House clearance has already been obtained, and that the FBI was winding up its routine clearance procedures.

Incidence

YOUTHS' DRUG USE IN SLOW FALL, BUT INHALANTS SHOW GAIN

High school seniors are using less cocaine, but more and more of them report having experimented at least once with the drug and there is no noticeable decline in crack use, a new survey shows. And while overall drug use is slowly continuing to decline, inhalants are "bucking the trend," and their use is rising, said the researcher who recently completed a survey of drug use among young adults.

According to the annual National High School Senior Survey on Drug Abuse, prepared for the National Institute on Drug Abuse by Lloyd Johnston, Ph.D., project director of the University of Michigan Institute for Social Research, cocaine use among high school seniors declined gradually in 1987 for the first time since the survey began 13 years ago. About 42% of the seniors said they had used an illicit drug at least once in the past year, the lowest figure in 13 years.

Observers were quick to flag various possible flaws in the study. For example, some experts

A HOUSTON COMMUNICATIONS GROUP, INC.
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pointed out that the study canvasses youngsters who have reached the last year of high school, or who are about to graduate. It does not take into account the situation of high school drop-outs, and previous surveys show the rate of drug use is double among this group.

"We're always very up-front that we don't have data on drop-outs," Johnston said. "But drop-outs constitute 15-20% of this age group, so this limits how they can affect overall estimates. It really doesn't change the story for most drugs. Two possible exceptions: heroin and crack, since most serious users of these drugs are out of school. These two drugs signal advanced forms of drug involvement." Nevertheless, improvements in drug use are most difficult to attain among drop-outs, Johnston noted.

Of the nearly 17,000 high school seniors in 130 public and private schools who participated in the nationwide survey, 57% reported having used an illegal drug, compared to 58% last year, and 35% used a drug other than marijuana, against 38% in 1986. Use of other drugs, including LSD, heroin and other opiates, is about the same as last year.

The survey findings, which cover most of 1987, are "encouraging," said Rep. Charles Rangel (D-NY), chairman of the House Select Committee on Narcotics. "But let's not get carried away into thinking we're winning the war on drugs.... In fact, cocaine is cheaper and purer than ever before, and cocaine overdoses and deaths are up, indicating a growing cocaine problem." He called the survey "the only bright spot in an otherwise bleak situation."

And Johnston himself cautioned that the good news may not last. "I certainly think it's cause for optimism, but there's nothing immutable about a downward trend" in drug use, he said. Drug use in the US is still the "highest in the industrialized world."

And more research is showing the harmful effects of marijuana use. A recent National Institute on Drug Abuse paper says that chronic use can destroy cells in the hippocampus, a brain structure important for learning and for linking sensation with feeling. This may account for marijuana's ability to impair short-term memory.

But Johnston did predict a continued improvement in the drug situation, provided that "the forces that gave rise to [it] can continue. Many influences have been making people aware of cocaine hazards, especially media campaigns and work by schools and families, although this is hard to quantify." Another factor was the

deaths of athletes Len Bias and Don Rogers. "That really got the attention of young people," he said, adding that norms and attitudes must continue to shift.

There was a jump to 48% in 1987 from 34% in 1986 of young people who said they believe that use of even a small quantity of cocaine involve "great risk."

Johnston did not attribute any of improvement in drug use to treatment of addicts. High school students typically do not show a high demand for treatment, he said. One way to improve the statistics even further, he said, would be to fund more evaluation of prevention and education programs.

"What we end up doing is dumping huge amounts of money in an effort to close our borders, and relatively ineffectively. Until very recently, only token amounts were spent on prevention.... Now there must be a commitment to consistent funding. We, as a society, have been remiss in not developing a knowledge base for prevention efforts. This requires money, especially for evaluation. I'm not saying the existing programs are ineffective; we just don't know."

The findings mark the 13th annual survey, and Johnston said he expects to continue the studies as long as the nation has a drug problem. Besides the high school seniors, it also quantifies drug use among about 10,000 members of the last 10 graduating high school classes. Response rates to these surveys, which are mailed, range from 89% to 73%, with the lowest responses coming from the class of 1976. Johnston termed these response rates "very high" for mail surveys.

Special Report

"CAUTIOUS OPTIMISM" SEEN FOR DRUG-ABUSE INDUSTRY IN 1988

"Cautious optimism" is the most common outlook among analysts of the drug abuse treatment industry as they assess the prospects for 1988. Most predict a healthy long-range profitability, despite some possible problems in the short-term as the industry sorts out after a not entirely successful 1987.

"1988 will be a mirror image of 1987, one of re-positioning in the industry," said Steve Munroe, senior vice president and chief financial officer of CompCare, based in Irvine, CA. The company owns and manages 20 drug and alcohol abuse treatment facilities, and has 150 man-

INHALANT UPDATE

National surveys show inhalant use ranks third behind alcohol and marijuana. The most effective way to fight solvent use is through prevention and education efforts. When inhaled, most commonly abused vaporous substances act as central nervous system depressants. They disturb vision, impair judgment and reduce muscle control. Inhalant use can cause permanent brain damage and even death. Here's a list of products that young people might sniff. This information is provided to heighten awareness of the potential for abuse of these common and easily obtainable products. Please use this information discreetly and appropriately.

ADDITIVES

- gasoline additives

ADHESIVES

- building supply adhesives
- false eyelash adhesives
- fingernail adhesives
- PCV pipe adhesives

AGENTS

- engine drying agents

CEMENTS

- household cement
- model cement (glue)

CLEANERS

- auto body cleaners
- car engine cleaners
- electronic equipment cleaners
- gun cleaning solvent
- window cleaner

COATINGS

- aerosol leather coatings
- frying pan/pot coatings

DE-ICERS

- windshield de-icers

FLUIDS

- brake fluid
- charcoal starter fluid
- fire extinguisher fluid
- lighter fluid
- power steering fluid
- printer fluid
- transmission fluid
- typewriter correction fluid

FUELS

- lantern fuel
- stove fuel

GASOLINE

HARDENERS

- fingernail hardener

MARKERS

- felt tip markers
- dry erase marker

OCTANE BOOSTERS

PAINTS

- aerosol paint
- lacquer paint
- liquid paint

PENS

- fast-drying pens

POLISH

- fingernail polish
- shoe polish

PRODUCTS

- fiberglass refinishing products
- photographic chemical products
- resin products
- shoe shine products
- water proofing products

PROPELLANT GASES

- fluorocarbons
- hydrocarbons

REMOVERS

- asphalt remover
- fingernail polish remover
- paint remover
- stain remover
- tar remover

SEALANT

- tire sealant

STRIPPERS

- paint strippers
- varnish strippers

SUPPLIES

- art supplies
- household cleaning supplies
- furniture refinishing supplies

THINNERS

- paint thinner

VARNISH

- furniture varnish
- wood varnish

Reported to Alcohol and Drug Abuse Pulse Beats, August 1988, by Parents in Action in Nebraska.

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FISCAL NOTE

REQUEST:

Revision Date: April 14, 1989 Agency Affected: Department of Administration
 Title: An Act Relating to State BRU: General Services
 Procurement _____
 Sponsor: Rules Components: Purchasing
 Requestor: Senate, Finance

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS (PHONE)	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Implementation costs will be minimal. Efficiencies gained will be reflected in improved service delivery.

Prepared By: Robert J. Link, Director *Robert J. Link* Phone: 465-2250
 Division: General Services & Supply Date: 4/18/89

Approved by Commissioner: John M. Andrews *John M. Andrews* Date: 4/18/89
 Agency: Department of Administration

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

R10 SFC 4-18-89

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: CS SB 170 (Finance)
PUBLISH DATE:

REQUEST: FISCAL NOTE

Revision Date: 3/16/89
Title: An Act Relating to State Procurement

Agency Affected: DOT&PF
BRU: Design & Construction
Maintenance & Operations
State Equipment Fleet

Sponsor: Governor

Requestor:

Components:

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	0	0	0	0	0	0
CONTRACTURAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (THOUSANDS OF DOLLARS)

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Although the fiscal note and impact of this bill is shown as zero there will be some positive effects. The cost savings will be in the form of increased efficiencies in the procurement process.

Prepared by: Loren Rasmussen *Loren Rasmussen*
Division: Engineering & Operations Standards

Phone: 465-2960
Date: 03/20/89

Approved by Commissioner: Mark S. Hickey *M&H*
Agency: Department of Transportation and Public Facilities

Date: 03/20/89

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

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MAR 21 1989

Changes in the
CS (Fin) have no
fiscal effect.
SFC: 4/18/89 *jam*

R10 SFC 4-18-89

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: CS SB170 (Finance)
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: University of Alaska
 Title: "An Act Relating to State Procurement." BRU: ATI
 Sponsor: Rules Components: _____
 Requestor: Governor

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Although the fiscal note and impact of this bill is shown as zero there will be some positive effects. The cost savings will be in the form of increased efficiencies in the procurement process.

Prepared by: Marsha Hubbard, Director Phone: 474-7593
 Division: Statewide Budget Office Date: 3/8/89
 Approved by Commissioner: Brian Peters, Director Finance Date: 3/8/89
 Agency: University of Alaska

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

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 MAR 10 1989

Changes in the CS (Fin) have no fiscal effect. This fiscal note is appropriate. SFC: 4/18/89
 page 1 of 1

Original sponsor: Rules/Governor

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2 CS FOR SENATE BILL NO. 170 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to state procurement."

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

8 * Section 1. AS 01.10.080 is amended to read:

9 Sec. 01.10.080. COMPUTATION OF TIME. The time in which an act
10 provided by law is required to be done is computed by excluding the
11 first day and including the last, unless the last day is a holiday,
12 and then it is also excluded. This section does not apply to AS 36.-
13 30.

14 * Sec. 2. AS 36.30.015(e) is amended to read:

15 (e) The board [BOARDS] of directors of the [ALASKA RAILROAD
16 CORPORATION AND THE] Alaska State Building Authority shall adopt
17 procedures to govern the procurement of supplies, services, profes-
18 sional services, and construction by the authority [CORPORATION]. The
19 procedures must be substantially equivalent to the procedures pre-
20 scribed in this chapter and in regulations adopted under this chapter.

21 * Sec. 3. AS 36.30.015 is amended by adding a new subsection to read:

22 (f) The board of directors of the Alaska Railroad Corporation
23 shall adopt and publish procedures to govern the procurement of sup-
24 plies, services, professional services, and construction by the corpo-
25 ration. The procedures must be based on the competitive principles
26 consistent with this chapter and must be adapted to the special needs
27 of the corporation as determined by the board of directors.

28 * Sec. 4. AS 36.30.040(b) is amended to read:

29 (b) The commissioner shall adopt regulations pertaining to the

1 following:

2 (1) suspension, debarment, and reinstatement of prospective
3 bidders and contractors;

4 (2) bid protests;

5 (3) conditions and procedures for the procurement of per-
6 ishables and items for resale;

7 (4) conditions and procedures for the use of source selec-
8 tion methods authorized by this chapter, including sole source pro-
9 curements, emergency procurements, and small procurements;

10 (5) the opening or rejection of bids and offers, and waiver
11 of informalities in bids and offers;

12 (6) confidentiality of technical data and trade secrets
13 submitted by actual or prospective bidders or offerors;

14 (7) partial, progressive, and multiple awards;

15 (8) storerooms and inventories, including determination of
16 appropriate stock levels and the management of agency supplies;

17 (9) transfer, sale or other disposal of supplies;

18 (10) definitions and classes of contractual services and
19 procedures for acquiring them;

20 (11) providing for conducting price analysis;

21 (12) use of payment and performance bonds in connection with
22 contracts for supplies, services, and construction;

23 (13) guidelines for use of cost principles in negotiations,
24 adjustments, and settlements;

25 (14) conditions under which an agency may use the services
26 of an employment program [AS DEFINED UNDER AS 36.30.100(c)];

27 (15) a bidder's or offeror's duties under AS 36.30.115 and
28 36.30.210; and

29 (16) the elimination and prevention of discrimination in

1 state contracting because of race, religion, color, national origin,
2 sex, age, marital status, pregnancy, parenthood, handicap, or politi-
3 cal affiliation.

4 * Sec. 5. AS 36.30.110(b) is amended to read:

5 (b) The bidder must have a valid Alaska business license at the
6 time designated in the invitation to bid for bid opening. The [WHEN
7 RESPONDING TO THE INVITATION TO BID, THE] bidder shall supply evidence
8 of the bidder's valid Alaska business license in accordance with
9 regulations adopted by the commissioner. A bidder for a construction
10 contract shall also submit evidence of the bidder's registration under
11 AS 08.18.

12 * Sec. 6. AS 36.30.110 is amended by adding a new subsection to read:

13 (c) If the commissioner of transportation and public facilities
14 makes a written finding that confidentiality is in the state's bes:
15 interest, the estimated cost of a construction contract is confiden-
16 tial information and may not be released to the public before bid
17 opening.

18 * Sec. 7. AS 36.30.115(b) is amended to read:

19 (b) A bidder may replace a listed subcontractor if the subcon-
20 tractor

- 21 (1) fails to comply with AS 08.18;
22 (2) files for bankruptcy or becomes insolvent;
23 (3) fails to execute a contract with the bidder involving
24 performance of the work for which the subcontractor was listed and the
25 bidder acted in good faith;
26 (4) fails to obtain bonding;
27 (5) fails to obtain insurance acceptable to the state;
28 (6) fails to perform the contract with the bidder involving
29 work for which the subcontractor was listed;

1 (7) must be substituted in order for the prime contractor
2 to satisfy required state and federal affirmative action requirements;

3 (8) refuses to agree or abide with the bidder's labor
4 agreement; or

5 (9) is determined by the procurement officer not to be a
6 responsible subcontractor [BIDDER].

7 * Sec. 8. AS 36.30.120(b) is amended to read:

8 (b) Bid security must be a bond provided by a surety company
9 authorized to do business in the state or otherwise supplied in a form
10 satisfactory to the commissioner. Bid security must be in an amount
11 equal to at least five percent of the amount of the bid

12 [(1) 10 PERCENT OF THE AMOUNT OF THE BID IF THE BID DOES NOT
13 EXCEED \$100,000; OR

14 (2) 10 PERCENT OF THE FIRST \$100,000 AND FIVE PERCENT OF
15 THE AMOUNT OF THE BID OVER \$100,000 IF THE BID EXCEEDS \$100,000 UP TO
16 A MAXIMUM OF \$200,000 IN SECURITY].

17 * Sec. 9. AS 36.30.170(b) is amended to read:

18 (b) The procurement officer shall award a contract based on
19 solicited bids to the lowest responsive and responsible bidder after
20 an Alaska bidder preference of five percent and an Alaska products
21 preference as described in AS 36.30.322 - 36.30.338 have been applied.
22 In this subsection, "Alaska bidder" means a person who

23 (1) holds a current Alaska business license;

24 (2) submits a bid for goods, services, or construction
25 under the name as appearing on the person's current Alaska business
26 license;

27 (3) has maintained a place of business within the state
28 staffed by the bidder or an employee of the bidder for a period of six
29 months immediately preceding the date of the bid;

1 (4) is incorporated or qualified to do business under the
2 laws of the state, is a sole proprietorship [.] and the proprietor is
3 a resident of the state, or is a partnership [,] and one or more of
4 the general [ALL] partners is a resident [ARE RESIDENTS] of the state;
5 and

6 (5) if a joint venture, is composed entirely of venturers
7 [VENTURES] that qualify under (1) - (4) of this subsection.

8 * Sec. 10. AS 36.30.170(c) is amended to read:

9 (c) if a bidder qualifies under (b) of this section as an Alaska
10 bidder, is offering services through an employment program [AS DEFINED
11 UNDER AS 36.30.100(c)], and is the lowest responsible and responsive
12 bidder with a bid that is not more than 10 percent higher than the
13 lowest bid of a nonresident, the procurement officer shall award the
14 contract to that bidder.

15 * Sec. 11. AS 36.30.210(a) is amended to read:

16 (a) A request for competitive sealed proposals must contain the
17 date, time, and place for delivering proposals, a specific description
18 of the supplies, construction, services, or professional services to
19 be provided under the contract, and the terms under which the sup-
20 plies, construction, services, or professional services are to be
21 provided. The request must [SHALL] require the offeror [TO SUBMIT
22 EVIDENCE OF THE OFFEROR'S VALID ALASKA BUSINESS LICENSE AND], no later
23 than five working days after the [IDENTIFYING WHICH] proposal that is
24 the most advantageous to the state is identified, to list subcontract-
25 ors the offeror proposes to use in the performance of the contract.
26 The list must [SHALL] include the name and location of the place of
27 business for each subcontractor, the work to be subcontracted to each
28 subcontractor, and evidence of the subcontractor's valid Alaska busi-
29 ness license. An offeror for a construction contract shall also

1 submit evidence of the offeror's registration under AS 08.18 and
2 evidence of registration for each listed subcontractor.

3 * Sec. 12. AS 36.30.210 is amended by adding a new subsection to read:

4 (e) The offeror must have a valid Alaska business license at the
5 time designated, in the request for proposals, for opening of the pro-
6 posals. The offeror shall supply evidence of the offeror's valid
7 Alaska business license in accordance with regulations adopted by the
8 commissioner.

9 * Sec. 13. AS 36.30.250(b) is amended to read:

10 (b) In determining whether a proposal is advantageous to the
11 state, the procurement officer shall take into account, in accordance
12 with regulations of the commissioner, whether the offeror [QUALIFIES
13 AS AN ALASKA BIDDER UNDER AS 36.30.170(b) OR] is offering the services
14 of an employment program [AS DEFINED IN AS 36.30.100(c)].

15 * Sec. 14. AS 36.30.250 is amended by adding new subsections to read:

16 (c) For the purpose of evaluating cost factors, the proposed
17 costs of an offeror who qualifies as an Alaska bidder under AS 36.30.-
18 170(b) shall be reduced by five percent.

19 (d) The request for proposals must include an Alaska bidder
20 evaluation factor that takes into consideration whether an offeror
21 qualifies as an Alaska bidder under AS 36.30.170(b). At least 10
22 percent of the value of the rating system or weighting value used
23 shall be assigned to the Alaska bidder evaluation factor.

24 * Sec. 15. AS 36.30 is amended by adding a new section to read:

25 Sec. 36.30.265. MULTI-STEP SEALED PROPOSALS. When it is con-
26 sidered impractical to initially prepare a definitive purchase de-
27 scription to support an award based on listed selection criteria, the
28 procurement officer may issue an expression of interest requesting the
29 submission of unpriced technical offers, and then later issue a

1 request for proposals limited to the offerors whose offers are deter-
2 mined to be technically qualified under the criteria set out in the
3 expression of interest.

4 * Sec. 16. AS 36.30.300(a) is amended to read:

5 (a) A contract may be awarded for supplies, services, profes-
6 sional services, or construction without competitive sealed bidding,
7 competitive sealed proposals, or other competition in accordance with
8 regulations adopted by the commissioner [OF ADMINISTRATION]. A con-
9 tract may be awarded under this section only when the chief procure-
10 ment officer or, for construction contracts or procurements for the
11 state equipment fleet, the commissioner of transportation and public
12 facilities determines in writing that there is only one source for the
13 required procurement or construction. A sole source procurement may
14 not be awarded if a reasonable alternative source exists. The written
15 determination must include findings of fact that support by clear and
16 convincing evidence the determination that only one source exists.
17 Except for procurements of supplies, services, or construction that do
18 not exceed the amount for small procurements under AS 36.30.320(a),
19 the [THE] authority to make the determination required by this subsec-
20 tion may not be delegated.

21 * Sec. 17. AS 36.30.305(a) is amended to read:

22 (a) A contract for supplies, services, professional services, or
23 a construction contract under \$100,000, may be awarded without compet-
24 itive sealed bidding or competitive sealed proposals, in accordance
25 with regulations adopted by the commissioner [OF ADMINISTRATION]. A
26 contract may be awarded under this section only when the commissioner
27 [OF ADMINISTRATION], or, for construction contracts under \$100,000 or
28 procurements for the state equipment fleet, the commissioner of trans-
29 portation and public facilities, determines in writing that a

1 situation exists that makes competitive sealed bidding or competitive
2 sealed proposals impractical or contrary to the public interest.
3 Procurements under this section shall be made with competition that is
4 practicable under the circumstance. Except for procurements of sup-
5 plies, services, or construction that do not exceed the amount for
6 small procurements under AS 36.30.320(a), the [THE] authority to make
7 a determination required by this section may not be delegated.

8 * Sec. 18. AS 36.30.320(a) is amended to read:

9 (a) A procurement for supplies, services, or construction that
10 does not exceed an aggregate dollar amount of \$10,000 [\$5,000] may be
11 made in accordance with regulations adopted by the commissioner for
12 small procurements.

13 * Sec. 19. AS 36.30.360(a) is amended to read:

14 (a) A written determination of nonresponsibility [RESPONSIBIL-
15 ITY] of a bidder or offeror shall be made by the procurement officer
16 in accordance with regulations adopted by the commissioner. The
17 unreasonable failure of a bidder or offeror to promptly supply infor-
18 mation in connection with an inquiry with respect to responsibility is
19 grounds for a determination of nonresponsibility with respect to the
20 bidder or offeror.

21 * Sec. 20. AS 36.30.362 is amended to read:

22 Sec. 36.30.362. DETERMINATION TO AWARD A CONTRACT TO A NONRESI-
23 DENT. Except for awards made under AS 36.30.170, if [IF] the procure-
24 ment officer awards a contract to a person who does not reside or
25 maintain a place of business in the state and if the supplies, ser-
26 VICES, professional services, or construction that is the subject of
27 the contract could have been obtained from sources in the state, the
28 procurement officer shall issue a written statement explaining the
29 basis of the award. The statement required under this section shall

1 be kept in the contract file.

2 * Sec. 21. AS 36.30.370 is amended to read:

3 Sec. 36.30.370. TYPES OF CONTRACTS. Subject to limitations of
4 this section, any type of contract that will promote the best inter-
5 ests of the state may be used, except that the use of a cost-plus-a-
6 percentage-of-cost contract may only be used when permitted by regula-
7 tions adopted by the commissioner, or, for construction contracts, by
8 the commissioner of transportation and public facilities [IS PROHIB-
9 ITED]. A cost-reimbursement contract may be used only when a deter-
10 mination is made in writing by the procurement officer that a cost-
11 reimbursement contract is likely to be less costly to the state than
12 any other type or that it is impracticable to obtain the supplies,
13 services, professional services, or construction required except under
14 a cost-reimbursement contract.

15 * Sec. 22. AS 36.30.575 is repealed and reenacted to read:

16 Sec. 36.30.575. STAY OF AWARD. If a protest is filed within the
17 time set out in AS 36.30.565 and before an award is made, award of the
18 contract shall be stayed until a decision is made on the protest,
19 unless the chief procurement officer, the commissioner, or, for con-
20 struction contracts or procurements for the state equipment fleet, the
21 commissioner of transportation and public facilities, makes a written
22 determination that

23 (1) a reasonable probability exists that the protest will
24 be denied; or

25 (2) delay of award of the contract is contrary to the
26 state's best interests.

27 * Sec. 23. AS 36.30.850(b) is amended to read:

28 (b) This chapter applies to every expenditure of state money
29 [FUNDS, IRRESPECTIVE OF THEIR SOURCES, INCLUDING FEDERAL ASSISTANCE

1 EXCEPT AS OTHERWISE SPECIFIED IN AS 36.30.890,] by the state, acting
2 through an agency, under a contract, except that this chapter does not
3 apply to

4 (1) grants;

5 (2) contracts for professional witnesses to provide for
6 professional services or testimony relating to existing or probable
7 lawsuits in which the state is or may become a party;

8 (3) contracts of the University of Alaska where the work is
9 to be performed substantially by students enrolled in the university;

10 (4) contracts for medical doctors and dentists;

11 (5) acquisitions or disposals of real property or interest
12 in real property, except as provided in AS 36.30.080;

13 (6) disposals under AS 38.05;

14 (7) contracts for the preparation of ballots under AS 15.-
15 15.030;

16 (8) acquisitions or disposals of property and other con-
17 tracts relating to airports under AS 02.15.070, 02.15.090, and 02.15.-
18 091;

19 (9) disposals of obsolete property under AS 19.05.060;

20 (10) disposals of obsolete material or equipment under
21 AS 35.20.060;

22 (11) agreements with providers of services under AS 44.47.-
23 250; AS 47.07; AS 47.08; AS 47.10; AS 47.17; AS 47.24; AS 47.25.195,
24 and 47.25.310;

25 (12) contracts of the Department of Fish and Game for
26 flights that involve specialized flying and piloting skills and are
27 not point-to-point;

28 (13) purchases of income-producing assets for the state
29 treasury or a public corporation of the state; [.]

1 (14) operation of the state boarding school established
2 under AS 14.16, if the State Board of Education or the commissioner of
3 education adopts regulations for use by the state boarding school in
4 procurement and contracting;

5 (15) a contract that is a delegation, in whole or in part,
6 of investment powers held by the commissioner of revenue under AS 14.-
7 25.180, AS 14.40.400, AS 14.42.200, 14.42.210, AS 18.56.095, AS 22.-
8 25.048, AS 26.05.228, AS 37.10.070, 37.10.071, AS 37.14, or AS 29.35.-
9 080;

10 (16) a contract that is a delegation, in whole or in part,
11 of investment powers of the Board of Trustees of the Alaska Permanent
12 Fund Corporation under AS 37.13; [OR]

13 (17) the purchase of books, book binding services, newspa-
14 pers, periodicals, audio-visual materials, network information ser-
15 vices access, approval plans, professional memberships, archival
16 materials, objects of art, and items for museum or archival acquisi-
17 tion having cultural, historical, or archaeological significance; in
18 this paragraph

19 (A) "approval plans" means book selection services in
20 which current book titles meeting an agency's customized specifi-
21 cations are provided to the agency subject to the right of the
22 agency to return those books that do not meet with the agency's
23 approval;

24 (B) "audio-visual materials" means nonbook prerecorded
25 materials, including records, tapes, slides, transparencies,
26 films, filmstrips, cassettes, videos, compact discs, laser discs,
27 and items that require the use of equipment to render them us-
28 able;

29 (C) "archival materials" means the noncurrent records

1 of an agency that are preserved after appraisal because of their
2 value;

3 (D) "network information services" means a group of
4 resources from which cataloging information, holdings records,
5 inter-library loans, acquisitions information, and other refer-
6 ence resources can be obtained;

7 (18) contracts for the purchase of standardized examinations
8 for licensure under AS 08;

9 (19) disposals of supplies acquired through foreclosure of
10 loans issued under AS 03.10;

11 (20) purchases of curatorial and conservation services to
12 maintain, preserve, and interpret

13 (A) objects of art; and

14 (B) items having cultural, historical, or archaeologi-
15 cal significance to the state;

16 (21) acquisition of confidential seismic survey data neces-
17 sary for pre-sale oil and gas lease analyses under AS 38.05.180;

18 (22) contracts for village public safety officers;

19 (23) expenditures to pay travel expenses of personal care
20 attendants and sign language interpreters needed to accompany develop-
21 mentally disabled members of the Governor's Council for the Handi-
22 capped and Gifted to meetings for which reimbursement of members'
23 expenses is authorized under AS 47.80.060;

24 (24) contracts for home health care and adult residential
25 and foster care services provided under regulations adopted by the
26 Department of Health and Social Services;

27 (25) contracts for supplies or services for research pro-
28 jects funded by money received from the federal government or private
29 grants; or

1 (26) guest speakers or performers for an educational or
2 cultural activity.

3 * Sec. 24. AS 36.30.850(e) is amended to read:

4 (e) AS 36.30.170 applies to all insurance contracts involving
5 state money. In this subsection, "state money" includes [, INCLUDING]
6 state grants and reimbursement to municipalities, school districts,
7 and other entities.

8 * Sec. 25. AS 36.30 is amended by adding a new section to read:

9 Sec. 36.30.855. ALTERNATE PROCUREMENT METHODS. (a) In place of
10 the methods provided by AS 36.30.100 - 36.30.320, an alternate pro-
11 curement method may be used in the following situations, in accordance
12 with regulations adopted by the commissioner:

13 (1) if the commissioner determines in writing that food,
14 clothing, medical supplies, or materials for use in laboratory or
15 medical studies can be purchased otherwise to the best advantage of
16 the state;

17 (2) if rates are fixed by law or ordinance;

18 (3) to purchase products or services manufactured or pro-
19 vided by an employment program;

20 (4) to purchase products or services provided by the cor-
21 rectional industries program established under AS 33.32.

22 (b) An alternate procurement method to the methods provided by
23 AS 36.30.100 - 36.30.320 may be used for purchases of supplies and
24 services to support operations of the division of Alaska state troop-
25 ers or the division of fish and wildlife protection if the procurement
26 officer for the Department of Public Safety makes a written determina-
27 tion that publicity of the purchases would jeopardize the safety of
28 personnel or the success of the operation.

29 * Sec. 26. AS 36.30 is amended by adding a new section to read:

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Sec. 36.30.960. COMPUTATION OF TIME. The time in which an act under this chapter is required to be done is computed by excluding the first day and including the last.

* Sec. 27. AS 36.30.990 is amended by adding new paragraphs to read:

(17) "day" or "working day" means a state working day;

(18) "employment program" means a nonprofit program to increase employment opportunities for individuals with physical or mental disabilities that constitute substantial handicaps to employment;

(19) "state money" means any money appropriated to an agency or spent by an agency irrespective of its source, including federal assistance except as otherwise specified in AS 36.30.890, but does not include money held in trust by an agency for a person.

* Sec. 28. AS 36.30.100(b)(1), 36.30.100(b)(2), 36.30.100(b)(3), 36.30.100(b)(4), 36.30.100(c), 36.30.540(4), 36.30.540(5), 36.30.605, and AS 44.47.250(c) are repealed.

APR 10 1989

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Bannister

4/18/89
ADOPTED

A M E N D M E N T

OFFERED IN THE SENATE

BY PEARCE

TO: CSSB 170 (State Affairs)

Page 1, following line 7:

Insert a new bill section to read:

"* Section 1. AS 01.10.080 is amended to read:

Sec. 01.10.080. COMPUTATION OF TIME. The time in which an act provided by law is required to be done is computed by excluding the first day and including the last, unless the last day is a holiday, and then it is also excluded. This section does not apply to AS 36.30."

Page 1, line 8:

Delete "* Section 1."

Insert "* Sec. 2."

Renumber the following bill sections accordingly.

Page 13, following line 22:

Insert a new bill section to read:

"* Sec. 26. AS 36.30 is amended by adding a new section to read:

Sec. 36.30.960. COMPUTATION OF TIME. The time in which an act under this chapter is required to be done is computed by excluding the first day and including the last."

Renumber the following bill sections accordingly.

Page 13, following line 23:

Insert a new paragraph to read:

"(17) "day" or "working day" means a state working day;"

Renumber the following paragraphs accordingly.

SUBMITTED BY The Dept. of LAW

Section-by-section analysis of CSSB 170(SA) relating to state procurement.

Sections 1 and 2 of the bill were added to the bill by the Senate State Affairs Committee, at the request of the Alaska Railroad Corporation (ARC). Section 1 removes from current law the requirement that the ARC adopt procurement procedures that are "substantially equivalent" to the procedures prescribed by the State Procurement Code and the regulations adopted by the state under the code. Instead, under section 2, the ARC must adopt procurement procedures consistent with the competitive principles of the code, but "adapted to the special needs" of ARC, as determined by the ARC board of directors.

Section 3 removes reference to the definition of "employment program" in AS 36.30.100(c). In the State Affairs Committee Substitute, "employment program" is defined for the chapter in amended AS 36.30.990 (sec. 25 of the CS).

Sections 4, 10, and 11 of the bill clarify and make consistent the requirements that a bidder or proposer have, and provide evidence of having, a valid Alaska business license. Under these sections, bidders and proposers must possess the license at the time of bid or proposal opening, and must provide proof of the license in accordance with regulations adopted by the commissioner of administration.

Section 5 of the bill permits the commissioner of transportation and public facilities to make the state's estimate of the costs of construction confidential until after bid opening, upon a written finding that confidentiality is in the state's best interest.

Section 6 of the bill clarifies that a listed subcontractor may be replaced if the subcontractor, rather than the bidder, is determined by the procurement officer not to be responsible.

Section 7 of the bill establishes a uniform requirement that the bid security that is required for competitive sealed bids for certain construction contracts and that may be required for competitive sealed bids for other construction contracts and for contracts for supplies, services, or professional services, must be equal to at least five percent of the amount of the bid. This replaces more complicated security requirements, which the Department of Transportation and Public Facilities found resulted in rejection of several major bids.

Section 8, besides making some technical corrections in AS 36.-30.170(b)(4), recognizes the need in some situations to provide the Alaska bidder preference to partnerships in which not all partners are Alaska residents.

Section 10 of the bill also requires the list of subcontractors provided by the offeror of the proposal determined to be most advantageous to the state to include a list of the work to be performed by each subcontractor.

Sections 12 and 13 of the bill provide more specific requirements for consideration of proposers' Alaska bidder status in evaluating competitive sealed proposals. In evaluating the cost factors of a proposal, an agency must consider the proposed costs of an offeror who qualifies as an Alaska bidder to be reduced by five percent. In establishing evaluation factors, an agency must allocate at least 10 percent of the value of the rating system to the proposers' Alaska bidder status. These provisions place in statute the requirements of interpretive regulations adopted by the commissioner of administration. Section 12 also removes reference to the definition of "employment program" under AS 36.30.100(c) (see section 3).

Section 14 of the bill adds a new provision that permits multi-step sealed proposals, similar to AS 36.30.190 which provides for multi-step competitive sealed bidding.

Sections 15 and 16 of the bill permit delegation of the authority to make written determinations necessary for a sole source or limited competition procurement of supplies, services, or construction if the amount of the procurement does not exceed the amount for small procurements under AS 36.30.320(a). That amount is currently \$5,000.

Section 17 is an amendment to AS 36.30.320(a) added by the State Affairs Committee to raise the amount for small procurements from \$5,000 to \$10,000.

Section 18 of the bill amends the provisions for determination of responsibility of a bidder or offeror, to require the procurement officer to make a written determination only if the bidder or offeror is found to be not responsible, rather than if he or she is found to be responsible.

Section 19 of the bill amends the requirement that the procurement officer issue a written explanation of award of a contract to an out-of-state bidder, to provide that such an explanation is not required if the award is made under competitive sealed bidding. The reason for this change is that awards under competitive sealed bidding involve no exercise of discretion.

Section 20 of the bill removes the prohibition against use of cost-plus-a-percentage-of-cost contracts, and allows use of that type of contract under regulations to be adopted by the commissioner of administration and commissioner of transportation and public facilities in their respective areas of responsibility.

Section 21 of the bill repeals and reenacts the provision for stay of award of a contract when an appeal is filed. Currently, even if an appeal is filed, the contracting agency may proceed with the award unless the agency determines that the protest will probably be sustained or that a stay of the award is not contrary to the best interests of the state. As reenacted, AS 36.30.575 requires a stay of the award unless there is a written finding that there is a reasonable probability that the protest will be denied or that the delay is found to be contrary to the state's best interests. In other words, essentially, the provision is reversed.

Section 22 of the bill amends AS 36.30.850(b) to provide for additional exemptions from the procurement code, including exemptions of

- contracts for day care assistance (AS 44.47.250);
- contracts for purchase of standardized licensure examinations;
- disposals of supplies acquired in agricultural loan foreclosures;
- purchases of certain services connected to art and historical objects;
- acquisition of confidential seismic information for pre-sale oil and gas lease analyses;
- contracts for village public safety officers;
- expenditures for expenses for travel to meetings by persons who provide personal care and sign language interpretation for members of the Governor's Council for the Handicapped and Gifted;
- contracts for home health care services and adult residential and foster care services; and
- contracts for services and supplies for research projects that are funded with federal or private grant money.
- guest speakers or performers for educational or cultural activities (added by State Affairs Committee at request of the University).

Language is also deleted from AS 36.30.850(b)'s lead-in, and the same language is instead included in a new definition of "state money" (sec. 25 of the bill).

Section 24 adds a new section that allows for use of alternate procurement methods, rather than those provided in the

procurement code, in specified situations in which agencies have found application of the procurement code to be impractical or disadvantageous to the state.

Section 25 defines "employment program" for the chapter (see section 3) and adds a new definition of "state money," to clarify that expenditure of money held in trust by an agency for a person (for example, money of a bank that the state has taken possession of under AS 06.05.470, or a client's money held in trust by the Office of Public Advocacy) is not "state money" under the code.

Section 26 repeals AS 36.30.100(b)(1) -- (4), which are currently exemptions from competitive bidding requirements and which are relocated by the bill to proposed AS 36.30.855 (sec. 24); AS 36.30.100(c), which included a definition of "employment program" which is relocated by the bill to AS 36.30.090 (sec. 25); AS 36.30.540(4) -- (5), to delete the reporting requirements for out-of-state and state source procurements; AS 36.30.605, to delete the protest report requirement; and AS 44.47.250(c), to conform AS 44.47.250 to the exemption added to AS 36.30.850(b)(11) (sec. 22) for day care assistance contracts.

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

170

February 13, 1989

The Honorable Tim Kelly
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to state procurement.

After working with the new state procurement code for the past year, state agencies have identified a number of provisions that need clarification or change to address the practical realities of administering the code.

Sections 1, 6, and 7 of the bill clarify and make consistent the requirements that a bidder or proposer have, and provide evidence of having, a valid Alaska business license. Under these sections, bidders and proposers must possess the license at the time of bid or proposal opening, and must provide proof of the license in accordance with regulations adopted by the commissioner of administration.

Section 2 of the bill permits the commissioner of transportation and public facilities to make the state's estimate of the costs of construction confidential until after bid opening, upon a written finding that confidentiality is in the state's best interest.

Section 3 of the bill clarifies that a listed subcontractor may be replaced if the subcontractor, rather than the bidder, is determined by the procurement officer not to be responsible.

Section 4 of the bill establishes a uniform requirement that the bid security that is required for competitive sealed bids for certain construction contracts and that may be required for competitive sealed bids for other construction contracts and for contracts for supplies, services, or professional services, must be equal to at least five percent of the amount of the bid. This replaces more complicated security requirements, which the

Transmittal Letter

Department of Transportation and Public Facilities found resulted in rejection of several major bids.

Section 5, besides making some technical corrections in AS 36.30.170(b)(4), recognizes the need in some situations to provide the Alaska bidder preference to partnerships in which not all partners are Alaska residents.

Section 6 of the bill also requires the list of subcontractors provided by the offeror of the proposal determined to be most advantageous to the state to include a list of the work to be performed by each subcontractor.

Sections 8 and 9 of the bill provide more specific requirements for consideration of proposers' Alaska bidder status in evaluating competitive sealed proposals. In evaluating the cost factors of a proposal, an agency must consider the proposed costs of an offeror who qualifies as an Alaska bidder to be reduced by five percent. In establishing evaluation factors, an agency must allocate at least 10 percent of the value of the rating system to the proposers' Alaska bidder status. These provisions place in statute the requirements of interpretive regulations adopted by the commissioner of administration.

Section 10 of the bill adds a new provision that permits multi-step sealed proposals, similar to AS 36.30.190 which provides for multi-step competitive sealed bidding.

Sections 11 and 12 of the bill permit delegation of the authority to make written determinations necessary for a sole source or limited competition procurement of supplies, services, or construction if the amount of the procurement does not exceed the amount for small procurements under AS 36.30.320(a). That amount is currently \$5,000.

Section 13 of the bill amends the provisions for determination of responsibility of a bidder or offeror, to require the procurement officer to make a written determination only if the bidder or offeror is found to be not responsible, rather than if he or she is found to be responsible.

Section 14 of the bill amends the requirement that the procurement officer issue a written explanation of award of a contract to an out-of-state bidder, to provide that such an explanation is not required if the award is made under competitive sealed bidding. The reason for this change is that awards under competitive sealed bidding involve no exercise of discretion.

Section 15 of the bill removes the prohibition against use of cost-plus-a-percentage-of-cost contracts, and allows use of that type of contract under regulations to be adopted by

the commissioner of administration and commissioner of transportation and public facilities in their respective areas of responsibility.

Section 16 of the bill repeals and reenacts the provision for stay of award of a contract when an appeal is filed. Currently, even if an appeal is filed, the contracting agency may proceed with the award unless the agency determines that the protest will probably be sustained or that a stay of the award is not contrary to the best interests of the state. As reenacted, AS 36.30.575 requires a stay of the award unless there is a written finding that there is a reasonable probability that the protest will be denied or that the delay is found to be contrary to the state's best interests. In other words, essentially, the provision is reversed.

Section 17 of the bill amends AS 36.30.850(b) to provide for additional exemptions from the procurement code, including exemptions of

- contracts for day care assistance (AS 44.47.250);
- contracts for purchase of standardized licensure examinations;
- disposals of supplies acquired in agricultural loan foreclosures;
- purchases of certain services connected to art and historical objects;
- acquisition of confidential seismic information for pre-sale oil and gas lease analyses;
- contracts for village public safety officers;
- expenditures for expenses for travel to meetings by persons who provide personal care and sign language interpretation for members of the Governor's Council for the Handicapped and Gifted;
- contracts for home health care services and adult residential and foster care services; and
- contracts for services and supplies for research projects that are funded with federal or private grant money.

Language is also deleted from AS 36.30.850(b)'s lead-in, and the same language is instead included in a new definition of "state money" (sec. 19 of the bill).

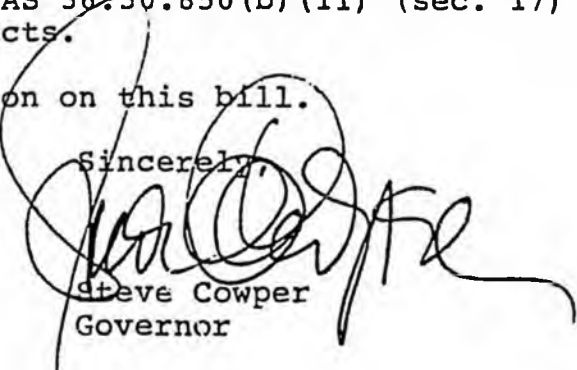
Section 18 adds a new section that allows for use of alternate procurement methods, rather than those provided in the procurement code, in specified situations in which agencies have found application of the procurement code to be impractical or disadvantageous to the state.

Section 19 adds a new definition of "state money," to clarify that only expenditure of money appropriated to an agency or spent under an appropriation (including money spent under AS 37.07.080(h)) is subject to the procurement code. Not subject to the procurement code under this definition is expenditure of money such as that of companies for which, or of individuals for whom, the state acts as the trustee, receiver, or conservator (for example, money of a bank that the state has taken possession of under AS 06.05.470, or a client's money held in trust by the Office of Public Advocacy).

Section 20 repeals AS 36.30.100(b)(1) -- (4), which are currently exemptions from competitive bidding requirements and which are relocated by the bill to proposed AS 36.30.855 (sec. 18); AS 36.30.540(4) -- (5), to delete the reporting requirements for out-of-state and state source procurements; AS 36.30.605, to delete the protest report requirement; and AS 44.47.250(c), to conform AS 44.47.250 to the exemption added to AS 36.30.850(b)(11) (sec. 17) for day care assistance contracts.

I urge your favorable action on this bill.

Sincerely,


Steve Cowper
Governor

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: CS SB 170 (State Affairs)
PUBLISH DATE: 9/16/89

REQUEST: FISCAL NOTE

Revision Date: 3/16/89
Title: An Act Relating to State Procurement

Agency Affected: DOT&PF
BRU: Design & Construction
Maintenance & Operations
State Equipment Fleet

Sponsor: Governor

Requestor:

Components:

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	0	0	0	0	0	0
CONTRACTURAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

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

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

FUNDING: (THOUSANDS OF DOLLARS)

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Although the fiscal note and impact of this bill is shown as zero there will be some positive effects. The cost savings will be in the form of increased efficiencies in the procurement process.

Prepared by: Loren Rasmussen *Loren Rasmussen*
Division: Engineering & Operations Standards

Phone: 465-2960
Date: 03/20/89

Approved by Commissioner: Mark S. Hickey *MSH*
Agency: Department of Transportation and Public Facilities

Date: 3/20/89

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

RECEIVED
MAR 21 1989

Department of Transportation & Public Facilities



POSITION PAPER

BILL NO: CS SB 170 (State Affairs)

APPROVED:

MSH

TITLE: An Act Relating to State Procurement

DATE: March 20, 1989

The department is supportive of the legislation including the approved amendment and at this time has no suggested revisions.

For further information call Catherine A. McHugh at 465-3900

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: SB 170 (b)
PUBLISH DATE: 2/13/89

REQUEST: FISCAL NOTE

Revision Date: 12/27/88
Title: An Act Relating to State Procurement
Sponsor: Rules
Requestor: Governor

Agency Affected: DOT&PF
BRU: Design & Construction, Maintenance & Operations: State Equipment Fleet
Components: _____

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	0	0	0	0	0	0
CONTRACTURAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

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

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

FUNDING: (THOUSANDS OF DOLLARS)

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Although the fiscal note and impact of this bill is shown as zero there will be some positive effects. The cost savings will be in the form of increased efficiencies in the procurement process.

Prepared by: Loren Rasmussen
Division: Engineering & Operations Standards
Approved by Commissioner: M-K & W
Agency: DOT & DF

Phone: 465-2960
Date: 12/28/88
Date: 12/30/88

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

FISCAL NOTE

REQUEST:

Revision Date: March 20, 1989 Agency Affected: Department of Administration
 Title: An Act Relating to State BRU: General Services
Procurement
 Sponsor: Rules Components: Purchasing
 Requestor: Senate, State Affairs

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS (PHONE)	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

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

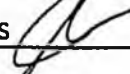
POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Implementation costs will be minimal. Efficiencies gained will be reflected in improved service delivery.

Prepared By: Robert J. Link, Director  Phone: 465-2250
 Division: General Services & Supply Date: _____

Approved by Commissioner: John M. Andrews  Date: 3/21/89
 Agency: Department of Administration

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

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Department of Administration
 Title: An Act Relating to State BRU: General Services
 Procurement _____
 Sponsor: Rules Components: Purchasing
 Requestor: Governor _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS (PHONE)	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

Implementation costs will be minimal. Efficiencies gained will be reflected in improved service delivery.

Prepared By: Robert J. Link, Director *Robert J. Link* Phone: 465-2250
 Division: General Services & Supply Date: December 27, 1988
 Approved by Commissioner: John M. Andrews *John M. Andrews* Date: 1/3/89
 Agency: Department of Administration Date: December 27, 1988

Distribution (by preparer):

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

S B

L M I

HOUSE COMMITTEE REPORT

(11)

Date Referred: May 4, 1989

FURTHER REFERRALS:

Date of Committee Action: 2/20/90

The FINANCE Committee considered:

SB 171

SENATE BILL NO. 171 [LENGTH OF SCHOOL TERM]
 "An Act relating to the school term."

RECOMMENDATIONS:

- [] be replaced with HCS SB 171 (HESS) [] the same title
- [] have 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):
 (Dept)

APPROVES PREVIOUS:
 (Date/Dept)

- [] fiscal impact _____
- [] zero fiscal note _____
- [] zero with analysis _____

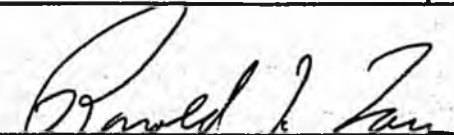

- [] fiscal note(s) _____
- [] zero fiscal note(s) D of Education 3/2/89
- [] zero fn/analysis _____

SIGNING DO PASS:

SIGNING:
 (Check approp. column)

 _____ Larson
 _____ SWACKHAMMER
 _____ ULMER
 _____ PHILIPS
 _____ RIEGER
 _____ Shultz

	Do Not PASS	No Rec	Amend
Hoffman	<input checked="" type="checkbox"/>		
Brown	<input checked="" type="checkbox"/>		
Kopov	<input checked="" type="checkbox"/>		
Barnes	<input checked="" type="checkbox"/>		
Wallis	<input checked="" type="checkbox"/>		

 Larson
 Chairman's Signature:  Hoffman

STATE OF ALASKA
1990 LEGISLATIVE SESSION

BILL VERSION: HCS for SB 171 (HESS)
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: 1/16/90
Title: Relating to the School Term

Agency Affected: Education
BRU: K-12 Support

Sponsor: Senate HESS
Requestor: Senator Fischer

Components: Foundation

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Mary Hakaia Phone: 465-2800
Division: Commissioner's Office Date: 1/15/90

Approved by Commissioner: William G. Demmert Date: 1/15/90
Agency: Education

Distribution (by preparer):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)

Original sponsor: Fischer

zero - st. resp

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 HOUSE CS FOR SENATE BILL NO. 171 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the school term."

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

8 * Section 1. AS 14.03.030 is amended to read:

9 Sec. 14.03.030. SCHOOL TERM. A school term begins and ends on
10 the dates fixed by the governing body of a school district. A school
11 term shall include not less than 180 days in session, unless [EXCEPT
12 THAT], with the approval of the commissioner,

13 (1) a day used for in-service training of teachers is [MAY
14 BE] substituted for a day in session, up to a maximum of 10 days;

15 (2) an "emergency closure day" is [MAY BE] substituted for
16 a day in session because of conditions posing a threat to the health
17 or safety of students; or [AND]

18 (3) a school board adopts [MAY ADOPT] a school term of not
19 less than 150 days for abating asbestos health hazards in the school,
20 or not less than 160 days for other purposes, and [A SCHOOL IF] the
21 commissioner finds that

22 (A) the shorter term is necessary; [FOR ABATING ASBES-
23 TOS HEALTH HAZARDS IN THE SCHOOL; AND]

24 (B) the school board has submitted an acceptable plan
25 under which students will receive the approximate educational
26 equivalent of a 180-day term; and

27 (C) the school board has exhausted all other remedies
28 that would have allowed retention of a 180-day school term.

1 IN THE SENATE

BY FISCHER

2 SENATE BILL NO. 171

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the school term."

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

8 * Section 1. AS 14.03.030 is amended to read:

9 Sec. 14.03.030. SCHOOL TERM. A school term begins and ends on
10 the dates fixed by the governing body of a school district. A school
11 term shall include not less than 180 days in session, unless [EXCEPT
12 THAT], with the approval of the commissioner,

13 (1) a day used for in-service training of teachers is [MAY
14 BE] substituted for a day in session, up to a maximum of 10 days;

15 (2) an "emergency closure day" is [MAY BE] substituted for
16 a day in session because of conditions posing a threat to the health
17 or safety of students; and

18 (3) a school board adopts [MAY ADOPT] a school term of not
19 less than 150 days for a school and [IF] the commissioner finds that

20 (A) the shorter term is necessary [FOR ABATING ASBES-
21 TOS HEALTH HAZARDS IN THE SCHOOL]; and

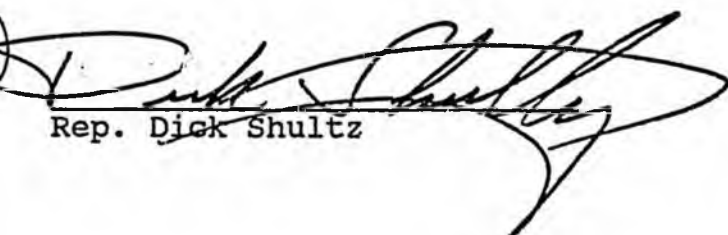
22 (B) the school board has submitted an acceptable plan
23 under which students will receive the approximate educational
24 equivalent of a 180-day term.

SUBCOMMITTEE REPORT ON SB 171

The House Finance Subcommittee on SB 171 met on February 13, 1990 at 1 p.m., to consider SB 171 and the question that the Finance Committee had directed it to answer: whether the Commissioner of Education currently has the ability to authorize an extension of the length of the school day to satisfy school term requirements. Two of three members were present, Rep. Koponen, chair and Rep. Schultz. Rep. Ulmer was excused due to illness. According to Steve Hole, Department of Education (memo attached), the Commissioner currently has the authority to approve emergency closure days (AS 14.03.030), but the Commissioner does not presently have the authority to authorize districts to make up missed days by extending the number of hours in the school days. The Department of Education and the subcommittee supports this legislation which would add such a provision into law.



Rep. Niilo Koponen, Chair



Rep. Dick Schultz

STATE OF ALASKA

DEPARTMENT OF EDUCATION

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

GOLDBELT PLACE
801 WEST 10TH STREET
P.O. BOX F
JUNEAU, ALASKA 99811-0500

February 7, 1990

The Honorable Niilo Koponen
Alaska State Representative
P.O. Box V
Juneau, Alaska 99811-0500

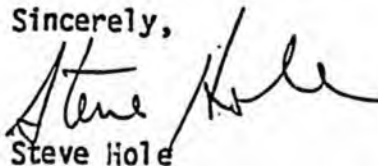
Dear Representative Koponen:

For the record, and as I have testified before other legislative committees on House CS SB-171 (HESS), our interpretation of the bill is that under its provisions, a school board can provide for a school term of less than 180 days, but with extended days in session, and meet the requirement of "... the approximate educational equivalent of a 180 day term..."

The above interpretation is subject to the approval of the commissioner of the plan required by lines 24-26 of this bill, which is also existing law.

The Department supports the bill, and while it would be our intention to implement its provisions in a manner which affords districts flexibility to adjust to exigencies, it also would be our intent to assure that the level of instruction provided under a plan is both academically and age appropriate.

Sincerely,



Steve Hole
Deputy Commissioner



• ALASKA COUNCIL OF SCHOOL ADMINISTRATORS •
328 Fourth St., Suite 402 Juneau, Alaska 99801 586-9702

POSITION STATEMENT

SB 171 "AN ACT RELATING TO THE SCHOOL TERM."

The Alaska Council of School Administrators looks favorably on SB 171.

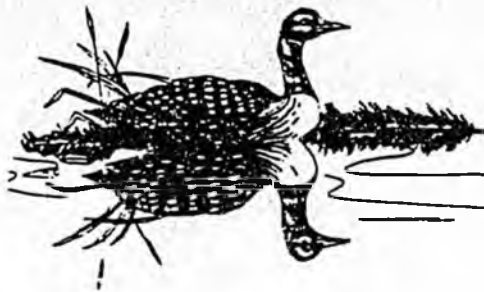
We realize there could be extenuating circumstances requiring school districts to shorten the school year in actual calendar days. Whether it would be by six day school weeks, lengthening the school day or other alternative methods. As long as the minimum requirements are met, and the commissioner has evaluated and approved the plan districts submit for students to receive an equivalent education, then a waiver to the standard 180 day school calendar should be allowed to be adopted.



FEB 02 1989



KENAI PENINSULA
BOROUGH SCHOOL DISTRICT



Nikolaevsk

Николаевск

BOX 5129, NIKOLAEVSK C. P. O.
ANCHOR POINT, ALASKA 99556
Jan. 30, 1989

Senator Paul Fisher
Representative Swackhammer
Representative Navarre

Dear Paul, Swack, Mike

I know that with the foundation formula funding, school construction debt retirement and reduced oil revenues you gentlemen are extremely busy. I hope, however, that you will bring to the floor and pass a bill allowing reduced school year with equivalent hours of instruction such as passed the Senate last year. This is important legislation for all bush communities and as revenues diminish it becomes even more critical.

Senator Fischer's bill last year was appropriate and adequate. It is imperative however that this proposal get immediate attention if it is going to make it through both houses during this session.

I am available to do anything in my power to assist you in this effort. Contact me immediately if I can be of service in making this proposal a reality.

Respectfully,

Bob Moore,
Principal

235-7432 (home)
235-8972 (work)

Letter of Support

S

B

L

M

R

SENATE COMMITTEE REPORT

FURTHER

3/30/89

DATE TURNED INTO OFFICE 4/12/89

Mr. President:

FINANCE

Committee considered SB 172

extending the termination date of the Special Education Service Agency
efd

and recommended

- replace with _____ CS _____) same title
- or adopt _____ CS _____) new title
- attached amendment(s) and technical title change (HB only)
- HESS letter of Intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

FISCAL NOTE(S) zero ^{SFC:DOE(1.42M in FY90 Budget)} fiscal impact appropriation no FN

new updated previous

same as previous fiscal note(s) published _____

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Handwritten signatures]

[Handwritten signature: Rich Heff]

Chairman signature and recommendation

Committee Backup attached

[Handwritten signature: John P. ...]

Co-Chair

740 SFC 4-12-89

STATE OF ALASKA BILL VERSION: SB 172
1989 LEGISLATIVE SESSION PUBLISH DATE: _____

FISCAL NOTE

REQUEST: _____

REVISION DATE: _____
TITLE: Extending termination
date of Spec.Ed.Service Agency
SPONSOR: Zharoff, Duncan et al
REQUESTOR: Senate Finance

AGENCY: Dept. of Education
BRU: K-12 Support
" "
COMPONENTS: Schools for the Handicapped

EXPENDITURES/REVENUES: (MILLIONS OF DOLLARS)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERS. SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND/BUILD.						
GRANTS/CLAIMS		1.42	1.42	1.42	1.42	1.42
MISCELLANEOUS						
TOTAL		1.42	1.42	1.42	1.42	1.42
CAPITAL						
REVENUE						

FUNDING: (THOUSANDS OF DOLLARS)

GENERAL FUNDS	1.42	1.42	1.42	1.42	1.42
FEDERAL FUNDS					
OTHER					
TOTAL	1.42	1.42	1.42	1.42	1.42

POSITIONS:

FULL-TIME					
PART-TIME					
TEMPORARY					

ANALYSIS:

The funding shown above is included in the FY 90 budget.

PREPARED BY: _____

Rick Uehling
SENATOR RICK UEHLING, CO-CHAIRMAN
SENATE FINANCE COMMITTEE

DATE: April 12, 1989

PHONE No.: 465-4821

Alaska State Legislature

SENATOR PAUL FISCHER, Chairman
SENATOR JIM DUNCAN, Vice Chairman
SENATOR AL ADAMS
SENATOR LLOYD JONES
SENATOR TIM KELLY



P.O. BOX V
ROOM 508
STATE CAPITOL
(907) 465-3762

Senate Committee on Health, Education and Social Services Letter of Intent SB 172

It is the intent of the Alaska State Legislature that the Department of Education evaluate the efficiency and services provided by the Special Education Services Agency during the interim and report back to the Legislature no later than the fifteenth day of the second session of the 16th Alaska Legislature. It is further the intent of the Legislature that the Department include in its report recommendations for the improvement of the operation and financial support of the Agency.

1 IN THE SENATE

BY ZHAROFF, DUNCAN,
UEHLING AND RODEY

2

SENATE BILL NO. 172

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act extending the termination date of the Special
7 Education Service Agency; and providing for an effec-
8 tive date."

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

10 * Section 1. AS 44.66.010(a)(14) is amended to read:

11 (14) Special Education Service Agency (AS 14.30.600) --

12 June 30, 1992 [1989];

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



SENATOR FRED F. ZHAROFF
ALASKA STATE LEGISLATURE

P.O. BOX 406, KODIAK, ALASKA 99815 (907) 488-5259
DURING SESSION:
P.O. BOX V, JUNEAU, ALASKA 99811 • (907) 485-3473 • 485-3474

APR 3... 1989

DISTRICT N

ALASKA PENINSULA • ALEUTIAN CHAIN • BRISTOL BAY • KODIAK ISLAND • LAKE CLARK/LAKE ILIAMNA • PRIBILOF ISLANDS • SHUMAGIN ISLANDS

MARCH 31, 1989

MEMORANDUM

TO: SENATOR JOHNE BINKLEY, CHAIR, SENATE FINANCE COMMITTEE
SENATOR RICK UEHLING, CO-CHAIR, SENATE FINANCE COMMITTEE

FROM: SENATOR FRED F. ZHAROFF

A handwritten signature in cursive script, appearing to read "F. Zharoff".

RE: SB 172

I respectfully request a committee hearing on Senate Bill 172, an act extending the termination date of the Special Education Service Agency (SESA).

SESA provides special education services through outreach services to the deaf, blind, retarded and handicapped in areas where there is no special education offered through the school or the school district. SESA also delivers instructional support and training of school personnel to assist them in the special educational needs of the handicapped. The activities of this agency have helped to provide necessary and valuable educational services to the handicapped in our rural regions where services of this nature would otherwise be unavailable.

The continuation of SESA has received a great deal of support from many areas including the Governor's Council for the Handicapped and Gifted, Association of Retarded Citizens in Kodiak and many other handicapped groups around the state.

Although the measure has a "zero" Fiscal Note, \$1.42 million dollars has been included in the Department of Education's budget under the Schools For the Handicapped component.

I would appreciate a hearing on this important educational issue at your earliest convenience. Thank you for your consideration.

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Extending The Termination Date of
The Special Education Service Agency
Sponsor: Zharoff, Duncan, et.al.
Requestor: Zharoff

Agency Affected: Education
BRU: K-12 Support
Components: Schools for the Handicapped

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Formula funding of SESA is included within the Department's operating budget request within the component "Schools for the Handicapped."

Prepared by: Mary Hakala Phone: 465-2800
Division: Commissioner's Office Date: 2/14/89
Approved by Commissioner: William G. Demmert Date: 2/14/89
Agency: Education

Distribution (by preparer):

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

Show \$1.42 in FY90 Budget Funding.

S

B

L

7

R

HOUSE COMMITTEE REPORT

(11)

Date Referred: April 25, 1989

FURTHER REFERRALS:

Date of Committee Action: 5/3/89

The FINANCE Committee considered:

SB 172

SENATE BILL NO. 172

[EXTEND SPECIAL EDUCATION SERVICE AGENCY]

"An Act extending the termination date of the Special Education Service Agency; and providing for an effective date."

RECOMMENDATIONS:

- [] be replaced with _____ [] the same title
- [] have attached amendment(s) [] a new title
- [] do pass
- [] do not pass
- [] no recommendation
- [] individual recommendations
- [] additional referral to the _____ Committee

ADOPTS: Senate letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:
(Date/Dept)

- [] fiscal impact _____
- [] zero fiscal note _____
- [] zero with analysis _____

- [] fiscal note(s) _____
- [] zero fiscal note(s) _____
- [] zero fn/analysis DOE

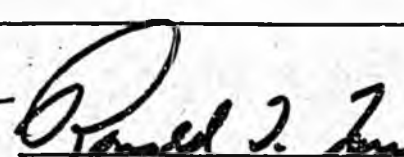
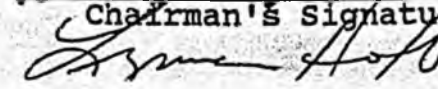
SIGNING DO PASS:

SIGNING:
(Check approp. column)

Do Not
PASS No Rec Amend

Ronald J. Larson Larson
Karl Wallis Wallis
Swackhammer Swackhammer
Koponen Koponen
Barnes Barnes
Utner Utner
Phillips Phillips

	Do Not PASS	No Rec	Amend
<u>Lynn Hoffman</u> Hoffman	X		
<u>Lay Brown</u> Brown	X		


 Chairman's Signature


Alaska State Legislature

SENATOR PAUL FISCHER, Chairman
SENATOR JIM DUNCAN, Vice Chairman
SENATOR AL ADAMS
SENATOR LLOYD JONES
SENATOR TIM KELLY



P.O. BOX V
ROOM 508
STATE CAPITOL
(907) 485-3782

Senate Committee on Health, Education and Social Services

Letter of Intent SB 172

It is the intent of the Alaska State Legislature that the Department of Education evaluate the efficiency and services provided by the Special Education Services Agency during the interim and report back to the Legislature no later than the fifteenth day of the second session of the 16th Alaska Legislature. It is further the intent of the Legislature that the Department include in its report recommendations for the improvement of the operation and financial support of the Agency.

Senate adopted 4/14/89

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: Extending The Termination Date of
 The Special Education Service Agency
 Sponsor: Zharoff, Duncan, et.al.
 Requestor: Zharoff

Agency Affected: Education
 BRU: K-12 Support
 Components: Schools for the Handicapped

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Formula funding of SESA is included within the Department's operating budget request within the component "Schools for the Handicapped."

Prepared by: Marv Hakala Phone: 465-2800
 Division: Commissioner's Office Date: 2/14/89
 Approved by Commissioner: William G. Demmert Date: 2/14/89
 Agency: Education

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

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: SB 172
PUBLISH DATE: 4/12/89

FISCAL NOTE

REQUEST: _____

REVISION DATE: _____
TITLE: Extending termination
date of Spec.Ed.Service Agency
SPONSOR: Zharoff, Duncan et al
REQUESTOR: Senate Finance

AGENCY: Dept. of Education
BRU: K-12 Support
" "
COMPONENTS: Schools for the Handicapp

EXPENDITURES/REVENUES: (MILLIONS OF DOLLARS)

	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
OPERATING						
PERS. SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND/BUILD.						
GRANTS/CLAIMS		1.42	1.42	1.42	1.42	1.42
MISCELLANEOUS						
TOTAL		1.42	1.42	1.42	1.42	1.42
CAPITAL						
REVENUE						

FUNDING: (THOUSANDS OF DOLLARS)

GENERAL FUNDS		1.42	1.42	1.42	1.42	1.42
FEDERAL FUNDS						
OTHER						
TOTAL		1.42	1.42	1.42	1.42	1.42

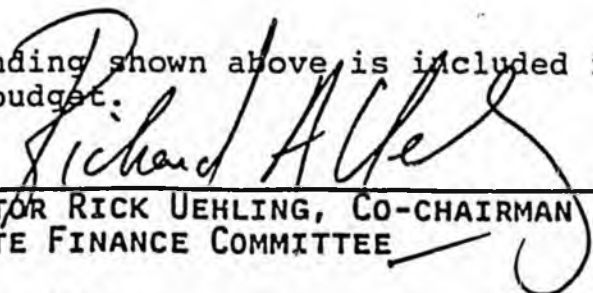
POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS:

The funding shown above is included in the
FY 90 budget.

PREPARED BY:


SENATOR RICK UEHLING, CO-CHAIRMAN
SENATE FINANCE COMMITTEE

DATE: April 12, 1989

PHONE No.: 465-4821

Introduced: 2/13/89
Referred: Health, Education and
Social Services and
Finance

6-0764A

1 IN THE SENATE

BY ZHAROFF, DUNCAN,
UEHLING AND RODEY

2

SENATE BILL NO. 172

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act extending the termination date of the Special

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Education Service Agency; and providing for an effective

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11

(14) Special Education Service Agency (AS 14.30.600) --

12

June 30, 1992 [1989];

13

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

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

FINANCE DIVISION
P.O. BOX WF
JUNEAU, ALASKA 99811
PHONE: (907) 465-3795

December 7, 1988

SUMMARY OF: A Performance Report on the Special Education Services Agency, July 1, 1987 - June 30, 1988.

PURPOSE OF THE REPORT

In accordance with the intent of Title 24 and 44 of the Alaska Statutes (sunset legislation), we have examined the activities of the Special Education Services Agency for the past fiscal year. Our examination was conducted to determine if the Agency has been operating in an efficient and effective manner and whether the Agency should be reestablished. The law now specifies that the Agency will terminate June 30, 1989.

REPORT CONCLUSION

In our opinion, the Special Education Services Agency should be reestablished. The need to provide adequate education to low-incidence handicapped students in the least restrictive setting is mandated. The Agency provides this service by furnishing itinerant resource services to school districts where the students are enrolled. The Agency assures that the target population of students is being served through training and services for special education instructors in addition to working directly with the students.

FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The Department of Education and SESA should work together to seek statutory changes that would clarify the Department's administrative responsibility over the Agency.

Recommendation No. 2

The Department of Education should provide guidelines to the school districts and SESA for the proper reporting of special education students and the transmitting of information between the entities.

RECEIVED MAR 28 1989

March 27, 1989

Senator Zharoff
P.O. Box V, Room 121
Juneau, Alaska 99811

Dear Senator:

I am pleased to write to you about the Special Education Services Agency (SESA) based in Anchorage.

We became aware of SESA in September of 1985 when our daughter, Gwen, became involved as a participant of SESA services in the Ketchikan Gateway School District. At that time, she was interviewed and loaned the appropriate visual aids to benefit her in the classroom. SESA has been very adamant about sending us reports following their visits with her in the classroom.

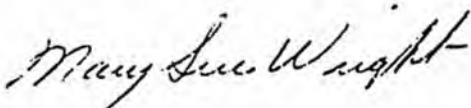
The current representative, Bill McIver, is very conscientious and works hard to make sure Gwen has the proper tools to use in the classroom. He has also made provisions for her to attend a summer camp for blind and low vision children held in Anchorage the last two years.

I feel fortunate that Gwen has had this assistance through her elementary years and now in the junior high period of her life. She has been and is aware of her handicap and copes extremely well in her daily activities.

Your efforts in sustaining further funding for SESA to continue will be most appreciated by Gwen and all other students who benefit from their assistance.

Thank you for your time and consideration given to this matter.

Sincerely yours,



Kenneth G. & Mary Sue Wright
P.O. Box 9488
Ketchikan, AK 99901
Parents of: Gwen K. Wright
7th Grade
Schoenbar Junior High



WRANGELL

**PUBLIC SCHOOLS
DISTRICT OFFICE**

P.O. BOX 2319

WRANGELL, ALASKA 99929

Telephone (907) 874-2347

MARY A. FRANCIS, Ph.D., Superintendent

GATEWAY TO THE STIKINE

March 29, 1989

Senator Fred Zharoff
P.O. Box V
Juneau, Alaska 99811

Dear Senator Zharoff:

As the superintendent of a school district which receives services from the Special Education Service Agency (SESA), I wish to commend you for your efforts to maintain this agency.

SESA provides much-needed support and expertise to our special education staff. It is simply not possible for a small staff to have expertise in the full range of handicapping conditions. The SESA people bring us excellent, up-to-date information and techniques with which we would not otherwise be familiar.

Please continue your support.

Sincerely,

Mary Annexstad Francis, Ph.D.
Superintendent

MF:lh

RECEIVED MAR 24 1989

Sharon & Earle Good
P.O. Box 1621
Wrangell, AK 99929

Senator Zhoroff

Pouch V

Juneau, Alaska 99511

Dear Senator Zhoroff,

We would like to see that SESEA stays in service to our school dist. Here in Wrangell. We are very concerned because we have one of those "special little people" in our home. Our foster boy has alcohol syndrome very badly because of a mother who chooses to drink all the time, even when pregnant and she has bore 9 children 6 of which have FAS. And all of which are on the rolls of D.F.Y.S., Medicaid, special schooling etc. which the state must support, probably till age 18 or after.

Why can't a bill be put into effect that after a 2nd baby paid for by state it should be mandatory a mother be fixed, so she can play her game's without costing the tax payers. I bet this would stop a lot of spending & be worth the expenses, listed above. We would in 30 years stop the problem and cost the state much less.

Please keep SESEA alive these "little people" need it as bad as the oxygen they breath which I might also say the state is paying for in this case of our 5 year old.

Thank you

Sharon & Earle Good

RECEIVED MAR 28 1989

Box 945
Wrangell, AK 99929
March 27, 1989

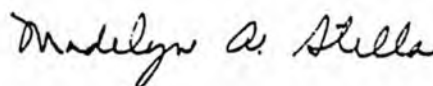
Alaska State Senate
Box V
Juneau, AK 99801

Dear Senator Zharoff

Thank you for your support of the Special Education Service Agency (SESA). It is, in my opinion, vital that SESA continue in its present capacity. Small schools such as Wrangell simply cannot have a special education staff well-equipped to deal with the full range of handicapping conditions. SESA staff members provide us with excellent, up-to-date information and techniques to put to use in our classrooms.

Thank you for your efforts.

Yours truly



Madelyn A. Stella
4-6 Resource teacher

March 22, 1989

Senator Paul Fisher
Senator Zharoff
Senator Lloyd Jones
Pouch V
Juneau, Alaska 99811

Dear Senators,

My husband Ken and I have lived in Wrangell, AK for the past five years and intend to continue to make it our permanent home. We own and operate a yacht based sport fishing business. Part of the reason we will continue to live here is due to the consistent services of the "Special Education Service Agency" SESA which provides the necessary services for our five year old daughter Joy who was born with Down Syndrome.

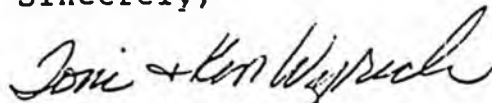
Joy will be mainstreamed into the regular kindergarden in the fall of '89. She has made much progress largely due to the services provided by SESA, however she will continue to require such specialized services in order to attain her full potential and become a productive asset to our society.

We are in favor of Senator Zharoff's bill to drop the review provision and make the agency a permanent one.

The costs to provide these services to handicapped youngsters particularly in these early years when they benefit the most from them, will, in the long run cost the state far less than attempting to impart the same training at an older age. With the aid of SESA and other like agencies, my daughter and many other handicapped youngsters can and will become productive citizens of our society. Please, lets help them attain that status in our society and the necessary self esteem to do so. We owe it to ourselves and the handicapped are no less deserving.

Thank you for considering our heartfelt request to continue to fund such vitally necessary services as SESA.

Sincerely,



Toni & Ken Wyrack

Angling Adventures
P.O. Box 2027
Wrangell, Alaska 99929

(907) 874-3084

ASETS*

*Alaska Specialized Education and Training Services, Inc.
A Non-profit Alaskan Corporation

2330 Nichols Street
Anchorage, AK 99508-3495
(907) 279-6617

Karen Ward, Ed.D.
Executive Director

March 20, 1989

Senator Fred Zharoff
P.O. Box V
Juneau, Alaska 99811

Dear Senator Zharoff,

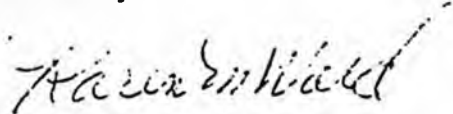
I am writing on behalf of the Specialized Education and Training Services, Inc. (ASETS) in support of SB 172 to continue the Special Education Service Agency.

It is imperative that Alaska continues to provide special education services to low incidence handicapped children in their home communities. For many years, children with handicapping conditions were sent outside and later to urban areas to receive services. ASETS is a private non-profit agency in Anchorage which provides residential and vocational services for adults with developmental disabilities and severe mental illness. We serve many adults who were displaced from their communities years ago due to lack of services in rural Alaska. Many of these individuals have little or no contact with their families or culture. Agencies such as the Special Education Service Agency bridge the gap for children with severe handicaps in rural Alaska. Today, children with disabilities are more likely to remain in their home communities with families and friends who care and receive appropriate services.

The Special Education Service Agency helps coordinate services in rural Alaska and will be instrumental in the development of services for these children when they reach adulthood in rural Alaska.

ASETS supports SB 172 wholeheartedly.

Sincerely,



Karen M. Ward, Ed.D.
Executive Director

cc. Senator Paul Fischer



RECEIVED MAR 1 1989

UNIVERSITY OF ALASKA ANCHORAGE

3211 Providence Drive
Anchorage, Alaska 99508

March 8, 1989

SCHOOL OF EDUCATION
(907) 786-1771
VAX ID: AYSOE
FAX: 786-1749

Senator Fred Zharoff
Capitol Room 121
P. O. Box V
Juneau Alaska 99811

Dear Senator Zharoff:

This letter of support is written on behalf of the Special Education Services Agency (SESA). My extensive experience with SESA has been centered around two experiences. The first was as a service provider (Infant Learning Teacher) in Nome from 1981-1984 and currently as a professor for the Special Education program located at the University of Alaska Anchorage.

As a ILP teacher, the assistance SESA provided was invaluable. SESA provides technical assistance and training for rural professionals working with children who experience a low incidence handicapping condition. SESA staff assist rural professionals with identification, assessment, program planning, and training to carry out the child's individual program. There were numerous occasions when I do not know what I would have done if SESA staff were not available to provide this service.

SESA provides this valuable service 'free of charge' to its constituents. Rural school districts and Infant Learning Programs would be unable to provide these services if SESA were not available and agencies needed to contract with private providers. We are all aware of the many problems rural programs face. SESA is an excellent way to assist programs in providing quality individual services to handicapped children and their families.

As a professor at UAA, I have utilized SESA staff in a variety of ways. SESA staff have acted as consultants (again 'free of charge') in planning our rural distance delivery program. SESA staff have produced training videotapes around the issue of providing services to children with low incidence handicapping conditions. The tapes have been very well received by our graduate students.

I strongly support the continuation of SESA funding. They are providing a service no one else provides that the state rural professionals could not live without. As with many agencies, SESA could utilize more staff and reach even more children and their families. They are number one in my book: they not only promise services--they delivery.

Sincerely,

A handwritten signature in cursive script that reads "Debra Veit".

Debra Veit, Ph.D.
Assistant Professor
Special Education Program

DV/sw
1/DV.0309.1



RECEIVED MAR 02 1989

STEVE COWPER
State of Alaska

GOVERNOR'S COUNCIL FOR THE HANDICAPPED AND GIFTED

600 University Avenue, Suite B • Fairbanks, Alaska 99709 • Phone (907) 474-2440

February 27, 1989

Senator Fred Zharoff
Alaska State Legislature
PO Box V
Juneau AK 99811

Dear Senator Zharoff:

The Governor's Council for the Handicapped and Gifted supports SB172 which would continue the Special Education Service Agency.

We feel and data show that the agency plays a very important role in making sure quality special education services are available to our children with the most severe disabilities no matter where they live in Alaska.

We are also pleased that SESA has been able to secure federal grants of about \$400,000 each year for projects which improve special education services in general and provide training and other opportunities to teachers, aides, and community agency personnel.

Thanks to you and the co-sponsors of SB172 this agency can continue to provide specialized help to children with disabilities and their families, and the local school districts which serve them.

The Endorsement of the agency by the Council, the state special education directors' association (AAASE), the school boards association (AASB), the State Board of Education, and NEA show how much broad-based support there is for SESA.

Thank you very much for your leadership in introducing this legislation.

Sincerely,

Duane French
Council Chairperson

:ntg

**ALASKA ASSOCIATION FOR
ADMINISTRATORS
OF
SPECIAL EDUCATION**

**P.O. BOX 196614
ANCHORAGE, ALASKA 99519-6614
269-2294**

March 2, 1989

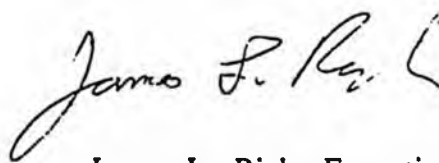
The Honorable Fred F. Zhoroff
P.O. Box V(MS3100)
Juneau, Alaska 99811

Dear Senator Zhoroff:

I am writing this letter as President of the Alaska Association of Administrators of Special Education (AAASE) in support of the continuation of the Special Education Service Agency (SESA). At our fall conference, our organization voted unanimously to support the continuation of SESA. The administrators of special education are very supportive and appreciative of the scope and quality of services SESA provides to our low incidence handicapped students throughout the State of Alaska. Without these valuable services many of our rural handicapped students would not be able to remain in their home communities.

If you need any additional information regarding this very important Special Education issue please feel free to call my office at 269-2294.

Sincerely,



James L. Rich, Executive Director
Special Education
Anchorage School District

President
Alaska Association of Administrators for
Special Education

cc: Mike Malone, Executive Director
Communication, Planning & Development
Anchorage School District

AAASE Board Members

AAASE.06

March 28, 1989

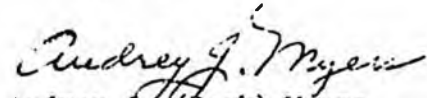
Senator Fred Zharoff
Pouch V
Juneau, Alaska 99811

Dear Fred,

As an employee with the Wrangell Public Schools in Southeast Alaska, I would like to take this opportunity to let you know that I am very much behind your bill to provide permanent assistance to smaller school districts with low-incidence handicapped students. The Special Education Service Agency (SESA) is a great help to our district. We have only three handicapped students in the district but these three require a tremendous amount of help. In a district as small as ours there is no way that we could afford to hire the specialists that these few students demand.

I am writing letters of support of your bill to Senator Lloyd Jones and to Senator Paul Fisher. Please do everything in your power to see that this bill is passed and these children get the support that they need.

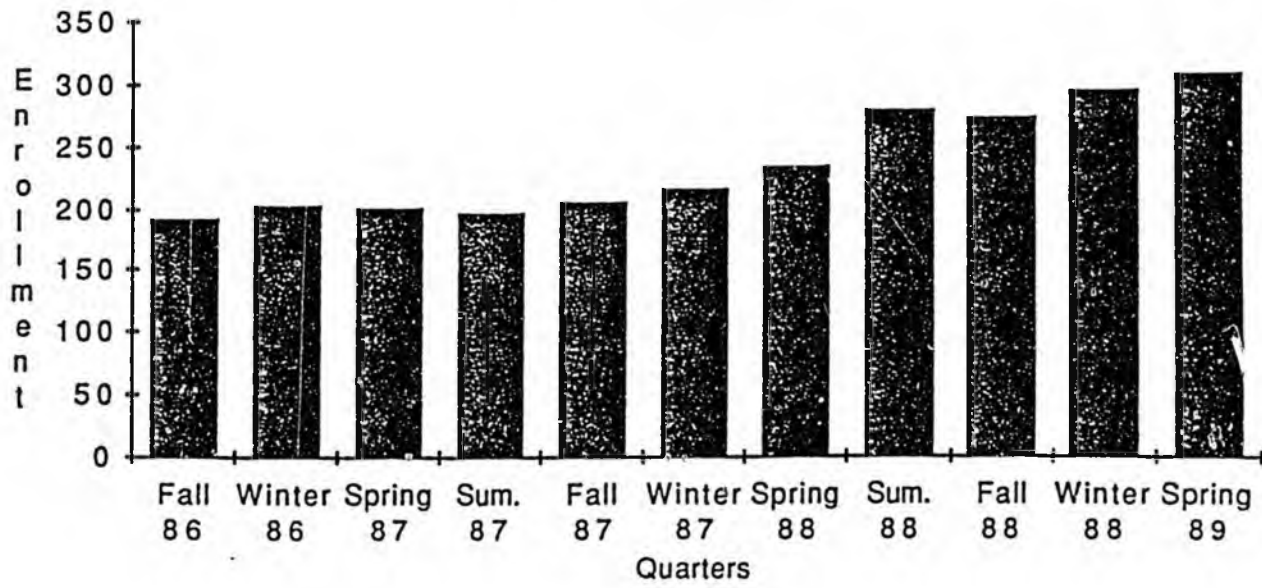
Sincerely,



Audrey J. (Beck) Myers
Kodiak High School Class of 61
P.O. Box 424
Wrangell, Alaska 99929

It is the intent of the Alaska State Legislature that the Department of Education evaluate the efficiency and services provided by the Special Education Services Agency during the interim and report back to the Legislature no later than the fifteenth day of the second session of the 16th Alaska Legislature. It is further the intent of the Legislature that the Department include in its report recommendations for the improvement of the operation and financial support of the Agency.

SESA STUDENT ENROLLMENT



PUBLIC OPINION MESSAGE

DEAR: SENATOR ZHAROFF

NAME: ROGER CLYNE, PHD
TITLE:
ADDRESS: 3011 LEXINGTON
CITY: ANCHORAGE ZIP: 99502
PHONE: 562-2924
BILL NO: SB 172
SUBJECT: EXTEND SPECIAL EDUCATION SERVICE AGENCY
MESSAGE: AS YOU ARE AWARE, RURAL ALASKA, INCLUDING THE ALEUTIANS, DOES NOT HAVE
ACCESS TO ENOUGH SPECIALTY SERVICES FOR SPECIAL EDUCATION STUDENTS. THE
SPECIAL EDUCATION SERVICE AGENCY OFFERS THE ONLY SOURCE OF THIS EXPERTISE AND
SERVICE. PLEASE LEND YOUR FULL SUPPORT TO SB 172 TO CONTINUE THESE CRITICAL
SERVICES.

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14

PUBLIC OPINION MESSAGE

DEAR: SENATOR ZHAROFF

NAME: WES MEDROW
TITLE:
ADDRESS: BOX 1764
CITY: BETHEL ZIP: 99559
PHONE: 543-4870
BILL NO: SB 172
SUBJECT: EXTEND SPECIAL EDUCATION SERVICE AGENCY
MESSAGE: SESA IS AN IMPORTANT SERVICE FOR BUSH SCHOOLS. OUR SPECIAL
EDUCATION DEPARTMENT ENCOURAGES YOU TO PASS THIS BILL.

POHID: 00140125
DATE: 02/27/89
TIME: 14:01:25
LIONAME: JUNEAU LIO

COPIES: SENATOR

BINKLEY

PUBLIC OPINION MESSAGE

DEAR: SENATOR ZHAROFF

NAME: ANDREA MCELLAND
TITLE:
ADDRESS: 7530 BLACKBERRY
CITY: ANCHORAGE ZIP: 99502
PHONE: 248-5602
BILL NO: SB 172
SUBJECT: EXTEND SPECIAL EDUCATION SERVICE AGENCY
MESSAGE: AS CHAIR OF STATEWIDE PARENTS ORGANIZATION, I WOULD LIKE TO VOICE
MAY SUPPORT OF SB 172 IN FAVOR OF CONTINUING SESA FUNDING AND SUPPORT.
THIS ORGANIZATION IS VITAL IN SPECIAL EDUCATION SERVICES PARTICULARLY FOR
THE RURAL SPECIAL NEEDS POPULATION.

PUBLIC OPINION MESSAGE

DEAR: SENATOR ZHAROFF

NAME: CHERYL HART
TITLE:
ADDRESS: 5121 CHENA #6
CITY: ANCHORAGE ZIP: 99508
PHONE: 338-7865
BILL NO: SB 172
SUBJECT: EXTEND SPECIAL EDUCATION SERVICE AGENCY
MESSAGE: PLEASE CONTINUE FUNDING FOR SESA. THE RURAL COMMUNITIES NEEDS FUNDI
AND SUPPORT TO PROVIDE APPROPRIATE SERVICES TO THE SPECIAL NEEDS CHILDREN
ACROSS ALASKA. BUSH ALASKA WAS MY HOME FOR 4 YEARS. GOOD SERVICES ARE BADLY
NEEDED. I NEED YOUR SUPPORT ON SB 172. THANK YOU

PUBLIC OPINION MESSAGE

DEAR: SENATOR ZHAROFF

NAME: DAN BECK
TITLE: ADMIN. ASST., DELTA/GREELY SCHOOL DIST.
ADDRESS: P.O. BOX 527
CITY: DELTA JCT. ZIP: 99737
PHONE: 895-4658
BILL NO: SB 172
SUBJECT: EXTEND SPECIAL EDUCATION SERVICE AGENCY
MESSAGE: THE SPECIAL EDUCATION SERVICE AGENCY PROVIDES A MUCH NEEDED SERVICE
FOR RURAL ALASKA. IF THEY ARE NOT FUNDED, THERE IS NO REPLACEMENT AVAILABLE.
PLEASE TAKE THIS INTO CONSIDERATION. THANK YOU.

POHID: 02152638
DATE: 02/27/89
TIME: 15:26:38
LIONAME: DELTA JUNCTION LIO

PUBLIC OPINION MESSAGE

DEAR: SENATOR ZHAROFF

NAME: ED HARRISON
TITLE: PROGRAM MGR FOR SEVERLY HANDICAPPED
ADDRESS: KPBSD, 148 N. BINKLEY
CITY: SOLDOTNA, ALASKA ZIP: 99669
PHONE: 262-4478
BILL NO: SB 172
SUBJECT: EXTEND SPECIAL EDUCATION SERVICE AGENCY
MESSAGE: I AM A USER OF THE SPECIAL EDUCATION SERVICES TO RURAL ALASKA AND I
FIND THE SERVICES VERY HELPFULL AND IF THE SERVICES WERE ENDED THERE WOULD BE A
VOID FOR SERVICES TO HANDICAPPED BOYS AND GIRLS. I HAVE FOUND THE SERVICE WELL
RECEIVED BY PARENTS AND OTHER SCHOOL STAFF. PLEASE SUPPORT CONTINUED FUNDING
FOR THIS AGENCY.

27/1
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PUBLIC OPINION MESSAGE

DEAR: SENATOR ZHAROFF

NAME: JILL CCCH
TITLE:
ADDRESS: PO BOX 3290
CITY: KODIAK ZIP: 99615
PHONE: 437-2188
BILL NO: SB 172
SUBJECT: EXTEND SPECIAL EDUCATION SERVICE AGENCY
MESSAGE: MY SON IS INVOLVED IN THE PROGRAM AND I THINK IT IS A WONDERFUL
PROGRAM. HAS HELPED MY SON SO MUCH. PLEASE HELP WITH THE
PASSAGE OF THIS BILL.

PUBLIC OPINION MESSAGE

DEAR: SENATOR ZHAROFF

NAME: JAN PORTERFIELD
TITLE:
ADDRESS: 3007 W 32ND
CITY: ANCHORAGE ZIP: 99517
PHONE: 248-6989
BILL NO: SB 172
SUBJECT: EXTEND SPECIAL EDUCATION SERVICE AGENCY
MESSAGE: PLEASE CONTINUE FUNDING OF THE SPECIAL EDUCATION SERVICE AGENCY. THIS
AGENCY PROVIDES ESSENTIAL SERVICES TO TEACHERS WORKING WITH STUDENTS WITH
DISABILITIES IN RURAL ALASKA.

POMID: 00100112
DATE: 02/27/89
TIME: 10:01:12
LIONAME: JUNEAU LIO

COPIES: SENATORS

FISCHER
DUNCAN
ADAMS
JONES
KELLY

THE FOLLOWING DOCUMENT HAS
NOT BEEN FILMED BUT IS
AVAILABLE IN THE ORIGINAL
FILE