

ALASKA LEGISLATURE

2011

HOUSE and SENATE FINANCE COMMITTEE FILES, 1999 - 2000

1102

Written Public Testimony
For HB 312/HB 313
Operating Budget Testimony

Fax to Senate Finance Co-Chairs at
465-6592 or 465-4779

To: Senate Finance Committee Members

Date: March 23, 2000

(In an effort to hear from as many as possible tonight we are encouraging you to submit written comments to be faxed by the LIO. Please briefly state your comments regarding the operating budget.) Thank you and we look forward to hearing from you.

As a volunteer and unpaid director of KCHU/KXGA/KXGM, providing public radio service to the Copper River Basin and Prince William Sound, I urge you to maintain the current level of funding for public broadcasting. This service, which connects those in sparsely populated and remote areas to the rest of the state, nation, and world, has recovered from the massive cuts of past years by reducing staff, consolidating work with other stations, and by a large increase in listener support. It is difficult to find a place for further reductions.

I would encourage you to add revenue by reinstating a tax on income generated in the state of Alaska, as in the fashion of Montana and Idaho. Those states exclude taxation on that portion of income that is taxed by the state in which it is generated, which avoids doubling state taxation. I am certain that most voters would realize the value in taxing incomes that leave the state of Alaska.

Thank you.

Name Charles Branch

Address PO Box 1692

City Cordova AK zip 99574-1692

Police Leaders Call for Investment in Quality Programs to Fight Crime

The fight to make affordable, educational child care and other appropriate programs available to all American children and youth, from infancy through the teen years, has attracted a powerful ally. A national coalition led by police chiefs, sheriffs, and prosecutors, who pack a lot of authority, has made its position clear through Fight Crime: Invest in Kids, a national, bipartisan, anticrime organization based in Washington, D.C.

The more than 500 police chiefs, sheriffs, prosecutors, and victims of violence who form the organization have produced a School and Youth Violence Prevention Plan. It calls for providing access to educational child care to all babies and toddlers, quality after-school programs for older children and teens, parenting coaching to reduce child abuse, and intervention to help troubled kids get back on track.

The plan has won the endorsement of the Major Cities [Police] Chiefs' Organization, the Police Executive Research Forum, the National Sheriffs' Association, and dozens of state law enforcement organizations.

The depth of the support of police chiefs for the plan was shown in a recent nationwide poll conducted by George Mason University (Mastrofski & Ketter 1999). Asked to rank strategies for reducing youth crime and violence, 69% of the chiefs responding gave the highest priority to providing more after-school programs and educational child care programs. By contrast, only 13% of the chiefs gave the highest priority to hiring more police officers and only 1% to installing more metal detectors and surveillance cameras in schools.

The School and Youth Violence Prevention Plan was prepared under the direction of Sanford A. Newman, president of Fight Crime: Invest in Kids. Newman is an authority on what works to prevent youth violence.

Fight Crime: Invest in Kids is a nonpartisan, nonprofit, anti-crime organization led by America's best-known police chiefs, sheriffs, prosecutors, and victims of violence. It believes that our most powerful weapons against crime are programs proven to keep kids from becoming criminals in the first place. The organization's offices are at 1334 G St., NW, Washington, DC 20005. School and Youth Violence Prevention Plan © 1997, 1999 Fight Crime: Invest in Kids, reprinted by permission.

"Our goal for 2000 is to achieve significant new investments from local, state, and federal governments in the programs that help kids get the right start in life so they never become involved in crime," Newman says. "Our law enforcement leaders and victims of violence will be asking Congress to lay out a five-year plan to fully implement our School and Youth Violence Prevention Plan."

What follows is the full text of the plan.



FROM AMERICA'S FRONT LINE AGAINST CRIME: A SCHOOL AND YOUTH VIOLENCE PREVENTION PLAN

As an organization of hundreds of police chiefs, sheriffs, prosecutors, crime survivors, and leaders of police officer organizations, we are determined to see that dangerous criminals are put behind bars. But anyone who thinks that jailing a criminal undoes the agony crime leaves in its wake hasn't seen crime up close.

America's anticrime arsenal contains no weapons more powerful than the proven programs that help kids get the right start—like quality educational child care, youth development programs for the after-school and summer hours, child abuse prevention, and intervention programs proven to help get troubled kids back on track.

Yet today, inadequate funding for Head Start, educational child care, after-school youth development programs, and counseling for troubled kids leaves millions of children at needless risk of becoming violent or delinquent teens and adult criminals—and leaves every American at needless risk of becoming a victim.

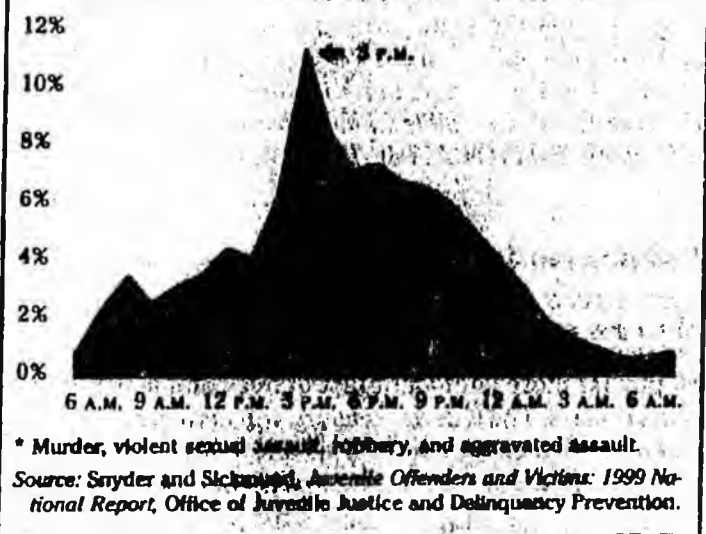
We call on all public officials to adopt a four-part plan to dramatically reduce crime and violence and adult crime and help young people learn the skills and values they need to become good neighbors and responsible adults. While no plan can prevent every violent act, this commonsense plan—based on our experience and the latest research about what really works to fight crime—can make all of us safer.

Four steps to dramatically reduce school and youth violence

1. Assure all schools have access to after-school, weekend, and summer enrichment programs to reduce the risk for juvenile crime.*

In the hour after the school bell rings, turning millions of children and teens out on the street with neither constructive activities nor adult supervision, violent juvenile crime suddenly *triples* and prime time for juvenile crime begins. On school days, the peak hours for such crime are from 3:00 P.M. to 6:00 P.M. (based on data from eight states). These are also the hours when kids are most likely to become victims of crime (Fox & Newman 1997). They are the peak hours for teen sex, and being unsupervised after school doubles the risk that eighth graders will smoke, drink alcohol, or use drugs (Richardson et al. 1989).

Hourly Percent of Serious Violent Crime Committed by Juveniles on School Days



Quality youth development programs can cut crime immediately and transform this prime time for juvenile crime into hours of academic enrichment, wholesome fun, and community service. They protect both kids and adults from becoming victims of crime and cut teen pregnancy, smoking, and drug use, while they help youngsters develop the values and skills they need to become contributing citizens. For example,

- When a public housing project intensively recruited youths to join in a new after-school program, *arrests among its teen residents plummeted to one-fourth of their previous level*, while those among the teens who lived in a nearby comparison project were actually going up by two-thirds (Jones & Offord 1989).
- High school freshmen boys randomly selected from welfare households to participate in the Quantum Op-

“When the peak hours of violent juvenile crime are between the end of school and 8 P.M., it’s just common sense to provide after-school programs that give kids the values and skills they need to say ‘no’ to crime and violence.”

— Patrick Sullivan, Sheriff
Arapahoe County, Colorado

portunities after-school program were *only one-sixth as likely to be convicted of a crime* during the high school years as those not selected. Together, the boys and girls who participated in the program were *50% more likely to graduate high school on time* (Taggart 1995).

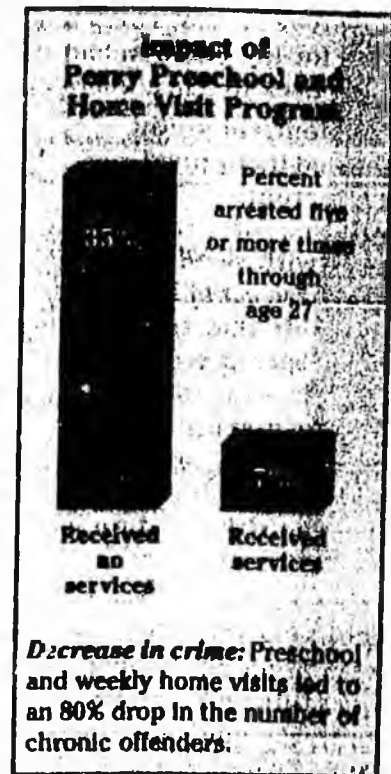
- Young people who received a Big Brothers/ Big Sisters mentor were *half as likely to begin illegal drug use or to hit someone* as [were] applicants randomly assigned to a waiting list (Tierney, Grossman, & Resch 1995).

In short, failing to provide programs like these can multiply by as much as four times your family’s risk that at-risk kids will become delinquent.



Rigorous studies, hard experience, and brain pictures from modern medical equipment tell the same story: In the first few years of life, children’s intellects and emotions and even their ability to feel concern for others—a prerequisite to “conscience”—are being permanently shaped. When parents are at work trying to make ends meet, programs providing nurturing, stimulating, educational child care for babies and toddlers can not only prepare children to succeed in school but also dramatically reduce crime (Yoshikawa 1994; Zigler & Styfco in press). For example:

- In Ypsilanti, Michigan, low-income three- and four-year-olds randomly assigned to be in the High/Scope Educational Research Foundation’s preschool program were *only one-fifth as likely* to have become chronic lawbreakers at age 27,



"America's fight against violence must begin in the high chair, not the electric chair. Anything less leaves America's police fighting with one hand tied behind our backs."

— George Sweat, Director
North Carolina Office of Juvenile Justice, and
former Winston-Salem Chief of Police

compared to similar children who did without this educational child care (Schweinhart, Barnes, & Weikart 1993).

- In Syracuse, at-risk infants and toddlers enrolled in a quality child development program, with parenting support for their mothers, were *only one-tenth as likely* as similar children to be delinquent [*delinquency is defined here as conduct that would be considered criminal if committed by an adult*] 10 years later (Lally, Mangione, & Honig 1988).

In other words, failing to make sure that at-risk kids have access to quality child care and development programs like these can multiply by 5 to 10 times the risk that they will grow up to lead a life of crime. When millions of struggling parents are forced to leave their children in inadequate child care, we all pay a terrible price.



When elementary school children display disruptive behavior, it is a warning signal that it is time to start looking for the causes of the problem and to provide the proven social skills training, counseling, and other help for the children and their families that can lead them back to a healthier path. For example,

- A Montreal study showed that providing disruptive first- and second-grade boys with services like these *cut in half* the odds that they would later be in special classes, rated highly disruptive by a teacher or by peers, or required to repeat a grade in school—all signs that the risk of future violence has been sharply reduced (Tremblay et al. 1991).

- Five years after randomly selected disruptive, low-achieving seventh-grade students completed a three-year program involving behavioral therapy and rewards, they were only one-third as likely to have a juvenile record as those who did not receive these services (Bry & George 1980; Bry 1982).

"We could be saving thousands of lives—and sparing thousands of families unimaginable heartbreak—by investing up front in the proven early childhood care and youth development programs that can turn kids away from crime."

—Jean Lewis, President
National Organization of Parents of Murdered Children

4. Improve deficient parenting and prevent child abuse and neglect by (a) offering high-risk parents in-home parenting-coaching, and (b) making sure child protective, foster care, and adoption services have policies and enough well-trained staff to protect and heal abused and neglected children.

Being abused or neglected multiplies the risk that a child will grow up to be violent. Almost three million children are reported abused or neglected each year. Child protective and foster care services in most states lack adequate staff, and often the training or policy support, to protect children and to see that those who have been maltreated get the nurturing care and treatment needed to help them heal. We must also act *before* abuse takes place to expand parenting-coaching and family support programs that prevent children from being abused and neglected, prevent subsequent delinquency, and improve other outcomes for children. For example,

- The Prenatal and Early Infancy Project randomly assigned half of a group of at-risk mothers to receive visits by specially trained nurses who provide coaching in parenting skills and other advice and support. Rigorous studies show the program not only *reduced child abuse by 80%* in the first two years, but that 15 years after the services ended, *these mothers had only one-third as many arrests and their children were only half as likely to be delinquent* (Olds et al. 1997; Olds et al. 1998).

The bottom line: Investing in kids saves lives and money

When America fails to invest in its children and youth, we pay far more later—not just in lives and fear but also in tax dollars. The federal treasury will actually have *more* money to dedicate to other uses a few years from now—

whether for Social Security, paying off the accumulated national debt, or tax cuts—if we invest *today* in programs to help kids get the right start. For example,

- Economist Steven Barnett (1993) found that the High/Scope Foundation's Perry Preschool Study *saved \$150,000 per participant in crime costs alone*. Even after subtracting the interest that could have been earned by investing the program's funding in financial markets, the project produced a *net savings of \$7.16*—including more than \$6.00 in crime savings—for every dollar invested.

- Barnett estimates that the cost, including increased crime and welfare costs, of failing to provide at least two years of quality educational child care to low-income

children is approximately \$100,000 per child. That's a total of about \$400 billion for all poor children now under age five (Barnett 1993).

• A recent study by Professor Mark A. Cohen of Vanderbilt University estimates that for each high-risk youth prevented from adopting a life of crime, the country would save \$17 million (Cohen 1997).

• A recent Rand Corporation report shows that, even without counting the savings to crime victims and society, the resulting savings to government alone from effective early childhood programs exceeds by two to four times the cost of the programs (Karoly 1998).

"Early childhood and youth development programs can lead us to a stunning victory against violence. When these investments are proven to save lives and tax dollars, why shouldn't policymakers provide the funding that will enable communities to get the job done?"



— Elliot L. Richardson, U.S. Attorney General

• Virtually every major national law enforcement organization—including the Major Cities [Police] Chiefs' Organization, the Police Executive Research Forum, the National Sheriffs' Association, and the National District Attorneys' Association—have adopted forceful calls for

boosting critical crime prevention investments like these.

• In a George Mason University poll, 86% of police chiefs nationwide agreed that "expanding after-school and child care programs like Head Start will greatly reduce youth crime and violence." Nine out of ten chiefs agreed with the statement, "If

America does not make greater investments in after-school and educational child care programs to help children and youth now, we will pay far more later in crime, welfare, and other costs" (Mastrofski & Ketter 1999).

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(Cont'd on p. 72)

Law enforcement united in calling for crime-prevention investments in kids

Who says these four steps are among our most powerful weapons to fight crime?

• The hundreds of law enforcement leaders and crime victims who make up Fight Crime: Invest In Kids.

Project Construct Institutes



Summer 2000



Institutes for Early Childhood Educators

June 19-23	Columbia, Missouri
June 19-23	Washington, Missouri
July 10-14*	Kansas City, Missouri
July 10-14	St. Louis, Missouri
July 24-28	Republic, Missouri
July 31-August 4	St. Louis, Missouri

*Tentative dates

For additional information, contact:
Project Construct National Center
27 South Tenth Street, Suite 202
Columbia, Missouri 65211-8010
573-882-1610

1-800-335-PCNC
www.projectconstruct.org

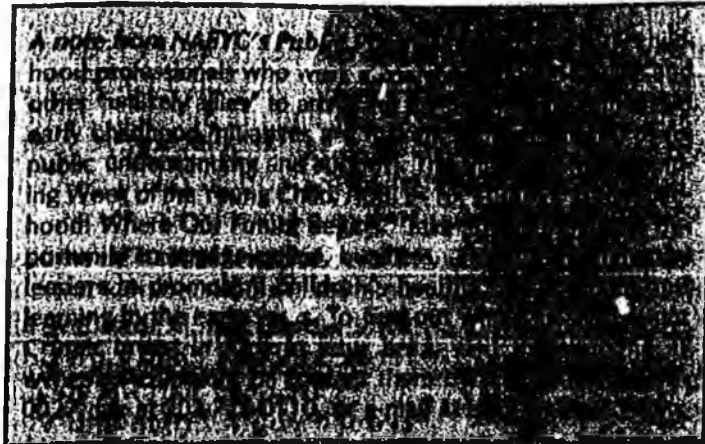
Project Construct is an approach to teaching that is based on what we know about how children learn. Designed for use with students in preschool through the upper elementary grades, Project Construct embraces teaching strategies and resources that are consistent with validated theories of learning and development. Implementation of Project Construct is supported by a comprehensive, ongoing, and participant centered professional development program. Project Construct institutes provide opportunities for teachers and administrators to invent practical strategies that support children's ways of thinking and challenge them to construct new knowledge. Sessions deal with a range of issues that early childhood and elementary educators face in the classroom every day.

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project
construct

an approach to teaching based on what we know about learning



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Muskingum College

A College of Ohio

Sixth Annual Early Childhood Summer Training Institute (ECSTI) 2000 June 11-16, June 18-23, and June 25-30, 2000

With fifteen different one-week intensive seminars, (five different seminars per week) "ECSTI-2000" features some of the most distinguished international and national experts. All seminars are designed for public, parochial or private schools, child care center or family day care teachers, parents, administrators, Head Start, both graduate and undergraduate students and other education professionals. Each seminar counts for 3 semester hours of Graduate, or Under Graduate credit, or they can be attended for information only. Seminars can also be counted toward specific credential requirements. Participants can attend one seminar per week.

WEEK 1: JUNE 11-16, 2000

- JUDITH COLBERT "How to Use Brain Research to Influence Curriculum"
KAY ALBRECHT "The Art of Leadership: Managing Early Childhood Organizations"
YETTA GOODMAN & WENDY GOODMAN "Reading Assessment and Intervention"
JUDY VAN VOORHIS "Technology Applications in Educational Administration"
LINDA MORROW "Serving Individuals with Disabilities"

WEEK 2: JUNE 18-23, 2000

- KEVIN SWICK "Techniques for the Prevention and Management of Discipline Problems"
JOHN NEISWORTH "Assessment for Early Intervention"
STEVEN HERB & SARA WILLOUGHBY - HERB "Enhancing Language and Literacy Development"
JAMES MCAFEE "Parent and Community Development for Successful Transitions"
RICHARD MURRAY "Planning Elementary and Secondary School Finance"

WEEK 3: JUNE 25-30, 2000

- THERESA BOLOGNA "Young Children with Special Needs"
ROBIN CAMPBELL "Phonics and the Reading Process"
WALTER DREW "Self Expressive Hands-On Creative Art Activities"
VICKI WILSON & KAY MILLER "Curriculum and Instruction of the Talented and Gifted"
DAVID BURCHFIELD "Community Relations and Building Consensus"

COSTS PER WEEK:

3 semester hours of graduate or undergraduate credit \$665
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Plus a \$50 non-refundable registration fee for the first seminar; \$30 for the second seminar; \$20 for the third seminar. Air-conditioned room (double occupancy) and all meals for 5 days and nights are only \$190. Request a detailed brochure by contacting: Dr. Roy G. Schmitz, ECSTI-2000 ADMINISTRATIVE SERVICE, 824 South Main Street, Ada, Ohio 45810-1507 U.S.A. or CALL/FAX: (419) 634-9232, e-mail: rschmitz@muskingum.edu, Web site: <http://muskingum.edu/~graduate/ecsti/index.htm>

HB

313

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 3/20/00

FURTHER:

REPORTED OUT OF
SFC 4/4/00

DATE TURNED
IN TO OFFICE: 4 April 00

Finance Committee considered CS FOR HOUSE BILL NO. 313(FIN) am

"An Act making appropriations for the operating and capital expenses of the state's integrated comprehensive mental health program; and providing for an effective date."

and recommends:

- be replaced with 5 CS CS HB 313 (FIN)
- adopt previous _____ CS _____ (_____)
- attached amendment(s) CS forth coming
- adopt Letter of Intent by _____
- 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>Linda Meyer</i>	✓	<i>Ed E. Kelly</i>	✓		
<i>Kate Kelly</i>	✓				
<i>Col Adams</i>	x				
<i>Greg Uhlir</i>	✓				
<i>Drew D. Lemon</i>	✓				
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>Mark Powell</i>		Co-Chair:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

SENATE FINANCE
COMMITTEE

Amendment Number: #1
Bill Number: HB 313
Sponsor: Torgerson Date: 4/4/00
Logged In By: Mindy

AMENDMENT

OFFERED IN THE SENATE FINANCE COMMITTEE

BY SENATOR TORGERSON

TO: SCS CSHB 313(FIN) Version G

REPLACE: Section 3 through Sec. 4, page 8, with the attached three pages.

1 * **Section 3.** The following appropriation items are for capital projects and grants from the general fund or
 2 other funds as set out in section 4 of this Act by funding source to the agencies named for the purposes
 3 expressed and lapse under AS 37.25.020, unless otherwise noted.

	Appropriation	General	Other
	Allocations	Funds	Funds
6	*****	*****	
7	***** Department of Administration *****		
8	*****	*****	
9	Senior Services Data Integration	308,200	308,200
10	Project (ED 99)		
11	*****	*****	
12	***** Department of Corrections *****		
13	*****	*****	
14	Telepsychiatry Video	150,000	150,000
15	Communication System Equipment		
16	(ED 99)		
17	*****	*****	
18	***** Department of Health and Social Services *****		
19	*****	*****	
20	Fairbanks - Reopen Fahrenkamp	495,000	495,000
21	Residential Facility (ED 29-34)		
22	Alaska Psychiatric Institute	379,500	379,500
23	Stop-Gap Repairs (ED 10-25)		
24	Mental Health Grants -	650,000	550,000
25	Facilities Renovation and	100,000	
26	Deferred Maintenance (ED 99)		
27	Mental Health Grants - Essential	300,000	250,000
28	Program Equipment (ED 99)	50,000	
29	Housing Modifications for Mental	250,000	250,000
30	Health Trust Beneficiaries		
31	(ED 99)		

1		Appropriation	General	Other
2		Allocations	Funds	Funds
3	Spirit Camp Facility Development	100,000		100,000
4	(ED 36)			
5	Fairbanks Community Mental	150,000		150,000
6	Health Center Relocation (ED 29-			
7	34)			
8	Coordination and Resource	100,000		100,000
9	Sharing Among Mental Health			
10	Services Providers (ED 99)			
11	Transitional Housing for	300,000		300,000
12	Recovering Substance Abusers			
13	(ED 99)			
14	Alaska Psychiatric Institute	1,000,000		1,000,000
15	2000: Replacement of Existing			
16	Facility (ED 10-25)			
17		*****	*****	
18		***** Department of Natural Resources *****		
19		*****	*****	
20	Mental Health Trust Land	870,000		870,000
21	Development and Value			
22	Enhancement (ED 99)			
23		*****	*****	
24		***** Department of Revenue *****		
25		*****	*****	
26	AHFC Homeless Assistance Program	450,000		450,000
27	(ED 99)			
28	AHFC Beneficiary and Special	1,500,000		1,500,000
29	Needs Housing (ED 99)			
30		*****	*****	
31		***** Department of Transportation/Public Facilities *****		
32		*****	*****	
33				

1		Appropriation	General	Other
2	Allocations	Items	Funds	Funds
3	Coordinated Transportation and	500,000		500,000
4	Vehicles (ED 99)			
5	* Sec. 4. The following sets out the funding by agency for the appropriations made in sec. 3 of this Act.			
6	Department of Administration			
7	Mental Health Trust Authority Authorized Receipts	308,200		
8	*** Total Agency Funding ***	\$308,200		
9	Department of Corrections			
10	Mental Health Trust Authority Authorized Receipts	150,000		
11	*** Total Agency Funding ***	\$150,000		
12	Department of Health and Social Services			
13	General Fund / Mental Health	150,000		
14	Mental Health Trust Authority Authorized Receipts	2,925,000		
15	AHFC Dividends	649,500		
16	*** Total Agency Funding ***	\$3,724,500		
17	Department of Natural Resources			
18	Mental Health Trust Authority Authorized Receipts	870,000		
19	*** Total Agency Funding ***	\$870,000		
20	Department of Revenue			
21	Mental Health Trust Authority Authorized Receipts	200,000		
22	AHFC Dividends	1,750,000		
23	*** Total Agency Funding ***	\$1,950,000		
24	Department of Transportation/Public Facilities			
25	Mental Health Trust Authority Authorized Receipts	500,000		
26	*** Total Agency Funding ***	\$500,000		
27	The following summarizes the funding sources for the appropriations made in section 3 of this act.			
28	General Fund / Mental Health	150,000		
29	Mental Health Trust Authority Authorized Receipts	4,953,200		
30	AHFC Dividends	2,399,500		
31	***** Total Budget *****	\$7,502,700		

32 (SECTION 5 OF THIS ACT BEGINS ON PAGE 11)

SENATE FINANCE COMMITTEE
2000 COMMITTEE ACTION

Bill Number	HB 313		
Amendment	#1		
Motion			
<u>Motion by</u>	G		
<u>Objection</u>			
<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 Pete Kelly			
Senator Lyda Green			
Senator Randy Phillips			
Senator Dave Donley			
Senator Loren Lemar			
Senator Al Adams			
Senator Gary Wilken			
Co-Chair Sean Parnell			
Co-Chair John Torgerson			
<u>Tally</u>			
Yea		0	
Nay		0	
Absent		0	
<u>MOTION</u>	Pass		

SENATE FINANCE
COMMITTEE
Amendment Number: #2
Bill Number: HB 313
Sponsor: Wilken Date: 4/4/00
Logged In By: Mindy

AMENDMENT

Sponsor: Sen. Gary Wilken

**OFFERED IN THE SENATE FINANCE COMMITTEE
TO: SENATE CS FOR CS FOR HOUSE BILL NO. 313 (FIN) – Version G**

ADD:

Department: Administration
BRU: Senior Services
Component: Home and Community Based Care

Amount: \$100.0 MHTAAR Funds

DESCRIPTION:

This amendment is to the capital budget section of the mental health bill, HB 313, and is at the request of the Alaska Mental Health Trust Authority. This appropriation would provide planning and design funds to look at the construction of a facility to address the current and future needs for expansion of the Bridge Adult Day Program in Juneau.

SENATE FINANCE COMMITTEE
2000 COMMITTEE ACTION

Bill Number	HB 313
Amendment	#2
Motion	adopt
<u>Motion by</u>	W
<u>Objection</u>	
<u>Objection by</u>	none
<u>Removed</u>	
<u>Second Objection by</u>	
<u>Committee Member</u>	<u>Vote</u>
Senator Loren Leman	
Senator Al Adams	
Senator Gary Wilken	
Senator Pete Kelly	
Senator Lyda Green	
Senator Randy Phillips	
Senator Dave Donley	
Co-Chair Sean Parnell	
Co-Chair John Torgerson	
<u>Tally</u>	
Yea	0
Nay	0
Absent	0
<u>MOTION</u>	

SENATE CS FOR CS FOR HOUSE BILL NO. 313(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): HOUSE FINANCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act making appropriations for the operating and capital expenses of the**
2 **state's integrated comprehensive mental health program; and providing for an**
3 **effective date."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **(SECTION 1 OF THIS ACT BEGINS ON PAGE 2)**

1 * **Section 1.** The following appropriation items are for operating expenditures from the general fund or
 2 other funds as set out in the fiscal year 2001 budget summary for the operating budget by funding source to
 3 the agencies named for the purposes expressed for the fiscal year beginning July 1, 2000 and ending June
 4 30, 2001, unless otherwise indicated. A department-wide, agency-wide, or branch-wide unallocated
 5 reduction set out in this section may be allocated among the appropriations made in this section to that
 6 department, agency, or branch.

		Appropriation	General	Other
	Allocations	Items	Funds	Funds
	*****	*****		
10	***** Department of Administration *****			
11	*****	*****		
12	Alaska Longevity Programs	10,097,200	10,097,200	
13	Management			
14	Pioneers Homes	10,032,900		
15	Alaska Longevity Programs	64,300		
16	Management			
17	Senior Services	3,639,400	2,131,300	1,508,100
18	Protection, Community	547,000		
19	Services, and Administration			
20	Home and Community Based Care	3,041,100		
21	Home Health Services	51,300		
22	Legal and Advocacy Services	1,452,500	1,302,500	150,000
23	Office of Public Advocacy	1,326,500		
24	Public Defender Agency	126,000		
25	*****	*****		
26	***** Department of Corrections *****			
27	*****	*****		
28	Administration & Operations	4,418,300	4,199,300	219,000
29	Inmate Health Care	3,940,300		
30	Inmate Programs	478,000		

1		Appropriation	General	Other
2		Allocations	Funds	Funds
3	*****		*****	
4	***** Department of Education and Early Development *****			
5	*****		*****	
6	Special and Supplemental Services	110,100	110,100	
7	*****		*****	
8	***** Department of Health and Social Services *****			
9	*****		*****	
10	Adult Public Assistance	1,273,000		1,273,000
11	Medicaid Services	30,630,600	30,630,600	
12	Purchased Services	6,194,600	5,604,200	590,400
13	Foster Care Augmented Rate	500,000		
14	Foster Care Special Need	747,900		
15	Foster Care Alaska Youth	400,000		
16	Initiative			
17	Subsidized Adoptions &	490,400		
18	Guardianship			
19	Residential Child Care	4,056,300		
20	Front Line Social Workers	280,400	145,800	134,600
21	Juvenile Justice	287,700	287,700	
22	McLaughlin Youth Center	159,500		
23	Fairbanks Youth Facility	78,200		
24	Bethel Youth Facility	50,000		
25	Maniilaq	872,400	872,400	
26	Maniilaq Alcohol and Drug	522,400		
27	Abuse Services			
28	Maniilaq Mental Health and	350,000		
29	Developmental Disabilities			
30	Services			
31	Norton Sound	732,900	732,900	
32	Norton Sound Public Health	98,300		
33	Services			

1	2	3	4	5	6	7	Appropriation		General	Other
							Allocations	Items		
		Norton Sound Alcohol and Drug	232,200							
		Abuse Services								
		Norton Sound Mental Health	402,400							
		and Developmental								
		Disabilities Services								
		Southeast Alaska Regional Health					265,800	265,800		
		Consortium								
		Southeast Alaska Regional	140,600							
		Health Consortium Alcohol and								
		Drug Abuse								
		Southeast Alaska Regional	125,200							
		Health Consortium Mental								
		Health Services								
		Tanana Chiefs Conference					737,200	737,200		
		Tanana Chiefs Conference	202,400							
		Alcohol and Drug Abuse								
		Services								
		Tanana Chiefs Conference	534,800							
		Mental Health Services								
		Tlingit-Haida Alcohol and Drug					6,000	6,000		
		Abuse Services								
		Yukon-Kuskokwim Health					1,325,900	1,325,900		
		Corporation								
		Yukon-Kuskokwim Health	418,500							
		Corporation Alcohol and Drug								
		Abuse Services								
		Yukon-Kuskokwim Health	907,400							
		Corporation Mental Health								
		Services								
		State Health Services					4,639,700	4,419,700	220,000	
		Maternal, Child, and Family	220,400							

1		Appropriation	General	Other
2		Allocations	Funds	Funds
3	Health			
4	Healthy Families	566,000		
5	Infant Learning Program Grants	3,853,300		
6	Alcohol and Drug Abuse Services		11,699,700	1,103,300
7	Administration	1,157,300		
8	Alcohol and Drug Abuse Grants	8,767,900		
9	Correctional ADA Grant	281,800		
10	Services			
11	Rural Services Grants	2,596,000		
12	Community Mental Health Grants		24,093,000	1,102,000
13	General Community Mental	1,223,800		
14	Health Grants			
15	Psychiatric Emergency Services	5,705,100		
16	Services to the Chronically	10,800,400		
17	Mentally Ill			
18	Designated Evaluation and	1,046,300		
19	Treatment			
20	Services for Seriously	6,419,400		
21	Emotionally Disturbed Youth			
22	Community Developmental		18,386,700	840,000
23	Disabilities Grants			
24	Institutions and Administration		6,988,800	1,606,500
25	Mental Health/Developmental	2,979,200		
26	Disabilities Administration			
27	Alaska Psychiatric Institute	5,616,100		
28	Mental Health Trust Boards		638,100	679,000
29	Alaska Mental Health Board	490,900		
30	Governor's Council on	505,000		
31	Disabilities and Special			
32	Education			
33	Advisory Board on Alcoholism	321,200		

	Appropriation	General	Other
	Allocations	Funds	Funds
1			
2			
3	and Drug Abuse		
4	Health Planning & Facilities	50,000	50,000
5	Management		
6	*****	*****	
7	***** Department of Law *****		
8	*****	*****	
9	Human Services Section	63,000	63,000
10	*****	*****	
11	***** Department of Natural Resources *****		
12	*****	*****	
13	Mental Health Trust Lands	938,500	938,500
14	Administration		
15	*****	*****	
16	***** Department of Revenue *****		
17	*****	*****	
18	Alaska Mental Health Trust	907,400	907,400
19	Authority		
20	*****	*****	
21	***** University of Alaska *****		
22	*****	*****	
23	Anchorage Campus	200,800	200,800
24	*****	*****	
25	***** Alaska Court System *****		
26	*****	*****	
27	Trial Courts	79,300	79,300
28	* Sec. 2. The following sets out the funding by agency for the appropriations made in sec. 1 of this Act.		
29	Department of Administration		
30	General Fund / Mental Health	13,531,000	
31	Mental Health Trust Authority Authorized Receipts	1,658,100	
32	*** Total Agency Funding ***	\$15,189,100	
33	Department of Corrections		

1	General Fund / Mental Health	4,199,300
2	Mental Health Trust Authority Authorized Receipts	219,000
3	*** Total Agency Funding ***	\$4,418,300
4	Department of Education and Early Development	
5	General Fund / Mental Health	110,100
6	*** Total Agency Funding ***	\$110,100
7	Department of Health and Social Services	
8	General Fund / Mental Health	106,834,500
9	Mental Health Trust Authority Authorized Receipts	7,598,800
10	*** Total Agency Funding ***	\$114,433,300
11	Department of Law	
12	General Fund / Mental Health	63,000
13	*** Total Agency Funding ***	\$63,000
14	Department of Natural Resources	
15	Mental Health Trust Authority Authorized Receipts	938,500
16	*** Total Agency Funding ***	\$938,500
17	Department of Revenue	
18	Mental Health Trust Administration	907,400
19	*** Total Agency Funding ***	\$907,400
20	University of Alaska	
21	General Fund / Mental Health	200,800
22	*** Total Agency Funding ***	\$200,800
23	Alaska Court System	
24	General Fund / Mental Health	79,300
25	*** Total Agency Funding ***	\$79,300
26	***** Total Budget *****	\$136,339,800

27 (SECTION 3 OF THIS ACT BEGINS ON PAGE 8)

1 * **Section 3.** The following appropriation items are for capital projects and grants from the general fund or
 2 other funds as set out in section 4 of this Act by funding source to the agencies named for the purposes
 3 expressed and lapse under AS 37.25.020, unless otherwise noted.

4	Appropriation	General	Other
5	Allocations	Funds	Funds
6	*****	*****	
7	***** Department of Natural Resources *****		
8	*****	*****	
9	Mental Health Trust Land	1,000	1,000
10	Development and Value		
11	Enhancement (ED 99)		

12 * **Sec. 4.** The following sets out the funding by agency for the appropriations made in sec. 3 of this Act.

13 **Department of Natural Resources**

14	Mental Health Trust Authority Authorized Receipts	1,000
15	*** Total Agency Funding ***	\$1,000

16 The following summarizes the funding sources for the appropriations made in section 3 of this act.

17	Mental Health Trust Authority Authorized Receipts	1,000
18	***** Total Budget *****	\$1,000

19 (SECTION 5 OF THIS ACT BEGINS ON PAGE 9)

1 * **Sec. 5. PURPOSE.** In accordance with AS 37.14.003 and 37.14.005, the appropriations
2 made by this Act are for the state's integrated comprehensive mental health program.

3 * **Sec. 6. NONGENERAL FUND RECEIPTS.** (a) Alaska Mental Health Trust Authority
4 authorized receipts (AS 37.14.036) or administration receipts (AS 37.14.036) that exceed the
5 amounts appropriated by this Act are appropriated conditioned upon compliance with the
6 program review provisions of AS 37.07.080(h).

7 (b) If Alaska Mental Health Trust Authority authorized receipts (AS 37.14.036) or
8 administration receipts (AS 37.14.036) fall short of the estimates appropriated in this Act, the
9 affected appropriation is reduced by the amount of shortfall in receipts.

10 * **Sec. 7.** Except as otherwise provided in this Act, this Act takes effect July 1, 2000.

Mental Health Capital Projects, HB 313

Mental Health Capital Projects (Gov's Request and Hse Request are the same.)					Governor's Request		
		Total Funding (Gov's request)	% GF	Req Match	GF/MH	AHFC Div	Other funds: MHTAAR
		7,502,700	2%		150,000	2,399,500	4,953,200
Admin	Senior Services Data Integration Project	308,200	0%	0%			308,200
DOC	Telepsychiatry Video Communication System Equipment	150,000	0%	0%			150,000
H&SS	Alaska Psychiatric Institute 2000: Replacement of Existing Facility	1,000,000	0%	0%			1,000,000
H&SS	Alaska Psychiatric Institute Stop-Gap Repairs	379,500	0%	0%		154,500	225,000
H&SS	Coordination and Resource Sharing Among Mental Health Services Providers	100,000	0%	0%			100,000
H&SS	Fairbanks - Reopen Fahrenkamp Residential Facility	495,000	0%	0%		395,000	100,000
H&SS	Fairbanks Community Mental Health Center Relocation	150,000	0%	0%			150,000
H&SS	Housing Modifications for Mental Health Trust Beneficiaries	250,000	0%	0%		100,000	150,000
H&SS	Mental Health Grants - Essential Program Equipment	300,000	17%	0%	50,000		250,000
H&SS	Mental Health Grants - Facilities Renovation and Deferred Maintenance	650,000	15%	0%	100,000		550,000
H&SS	Spirit Camp Facility Development	100,000	0%	0%			100,000
H&SS	Transitional Housing for Recovering Substance Abusers	300,000	0%	0%			300,000
Nat Res	Mental Health Trust Land Development and Value Enhancement	870,000	0%	0%			870,000
REV	AHFC Beneficiary and Special Needs Housing	1,500,000	0%	0%		1,500,000	
REV	AHFC Homeless Assistance Program	450,000	0%	0%		250,000	200,000
DOT/PF	Coordinated Transportation and Vehicles	500,000	0%	0%			500,000

Subject: MH capital projects

Date: Fri, 31 Mar 2000 17:56:47 -0900

From: Llewellyn Lutchansky <Llewellyn_Lutchansky@legis.state.ak.us>

Organization: Alaska State Legislature

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Jerry Burnett <Jerry_Burnett@legis.state.ak.us>

the co-chairs have decided to hear the mental health capital projects on Monday and hear amendments to the cap request on Tuesday and be ready to pass the MH bill (HB 313) out of Sen Fin on Tuesday.

Jeff Jessee has been notified & I will keep trying to confirm with him this weekend that he will be needed to review the projects with us.

LL

HB

317

HFIN

FILE

(11)

HOUSE COMMITTEE REPORT

Date Referred to Committee: March 15, 2000

FURTHER REFERRALS:

Date of Committee Action: 4-6-00

The FINANCE Committee considered:

HB 317

HOUSE BILL NO. 317

STATE EMPLOYEE HIRE AND PROMOTION

"An Act relating to recruitment, selection, appointment, and promotion of state employees and the duties of the Department of Administration concerning those and other related functions; and providing for an effective date."

recommends it be replaced with the following committee substitute CS HB 317 (STA) [] the same title [x] 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) [x] zero fiscal note(s) DDA

Table with columns: SIGNING WITH RECOMMENDATIONS, DP, DNP, NR, AM. Rows include signatures and names: Therriault, Phillips, Austerman, Williams, J. Davis, g. Davis, Foster.

CHAIR'S SIGNATURE [Signature]

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. CSHB 317 (STA)

Revision Date: <u>3/13/00</u>	Dept. Affected <u>All Departments</u>
Title <u>Related to selection, appointment, and</u>	BRU <u>Personnel</u>
<u>promotion of state employees</u>	Component <u>Personnel</u>
Sponsor <u>Rules</u>	
Requester <u>(H) FIN</u>	Component No. <u>2265</u>

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
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	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	------------	------------	------------	------------	------------	------------

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 (FY2000) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

The statute changes reflect current practices required by Workplace Alaska. Because the new system is not based on examination and creation of eligible lists, references to eligible lists, examinations, etc. have been amended where appropriate. Veteran's preferences which have been available as points on eligible lists are changed to required consideration for 5% veterans and required interviews for 10% veterans. Because these changes reflect current practices, there is no fiscal impact.

Prepared by: <u>Sharon Barton</u>	Phone <u>465-4429</u>
Division <u>Personnel</u>	Date/Time _____
Approved by Commissioner -- <u>Robert Poe, Jr.</u> <i>Alison M. Elyse</i>	Date <u>3/14/00</u>
Agency <u>Administration</u>	

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FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. CSHB 317 (STA)

Revision Date: <u>3/13/00</u>	Dept. Affected <u>All Departments</u>
Title <u>Related to selection, appointment, and</u>	BRU <u>Personnel</u>
<u>promotion of state employees</u>	Component <u>Personnel</u>
Sponsor <u>Rules</u>	
Requester <u>(H) FIN</u>	Component No. <u>2265</u>

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
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	0.0	0.0	0.0	0.0	0.0	0.0
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 (FY2000) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

The statute changes reflect current practices required by Workplace Alaska. Because the new system is not based on examination and creation of eligible lists, references to eligible lists, examinations, etc. have been amended where appropriate. Veteran's preferences which have been available as points on eligible lists are changed to required consideration for 5% veterans and required interviews for 10% veterans. Because these changes reflect current practices, there is no fiscal impact.

Prepared by: <u>Sharon Barton</u>	Phone <u>465-4429</u>
Division <u>Personnel</u>	Date/Time _____
Approved by Commissioner - <u>Robert Poe, Jr.</u> <i>Alison M. Glaze</i>	Date <u>3/14/00</u>
Agency <u>Administration</u>	

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Chart of Statutory Revisions to Implement Workplace Alaska – 3/15/00
 (This summary is based upon the CS for HB317 adopted by MLV)

Section, page, line	Current Statute	Proposed Revision	Reason or Necessity
Section 1 Page 1 Line 8	AS 39.25.080(a) State personnel records, including employment applications and examination materials, are confidential and are not open to public inspection except as provided in this section.	Add the words “and other assessment” between “examination” and materials;”	There is an assessment with WPA, not an examination; reference is corrected for practice.
Section 2 Page 1 Line 12	AS 39.25.120(b) A person holding a position in the partially exempt service is not required to take an examination or qualify or earn a place on a register, and is not eligible for a hearing by the personnel board in case of dismissal, demotion, or suspension. ...	A person holding a position in the partially exempt service is not required to complete an assessment, and is not eligible for a hearing by the personnel board in case of dismissal, demotion, or suspension....	Delete reference to register system; no longer is use.
Section 3 Page 2 Line 12	AS 39.25.130(a)(3) Involves responsibilities and duties of a type not susceptible to the ordinary recruiting and examining procedures.	Change word “examining to “assessment;”	Reflects current practice.
Section 4 Page 3 Lines 4-6	AS 39.25.150(3) the use of employee selection methods, including open competitive	the use of employee selection methods, including open	Delete reference to examination;

	examinations, when appropriate, that will fairly test the capacity and fitness of the person examined to discharge the duties of the class in which employment is sought;	competitive assessment devices , when appropriate, that will fairly evaluate the capacity and fitness of the person assessed to discharge the duties of the position in which employment is sought;	Reflects vacancy-based position orientation of WPA instead of class based register system.
Section 4 Page 3 Lines 7-8	AS 39.25.150(4) the establishment and maintenance of eligible lists for appointment and promotion providing the names of eligible candidates in order of their relative performance in the examinations;	the formulation of a list for appointment or promotion to a position;	Reference to the development of a vacancy-based list of applicants rather than the maintenance of an eligible list or register; requires the adoption of WPA-oriented regulations.
Section 4 Page 3 Line 11	AS 39.25.150(5) the procedure for certifying eligible candidates; the rule adopted under this paragraph may include procedures providing a preference for certifying local residents when appropriate;	the procedure for filling positions; the rule adopted under this paragraph may include procedures providing a preference for local residents when appropriate;	References the requirement for regulation governing the use of WPA for filling vacancies rather than for certifying eligible candidates, and for providing for local resident preferences, when appropriate; removes the reference to "certifying."
Section 4 Page 3 Line 17	AS 39.25.150(6) promotions from within the state service when there are qualified candidates in the state service; vacancies shall be filled by promotion	Change word "examination" to word "assessment;"	Reference to current practice; assessment rather than examination.

	whenever practicable and in the best interest of the state service and promotion shall be by competitive examination whenever possible; in considering promotions, the applicants' qualifications, performance records, seniority, and conduct shall be evaluated;		
Section 4 Page 3 Lines 28-30	AS 39.25.150(9) provisional appointment without competitive examination when appropriate eligible lists are not available;	Provisional appointment without competitive assessment when the recruitment and assessment procedures have not identified qualified candidates in sufficient number;	Corrects reference from examination to assessment, and provides for continuing use of alternative appointment methods when recruitment fails to provide a sufficient pool of candidates.
Section 4 Page 4 Line 18	AS 39.25.150(19) Granting of employment preference rights to...prisoner of war	Adds "former" before "prisoner of war."	
Section 4 Page 4 Line 23-end	AS 39.25.150(21) The granting of employment preference to severely handicapped persons; this includes the right to provisional appointment without competitive examination for period up to four months and the granting of eligibility to a severely handicapped person provisionally appointed under the rules who demonstrates ability to perform the job for	Change the word "examination" to "assessment in the two places this term appears; insert the word "of" between "periods" and "up;" change the phrase "severely handicapped person" to "individual with a severe disability" throughout this subsection.	References assessment rather than examination in language; provides for the use of "individual with disability" rather than "handicapped person" in keeping with social consciousness.

	<p>permanent appointment without competitive examination; provisional employment under this paragraph may not exceed four months during a 12-month period; "severely handicapped" as used in this paragraph means persons certified by the director of the division of vocational rehabilitation to be severely handicapped;</p>		
<p>→→ not repealed</p>	<p>AS 39.25.155(c) Applicants shall be placed on eligible lists for the vocational classification indicated in the applications submitted to the Division of Personnel in the order of their relative ranking based on an assessment of their vocational technical ability, and place of residence, and without written examination. Aptitude or occupational tests may be given if a position requires a specific ability.</p>		<p>There are amendments proposed for this section that focus on moving the concept "examination" to "assessment."</p>

	<p>AS 39.25.155(e) The director of personnel shall embody a concept combined of <u>technical</u> ability, place of residence local hire and area unemployment in the personnel rules to accomplish the intent of this section.</p>	<p>Substitute "vocational" for "technical."</p>	<p>Changes language to reflect the use of vocational ability rather than attempting to determine the meaning of "technical."</p>
--	--	---	--

<p>Section 5 Page 5 Line 14- end</p>	<p>AS 39.25.159(a) Veteran's Preference</p> <p>A veteran or prisoner of war who possesses the necessary qualification for a job classification applied for under this chapter is entitled to a preference under this subsection. In an examination to determine the qualification of applicants for the classified service under merit system examination, five points shall be added to the passing grade of a veteran, 10 points shall be added to the passing grade of a disabled veteran, or 10 points shall be added to the passing grade of a prisoner of war. A person may receive preference points under only one of the categories described in this subsection of in (c) of this section. A person may use the preference without limitation when being considered for a position for which persons who are not currently state employees are being considered. If consideration of applicants is limited to state employees, preference points under this subsection may not be counted. If a position in the classified service is eliminated, employees shall be released in accordance with rules that give due effect to all factors. If all</p>	<p>A veteran or former prisoner of war who possesses the necessary qualifications for a position or job classification applied for under this chapter is entitled to a preference under this subsection. In an assessment using numerical ratings, points equal to five percent of the points available from the assessment device or devices shall be added to the passing score of a veteran, and 10 percent of the points available from the assessment device or devices shall be added to the passing score of a disabled veteran or former POW. In an assessment not using numerical ratings, consideration shall be afforded to a veteran; additionally, an opportunity to interview for the position shall be afforded to a disabled veteran or a former POW. A person may receive preference under only one of the categories described in this subsection or in (c) of this section. ...If the scope of recruitment for a position is limited to state employees, preference under this subsection may</p>	<p>The reference to "former" prisoner of war is more realistic.</p> <p>New language continues changing references from "examination" to "assessment;"</p> <p>Changes requirement to meet practice of considering all veterans for advertised vacancies, and adds a requirement to interview a disabled veteran or former POW;</p> <p>Continues changing references to recruitments;</p> <p>Maintains current layoff practices.</p>
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	<p>job qualifications are equal, a veteran or prisoner of war shall be given preference over a person who was not a veteran or prisoner of war, and the veteran or prisoner of war shall be kept on the job. This subsection may not be interpreted to amend the terms of a collective bargaining agreement.</p>	<p>not be counted. If a position in the classified service is eliminated, employees shall be released in accordance with rules adopted under AS 39.25.150(13). In the case of a comparison of employees with equal qualifications on the factors adopted under AS 39.25.150(13), a veteran or former POW shall be given preference over a person who was not a veteran or former POW, and the veteran or former POW shall be kept on the job.</p>	<p>If collective bargaining agreements allow it, veterans or former POWs should be given "super seniority," and layed off after non-veterans.</p>
<p>Section 6 Page 6 Line 14-31</p>	<p>AS 39.25.159(c) Similar to veterans and POW preference in AS 39.25.159(a), except applies to a member of the national guard.</p>	<p>Similar revisions to those set out above re: AS 39.25.159(a).</p>	<p>Applies the protections granted in the previous section to members and former members of the National Guard.</p>
<p>Section 7 Page 7 Line 7</p>	<p>AS 39.25.159(d)</p>	<p>Add a new paragraph (4) to read: "consideration" means reviewing a person's entire application in order to determine whether the person should be selected, rejected, or admitted to further steps in the assessment or selection process.</p>	<p>New paragraph that defines the word "consideration" in the context of WPA.</p>

<p>Section 8 Page 7 Line 11</p>	<p>AS 39.25.160(h) A person may not knowingly make a false statement, certificate, mark, rating or report with regard to a test, certification, or appointment made under this chapter or in any manner commit a fraud preventing the impartial execution of this chapter and the personnel rules adopted under this chapter.</p>	<p>A person may not knowingly make a false statement, mark, rating or report with regard to an assessment . . . (remainder unchanged).</p>	<p>Replaces "test" with "assessment";</p>
<p>Section 9 Page 7 Line 16</p>	<p>AS 39.25.160(i) A person may not obstruct the right of another person to examination, eligibility, certification, appointment, or promotion under this chapter.</p>	<p>A person may not obstruct the right of another person to assessment...</p>	<p>Replaces "examination" with "assessment."</p>
<p>Section 10 Page 7 Line 21</p>	<p>AS 39.25.195(b) An appointment to state service, except an emergency appointment, shall be made from an applicable eligible list or dispatching register unless in appropriate circumstances the director has waived this requirement.</p>	<p>An appointment to state service, except an emergency appointment, shall be made from the list of applicants qualified for the position unless in appropriate circumstances the director has waived this requirement.</p>	<p>Dispenses with use of "eligible list" and substitutes "list of applicants qualified..."</p>
<p>Section 11 Page 7 Line 31 to Page 8 Line 3</p>	<p>As 39.25.195(c)(2)-(4) The hiring department or agency has certified that there is an immediate need to fill an authorized permanent position and it is</p>	<p>Change "make certification" to "conduct recruitment;"</p>	<p>References the process for filling a vacancy by nonpermanent appointment; changes</p>

	impractical either to establish the position or to make certification.		reference from "certification" to "recruitment"
Section 12 Page 8 Line 17	<p>AS 39.25.196(a)</p> <p>Notwithstanding the provisions of AS 39.25.195, a hiring department or agency may grant a preference to local residents in the appointment of nonpermanent employees or in the appointment of permanent employees to perform seasonal work assignments of 180 calendar days or less in a 12-month period. If there are no local residents on the applicable eligible list for a nonpermanent or a permanent seasonal position or if the local residents on the applicable eligible list are unavailable, the hiring department or agency may obtain referrals of qualified job applicants for these positions from the job service office of the Department of Labor and Workforce Development serving the area and from those applicants select a qualified person who is a local resident for the position.</p>	<p>Notwithstanding the provisions of AS 39.25.195, a hiring department or agency may grant a preference to local residents in the appointment of nonpermanent employees or in the appointment of permanent employees to perform seasonal work assignments of 180 calendar days or less in a 12-month period. If there are no local residents on the applicable list of applicants qualified for a nonpermanent or a permanent seasonal position or if the local residents on the applicable list of applicants qualified for the position are unavailable, the hiring department or agency may obtain referrals of qualified job applicants for these positions from the job service office of the Department of Labor and Workforce Development serving the area and from those applicants select a qualified person who is a local resident for the</p>	<p>Continues replacement of "eligible list" by "list of applicants qualified for..."</p>

		position.	
Section 13 Page 9 Line 9	AS 44.21.020(8) administer a statewide personnel program, including central personnel services such as recruitment, examination, position classification, and pay administration;	Administer a statewide personnel program, including central personnel services such as recruitment, assessment, position classification, and pay administration;	Replaces "examination" with "assessment."
Section 14 Page 9 Line 20	AS 39.25.153(b) Repealed.		Unnecessary. Repeals specific delegations of authority to named agencies; no longer necessary since broader authorities are already delegated. Also, contains a reference to "examination."
	AS 39.25.153(c) Repealed.		Unnecessary. Broader authorities to classify positions are already delegated to agencies.
	AS 39.25.153(d) Repealed.		Unnecessary. Broader authorities to act with respect to position classification are already delegated to agencies.
Section 15 Page 9 Line 21			This section prevents the Personnel Board from adopting regulations relative to the use of WorkPlace Alaska until these

			statutory changes are made.
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Thank you, Madam Chair, for the opportunity to provide this testimony. If you have questions, please do not hesitate to contact me.

I-GH2050\G

3/7/00

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE JAMES

TO: CSHB 317(MLV)

1 Page 5, following line 12:

2 Insert new bill sections to read:

3 **"* Sec. 5. AS 39.25.155(c) is amended to read:**

4 (c) Applicants shall be placed on [ELIGIBLE] lists for the vocational
5 classification indicated in their applications [SUBMITTED TO THE DIVISION OF
6 PERSONNEL IN THE ORDER OF THEIR RELATIVE RANKING] based on an
7 assessment of their vocational [TECHNICAL] ability, and place of residence [AND
8 WITHOUT WRITTEN EXAMINATION. APTITUDE OR OCCUPATIONAL TESTS
9 MAY BE GIVEN IF A POSITION REQUIRES A SPECIFIC ABILITY].

10 *** Sec. 6. AS 39.25.155(e) is amended to read:**

11 (d) The director of personnel shall embody a concept combined of vocational
12 [TECHNICAL] ability, place of residence, local hire and area unemployment in the
13 personnel rules to accomplish the intent of this section."

14 Renumber the following bill sections accordingly.

*passed
accepted -
3/9/00*

TONY KNOWLES
GOVERNOR
2000-2008

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

RECEIVED
JAN 21 2000
OFFICE OF THE GOVERNOR
JUNEAU

January 21, 2000

The Honorable Brian Porter
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

HB 317

Dear Speaker Porter:

Workplace Alaska, the state's new, highly successful system for hiring, has won national awards for outstanding innovation. It is time to put this pilot program into state law.

This bill I transmit today amends various sections of the State Personnel Act to integrate Workplace Alaska as an on-line recruitment, application, and hiring process for positions in the classified service.

Workplace Alaska replaces the time-consuming old system of eligibility lists and examinations, which could cause a single hire to take as much as several months to complete. Under this new program, an applicant maintains a single resume on-line that can be used for any vacancy advertised.

The new hiring process follows these steps:

- Hiring manager completes an on-line vacancy announcement;
- Agency reviews and approves the job announcement;
- Division of Personnel posts the announcement on the Internet;
- Job seekers complete a one-time applicant profile (resume);
- Job seekers access job postings over the Internet and view individual vacancies;
- Job seekers file a job qualification summary form for each vacancy of interest, attaching the applicant profile;
- Hiring manager reviews all submitted job qualification summaries and profiles, conducts interviews, reference checks, and selects an individual for the position;
- Agency approves the appointment.

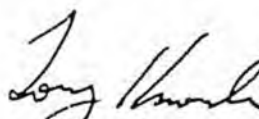
The Honorable Brian Porter
January 21, 2000
Page 2

Workplace Alaska is an advantage to hiring managers as well as to applicants. It results in faster hires, a better-qualified pool of candidates who are interested in specific vacancies, and up-to-date applicant and vacancy information.

The bill establishes a system to continue honoring preference for veterans, prisoners of war and members of the Alaska National Guard. It also provides authority for the personnel board to adopt necessary implementing regulation changes.

Workplace Alaska has proven to be a vast improvement in the state's hiring process. I urge your prompt and favorable action on this measure.

Sincerely,



Tony Knowles
Governor

HB

317

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 4/14/00

REPORTED OUT OF
SFC 4/19/00

FURTHER:

DATE TURNED
IN TO OFFICE: 19 April 00

Finance Committee considered CS FOR HOUSE BILL NO. 317(STA)

"An Act relating to recruitment, selection, appointment, promotion, and nonretention of state employees and to the duties of the Department of Administration concerning those and other related functions; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- 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>[Signature]</i>	✓	<i>[Signature]</i>	✓		
<i>Loren S. Simon</i>		<i>[Signature]</i>	✓		
<i>Gary Hill</i>	✓	<i>[Signature]</i>	X		
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>[Signature]</i>		Co-Chair:			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Admin	12/28/99	✓	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education & Early Development
State of Alaska

SENATE FINANCE COMMITTEE REPORT

DATE: 4/14/00

REPORTED OUT OF
SFC 4/19/00

FURTHER:

DATE TURNED
IN TO OFFICE: 19 April 00

Finance Committee considered CS FOR HOUSE BILL NO. 317(STA)

"An Act relating to recruitment, selection, appointment, promotion, and nonretention of state employees and to the duties of the Department of Administration concerning those and other related functions; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- 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>[Signature]</i>	✓	<i>[Signature]</i>	✓		
<i>Loren S. Simon</i>		<i>[Signature]</i>	✓		
<i>[Signature]</i>	✓	<i>[Signature]</i>	X		
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>[Signature]</i>		Co-Chair:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
<i>Admin</i>	<i>12/28/99</i>	✓	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

SENATE FINANCE COMMITTEE REPORT

DATE: 4/14/00

REPORTED OUT OF
SFC 4/19/00

FURTHER:

DATE TURNED
IN TO OFFICE: 19 April 00

Finance Committee considered

CS FOR HOUSE BILL NO. 317(STA)

"An Act relating to recruitment, selection, appointment, promotion, and nonretention of state employees and to the duties of the Department of Administration concerning those and other related functions; and providing for an effective date."

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- same title
 - new title
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- same title
 - technical title
 - new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	✓	<i>[Signature]</i>	✓		
<i>Loren D. Simon</i>		<i>[Signature]</i>	✓		
<i>[Signature]</i>	✓	<i>[Signature]</i>	X		
Co-Chair: <i>[Signature]</i>	✓	Co-Chair:			
Co-Chair: <i>[Signature]</i>		Co-Chair:			

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

<i>Admin</i>	<i>12/28/99</i>	✓	

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

No: 1

STATE OF ALASKA
2000 LEGISLATIVE SESSION

REPORTED OUT OF
SFC 418100

Bill Version: HB 317
(H) Publish Date: 1/24/00

Revision Date/Time (Note if Correction): 12/28/99 11:00 a.m.
Title: "An Act relating to selection, appointment, and promotion of state employees...."
Sponsor: Rules Committee
Requestor: Governor

Department Affected: All Departments
BRU: Personnel
Component: Personnel
COMPONENT SERIAL NO. 2265

Expenditures/Revenues: (Thousands of Dollars)
Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2001	FY 2002	FY2003	FY 2004	FY 2005	FY 2006
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	0.0	0.0	0.0	0.0	0.0	0.0
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 (FY 2000) cost: \$ _____

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary.)

The statute changes reflect current practices required by Workplace Alaska. Because the new system is not based on examination and creation of eligible lists, references to eligible lists, examinations, etc., have been amended where appropriate. Veteran's preferences which have been available as points on eligible lists are changed to required consideration for 5% veterans and required interviews for 10% veterans. Because these changes reflect current practices, there is no fiscal impact.

Prepared by: Sharon Barton, Director
Division: Personnel

Phone: 465-4429
Date: _____

Approved by Commissioner: Robert Poe Jr.
Agency: Department of Administration

Phone: 465-2200
Date: 12/28/99

PREPARED TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE
COMMITTEE COPY For further distribution information, call the Governor's Legislative Office

Wilken COMMITTEE
2000 COMMITTEE ACTION

Bill Number	HB 317		
Amendment			
Motion	report from Cmte		
<u>Motion by</u>	A		
<u>Objection by</u>	D		
Removed			
<u>Second Objection by</u>			
<u>Committee Member</u>	Y	Vote	N
Senator Gary Wilken	✓		
Senator Pete Kelly	✓		
Senator Lyda Green	✓		
Senator Randy Phillips	✓		
Senator Dave Donley			✓
Senator Loren Leman	✓		
Senator Al Adams	✓		
Co-Chair Sean Parnell	—		
Co-Chair John Torgerson	✓		
<u>Tally</u>			
Yea	7		
Nay	1		
Absent			
<u>MOTION</u>	Pass		

TONY KNOWLES
GOVERNOR
2014 OFFICE OF THE GOVERNOR

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

7-10 017
BUREAU OF PERSONNEL
JAN 21 2000

January 21, 2000

The Honorable Brian Porter
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Dear Speaker Porter:

Workplace Alaska, the state's new, highly successful system for hiring, has won national awards for outstanding innovation. It is time to put this pilot program into state law.

This bill I transmit today amends various sections of the State Personnel Act to integrate Workplace Alaska as an on-line recruitment, application, and hiring process for positions in the classified service.

Workplace Alaska replaces the time-consuming old system of eligibility lists and examinations, which could cause a single hire to take as much as several months to complete. Under this new program, an applicant maintains a single resume on-line that can be used for any vacancy advertised.

The new hiring process follows these steps:

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- Job seekers complete a one-time applicant profile (resume);
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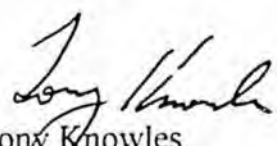
The Honorable Brian Porter
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Page 2

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Workplace Alaska has proven to be a vast improvement in the state's hiring process. I urge your prompt and favorable action on this measure.

Sincerely,



Tony Knowles
Governor

SENATE FINANCE COMMITTEE

SIGN - IN

HB 317-STATE EMPLOYEE HIRE AND PROMOTION

NAME: DAVE STEWART Subject/Bill No: HB 317
Co./Dept./Title: DEPT. OF ADMINISTRATION Phone: 4431
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

Recruitment and selection of employees is one of the basic purposes of a personnel function. To do so quickly and effectively is ideal.

WorkPlace Alaska provides needed changes in accessibility and speed to recruitment efforts. Developed in response to requests for speedier review of their applications and to speedier lists of applicants, job seekers and hiring managers have both responded positively to WorkPlace Alaska.

WorkPlace Alaska is available 24 hours per day, seven days per week, 52 weeks per year, except for an hour or two per week for scheduled maintenance. What took months to complete can now be accomplished in minutes.

Testing on the WorkPlace Alaska system began in March 1997 as a two-department pilot project. In November 1998 it was expanded for use by all state agencies. As the pilots and expanded use provided more feedback and refinements were made, WorkPlace Alaska has replaced the paper-intensive register system completely.

The legislation before you is intended to refresh the language of the law to reflect the use of WorkPlace Alaska instead of the paper-based register system.

Mr. Chair, I have prepared a sectional analysis of this legislation for your analysis. I would be please to walk the committee through that analysis, or I can provide a synopsis of the changes, or I can answer general or specific question you might have.

Chart of Statutory Revisions to Implement Workplace Alaska – 3/15/00
 (This summary is based upon the CS for HB317 adopted by MLV)

Section, page, line	Current Statute	Proposed Revision	Reason or Necessity
Section 1 Page 1 Line 8	<p>AS 39.25.080(a) State personnel records, including employment applications and examination materials, are confidential and are not open to public inspection except as provided in this section.</p>	<p>Add the words “and other assessment” between “examination” and materials;”</p>	<p>There is an assessment with WPA, not an examination; reference is corrected for practice.</p>
Section 2 Page 1 Line 12	<p>AS 39.25.120(b) A person holding a position in the partially exempt service is not required to take an examination or qualify or earn a place on a register, and is not eligible for a hearing by the personnel board in case of dismissal, demotion, or suspension. ...</p>	<p>A person holding a position in the partially exempt service is not required to <u>complete an assessment</u>, and is not eligible for a hearing by the personnel board in case of dismissal, demotion, or suspension....</p>	<p>Delete reference to register system; no longer is use. Partially Exempt staff can be appointed without competitive process.</p>
Section 3 Page 2 Line 12	<p>AS 39.25.130(a)(3) Involves responsibilities and duties of a type not susceptible to the ordinary recruiting and examining procedures.</p>	<p>Change word “examining to “assessment;”</p>	<p>Reflects current practice.</p>
Section 4 Page 3 Lines 4-6	<p>AS 39.25.150(3) the use of employee selection methods, including open competitive</p>	<p>the use of employee selection methods, including open</p>	<p>Delete reference to examination;</p>

	examinations, when appropriate, that will fairly test the capacity and fitness of the person examined to discharge the duties of the class in which employment is sought;	competitive assessment devices , when appropriate, that will fairly evaluate the capacity and fitness of the person assessed to discharge the duties of the position in which employment is sought;	Reflects vacancy-based position orientation of WPA instead of class based register system.
Section 4 Page 3 Lines 7-8	AS 39.25.150(4) the establishment and maintenance of eligible lists for appointment and promotion providing the names of eligible candidates in order of their relative performance in the examinations;	the formulation of a list for appointment or promotion to a position;	Reference to the development of a vacancy-based list of applicants rather than the maintenance of an eligible list or register; requires the adoption of WPA-oriented regulations.
Section 4 Page 3 Line 11	AS 39.25.150(5) the procedure for certifying eligible candidates; the rule adopted under this paragraph may include procedures providing a preference for certifying local residents when appropriate;	the procedure for filling positions; the rule adopted under this paragraph may include procedures providing a preference for local residents when appropriate;	References the requirement for regulation governing the use of WPA for filling vacancies rather than for certifying eligible candidates, and for providing for local resident preferences, when appropriate; removes the reference to "certifying."
Section 4 Page 3 Line 17	AS 39.25.150(6) promotions from within the state service when there are qualified candidates in the state service; vacancies shall be filled by promotion	Change word "examination" to word "assessment;"	Reference to current practice; assessment rather than examination.

	whenever practicable and in the best interest of the state service and promotion shall be by competitive examination whenever possible; in considering promotions, the applicants' qualifications, performance records, seniority, and conduct shall be evaluated;		
Section 4 Page 3 Lines 28-30	AS 39.25.150(9) provisional appointment without competitive examination when appropriate eligible lists are not available;	Provisional appointment without competitive assessment when the recruitment and assessment procedures have not identified qualified candidates in sufficient number;	Corrects reference from examination to assessment, and provides for continuing use of alternative appointment methods when recruitment fails to provide a sufficient pool of candidates.
Section 4 Page 4 Line 18	AS 39.25.150(19) Granting of employment preference rights to...prisoner of war	Adds "former" before "prisoner of war."	
Section 4 Page 4 Line 23-end	AS 39.25.150(21) The granting of employment preference to severely handicapped persons; this includes the right to provisional appointment without competitive examination for period up to four months and the granting of eligibility to a severely handicapped person provisionally appointed under the rules who demonstrates ability to perform the job for	Change the word "examination" to "assessment in the two places this term appears; insert the word "of" between "periods" and "up;" change the phrase "severely handicapped person" to "individual with a severe disability" throughout this subsection.	References assessment rather than examination in language; provides for the use of "individual with disability" rather than "handicapped person" in keeping with social consciousness.

	<p>permanent appointment without competitive examination; provisional employment under this paragraph may not exceed four months during a 12-month period; "severely handicapped" as used in this paragraph means persons certified by the director of the division of vocational rehabilitation to be severely handicapped;</p>		
<p>Section 5 Page 5 Line 17</p>	<p>AS 39.25.155(c) Applicants shall be placed on eligible lists for the vocational classification indicated in the applications submitted to the Division of Personnel in the order of their relative ranking based on an assessment of their vocational technical ability, and place of residence, and without written examination. Aptitude or occupational tests may be given if a position requires a specific ability.</p>		<p>There are amendments proposed for this section that focus on moving the concept "examination" to "assessment."</p>

<p>Section 6 Page 5 Line 21</p>	<p>AS 39.25.155(e) The director of personnel shall embody a concept combined of <u>technical</u> ability, place of residence local hire and area unemployment in the personnel rules to accomplish the intent of this section.</p>	<p>Substitute "vocational" for "technical."</p>	<p>Changes language to reflect the use of vocational ability rather than attempting to determine the meaning of "technical."</p>
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<p>Section 7 Page 5 Line 25 – end of section</p>	<p>AS 39.25.159(a) Veteran's Preference</p>	<p>A veteran or former prisoner of war who possesses the necessary qualifications for a position or job classification applied for under this chapter is entitled to a preference under this subsection. In an examination to determine the qualification of applicants for the classified service under merit system examination, five points shall be added to the passing grade of a veteran, 10 points shall be added to the passing grade of a disabled veteran, or 10 points shall be added to the passing grade of a prisoner of war. A person may receive preference points under only one of the categories described in this subsection of in (c) of this section. A person may use the preference without limitation when being considered for a position for which persons who are not currently state employees are being considered. If consideration of applicants is limited to state employees, preference points under this subsection may not be counted. If a position in the classified service is eliminated, employees shall be released in accordance with rules that give due effect to all factors. If all</p>	<p>The reference to "former" prisoner of war is more realistic.</p> <p>New language continues changing references from "examination" to "assessment;"</p> <p>Changes requirement to meet practice of considering all veterans for advertised vacancies, and adds a requirement to interview a disabled veteran or former POW;</p> <p>Continues changing references to recruitments;</p> <p>Maintains current layoff practices.</p>
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	<p>job qualifications are equal, a veteran or prisoner of war shall be given preference over a person who was not a veteran or prisoner of war, and the veteran or prisoner of war shall be kept on the job. This subsection may not be interpreted to amend the terms of a collective bargaining agreement.</p>	<p>not be counted. If a position in the classified service is eliminated, employees shall be released in accordance with rules adopted under AS 39.25.150(13). In the case of a comparison of employees with equal qualifications on the factors adopted under AS 39.25.150(13), a veteran or former POW shall be given preference over a person who was not a veteran or former POW, and the veteran or former POW shall be kept on the job.</p>	<p>If collective bargaining agreements allow it, veterans or former POWs should be given "super seniority," and layed off after non-veterans.</p>
<p>Section 8 Page 6 Line 24 – end of section</p>	<p>AS 39.25.159(c) Similar to veterans and POW preference in AS 39.25.159(a), except applies to a member of the national guard.</p>	<p>Similar revisions to those set out above re: AS 39.25.159(a).</p>	<p>Applies the protections granted in the previous section to members and former members of the National Guard.</p>
<p>Section 9 Page 7 Line 17</p>	<p>AS 39.25.159(d)</p>	<p>Add a new paragraph (4) to read: "consideration" means reviewing a person's entire application in order to determine whether the person should be selected, rejected, or admitted to further steps in the assessment or selection process.</p>	<p>New paragraph that defines the word "consideration" in the context of WPA.</p>

<p>Section 10 Page 7 Line 23</p>	<p>AS 39.25.160(h) A person may not knowingly make a false statement, certificate, mark, rating or report with regard to a test, certification, or appointment made under this chapter or in any manner commit a fraud preventing the impartial execution of this chapter and the personnel rules adopted under this chapter.</p>	<p>A person may not knowingly make a false statement, mark, rating or report with regard to an assessment . . . (remainder unchanged).</p>	<p>Replaces "test" with "assessment";</p>
<p>Section 11 Page 7 Line 27</p>	<p>AS 39.25.160(i) A person may not obstruct the right of another person to examination, eligibility, certification, appointment, or promotion under this chapter.</p>	<p>A person may not obstruct the right of another person to assessment...</p>	<p>Replaces "examination" with "assessment."</p>
<p>Section 12 Page 8 Line 1</p>	<p>AS 39.25.195(b) An appointment to state service, except an emergency appointment, shall be made from an applicable eligible list or dispatching register unless in appropriate circumstances the director has waived this requirement.</p>	<p>An appointment to state service, except an emergency appointment, shall be made from the list of applicants qualified for the position unless in appropriate circumstances the director has waived this requirement.</p>	<p>Dispenses with use of "eligible list" and substitutes "list of applicants qualified..."</p>
<p>Section 13 Page 8 Line 13 to end of section</p>	<p>As 39.25.195(c)(2)-(4) The hiring department or agency has certified that there is an immediate need to fill an authorized permanent position and it is</p>	<p>Change "make certification" to "conduct recruitment;"</p>	<p>References the process for filling a vacancy by nonpermanent appointment; changes</p>

	impractical either to establish the position or to make certification.		reference from "certification" to "recruitment"
Section 14 Page 8 Line 28 & 30	<p>AS 39.25.196(a)</p> <p>Notwithstanding the provisions of AS 39.25.195, a hiring department or agency may grant a preference to local residents in the appointment of nonpermanent employees or in the appointment of permanent employees to perform seasonal work assignments of 180 calendar days or less in a 12-month period. If there are no local residents on the applicable eligible list for a nonpermanent or a permanent seasonal position or if the local residents on the applicable eligible list are unavailable, the hiring department or agency may obtain referrals of qualified job applicants for these positions from the job service office of the Department of Labor and Workforce Development serving the area and from those applicants select a qualified person who is a local resident for the position.</p>	<p>Notwithstanding the provisions of AS 39.25.195, a hiring department or agency may grant a preference to local residents in the appointment of nonpermanent employees or in the appointment of permanent employees to perform seasonal work assignments of 180 calendar days or less in a 12-month period. If there are no local residents on the applicable list of applicants qualified for a nonpermanent or a permanent seasonal position or if the local residents on the applicable list of applicants qualified for the position are unavailable, the hiring department or agency may obtain referrals of qualified job applicants for these positions from the job service office of the Department of Labor and Workforce Development serving the area and from those applicants select a qualified person who is a local resident for the</p>	<p>Continues replacement of "eligible list" by "list of applicants qualified for..."</p>

		position.	
Section 15 Page 9 Line 20	AS 44.21.020(8) administer a statewide personnel program, including central personnel services such as recruitment, examination, position classification, and pay administration;	Administer a statewide personnel program, including central personnel services such as recruitment, assessment, position classification, and pay administration;	Replaces "examination" with "assessment."
Section 16 Page 9 Line 31	AS 39.25.153(b) Repealed.		Unnecessary. Repeals specific delegations of authority to named agencies; no longer necessary since broader authorities are already delegated. Also, contains a reference to "examinator."
	AS 39.25.153(c) Repealed.		Unnecessary. Broader authorities to classify positions are already delegated to agencies.
	AS 39.25.153(d) Repealed.		Unnecessary. Broader authorities to act with respect to position classification are already delegated to agencies.
Section 17 Page 10 Line 1			This section prevents the Personnel Board from adopting regulations relative to the use of WorkPlace Alaska until these

			statutory changes are made.
Section 18 Page 10 Line 7		Requests an immediate effective date.	

Thank you, Mr. Chair, for the opportunity to provide this testimony. If you have questions, please do not hesitate to contact me.

HB

318

HFIN

FILE

(11)

HOUSE COMMITTEE REPORT

FURTHER REFERRALS:

Date Referred to Committee: March 1, 2000

Date of Committee Action: 3/17/00

The FINANCE Committee considered:

HB 318

HOUSE BILL NO. 318

RETURN FOUND PROPERTY TO FINDER

"An Act relating to property disposal by law enforcement agencies."

recommends it be replaced
with the following committee substitute

CS HB 318 (Jud)

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) DPS

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<u>Gene Therriault</u> Therriault	<input checked="" type="checkbox"/>			
<u>Tom Bunde</u> Bunde	<input checked="" type="checkbox"/>			
<u>Alb. Auster</u> Austerman	<input checked="" type="checkbox"/>			
<u>(H. A. i.)</u> DAVIS	<input checked="" type="checkbox"/>			
<u>Ben Grussendorf</u> Grussendorf			<input checked="" type="checkbox"/>	
<u>Paul Moses</u> Moses			<input checked="" type="checkbox"/>	
<u>Herb Davis</u> DAVIS	<input checked="" type="checkbox"/>			
<u>Paul Phillips</u> Phillips	<input checked="" type="checkbox"/>			
<u>Paul Foster</u> Foster	<input checked="" type="checkbox"/>			

CHAIR'S SIGNATURE

Gene Therriault

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. CSHB 318(JUD)

Revision Date <u>3/17/2000</u>	Dept. Affected <u>Public Safety</u>
Title <u>An Act relating to property disposal by law enforcement agencies</u>	BRU <u>AST - Detachments</u>
Sponsor <u>Representative Bunde</u>	Component: <u>AST - Detachments</u>
Requester <u>H. Finance</u>	Component No. <u>2325</u>

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	-----	-----	-----	-----	-----	-----

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 (FY2000) cost: 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)

This bill would not impact our budget.

Prepared by: <u>Royce Weller, Special Assistant</u>	Phone <u>465-4322</u>
Division <u>Office of the Commissioner</u>	Date/Time <u>3/17/2000</u>
Approved by: <u><i>Ronald L. Otte</i></u>	Date <u>3/17/00</u>
Agency <u>Commissioner Ronald L. Otte, Dept. of Public Safety</u>	

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

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HB 318 – “Return Found Property to Finder”

HB 318:

- 1) **Is based on Common Law:**
 - a) Provides that a finder of lost property, and takes the responsibility to give it in to safekeeping, acquires title to the found property against all but the true owner.
- 2) **Clarifies current Alaska Statute 12.36, “Disposition of Recovered or Seized Property, which only covers**
 - a) property used as evidence of a crime,
 - b) property used in a children’s court proceeding, and
 - c) when the property is subject to state or federal forfeiture laws
- 3) **In all other instances, under AS 12.36.040, any unclaimed property that is a gun:**
 - a) must be sold to a federally licensed gun dealer
- 4) **HB 318 will:**
 - a) only affect property that is not evidence of a crime (AS 12.36)
 - b) only affect property that is legal to possess (lines 9 & 10 of bill)
 - c) provides clear guidance to law enforcement officials (Del Smith, Public Safety)
 - d) encourage people to turn property in to proper law enforcement officials (Del Smith, Public Safety)
 - e) only affect private individuals (line 5 of the bill)
- 5) **HB 318 will not affect:**
 - a) property found within municipalities or boroughs (lines 11 –14 of the bill)
 - b) prehistoric, archaeological, historical, Native, or similar property -- (these are owned by the state) (AS 41.35.200 -- the Historic Preservation Act)
 - c) property that is not legal to be possessed, or people who may not possess certain property (sawed off shotguns, moon rocks, convicted felons, etc) (Line 10 of the bill)
 - d) companies, institutions, banks, state employees who find property in (Larry Persily, Dept of Revenue)
 - d) AS 34.45 “The Uniform Unclaimed Property Act”, which mostly deals with intangible property, i.e.:money. (The Department of Revenue has analyzed the bill, and HB 318 will not affect the statute or their responsibilities.) (Larry Persily, Dept. of Revenue)
- 6) The Department of Public Safety supports this legislation.
- 7.) This bill will not affect the Department of Revenue (see memo).
- 7) The Department of Public Safety has submitted a “zero” fiscal note.

Alaska State Legislature

DURING SESSION
STATE CAPITOL, ROOM 501
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FAX: (907) 465-3871

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FAX: (907) 269-0184

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Representative_Con_Bunde@legis.state.ak.us

REPRESENTATIVE CON BUNDE
District 18

VICE-CHAIR: HOUSE FINANCE COMMITTEE
MEMBER: LEGISLATIVE BUDGET & AUDIT COMMITTEE

Sponsor Statement

HB 318

"An Act relating to property disposal by law enforcement agencies."

Common law, the basis of modern-day law, provides that a private individual who finds property and takes the responsibility to give it into safekeeping has a greater right to claim that property than anyone else other than the true owner of the property. This makes sense. Unfortunately, Alaska Statute provides less than clear guidance to state departments about what they may do when an individual finds property and turns it in.

HB 318 affects property that is lost, mislaid, or delivered to a private individual by mistake, and turned in to a law enforcement agency, and is unclaimed by the rightful owner for one year.

HB 318:

- Allows private individuals who responsibly deliver property to a law enforcement agency to own that property after one year if possession of that property by that private individual is otherwise legal.
- Would not affect any municipal ordinance.
- Provides clear guidance to state law enforcement agencies.
- Encourages individuals to turn property into law enforcement agencies to find the rightful owner.

The Alaska Department of Public Safety and the Alaska Department of Revenue support this legislation, and I urge your support.

MEMORANDUM

State of Alaska

Department of Revenue, Office of the Commissioner

TO: Representative Con Bunde

DATE: Jan. 27, 2000

PHONE: 465-5469

FROM: Larry Persily
Deputy Commissioner

SUBJECT: HB 318

The Department of Revenue has reviewed House Bill 318 (An Act Relating to Property Disposal by Law Enforcement Agencies) and believes it would not affect the operations of the Unclaimed Property Section at the department's Tax Division.

Please let me know if I can offer any additional information on the bill or our unclaimed property operations.

RIVAL TOWNSITES IN THE FAIRHAVEN

Correspondents Express Opposite Views Regarding the Best Location for a Future Town.

Rivalry regarding townsites is springing up vigorously in the Fairhaven district, and there will apparently be a hard struggle before the location decided ultimately to survive is definitely settled upon. Bob Tenbringer, the writer of one of the following letters has gone to Douring to establish a store for W. D. Smith & Co. The other letter is written by a correspondent who puts his faith in the location at Hot Gulch, a spot that he believes will be a failure as a townsite. The two letters and the opposite views expressed in them make interesting reading.

INNACHUCK, or DEERING CITY, July 20.

(Special to the GOLD DIGGER)

The Captain of the Able Douring is running a store here and has considerable goods for sale. Muhr & Muhr's agent is trying to boom a townsite at Hot Gulch about fifteen miles south from here, but I do not believe that he will succeed as there is hardly any fresh water to be had and I do not suppose that anybody will land there and pack his outfit over divides and tundra when he can go by water up the Innachuck. Some of the boys have been done up to Old Glory with a boat, and that is about 30 miles from here.

I want to get right over to the Kugruk but there is hardly anybody there. The people over here tell me that there is not enough water in the Kugruk harbor, while here we have four talmans at a half mile from shore.

They have struck good pay on Old Glory, American creek and Peval creek; they are shifting there and are paying their men \$10 a day and board.

One thing that is not to be had here is wood. There is none within twenty miles and I do not know how I am going to cook. Lumber is scarce here. Tom Noyes has not arrived yet. Noh coming up here to prospect should make a point of bringing a skill along.

BOB TENBRINGER.

FAIR HAVEN CITY

Month of Rex Creek, July 20.

(Special to the GOLD DIGGER)

The schooner "General Siglin" under command of Captain Johnson arrived at the mouth of Rex creek, Kotzebue Sound, July 13, 1901, with forty-one passengers. We had abundance of fresh water, a green looking country, and a lay prospective on a dry spit with deep water anchorage.

The trip was made in seven days, greatly delayed by float-ice. The weather is perfect and the country further advanced than the neighborhood of Nome.

We understand the Recorder will make this place his headquarters for the summer as it seems to be the most centrally located in the many creeks in the Fair Haven district. A store is being erected by Muhr & Muhr of Standman Ave., Nome, under the able management of Theo. Prichard who a general supply provisions and merchandise will be kept on hand. The only drawback is the fuel proposition.

We cannot say anything concerning the mineral deposit for the present as we have just landed and consequently have had no opportunity to investigate thoroughly.

A CREDIT TO THE TOWN

Handsome New Headquarters of the Pioneer Mining Company.

The Pioneer Mining company have just completed their large building on First avenue, beyond the postoffice. The building is complete in every detail and is a credit to the town in two ways, first as a handsome structure, and second it will be an object lesson to the knucklers, showing them that the town is prospering and the mining interests are growing.

On the first floor, at the right hand side of the building are the general offices of the company, next on the left are the private offices, back of the general offices are the dining room and kitchen, and in the rear there is a large warehouse for the storing of the company's supplies. Upstairs are eighteen bedrooms, handsomely furnished and decorated which will be occupied by the officers and clerical force of the company.

Jufut Lindberg occupies a handsome suite of rooms in the front part of the second floor, composed of bedroom, smoking room and parlor. The building is 30x100 and a roadway surrounds it on all sides making it very convenient for the shipping of goods to the Company's properties.

The Pioneer Mining company is a co-partnership affair and is composed of Jufut Lindberg, Eric G. Lindblom and John Bryntson. Eugene Chibber is secretary and treasurer and Charles L. Johnson superintendent and purchasing agent.

ONE HONEST MAN FOUND

Councilman Rickard, Chief of Police Jack Jolly and Lew Little all had their nerves severely taxed the other day, also their lines of Nome. Every one of them, after coming through the scene, believe that there is at least one honest man in Nome.

All three were standing in front of the Northern one day last week when a man approached the group and speaking to Jolly inquired if he was the Chief of Police. Upon responding that he was the man showed a \$20 bill to the Chief and said that he had just picked it up on the street and asked Jolly to look the owner as he might be a poor man and would feel very severely if the loss of the twenty spot.

Jolly nearly had a fit, but upon recovering he grasped the stranger's hand and with tears streaming from his eyes he exclaimed: "At least I have discovered an honest man in Nome, and I would advise you to keep the \$20 as it was known that you had done probably every man, woman and child in Nome would be clamoring for the money."

The tender of the bill, murmuring that he would give it to the poor, went

NEW COMPANY AT WORK

A Chicago and Boston Concern Puts Up a Fine Building.

Alexander Watson, J. P., representing a Chicago and Boston company that bought out the old A. B. M. & T. Co., is just about completing one of the best built structures in Nome. The new building almost faces the south end of Geiger's bridge and will be used for offices and a general headquarters for the company which owns large interests in York, Connell, Solomon, as well as on Abell and in the mountains behind April.

Mr. Watson came up last year and as well as purchasing property prospect for himself in company with men who knew the country well. In the mountains behind Abell some large quartz properties were located. Mr. Watson said yesterday: "We took up a large number of quartz properties last year and are now beginning to work them. We have two mountains into which we are drifting tunnels and we propose to work during the winter."

"A number of our properties were staked over again in the snow last winter and sold to an innocent purchaser. We found afterward however that the innocent purchaser was in on the game and had backed the men who did the staking."

A material new to Nome is being used for the inside lining of Mr. Watson's new building. It is called plaster board and it is being largely used in Chicago to supplant plaster. It consists of a thin strip of well-seasoned wood coated on both sides with asbestos and even if put into a hot fire it will not burn. Outside the asbestos is a coating of thick brown paper.

"I brought a quantity of plaster board to Nome thinking it would be better than lime for our houses," said Mr. Watson. "We are using it and find that it serves our purpose very well. It also makes a warm and fire proof lining for houses."

Mr. Watson has been Justice of the Peace in Cook County, Illinois, for twelve consecutive years, and just before leaving for Nome this year he was re-elected for another term of four years.

RESIGNATION OF JAMES W. BELL

James W. Bell, late deputy clerk of the U. S. District Court has resigned his position in the office of the court house and has gone into a partnership with P. C. Hullwah in the Innachuck building. Mr. Bell has been contemplating this step for some time, but he played on at the District court till John T. Reed could return and take his old position. Finally however Mr. Reed expressed his willingness to take the office of Deputy Clerk and Mr. Bell consented to a transfer to the office of the court. In this change however he saw an opportunity to

GOOD RESULTS ON VENETZIA

Some of the Properties Are Showing Up Splendidly.

Max Seanson, one of the owners of the claims on Venetia creek, inspected a number of the claims on his way down recently. In many cases he says he was allowed to pan for himself and he has established that some of the claims are going to produce fine results this season.

"On No. 15 above," he said "they are beginning to show. The best claim they have got has been done to \$1.25 in a pan. In three or four days they have got fifteen to fifty cents. They have been only five or six days in bedrock. On No. 8 above they have found in three places from ten to twenty cents. I myself saw

COULD NOT FIND PAY DIRT

Bowman's Experience in a Much Boomed Claim.

"I will bet my life that not a dollar's worth of gold was taken out from No. 8 below Hatcher's discovery on Garfield creek last year, and that the gold that was displayed by Patterson was taken out from Nos. 5 and 6," said A. Bowman who has just returned from the Kugruk.

Bowman stated that he entered a 100 foot lay from Patterson on No. 8 below last August and since April 22nd of this year he has been working on the claim, trying his best to find pay dirt, but without success. He ran up a drain ditch nearly 300 feet long and crisscrossed through about every ten feet from bank to bank, and in all that

40
BERT DOV
FRANK TV
TDB.
SALO
Fines B:
Dick Daw
Sec
Seco
Imported
MC
Is'th
Best
NAPH