

ALASKA LEGISLATURE

1966

HOUSE and SENATE FINANCE COMMITTEE FILES, 1999 - 2000

Jim & Jo Renk

From: Jim & Jo Renk <benat@mtaonline.net>
To: State Senator Rick Halford <Senator_Rick_Halford@legis.state.ak.us>
Cc: Brain & Cheryl Larson <ethan41693@juno.com>
Subject: THE CHILDREN
Date: Monday, April 26, 1999 7:27 AM

26 April 1999

To Senate Finance Committee:

My name is Jo Renk and I am an adoptive mom and a foster mom. I have grave concerns about HB 161. This country is built upon our society, our society is built upon our communities, and our communities are built upon the family unit. Your bill threatens the very foundation of our country--the family unit. There are hundreds of children already in the "system" ready for adoption, if the subsidy program for adoption is threatened these children's chances for a "normal" family are threatened. Along with these children, are the children in foster care. They are in desperate need of foster homes. If these homes are taken away, it seems to me that we are digressing and we would certainly be on the highway back to institutionalization. That is, we would return to a time when our homeless children were warehoused and abused. Are we to raise up a generation of psycho sociopaths? I hope not.

Many of us want and love these children but with their history is it reasonable to ask us to give up our homes and life? One medical downside could devastate a home and place all in that home at risk. Could we take the money appropriated for the sterilization of wolves and instead use that money to promote the health and well being of our children?

There are those like myself that have signed contracts with the state to ensure that our homes would remain secure that we might be able to provide a good home and a loving environment for these children of God, that in no way asked to be sent into this environment the way that they were. We are each others keepers and I do place a much higher priority on a human life than I do that of a wolf. If the state were to break it's contract with me or the many others with contracts in place, Does that not open them up to litigation? This would indeed take away even more money from the children.

I stand before you and plead and testify on behalf of our children do not make our smallest and most vulnerable part of society bear the burden of your budget. Do not let us return to the old days and become as Russia and Romania are now. Please protect our children. DO NOT PASS HB 161



Alaska State Legislature

Please enter into the record my testimony to the Finance
committee name

committee on HB 161, dated April 26 1999
bill/subject

My name is Seattle Jaekel. I have a son Matthew who is twenty one years old and is developmental disabled. He was born with Down Syndrome; and if he could understand the complex language of your bill, he would be here. He can not live on his own so he still lives with his father and me. Matthew receives Adult Public Assistance and Supplemental Social Security. Even with these two monthly sources of income, Matthew could not afford to live on

Signed: Seattle Jaekel →
Testifier

Representing (Optional)
POB 520571, BIG LAKE 99652
Address

Phone No.

Seattle Jackel

his own. Matthew is highly motivated
 to work; he wants to perform meaning-
 ful jobs. Many young adults like him
 need Medicaid, Adult Public Assistance,
and Social Security to buy the
 most basic things, rent food and
 medical treatments. These programs
 do not allow Matthew to live
 a rich "life"; young disabled
 adults need these programs to
 merely live — to stay alive!

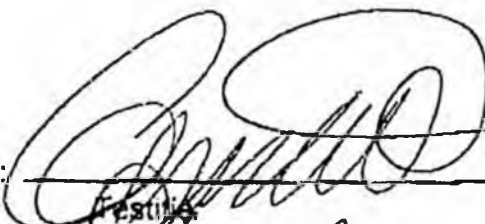


Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
committee name

committee on Budget, dated 26 Apr 94
bill/subject
HB 161

see attached page 2

Signed:  J Reinhart
Testifier

Don Perry
Representing (Optional)

PO Box 0049 Wasilla
Address

376 0158
Phone No.



Alaska State Legislature

Please enter into the record my testimony to the SENATE FINANCE
committee name

committee on BILL 161, dated 4-26-99.
bill/subject

☺ To whom it may concern,

I oppose BILL 161, I care for an

~~mentally~~ mentally disabled 62 year old native
ALASKAN, He is unable to care for him
self, He needs much support in daily
living, skills, this is the first time
in many years, He's in a home setting
of his own, to Budget on the backs of
He poorest and most vulnerable
ALASKAN'S is not fair to ANY of the
HANDY CAPED, He needs to be covered for
BASIC LIVING food
clothing
shelter

thank you ☺

Signed: Rowena Amman
Testifier

Representing (Optional)

4501 EAST SHAW'S DR WASILLA, AK

Address

Phone No. 376-8840

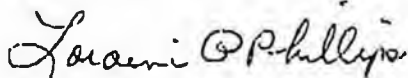
Facsimile Transmittal

To:	Senate Finance Committee	From:	Loraine Phillips
Attn:	Senator's Peter Kelly, Sean Parnell, John Torgerson, Dave Donley, Lyda Green, Loren Leman, Randy Phillips, Gary Wilkins, Al Adams	Pages:	1
Phone:	907-465-2327	Fax:	907-465-5241
		Date:	April 26, 1999
Subject:	House Bill 161		

Remarks:

Please vote against House Bill 161. At face value, this measure has the potential for programs to experience sudden reductions in benefits. This issue is to be addressed immediately. This bill would create traumatic change in the lives of people who already experience poverty because they are disabled or elderly. State spending on adult Assistance has exceeded the Legislature's appropriation in 10 of the last 11 years. Supplemental funding was sought and approved in each of these each to meet programs needs. Had HB161 been in place, a supplemental appropriation would not have been possible and thousands of beneficiaries would have suffered reduced payments. Reduction in payment would enable individual in paying their rents, utilities, buying food and clothing. Children will also be at risk of not being cared for properly. This is defeating the purpose of Denali Kid Care program. People in my community (your community) are already living in poverty situations and can not afford for program benefits to be reduced or eliminated. I beseech you to vote against HB161.

Thank You



Loraine Phillips

Parent & Chair of Education Committee on
Governors Council for Special Ed. and Disabilities

XC: CT P

Fax xc: Senator's, S. Parnell-465-6592, J. Torgerson-465-4779, D. Donley-465-6595, L. Green-465-3805, L. Leman-465-3810,
R. Phillips-465-4979, G. Wilkins-465-4714, A. Adams-465-4821

Project No.:

Phone Code:

Mail Original:

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Architects · Engineers · Surveyors
www.designalaska.com



601 College Rd., Fairbanks, Alaska 99701-1111
Phone: (907) 452-1241 Fax: (907) 456-6883
mail@designalaska.com



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
 committee name
 committee on Bill 161, dated 4-26-99
 bill/subject

I oppose Bill 161 I take care of
 a 62 yr. old adult male. who is mentally
 disabled. He is not able to care for him
 self. Today he has a comfortable home. To budget
 on the backs of the poorest and most vulnerable
 Alaskans is not fair to them. He needs to be
 covered for basic living expenses, (food, clothing
 shelter.)

Signed: Robertta Sandlund
 Testifier

Representing (Optional)

4501 E. Shaws Wasilla AK

Address

376-8840

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
committee name
 committee on Bill 161, dated 4-26-99.
bill/subject

I oppose Bill 161. I'm a disabled adult with multiple disabilities. I was born in Alaska and have no living relatives to help me. I'm in much need of the services and cannot survive without them.

Signed: [Signature]
Testifier

Representing (Optional)

4501 E. Shaw's

Address

376-8840.

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
committee name
 committee on Bill 161, dated 4-26-99
bill/subject

I oppose Bill 161. I am a disabled adult male age 62. and strongly disagree with Bill 161. I am an Alaskan Born in Alaska. I have no relatives to help me. I do ~~need~~ need the services I receive.

Signed: Eduard Luke
Testifier

Representing (Optional)

4501 E Shaw's

Address

376-8840

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Finance Committee
committee name

committee on HR 161, dated 4-26-99
bill/subject

Please Make sure that all Senators are aware
That this bill affects Foster Care. Make sure
That if they wish to cut Foster Care providers money, that
They have a plan in place to provide alternatives for these
Children. Also please make sure that the Senators
are aware that there are many out here who will
litigate on behalf of children that are negatively impacted!

Thank you for your Service.

Signed: Thane Humphrey

Testifier

Foster Care

Representing (Optional)

P.O. Box 872335 Wasilla AK 99687

Address

907-376-9584

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
 committee on Budget , dated 4 26 1999
 bill/subject HB 161
 committee name

Signed: Sandra L Adams SANDRA L Adams
 Testifier (print)
my children and of AK's needy
 Representing (Optional)
325 S. Willow Lane Wasilla AK 99654
 Address
907-376-4313
 Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Finance
 committee name
 committee on HB 161, dated April 26, 1999.
 bill/subject

"My name is Forest Miles. I'm fourteen years old, and I have Juvenile Rheumatoid Arthritis. My mom Melona has worked for lots of years to get me help to treat my disease. If I didn't get Medicaid, I wouldn't have been able to go to Seattle Children's Hospital. They had specialists who put me ^{on} medicine and I could walk again. It took me two years of treatments riding in a

Signed: Forest Miles
 Testifier
 "Myself"
 Representing (Optional)
1801 Vaunda Wasilla, AK 99654
 Address
376-3419
 Phone No.

Forest Miles

page 2

wheelchair at school and home
 before I could ride my bike
 again. Please don't take
 my Medicaid. They already
 cut my swimming program at
 school because of budget cuts.
 Don't cut my services again
 cuz I need to walk!!



Alaska State Legislature

Please enter into the record my testimony to the Finance
committee name
 committee on HB 161, dated April 26, 1999.
bill/subject

My son Jesse is twenty one year old man who has severe disabilities. I have testified in Juneau before the Joint Finance Committee three years ago. At that time we had only respite (4 hours a week)! I begged for more help and Jesse lives in a foster care home. He works part time and attends high school. Jesse needs Medicaid and the subsidized income he receives from Adult Public Assistance and Supplemental Social Security just to live.

Signed: [Signature]
Testifier
Jesse Oxford
Representing (Optional)
Box 870085 Wasilla
Address
376-5991
Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
committee name
committee on HB 161, dated 4-26-1999
bill/subject

To Someone Who Might Care!!

4-19-99

~~4-19-99~~ 4-26-99

I heard something the other day of you people in Juneau deciding our lives again. If you take over APA and Medicaid away this is what it will be for us. Was getting Medicaid and \$300.00 APA. This is what I'll have to try and live on.

\$583.00 SS.
 252.00 House pymt. Subsidized housing
 28.70
 52.30 water, sewer, garbage
 278.70
 25.00 Enstar
 253.70
 40.00 M.E.A.
 213.70
 32.60 th Ins.
 181.10
 30.00 house Ins.
 151.10
 100.00 mo. property taxes
 51.10 ? food, clothing, gas, phone?

lets see you live on either one of these incomes

Nancy Van Asdoll
 746-2772

PO Box 871802 - Wasilla
 MED!!

Address

Nancy Van Asdoll

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
 committee name
 committee on HB 161, dated 4-26-99
 bill/subject

My name is Ed Price, I am a 66 year old man who experiences developmental disabilities. I was removed from my home in Haines, Alaska when I was 8 yrs. old and institutionalized at Morningside Hospital in Oregon. I have been moved to several institutions most of my life and have not had the opportunity to receive an education or learn the skills necessary to support or care for myself independently. In August 1998 I received a Medicaid Waiver to provide me with individualized services for the first time in my life. I now live in a foster home and have a room and bathroom of my own for the first time. I am able to make independent choices of what to eat, where to go, what to watch on TV, etc. for the 1st time. I am very concerned that if my disability benefits or Medicaid are cut by the passing of this bill that I will lose the support services I need to remain in my foster home and that I will lose the independence that I have just recently gained. Please consider me and others like me in the state that will really be hurt if this bill passes.

Signed: C Q E I (Ed Price)
 Testifier

Representing (Optional)
P.O. Box 4321 Palmer, AK 99645
 Address
(907) 746-1484
 Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
committee name
committee on HB 161, dated 4-26-99
bill/subject

My name is Willy Evan, I am an Alaska Native man who experiences developmental disabilities and mental illness. Due to my conditions I have been institutionalized most of my life and have not had the opportunity or experiences to enable me to work and support myself. I rely on public assistance to meet my needs of food, clothing and shelter. I also rely on Medicaid to provide me with the support services I need to live as independently as possible in my community. I am now living in a foster home and my mental health condition has been stabilizing. I am receiving Supported Employment Services to help me learn the skills I need to work and help support myself and become more independent. If this bill passes and my benefits and services are cut I am worried that I will not be able to maintain this level of independence and will end up back in an institution. Please consider me and all the others in the state like me that will be hurt by this bill and don't pass it.

Signed: WILLY EVAN
Testifier

Representing (Optional)
P.O. Box 4321 Palmer, AK 99645
Address
(907) 746-1484
Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
committee name

committee on AB 161, dated 4-26-99
bill/subject

I am a 68 yr. old yupik Eskimo
native of Alaska who experiences
developmental disabilities. From 1965
until August of 1998 I have been in an
institution. I now live with a foster
care provider and I am experiencing
independence again for the 1st time
in 33 years. If this bill passes
I am afraid I will lose all I have
gained and not have enough money to
support myself. After being removed from
my family I have lost contact with any
material support that I had. Please
consider me and people like me when making
a decision on this bill.

Signed: _____

Testifier

Mic Michael Chukarak

Representing (Optional)

P.O. Box 3885 Palmer AK 99645

Address

907 376 6197

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
committee name

committee on HB 161, dated 4/26/99
bill/subject

I am a 47. yr old Athabascan native who experiences developmental disabilities and mental health problems. I was removed from my family at 7 yrs. old and have remained in an institution until 1998 when I moved in with a foster care provider. Being in Foster Care has provide me with a new independence I have not experienced before. If this bill passes I am afraid I will be unable to support myself and be forced to return to an institution. Please consider me and people like me when considering this bill.

Signed: Ernest Titus
Testifier

Representing (Optional)
P.O. Box 3888 Palmer AK 99645

Address
907 376 6197
Phone No.



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
 committee on House Bill 161, dated 26 April 1999
 bill subject

I am recipient of SSD, Social Security Disability & Adult Public assistance, due to severe Post Traumatic Stress Disorder & other Mental Health Issue.

With the funds I am receiving now, I am continuing to struggle financial, even living on a strict budget. By the middle of each month I am wondering where I can get more money for food.

Also, while I was on Interim Assistance, I was many unable to acquire the medications I needed, which resulted frequent hospitalizations. We the disabled already live way below the poverty level, and we can't afford any cost cuts.

So, I OPPOSE HOUSE BILL 161

Thank

Signed:

Cornelia Huebsch

Testifier

Self

Representing (Optional)

832 CANOE DRIVE #33 SITKA AK 99835

Address

(907) 747-6248 / 426-519 -

Phone No.

(907) 895-4413



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
committee name

committee on HB 161 . dated April 26, 1999
bill/subject

Homer Senior Citizens, Inc is apposed to this bill because 1.) "benefit program" is not defined, 2) if funds are prorated, it could cause serious problems for our Adult Day Care Program (40 frail/disabled and/or low income seniors) and our assisted living facility (25 residents) because they receive funds from Medicaid, and 3) many in our senior community receive individual benefits under "benefit programs".

Homer Seniors requests that further study needs to be done to determine the effects of this bill.

Signed: Fred L. Lan Fred L. Lan, Administrator
Testifier

Homer Senior Citizens, Inc.

Representing (Optional)

3935 Sredlund St., Homer, Ak 99603

Address

235-7655

Phone No



TELECOPY COVER SHEET
Sitka Legislative Information Office
Office - (907) 747-6276 Fax - (907) 747-5807

TO: SENATE FINANCE COMMITTEE
ATTN: SENATOR JOHN TORGENSEN FAX: 465-4779 PHONE: _____
FROM: SITHO LIO PHONE: 747-6276
INSTRUCTIONS: WRITTEN TESTIMONY SUBMITTED BY MAIRA Mc BUIDE ON
HB161.



Alaska State Legislature

Please enter into the record my testimony to the Finance Committee - Senate
committee name
committee on HB 161 , dated 4/26/99
bill/subject

I speak in opposition of HB161, I am a Licensed Foster Care Provider and a professional who provides contract service to infant and children. This bill will impact the intent of the legislatures previous Action as seen in AS 37.07.080. This statute speaks to the fact you want proper management and an annual plan. This statute already speaks to the intent this current bill is hoping to do (HB161). The galaxy of programs that will be adversely affected by passage of this bill. Section (g) of AS 37.07.080. already speaks to appropriations & determination of expenditures. As a foster parent I provide safe and therapeutic housing for children who have been harmed or are at great risk of harm. The costs of housing these children is costly, in time and attention as well as basic needs. If this bill would reduce subsidy to the care of foster children the result may be in a reduction of available homes who can afford to take on additional children in their homes. The recent funding to increase services to child protective service programs will not be able to show its improved services.

Signed: Maira Miguez
Testifier
Foster Parent (no group)
Representing (Optional)
P.O. Box 1681 Sitka, AK 99835
Address
907-747-3769
Phone No.

FRA FRA

Paul Robinson, President
 Dana Keppers, Vice-President
 Joanne Trefethen, Treasurer
 Barbara Blackshear, Secretary
 Emily F. Ennis, Executive Director

FAIRBANKS RESOURCE AGENCY

805 AIRPORT ROAD, SUITE 1 • FAIRBANKS, ALASKA 99701 • (907) 456-8901 • FAX 452-5171

FAX TRANSMITTAL

Date: April 26, 1999

Fax #: 907 465 - 4779 **Pages** 1 (includes this page)

TO: Senator John Torgerson

FROM: Emily F Ennis, Executive Director

MESSAGE:

Dear Senator Torgerson:

On behalf of the over 300 children and adults with developmental disabilities in Fairbanks who will be adversely affected by the passing of HB161 (companion SB126), I urge you to vote NO on this legislation!

The ability to live with dignity and security in our community has always been a challenge for people with serious disabilities. For adults who depend on state assistance programs, this funding is their lifeline. It helps with paying rent, buying food, purchasing needed medication and stretch their very limited disability income. In many cases, there are no dollars left over each month after the basics are paid for. That means, there is no way to buy a new winter coat, or schedule preventative dental work, go to a movie. In short, there is little or no extra income on which TO HAVE A LIFE.

Our government and our communities have worked very hard over the past 10 years to close our state institution, Harborview Developmental Center, for the mentally retarded and developmentally disabled, so that adults with disabilities could have a meaningful life in our community. The passage of HB161 threatens the very foundation of these accomplishments. We urge you to give very serious consideration to the impact of this bill on the lives of our most vulnerable citizens: those with disabilities, children in foster care, our seniors, needy families ask yourself if the state really intends to balance the budget on the backs of those whose lives are most precarious. Thank you.

Please call 907/456-8901 if you have not received the complete document

rov 01/96

Employment Services • Residential Services • Family Services • Respite Care Services • Senior Services
 A United Way Agency

Facsimile Transmittal

To: Senate Finance Committee **From:** Loraine Phillips

Attn: Senator's Peter Kelly, Sean Parnell, John Torgerson, Dave Donley, Lyda Green, Loren Leman, Randy Phillips, Gary Wilkins, Al Adams **Pages:** 1

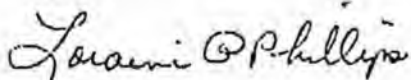
Phone: 907-465-2327 **Fax:** 907-465-5241 **Date:** April 26, 1999

Subject: House Bill 161

Remarks:

Please vote against House Bill 161. At face value, this measure has the potential for programs to experience sudden reductions in benefits. This issue is to be addressed immediately. This bill would create traumatic change in the lives of people who already experience poverty because they are disabled or elderly. State spending on adult Assistance has exceeded the Legislature's appropriation in 10 of the last 11 years. Supplemental funding was sought and approved in each of these each to meet programs needs. Had HB161 been in place, a supplemental appropriation would not have been possible and thousands of beneficiaries would have suffered reduced payments. Reduction in payment would enable individual in paying their rents, utilities, buying food and clothing. Children will also be at risk of not being cared for properly. This is defeating the purpose of Denali Kid Care program. People in my community (your community) are already living in poverty situations and can not afford for program benefits to be reduced or eliminated. I beseech you to vote against HB161.

Thank You



Loraine Phillips

Parent & Chair of Education Committee on
Governors Council for Special Ed. and Disabilities

XC CT P

Fax xc: Senator's, S. Parnell 465-6592, J. Torgerson-465-4779, D. Donley-465-5595, L. Green-465-3805, L. Leman-465-3810,
R. Phillips-465-4979, G. Wilkins-465-4714, A. Adams-465-4821

Project No.:

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601 College Rd., Fairbanks, Alaska 99701-1716
Phone: (907) 452-1241 Fax: (907) 456-6883
mail@designalaska.com

April 26, 1999

Dear Senator *John Torgersen,*

I am writing to express my concern over House Bill 161. I am a vocational rehabilitation professional working with people who experience disabilities. We work diligently with these folks to develop meaningful employment that will also be financially rewarding, and aid in reducing and eventually eradicating disability benefits they receive. Currently, the level of Adult Public Assistance received by the persons I work with barely covers their living expenses. Reducing the appropriated amount to cover such expenses will only create more poverty and stress in these people's lives.

A more proactive approach to solving this problem would be to restructure current policies so that people receiving benefits would have a smooth transition from benefits to earning their own incomes. There are several efforts underway to achieve this end, some of which will require legislative approval. I encourage you to look at these avenues before hacking away at the little benefits these folks receive. It is time to support people with disabilities in their efforts to wholly participate in their communities. For those who can work, let's support them in those efforts. For those who can't, let's not force them to live in fear and poverty as the State of Alaska experiences budget crises.

Sincerely,


Martha Stracener



STATE of ALASKA

Bethel Legislative Information Office

PO Box 888
Bethel, Alaska 99559
(907) 543-3541
Fax- 543-3542

Written Testimony for the Record:

TCN: 90657

Committee: Sen Finance

Date: 04/26/99

Bill Number(s): HB 161

Subject(s): Reduction in Benefits

Please enter my testimony into the record.

I am opposing House Bill 161. This bill would be tragically harmful especially for our children and our Elders. We have had hard enough times finding Adoptive families, foster families or participants. The people in the rural Communities will be affected by this due to high costs basic needs. So, therefore I disapprove this bill and →

Virginia Charlie
Testifier's name (s):

self / AVCP, Inc.
Representing (opt.)

Pouch 219 Bethel
Address

907 543 3521
Phone

I am very sure if these testimonies were available out in our villages, you would very well hear from them too. Thank you.

Kingini Charlie



STATE of ALASKA

Bethel Legislative Information Office

PO Box 886
Bethel, Alaska 99559
(907) 543-3541
Fax- 543-3542

Written Testimony for the Record:

TCN: 90651

Committee: J. Finance

Date: April 26, 1999

Bill Number(s): HB 161

Subject(s): Reductions in Benefits.

Please enter my testimony into the record.

Many of our rural people of Alaska depend on these programs. Much of the western Alaska, the cost of living as well as the cost to travel (to a nearby health facility) would probably put them in a debt for life. Much of the benefits given to these Elder's, children, disabled has been pennies but have been able to help out anyways. Our Elder's paved a way for us to have this life that we live now. My thanks to them, is at least give them a little of what they greatly

Rachel Charlie
Testifier's name (s):

AUCP, Inc.
Representing (opt.)

Box 219 Bethel, Ak.
Address

(907) 543-7300
Phone

deserve. (Although it isn't much). I feel the tactic used to cut into this program is slay the poor and celebrate for the wealthy fortunate people. A very sad approach. Please do your best to not pass this Bill.

Rachel Charlier



STATE of ALASKA

Bethel Legislative Information Office

PO Box 886
Bethel, Alaska 99559
(907) 543-3541
Fax- 543-3542

Written Testimony for the Record:

TCN: 90651

Committee: Senate Finance Committee

Date: 04/26/99

Bill Number(s): House Bill 161

Subject(s): House Bill 161

Please enter my testimony into the record.

ONC opposes HB161 which could affect
ATIP, Adult pub Assis, Foster Car, Subsidized
Adoption & guardianship and Longevit Bonus program
as well as the states Medicaid and Chronic
Acute Medical Assistance programs. ONC believes
that this legislation will prove to be harmful (over)

Karen D. McIntyre

Testifer's name (s):

Orutsaramuit Native

Representing (opt.)
Council

P.O. Box 927, Bethel, AK

Address

907 - 543 - 2608

Phone

to thousand of Alaska ~~tribes~~ ~~tribes~~

If HB161 becomes law, there will surely be negative impacts on the programs that are being administered by tribes. When there are funding shortfalls that force the state to make pro-rated reductions to individual benefits, families will have a much harder time meeting their very basic needs such as rent, utilities, transportation etc., and will ~~be~~ cripple some families ability to hold down jobs and to take other steps toward self-sufficiency. This will ultimately lead more people to welfare rolls. The Tribes will be impacted negative to the need for these program needs will ~~be~~ still exist. ~~shifted to the tribes~~, and the tribes will be forced to cover the shortfall with ^{their Human Serv. Programs} programs that are already underfunded.

Karen McIntyre



STATE of ALASKA

Bethel Legislative Information Office

PO Box 886
Bethel, Alaska 99559
(907) 543-3541
Fax- 543-3542

Written Testimony for the Record:

TCN: 90651

Committee: Senate Finance Comm.

Date: 4/26/99

Bill Number(s): HB 161

Subject(s): Reductions in benefit program

Please enter my testimony into the record.

Reductions in benefits to ATAP, APA, Foster Care, Subsidized adoptions and Guardianships and the longevity Bonus program will drastically impact rural residents in a negative way.

These benefits are needed especially now because of the fisheries disaster which has affected the whole Yukon Kuskokwim region. The costs of living, lack of resources, (over)

Susan E. Charles
Testifier's name (s):

Arutsararmiut Native Council
Representing (opt.)

P.O. Box 927, Bethel, AK 99559
Address

(907) 543-2608
Phone



Alaska State Legislature

5807

Please enter into the record my testimony to the Senate Finance Committee
committee name
 committee on Bill 161 , dated 4/26/99
bill/subject

Dear Sir^{re} Madam,
 I oppose House bill 161 which can cut benefits to certain necessary programs. I encourage you to consider this bill because it will negatively affect the survival ability of many already impoverished groups. Many of the individuals in these groups are young, or very old and unable to care for themselves. Many are mentally ill or physically disabled. I urge your committee to seek other ways to balance the budget - to cut services with less human devastation involved.

Signed: Michele J. Federico
 Testifier

Representing (Optional)
823 Charles St Sitka
 Address
907 747 7953
 Phone No.

As parents and guardians of a severely developmentally disabled young adult, who does not have the ability to speak for himself, we are compelled to advocate on his and others with similar life long disabilities. Recently the House passed HB 161 allowing the legislature to under fund benefit programs. Sean, our son receives program money from the state to pay for his home, food, medicine, and his daily living for cleaning, feeding, and dressing himself.

If his rent amount is reduced by one month, Sean will then loose his somewhat independent life style. If his medication is reduced by even one pill, he will suffer continued seizures. If the funding is reduced to the people, who care for Sean and others like him, and these people are not available then will Sean just lay on the floor cold, dirty, and hungry??? We are not politicians and do not fully understand this bill, but we do see it as a way to hurt our son and others like him without taking responsibility for it.

People with life long disabilities need a stable funding so they can plan for all their needs. Sean cannot change his disability, he can only hope that people will see him as and a human and not a liability on a balance sheet to be used to balanced the budget. The bill now goes to the Senate and I hope they have the compassion sense to vote against it.

Ernest and Debra Dummann
Parents/Guardians of Sean Dummann

6721 ST. IVES
ANCHORAGE AK 99518

4/26/99

Sen. Torgerson -

My name is Shelia Booksh. I am the transition coordinator for PARENTS, Inc., the state's parent training and information center for families who have children with disabilities. My job is to assist families with young adults who experience disabilities and are getting ready to leave school and enter the community. Many of these young adults - such as our son Peter - will need adult public assistance to supplement their SSI to pay rent, buy food and clothes and most importantly to receive medical assistance through Medicaid.

These young adults, as well as others with disabilities, cannot afford to have their benefits cut - cuts that could result in homelessness or institutionalization.

As a parent of a young adult who desperately wants to support himself but is unable to do so, I ask you not to pass HB 161.

Thank you,

Shelia Booksh

200 W. 34th AVE, #979
Anchorage, AK 99503
250-4499



Alaska State Legislature

Please enter my testimony to the Senate Finance committee on HB 161 Reduction in Benefits, dated 4-26-99.

I am testifying on behalf of myself and my clients that one disabled, per your own manuals, my own sister has grand mal seizures since she was 3 years. Applied for at least Medicaid and was turned down. Myself, I also have grand mal seizures, lung disease, something wrong with my hands which is getting worse, no doctors, Anchorage, Seattle, Kenai, Soldotna have been able to explain or tell what it is. It causes severe pain. Severe migraines, which I have strong medications for. Severe esophagus spasms (feel like a heart attack) which there is no cure or surgery for. I exist on the 841-SSI-APA a month, cant get food stamps. I have a \$500 plus light bill but because of ASHA, I don't get energy assistance. Feel free to call me. Also: I represent Guardians of Family Rights. Also: I have several clients that are disabled. Any more cuts, people will have more problems. Gov. Knowles and politicians should cut their own pay first.

Signed:

Mari Martha Hudson

Testifier

Self - Guardians of Family Rights

Representing (Optional)

Box 3687 Soldotna, AK 99669

Address

907-260-9156

Phone number

Memorandum

To: John Tojerson

Cc:

From: Lonetta Harvey, Kenaitze Head Start

Date: 4/26/99

Re: House Bill 161 - HB 161

Please note I and my staff are
opposed to the above referenced Bill.
We feel passage of this bill would be
determental to people with disabilities, the
poor and the elderly.

Please vote no on this bill!

ACMHSA

Alaska Community Mental Health
Services Association
P. O. Box 22090
Juneau, Alaska 99802

April 23, 1999

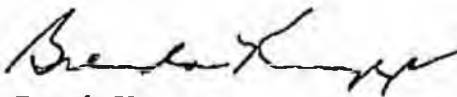
Senator Sean Parnell
Senator John Torgerson
Co-Chairmen, Senate Finance Committee
Alaska State Senate
Alaska State Capitol Building
Juneau, Alaska 99801

Dear Senators Parnell and Torgerson:

I am writing on behalf of the Alaska Community Mental Health Services Association (ACMHSA) to express our organization's grave concerns about SB 126, "Limitation on benefits due to shortfall in appropriations." This bill has the potential for immediately and profoundly reducing life-essential benefits for Alaskans with the greatest needs, including the mentally ill. We are concerned that mentally ill Alaskans being maintained and supported in their communities with the help of Adult Public Assistance and Medicaid may suddenly find themselves unable to both pay rent and eat, or to afford essential medications. If persons disabled due to mental illness lose their benefits and cannot afford to remain in the community, or are unable to afford necessary medications and become increasingly symptomatic, these individuals will need to be assisted through institutional care. Most will go to the Alaska Psychiatric Institute (API), but some, unfortunately, will end up in the corrections system. Such care is more costly for the state and certainly less desirable for the individual. Also, at this time, steps are being taken to reduce the capacity of API and to limit the incarceration of mentally ill people. The effect of SB 126 would be to move us in the opposite direction.

For these reasons we are very concerned about the possible passage of SB126, and urge you not to take any steps that would further minimize an already thinly stretched safety net.

Sincerely,



Brenda Knapp
Chairperson

Brenda Knapp, Chair
Michael Boyd, Treasurer

Elizabeth Forrer, Vice Chair
At-Large: Wayne McCollum, Diana Strzok, Carol Engler

Sandra Jennings Mironov, Secretary

Phone: (907) 463-3303

Fax: (907) 463-6858

e-mail: jami@ptialaska.net



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the Senate Finance
 Committee on HB 161 Committee Name
 Dated 4/26/99
Bill / Subject

Mr. Torgerson,
 on behalf of those people that cannot speak for themselves, I urge you to reconsider HB 161. There are many reasons why - and you have heard those this morning. You all have a difficult job ahead - but please do not cut programs that are lifelines for many people in this state. I oppose HB 161.

SIGNED:

Gina Bridwell

Testifier

AK's vulnerable children, poor, disabled & elderly

Representing

P.O. Box 61233, Fairbanks, AK 99708 907.479.0258

Address / Phone Number



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the

Senate Finance
M. S. Lane

Committee on

H.B. 161

Bill / Subject

Dated

4-26-99

Committee Name

YOU SAID TWO PEOPLE IN FRBKS.
ANDY HARRINGTON SPOKE WITH MY NAME
(GAVEL TO GAVEL)
ON THE SPEZZU. YOU WERE
Rude ^{HB} 161 IS A ~~A~~ DISGRACE

M. S. Lane

SIGNED:

Testifier

Representing

109 E. 5th North Pole, AK 99705 488-9159
Address / Phone Number

04/26/99
09:43:36

LEGISLATIVE TELECONFERENCE NETWORK SYSTEM
PARTICIPANT LIST (TESTIFIERS ONLY)
TCN:90651 SCHEDULED FOR:04/26/99 09:00 TO 11:00
PUBLIC HEARING SENATE FINANCE

LTN1150
BY:JNU
FOR:ALL

LOCATION: ANCHORAGE

HB 161	✓ HEATHER	FLYNN	TESTIFY
HB 161	✓ JAN	MCGILLIVARY	TESTIFY
HB 161	✓ GAIL	IGO	ANCH FOSTER CARE TESTIFY
HB 161	✓ ERNEST	DUMMANN	TESTIFY
HB 161	DAVID	ALEXANDER	- Wanda murphy TESTIFY
HB 161	JAMES	GIORDAMS	- Deanna Lois TESTIFY
HB 161	KATHLEEN	FITZGERALD	- Ernest, Heather TESTIFY
HB 161	BERTHA	SITIMOE	TESTIFY
	Stan	Wolf	

LOCATION: BETHEL

HB 161	left SUSAN E	CHARLES	ONC	TESTIFY
HB 161	KAREN D	MCINTYRE	ONC	TESTIFY

LOCATION: FAIRBANKS

HB 161	MR.	✓ GENE	GRASTO	TESTIFY
HB 161	MS.	✓ JEANETTE	GRASTO	TESTIFY
HB 161	MR.	ANDY	HARRINGTON	TESTIFY
HB 161	MS.	✓ MONTA	LANE	AK CAREGIVERS TESTIFY
HB 161	MR.	LES	WESTLING	AK CAREGIVERS TESTIFY
HB 161	MS.	CAROL	NILSON	TESTIFY
HB 161	MS.	CATHY	WESTLING	AK CAREGIVERS TESTIFY
HB 161	MR.	DAVID	LEONE	ARCTIC ALLIANCE TESTIFY

LOCATION: HOMER

HB 161	MS.	PATRICIA	ARNOLD	MENTAL HEALTH BD TESTIFY
HB 161	MR	FRED	LAU	HOMER SENIORS TESTIFY

LOCATION: KENAI LIO

HB 161	MR.	✓ EDWARD	MARTIN SR.	SELF	TESTIFY
HB 161	MS.	✓ WINI	CROSBY	FCS	TESTIFY
HB 161	MS.	LYNETTE	HAAS	FCS	TESTIFY
HB 161	MS.	KAREN	STROH	FCS	TESTIFY
HB 161	MS.	✓ HOLLI	KRISTIANSEN	SELF	TESTIFY
HB 161	MS.	✓ LEIGH	HAGSTROM-SANGER	FCS	TESTIFY
HB 161	MS.	LYNN	MILLER	SELF	TESTIFY
HB 161	MR.	DENNIS	HAAS	SELF	TESTIFY

LOCATION: MATSU

HB 161	MR. left	TOM	NAMTVEDT	SELF	TESTIFY
HB 161	MS.	✓ JO	RENK	MOM	TESTIFY
HB 161	MR.	✓ JOHN	CANNON	LIFEQUEST	TESTIFY
HB 161	MS	✓ SANDRA	ADAMS	MY ADOLESANTS	TESTIFY
HB 161	MS.	KAREN	LOGAN	NUGEN RANCH	TESTIFY
HB 161	MR	MICHAEL	FRIESER	HOPE COMM. RESORT	TESTIFY

LOCATION: TOK

Sitka
 ✓ Moira McBride self
DJT
 Cornelia Huebscher

HB

163

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 4/14/00

FURTHER:

REPORTED OUT OF
SFC 4/16/00

DATE TURNED
IN TO OFFICE:

16 April 00

Finance Committee considered CS FOR HOUSE BILL NO. 163(JUD)

DIVISION OF ELECTIONS

and recommends:

- be replaced with S CS CS HB 163 (FIN)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:
- same title
 - new title
- House Bill:
- same title
 - technical title
 - new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Don Dewley</i>	<input checked="" type="checkbox"/>	<i>Bill E. Kelly</i>	<input checked="" type="checkbox"/>		
		<i>Lillian Kelly</i>	<input checked="" type="checkbox"/>		
		<i>John Kelly</i>	<input checked="" type="checkbox"/>		
		<i>Gregory D. Lemmon</i>			
		<i>Bill Adams</i>	<input checked="" type="checkbox"/>		
		<i>Gonzalez</i>	<input checked="" type="checkbox"/>		
Co-Chair: <i>[Signature]</i>	<input checked="" type="checkbox"/>	Co-Chair:			
Co-Chair: <i>[Signature]</i>	<input checked="" type="checkbox"/>	Co-Chair:			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Elections	2/3/00		(12.5)

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

SENATE AMENDMENT

Amendment Number: #1
Bill Number: HB 163
Sponsor: Donley Date: 4/16/0
Logged In By: M. Siddu

By Donley

To: HB 163 SENATE BILL No. _____

To: _____ HOUSE BILL No. _____

PAGE:

LINE:

Add new section
of
Legislative Intent:

The Division shall facilitate the
co-ordination of local government
elections with regular state elections
if requested to do so by a
local government.

SENATE FINANCE
COMMITTEE
Amendment Number: #2
Bill Number: HB 163 SENATE AMENDMENT
Sponsor: Parnell Date: 4/16/00
Logged In By: Mindy

BY Parnell

To: CS HB 163 (Jud) SENATE BILL No. _____
To: _____ HOUSE BILL No. _____

Not moved →
Div. of Elections
Intent is on
the record that
a sticker acting like
a tattoo that leave
a name on the
ballot is OK -
a true sticker
is not -

PAGE: LINE:

15

28

Delete "The Use of"
Insert "Affixing"

15

28

After the word "stickers"
Insert "on a ballot"

Green COMMITTEE
2000 COMMITTEE ACTION

Bill Number	HB 163		
Amendment	#2		
Motion	adopt		
<u>Motion by</u>	Parnell		
<u>Objection by</u>	none		
<u>Removed</u>			
<u>Second Objection by</u>			
<u>Committee Member</u>	<u>Y</u>	<u>Vote</u>	<u>N</u>
Senator Lyda Green			
Senator Randy Phillips			
Senator Dave Donley			
Senator Loren Leman			
Senator Al Adams			
Senator Gary Wilken			
Senator Pete Kelly			
Co-Chair Sean Parnell			
Co-Chair John Torgerson			
<u>Tally</u>			
Yea			
Nay			
Absent			
<u>MOTION</u>	Pass		



Alaska State Senate

Senate Finance Committee

Official Business

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

FAX COVER SHEET

DATE: 4/16/00 TIME: 5:10 pm

TO: Legal Services

NUMBER OF PAGES, INCLUDING COVER SHEET: 3

FROM: MINDY ROWLAND
SENATE FINANCE COMMITTEE SECRETARY
PHONE: 465-4935
FAX: 465-2187

NOTES: HB 163
amended as follows
final please!
(not tonight)
The
Mundy

CS HB163 (JUD)
Sectional Analysis
Prepared by the Division of Elections

<u>SECTION</u>	<u>EXPLANATION</u>
1	Election employees exempt from jury service during the months of a primary or general election.
2, 3, 5, 8, 10, 17-25, 29, 31-33, 37, 41, 51, 59, 61-62, 72	Change the term election judges and clerks to election officials or board members. Change term chairman to chairperson.
4, 87	Allow permanent fund dividend mailing address to be used on the official voter registration record. Requires the PFD division to pay for the printing of the voter registration form.
6	Remove requirement to have registrars. This is outdated due to the NVRA.
7	Remove requirement that Division of Elections post names of voters 40 days prior to an election. Allow for political parties to have one free list per year. This is not an efficient way for voters to identify whether or not they are properly registered. The division will be looking into other methods, such as adding more information to the present Interactive Voice Response (IVR) system that was used to locate a voter's polling place during the 1998 primary and general elections. We are also researching a secure way of posting the voter list on the internet.
9, 11	Revise wording on election board appointments. Board names will continue to be solicited from the party district committees and state central party committees. The member from the which the governor is a member and the party from which the candidate receiving the second highest number of votes may both submit two names. The election supervisor will appoint one from each of the above political parties.

12	Change the wording which appears for a ballot initiative from "For or Against" to "Yes or No." This will make the wording for ballot questions consistent throughout Title 15.
13, 50	Revise to conform to the ballot layout of optical scan ballots. Replace square with oval.
14	Change "major election districts" to "four judicial districts."
15	Change requirement mandating that posters, which provide notice of an election, be placed in each election precinct. This works in rural Alaska but not in urban Alaska. People in urban Alaska rely more on the newspaper for the notice of an election. Posting notices in rural Alaska is an adequate method of providing notice.
16	Remove requirement to include in a broadcast notice the name of the newspaper and the date the newspaper was published.
26	Update to make consistent with the new list maintenance law.
27	Remove requirement for voter to provide former address when voting a questioned ballot. This information is not used to determine the voter's eligibility and is not printed on the questioned oath and affidavit.
28	Deletes reference to a second ballot stub. Optical scan ballots only have one stub.
30	Expands the list of acceptable identification which can be provided by a voter when voting.
34, 47	Change improperly marked ballot to spoiled ballot.

35	<p>Remove the requirement that a voter, after voting, return the ballot to an election official for removal of the stub.</p> <p>Accu-Vote ballots only have one stub, which is removed by the election official when issuing the ballot.</p>
36, 38	Clarifies that this section applies to hand-count precincts.
39	<p>Clarifies that this section applies to hand-count precincts. Makes conforming changes to the ballot layout of optical scan ballots. Repeals the reference to stickers. Clarifies what name variations will be counted for write-in candidates.</p>
40	Prohibits the use of stickers by write-in candidates.
42	Updates the scope of review by the state review board. The terminology in present statute is outdated.
43	Clarifies when ballots and stubs for national and other elections can be destroyed.
44, 53	Clarifies what portions of a ballot will count if someone moves from one house district to another after the 30-day cutoff.
45	Delete requirement that an instruction sheet be provided with each absentee ballot. This is only done with by-mail ballots.
46	<p>Removes requirement that a voter may only vote absentee in-person through an Absentee Voting Official (AVO) in the voter's election district.</p> <p>Allows AVOs to conduct absentee in-person voting on election day.</p>
48	This is a new section on early voting. Applies to absentee in-person at the regional election offices. This would only apply to voters residing in house districts for which the regional office has jurisdiction. Voters registered in HD 1-9 could vote in this manner

	<p>at the Juneau office absentee voting station. Voters in HD 10-28 at the Anchorage absentee voting station. Voters registered in HD 29-36 at the Fairbanks office absentee voting station. Voters registered in HD 37-40 at the Nome office absentee voting station.</p> <p>The voter would verify that the registration information on file with the division is current and sign an early voting register. After voting the ballot, the voter would insert their ballot into the Accu-Vote precinct tabulator. Ballots would not be counted until after 8:00 p.m. on election day.</p> <p>If the voter's residence is different from that on the official registration file, the voter will be required to complete an absentee in-person oath and affidavit envelope. The voted ballot would be placed in this envelope and held for review by the regional office.</p> <p>This could significantly reduce the number of absentee ballots requiring review by the regional office. In the 1998 general election, there were 13,646 absentee in-person ballots cast. Of those, 12,036 were full count ballots.</p>
49	<p>Special needs voting. This is a replacement for the current absentee voting by personal representative. Although the division was successful in passing legislation last year to change the personal representative voting process, it is still not working.</p> <p>This would eliminate the requirement of the voter to complete an application. The voter would make a request to an elections official or through a personal contact (family member or friend) to get a special needs ballot.</p> <p>The representative would sign an oath, take the ballot and voting materials to the voter. After voting, the voter completes an oath and affidavit envelope similar to that as required by absentee in-person voting.</p> <p>The representative would serve as a witness and return the ballot to the election official.</p>
52	<p>Allows the questioned review board to finish their review of questioned ballots up to 15 days after the election. Current law says the review must be completed by the 10th day.</p>

54	Clarifies that hand-count rules apply to challenges which arise during a recount concerning the voter's intent.
55	Allows the director to set the counting schedule for all by-mail elections.
56	Allows a declaration of candidacy to be filed by any reliable electronic means.
57	Requires that in order to appear on the general election ballot, each candidate for governor must have a lieutenant governor candidate and vice versa.
58	Requires that write-in candidates file a declaration with the division.
60	Make the requirements of a nominating petition the same as for declaration of candidacy.
63-70	Makes changes to the initiative, referendum and recall petition as a result of the U.S. Supreme Court decision in <i>Buckley v. American Constitutional Law Foundation</i> . Petition circulators no longer are required to be registered voters in the state and do not have to wear identification badges.
71	Eliminate the requirement to have 10 copies of a constitutional amendment at the polling place. One copy will be posted in each precinct.
73	References new section on special needs voting.
74	Change the date material is required from candidates for the Official Election Pamphlet (OEP) from 7/15 to 7/22.
75	Change the mailing date of the OEP from 30 days before the election to 22 days.

76-77	Update definitions to conform with statute changes.
79	Update definition of felony involving moral turpitude to make it broader and easier to administer.
80-83	Update definitions to conform with statute changes.
84	Clarifies that it is the responsibility of local governments to determine if a voter qualifies to vote in a local election.
85	Adds the transportation of ballots to be exempt from state procurement procedures.
86	Makes conforming change to Title 39. Candidate must file a financial disclosure statement under AS 39.50 simultaneously with filing a declaration of candidacy.
88-89	Repealer section. Repeals Article 4 – Punch Card Voting and other outdated sections.
90	Gives authority to the director to adopt regulations to implement this Act.
91	Revisor's Instructions Global changes in Titles 3, 15, 44 and 46: "election district, electoral district or house election district" to "house district" "election districts" to "house districts" "chairman" to "chairperson"
92-94	Effective date clauses.

ALASKA STATE LEGISLATURE

REPRESENTATIVE
JEANNETTE JAMES
PO Box 56622
North Pole, Alaska 99705
(907) 456-1546
FAX (907) 488-4271



While in Juneau
State Capitol
Juneau, Alaska
99801-1182
(907) 465-3743
FAX (907) 465-2381

House of Representatives
House District 34

Sponsor Statement for HB 163 Changes to Election Law

House Bill 163 is primarily a housekeeping bill that will update current election law to conform with the optical scanning ballot tabulation system.

The goal of House Bill 163 is to make the electoral process more efficient while continuing to maintain the integrity of the process.

In addition to housekeeping measures which are outlined in an accompanying sectional analysis, House Bill 163 contains three policy changes which will help make the election process more efficient for both the electorate and the Division of Elections.

• *Write-in Candidates*

It became apparent after the 1998 gubernatorial election that the state needs clear procedures for the qualification of write-in candidates and for the counting of votes. House Bill 163 will prohibit the use of stickers by write-in candidates. Write-in stickers cannot be used with the state's optical scan ballot tabulation system. The Division has been advised by the manufacturer, Global Elections Systems, that stickers could damage the Accu-Vote machines.

• *Revision of Absentee by Personal Representative Process*

The current statutory process is too cumbersome and the resulting mistakes by people attempting to assist other voters have resulted in the disqualification of many ballots. Current law requires the personal representative to deliver an application to the voter, return the application to an election official, pick up the ballot and voting material, deliver the material to the voter and then return the voted ballot and material to an election official. The new process would allow the personal representative to deliver an application and voting material at one time and then return the voted ballot and material to an election official. The same checks and balances remain in place to protect the integrity of the electoral process.

• *Change to the Absentee In-Person Voting Process*

Early voting would apply to absentee voting in the regional election office absentee voting stations. Voters registered in a house district in which the regional election office has jurisdiction would no longer be required to complete an absentee oath and affidavit envelope. This will significantly reduce the number of absentee ballots requiring review by the division of elections. If a voter's residence address information is different from that which appears on the division's records at the time of voting, the voter will be required to complete an oath and affidavit envelope.

HB

167

HFIN

FILE

(11)

HOUSE COMMITTEE REPORT

Date Referred to Committee: April 28, 1999

FURTHER REFERRALS:

Date of Committee Action: 5/7/99

The FINANCE Committee considered:

HB 167

HOUSE BILL NO. 167

REGULATION OF MOBILE HOME DEALERS

"An Act relating to mobile home dealers."

recommends it be replaced with the following committee substitute CSHB 167 (L+C) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) DCED 4/28/99

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<u>Eldon Blued</u>	Mulder	✓			
<u>Carl Brenden</u>	Bunde			✓	
<u>Bob Kohn</u>	Kohn	✓			
<u>Alan Custer</u>	Austermeier	✓			
<u>Bill G. Jones</u>	Davis			✓	
<u>Ben S. Dunning</u>	Gruenewald			✓	
<u>Y. J. E. Moss</u>	Moss			✓	
<u>Harold J. Davis</u>	Davis			✓	
<u>Ed K. Williams</u>	Williams	✓			
<u>Bob Foster</u>	Foster	✓			
<u>Ben Theriault</u>	Theriault			✓	

CHAIR'S SIGNATURE Eldon Blued Ben Theriault

FISCAL NOTE

Bill Version: CSHB 167 (L&C)
(H) Publish Date: 4/28/99

STATE OF ALASKA 1999 LEGISLATIVE SESSION

Revision Date/Time (Note if correction) _____ Dept. Affected Commerce & Econ Dev.
 Title An Act relating to mobile home dealers. BRU Occupational Licensing
 Component Occupational Licensing
 Sponsor Rep. Cowdery by Request
 Requester House Labor and Commerce Component Serial No. 2360

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
------------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY99) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
New funds are not required to implement this bill.

Prepared by Jennifer Strickler, Administrative Manager Phone 465-2144
 Division Occupational Licensing Date/Time 4/16/99 10:28 AM
 Approved by Commissioner Deborah B. Sedwick Date 4/16/99
 Agency Commerce & Economic Development

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
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COMMITTEE COPY

Sponsor Statement for House Bill 167(L&C)

House Bill 167 (L&C) repeals the statutes requiring mobile home dealers to be licensed and bonded in the State of Alaska. House Bill 167 as originally drafted simply removed used dealers from the licensure and bonding requirements under existing law. Since used mobile homes are sold as-is where-is with no warranty expressed or implied, it seemed prudent to allow used dealer to operate unimpeded by bonding requirements.

In testimony before the House Labor and Commerce Committee, it became clear that removing used dealers would leave so few licensees in the program that it would be inefficient to administer and would no longer serve a meaningful public purpose. Furthermore, testimony was heard that the existing bonding and licensing fees (in excess of \$2000) are a significant burden on small businesses and have an anti-competitive effect on the marketplace. Upon discovering that no claims have ever been made against a licensee and hearing no request for protection from any consumer groups or members of the public, the Labor and Commerce Committee decided to simply repeal the existing licensure scheme and relieve private business of costs of bonding and licensing fees.

I support the action of the Labor and Commerce Committee and believe that this is one area where we can remove government interference from the private sector with no significant ill-effects.

HB

176

HFIN

FILE

(11)

HOUSE COMMITTEE REPORT

Date Referred to Committee: April 22, 1999

FURTHER REFERRALS:

Date of Committee Action: 4/27/99

The FINANCE Committee considered:

HB 176

HOUSE BILL NO. 176

PUBLIC INTEREST LITIGANTS

"An Act relating to attorney fees and costs and the granting of public interest litigant status in proceedings related to administrative actions and inactions; and amending Rules 79 and 82, Alaska Rules of Civil Procedure, and Rule 508, Alaska Rules of Appellate Procedure."

recommends it be replaced with the following committee substitute [] the same title [] a new title

[] additional referral to _____ Committee [] attached amendment(s)

ADOPTS: _____ Letter of Interest

ATTACHES NEW FISCAL NOTE(s): (Dept) APPROVES PREVIOUS: (Dept/Date) [] fiscal note(s) [] fiscal note(s)

[] zero fiscal note(s) [X] zero fiscal note(s) H Jud 4/22/99

Table with columns: SIGNING WITH RECOMMENDATIONS, DP, DNP, NR, AM. Rows include names like Theriault, Mulder, Bunde, Kohring, Davies, Grossendorf, and Williams.

CHAIR'S SIGNATURE [Signature] Mulder

STATE OF ALASKA
1999 LEGISLATIVE SESSION

Revision Date: _____

Title: "An Act relating to Attorney fees..."

Dept. Affected None

BRU _____

Component _____

Sponsor: Rep. Green

Requester: House Judiciary

Component Serial No. _____

Expenditures/Revenues

(Thousands of Dollars)

OPERATING EXPENDITURES	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES []						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1091 Designated Program Receipts						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by House Judiciary Committee

Phone 465-4990

by Cory Adruchell Judiciary Aide

Phone _____

Rete Kott, Chairman
House Judiciary Committee

Date April 21, 1999

Alaska State Legislature

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SOCIAL SERVICES COMMITTEE

BUDGET SUBCOMMITTEES
ALASKA COURT SYSTEM
DEPT. OF ENVIRONMENTAL CONSERVATION
DEPT. OF REVENUE

Representative Joe Green

District 10

House Majority Leader

Sponsor Statement

HB 176 – Attorney fees for public interest litigants

The Alaska Supreme Court has established a unique and creative doctrine, known as the Public Interest Litigant Doctrine (PILD), which is not codified in any law or set out in any procedure, but has evolved through the court's decisions. PILD was established by the court to allow private plaintiffs to advocate for issues in the public interest.

PILD provides an exception to Civil Rule 82. Rule 82 sets out a formula for the reimbursement of attorney fees to be collected by a prevailing party in a legal action. The prevailing party is entitled to 30% of actual, reasonable attorney fees if the case goes to trial, and 20% if it does not. It is interesting to note that Alaska is the only state in the union that utilizes this system. In all other states, the party that files or defends a legal action is responsible for their own expenses.

If the court grants a party in a legal action "public interest litigant" status that party is allowed to collect *full*, reasonable, actual attorney fees if they prevail. If they lose, the public interest litigant pays none of the prevailing party's attorney fees.

I believe that PILD has developed into an encouragement, an incentive for litigation causing valuable state assets to be used to fund plaintiffs' law firms. Over the past several years these organizations have challenged the state in our effort to develop our resources.

Representative Joe Green
Sponsor Statement
HB 176

HB 176 does not *in any way* hinder these groups from filing legal challenges to administrative decisions, but it does require them to pay for their own lawsuits, to the extent that other Alaskans do. The state employees responsible for utilizing our natural resources are conscientious public servants. Guided by our constitution, statutes and regulations, they practice due diligence in determining that the disposal of our hydrocarbons, minerals, timber, fish, water, and land, are in the best interests of Alaskans. Not surprisingly, this public process never seems to be good enough for the people who profit from filing lawsuits. HB 176 doesn't prevent these people from challenging the process, but it does make them do it at their own expense.

Abuse of the broad definition of who can be a public interest litigant, and an even broader definition of "prevailing party" has occurred. HB 176 establishes some limits in the public interest litigant doctrine.

Alaska State Legislature

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Representative Joe Green

District 10

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Sectional Description

HB 176 – Public Interest Litigant

Section 1 amends 09.60.010, which grants to the Supreme Court the authority to allocate court costs for a civil action. Beginning at page 1, line 13, HB 176 prohibits the court from awarding “public interest litigant” status to a party in a civil action against the executive branch of the state, and states that a prevailing party is entitled to recover costs according to Civil Rule 82.

Section 2 adds language to prohibits the court from awarding public interest litigant status to a person challenging a regulation under 44.62.300, the section that allows a person to challenge a state regulation in superior court.

Section 3 adds language to prohibit the court from awarding public interest litigant status to a person challenging a final administrative order under 44.62.560, the section that allows a person to challenge an administrative order in superior court.

Section 4 clarifies that bill sections 1, 2, and 3 amend Rules 79 and 82, Alaska Rules of Civil Procedure, and Rule 508, Alaska Rules of Appellate Procedure.

Section 5 is an enactment clause, which clarifies that since bill sections 1, 2, and 3 amend Alaska Rules of Court, final passage will require a two-thirds majority of each house.



Trustees for Alaska is a public interest environmental law firm that has provided legal services in Alaska since 1974. Our advocacy work and legal cases deal with oil and gas development, mining, hazardous waste management, air pollution, water pollution, wetlands management, land use management, and protection of marine ecosystems. Our successes have set significant legal precedent in environmental law on a state and national level. We have initiated hundreds of administrative actions and legal cases on behalf of a broad constituency, including

local and national environmental groups, Alaska Native villages and nonprofit organizations, community groups, commercial fishermen, and individuals committed to protection and wise management of Alaska's natural resources. While we have a number of cases pending in state and federal courts, we view litigation as a tool of last resort for achieving effective and lasting resolution of resource management conflicts. Where appropriate, we encourage and assist our clients in working to achieve desired protection through negotiation and consensus.

Why do we exist?

To provide no-cost legal services relating to environmental and natural resource policy matters to individuals and groups whose concerns would be unrepresented if forced to pay for private representation.

What have we accomplished?

Over the last twenty years, Trustees has instituted a number of important legal actions and initiatives:

- Helped prevent oil and gas drilling in the Arctic National Wildlife Refuge.
- Fought forestry and marine development projects that threatened traditional Native Alaskan values and practices.
- Forced the US Environmental Protection Agency to set nationwide standards to reduce mining industry pollution to rivers and streams.
- Prevented offshore oil and gas development in fragile marine ecosystems off Alaska's coasts.
- Halted illegal and shortsighted road development in some of Alaska's most pristine and natural areas.
- Worked to reduce the waste and pollution from industrial high seas fishing fleets in the North Pacific.



How do you help people in my community?

Many of our legal victories are far-reaching, setting precedent nationwide for environmental protection. These precedents are part of the body of laws ensuring clean air and water, and the wise development of natural resources in your community.

Why do we need your support?

Trustees has been providing legal counsel to environmental groups, Native villages and nonprofit organizations, rural communities, fishers, hunters and other conservationists who have asked for our help in defending the rich natural resource heritage that makes Alaska unique. Throughout this time, Trustees for Alaska has been willing and able to respond to these requests.

As doors to achieving environmental protection are being slammed in Congress and the Alaska Legislature, they are also being quietly closed in state and federal agencies. This trend leaves the court system as the only effective avenue for achieving environmental protection. Consequently, we have been deluged with requests for advice and assistance.

How can I be sure that you will use my money wisely and won't waste it?

Your pledge will help us in answering the many requests for help that await our immediate attention, and will aid us in launching an "all fronts" effort to use our current, strong environmental laws to defend Alaska's natural treasures. We apply your contribution directly toward our legal defense of the fish, wildlife, recreation and scenic values we all cherish. We know that if we don't maintain a "lean and mean" organization, you won't support our work, and the requests we receive for legal representation will go unanswered.

Can I volunteer? How?

We supplement our legal work with the help of volunteer attorneys, we also accept law student interns throughout the year. If you have technical or computer experience, we may be able to use your help.

Visit Our Sister Web Site

Click here to visit our sister web site. View updates and alerts on current issues and read copies of our past newsletters!

Now Accepting Your Donations over the Internet!

Trustees for Alaska depends upon public support to continue its work. Through an alliance with CharitiesUSA, you can donate to Trustees via a secure server. Click the Give Button to make a contribution. All gifts are tax-deductible.

Contact Us!

Trustees for Alaska
725 Christensen Drive, Suite 4



SCLDF

Sierra Club Legal Defense Fund

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What is SCLDF?

The Sierra Club Legal Defense Fund (SCLDF) is a public interest law firm (IRC 501(c)(3)), founded in 1971, that brings environmental litigation on behalf of the Sierra Club and other environmental organizations. Headquartered in San Francisco, with offices in Washington, D.C., Denver, Seattle, Honolulu, Juneau, Montana, Florida, New Orleans, and Tallahassee.

Using Law and the Courts To Protect the Land

It may be hard to believe now, but until the late 1960s there was no such thing as environmental law, at least in the way we understand it today.

Conservationists had tried rarely, and with little success, to pursue their goals through the legal system. Plaintiffs seeking to protect the environment lacked what most judges considered a prerequisite to a day in court: a financial interest in the outcome of the dispute. For all intents and purposes, the courthouse door was closed to those who would preserve mountains, meadows, forests, and streams, for recreation, wildlife, or for other uses that resource managers call "non-consumptive."

In the late 1960s, however, a profound change began in the courts, triggered by a lawsuit brought against the Federal Power Commission. At issue was a plan by a New York utility, Consolidated Edison, to build a hydroelectric plant at Storm King Mountain on the Hudson River. Lawyers for the Scenic Hudson Preservation Conference, the Sierra Club, and three nearby towns persuaded the federal Court of Appeals that the plaintiffs' "aesthetic, conservational, and recreational interest" in the area justified their being granted "standing" to sue. While this decision affected only disputes based on a limited area of the law regarding power development, conservationists were given hope that courts throughout the nation might soon grant them standing to file suit.

New initiatives within the Sierra Club also contributed to the genesis of environmental law. For many years, the Club's legal program served mainly to help with contracts and other internal matters. But in the late 1960s, newly appointed Sierra Club Legal Committee Chair Phil Berry and Conservation Director Michael McCloskey began to urge using the courts to pursue conservation objectives. Two San Francisco

attorneys, Don Harris and Fred Fisher, joined the fledgling campaign and helped recruit other lawyers to the cause.

Soon, volunteer attorneys were battling government agencies over timber sales and other matters, and in 1970 Harris argued the first case brought under the National Environmental Policy Act. With Earth Day fresh in mind, Congress was swiftly enacting new environmental statutes, and such suits were vital to ensuring enforcement and clarifying lawmakers' intentions. It soon became evident that a volunteer organization was inadequate to realize the potential of environmental law.

The Sierra Club Legal Defense Fund was formed to realize that potential. Established in 1971 with the aid of a generous grant from the Ford Foundation, and supported by The Sierra Club Foundation, the Legal Defense Fund was created legally and financially distinct from the Sierra Club. This allows the organization to solicit and accept tax-deductible contributions, and to represent clients other than the Sierra Club itself.

Mineral King

It didn't take long for the young Legal Defense Fund to break new ground in environmental law. A suit over a place called Mineral King, first filed in 1969 by attorneys hired by the Club and taken on by the Legal Defense Fund two years later, became one of the organization's most important victories when the U.S. Supreme Court used the case to broaden the principle of standing from the Storm King litigation.

Mineral King is a small valley about 7,000 feet high in the southern Sierra Nevada. The flat valley floor, a fraction of the size of Yosemite Valley, is ringed by magnificent 12,000-foot peaks. In 1926 an early Sierra Club campaign to establish Sequoia National Park brought protection to an area that surrounded Mineral King, but the valley itself remained under Forest Service jurisdiction, subject to the Service's multiple-use management.

In 1965 the Forest Service invited private companies to propose winter-sports resorts in Mineral King. Walt Disney Enterprises won the agency's approval for a plan that would have jammed Mineral King with as many as 27 chair lifts, an ersatz alpine village, a huge underground parking garage, restaurants, and more: a total installation that the Disney master plan called the equivalent of six Squaw Valleys. The plan envisioned more than two million visitors to Mineral King each year, a level of use that makes the far larger Yosemite Valley desperately overcrowded.

In the 1940s the Sierra Club had approved in principle a modest ski resort in Mineral King. Such resorts were smaller then, and the Club was trying to find suitable sites for a fast-growing ski industry. Twenty years later, however, the Club found many features of the Disney plan objectionable. First, it was too big. Second, it required upgrading the only road into the valley, a road that passes through Sequoia National Park. Third, it seemed a dubious proposition to devote so much public land to the profit of private enterprise. And fourth, Mineral King was designated a game refuge, and a giant resort was incompatible with the idea of preserving wildlife. While the Club mounted a campaign to preserve the valley through legislative action, it also sought ways to halt the proposed development.

The Club asked the Forest Service to estimate the environmental effects of the project; when the agency refused, the Club then asked the National Park Service to deny permission to improve the road through the park, again without success. Having run out of options, the Club filed suit. The district court issued an injunction that halted further work on the resort. The Forest Service's subsequent response was to ask the Court of Appeals to dismiss the case on grounds that the Club lacked standing to sue; losing that legal round, the Club appealed to the Supreme Court.