278

Message

Date: Monday Apr 10, 2000
Time: 9:18 AM
To: JUNEAU
From: JEAN MILLER
TC Number: 10716
Message: Offnet Duane Sakumoto called to make sure he made the list. I assured him he had-just last Anchorage name was people in our meeting room. Jean/Anc

Close Window Print

SEWARD (SEW)
1 Name:Mr. Louis Bencardino Phone: 224-5790
Address: PO Box 2064 Affiliation:
City /St /Zip:Seward AK 99664 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

SITKA (SIT)
1 Name:Bob Janik Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

WRANGELL LTC (WRG)
1 Name:Mrs. Julie Decker Phone: 874-3110
Address: Box 2138 Affiliation: SARDFA
City /St /Zip:Wrangell AK 99929 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

Message

Date: Monday Apr 10, 2000
Time: 8:57 AM
To: JUNEAU
From: JEAN MILLER
TC Number: 10716
Message: Bobbi Leichty/Craig would like to testify. Jean/Bridge

Close Window Print

Message

Date: Monday Apr 10, 2000
Time: 8:24 AM
To: JUNEAU
From: JEAN MILLER
TC Number: 10716
Message: Janice Bay-Trapper Creek is on line to testify re. SFIN this morning. Jean/Bridge

Close Window Print

Message

Date: Monday Apr 10, 2000
Time: 8:27 AM
To: JUNEAU
From: JEAN MILLER
TC Number: 10716
Message: Mayor Pro tem Mike Shafer of Thorn Bay is on line to testify. Jean/Bridge

Close Window Print

Message

Date: Monday Apr 10, 2000
Time: 8:29 AM
To: JUNEAU
From: JEAN MILLER
TC Number: 10716
Message: Rick Abbott, Spenard Building Supply, Soldotna is on line to testify. Jean/Bridge

Close Window Print

Message

Date: Monday Apr 10, 2000
Time: 8:42 AM
To: JUNEAU
From: JEAN MILLER
TC Number: 10716
Message: Kathie Wasserman/Pelican would like to testify. Bobbi Stuckey-Gallant/Anchorage would like to testify. Jean/Bridge

Close Window Print

11 Name:Mr. Gary L Doss Phone: 349 4822
Address: 6035 Staedem Dr Affiliation:
City /St /Zip:Anchorage AK 99504 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

15 Name:Mrs. Fredi J. Jackson Phone: 333 3530
Address: 5432 Lancelot Circle Affiliation:
City /St /Zip:Anchorage AK 99508 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

DELTA JCT. (DJT)

1 Name:Mr. Lew Reece Phone:
Address: PO Box 1533 Affiliation: Reece Farm
City /St /Zip:Delta Jct. AK 99737 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

FAIRBANKS (FBX)

1 Name:Ms. Aldana Janaitis Phone: 474-6935
Address: 907 Yukon Dr. Affiliation: UAF Meseum
City /St /Zip:Fairbanks AK 99775 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

2 Name:Mr. Charles Rollins Phone: 488-9030
Address: 1491 Davison Rd. Affiliation:
City /St /Zip:North Pole AK 99705 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

3 Name:Mr. Hugh Fate Phone: 457-6860
Address: 750 Farmer's Loop Rd Affiliation:
City /St /Zip:Fairbanks AK 99712 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

4 Name:Ms. Angela Ketgler Phone: 452-5323
Address: 713 15th Ave Affiliation:
City /St /Zip:Fairbanks AK 99701 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

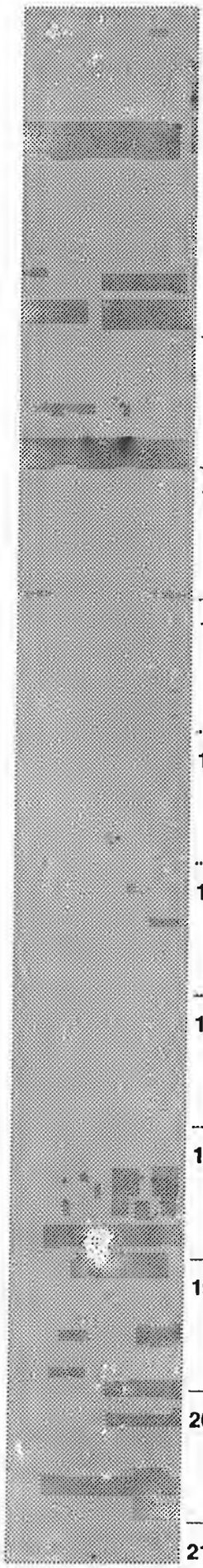
5 Name:Ms. Doris Koivasto Phone: 488-7753
Address: 244 E 6th Affiliation:
City /St /Zip:North Pole AK 99705 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

6 Name:Mr. Mike Prax Phone: 474-1568
Address: 1015 Meadow Rue Affiliation:
City /St /Zip:North Pole AK 99705 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

7 Name:Mr. Andy Warrwick Phone: 456-1566
Address: 3206 Riverview Dr Affiliation:
City /St /Zip:Fairbanks AK 99709 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

8 Name:Ms. Cindy Branley Phone: 458-8002
Address: 213 Slater Dr. Affiliation:
City /St /Zip:Fairbanks AK 99701 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

9 Name:Mr. Phil Younker Phone: 452-6393
Address: 121 Spruce St. Affiliation:



City /St /Zip:Fairbanks AK 99709 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

10 Name:Ms. Pamela Younker Phone: 479-5681
Address: PO Box 1035 Affiliation:
City /St /Zip:Fairbanks AK 99709 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

11 Name:David Ferree Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

12 Name:Pete Brauman Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

13 Name:Joe Garcia Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

14 Name:Mickey Allen Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

15 Name:Don Gray Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

16 Name:Cynthia Henry Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

17 Name:Ron Dixon Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

18 Name:Philip Anderson Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

19 Name:Jeanette Grasto Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

20 Name:Jon McCoy Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

21 Name:Jake Poole Phone:

Teleconference Participants

TCN: 10716

Participant Lists

View List for

ALL | Testifiers | Go >>> | Close Window

Participants

Unidentified Testifiers: 0 Unidentified Observers: 0

ANCHORAGE (ANC)

1 Name:Ms. Ramya Subramanian Phone: 696 5987
Address: 23231 Glacier View Dr Affiliation:
City /St /Zip:Anchorage AK 99577 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

2 Name:Ms. Moe McGee Phone: 248 2448
Address: 1361 Hillcrest Dr #205 Affiliation:
City /St /Zip:Anchorage AK 99503 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

3 Name:Mr. Patrick Shiflea Phone: 561 2232
Address: 6250 Tuttle Place Affiliation:
City /St /Zip:Anchorage AK 99507 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

5 Name:Mr. Michael Carr Phone: 345 7707
Address: 5301 Whispering Spruce Affiliation:
City /St /Zip:Anchorage AK 99516 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

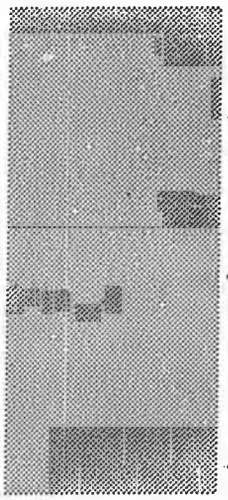
6 Name:Ms. Joan Markley Phone: 561 8876
Address: 998 Wilshire Ave Affiliation:
City /St /Zip:Anchorage AK 99503 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

7 Name:Mr. Daniel Hofman Phone: 274 2324
Address: 353 E 23rd Ave Affiliation:
City /St /Zip:Anchorage AK 99503 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

8 Name:Mrs. Peggy Burgin Phone: 278 2102
Address: 1530 W 11th Ave Affiliation:
City /St /Zip:Anchorage AK 99501 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

9 Name:Mr. John Simpson Phone: 272 6981
Address: 138 N Klevin Affiliation:
City /St /Zip:Anchorage AK 99508 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

10 Name:Mr. John T Drescher Phone: 333 7439
Address: 5901 E 6th #243 Affiliation:
City /St /Zip:Anchorage AK 99504 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS



Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

2 Name:Ms. Bobbi O'Neil Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

NOME (NOM)
1 Name:Mr. Charlie Lean Phone:
Address: Affiliation: AK Comm. o
City /St /Zip: Type: Testifier
Bill:

Subject: Wrangell List #1
Date: Mon, 10 Apr 2000 08:50:28 -0800
From: Wrangell LIO <Wrangell_LIO@legis.state.ak.us>
To: Susan_Rael@legis.state.ak.us

Julie Decker SARDFA Box 2138 874-3110 testify SB192

Alaska State Legislature

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

committee on SB 192
bill # / subject
, dated 4/10/00.

As a social worker I would like to see support services increased for Dept of Health and Social Services. In Kenai, the Division of Family & Youth Services (Family Services) has only ONE car for 10 social workers and only 3 cell phones for workers. Clients know our personal cars and we often have no communication with the office if we are in the field. I would like to see the front line safety and support Equipment for workers P.13 LINE 18 increased. Thank you for your attention to this Matter.

Signed: Pat Truesdell
Testifier

Representing (Optional)

PO Box 1452, Soldotna AK 99669
Address

262 9231
Phone number

CITY OF THORNE BAY
P. O. BOX 19110
THORNE BAY, ALASKA 99919
(907) 828-3380
FAX (907) 828-3374

DATE 1-10-2000

Faxing To: Senate Secretary

Phone # : _____

Fax # : _____

Number of pages including cover sheet: 2

COMMENTS:

Here is the Thorne Bay Sign in Sheet Mike Shafer and Ginny Tierney would like to testify

From: _____

OFFNET PARTICIPANT LIST

Name	Location	Subject
Kathie Wasserman	Pelican	
Duane Sakumoto	Anchorage	
Bobbi Leichty	Craig	
Stuckey-Gallant	Anchorage	
Rick Abbot	Soldotna	
Janice Bay	Trapper Creek	

Name	Location	Subject
Jake Poc[illegible]	Fairbanks	SB 192
Louis Bencardino	Seward	SB 192

Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

22 Name:Rick Solie Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

23 Name:Jane Parrish Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

24 Name:Greg Hill Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

GLENNALLEN (GLN)

1 Name:Mr. David LeBaron Phone: 9078223071
Address: P.O. Box 529 Affiliation:
City /St /Zip:Glennallen AK 99588 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

HOMER (HOM)

1 Name:Mr. Lloyd Schade Phone: 2358949
Address: 35250 Schade Dr Affiliation:
City /St /Zip:Homer AK 99603 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

KENAI (KEN)

1 Name:Mr. Pat Truesdell Phone: 262-9231
Address: PO Box 1452 Affiliation: DFYS
City /St /Zip:Soldotna Ak 99669 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

2 Name:Ms. Bobbi O'Neil Phone: 2624116
Address: PO Box 1095 Affiliation: DFYS
City /St /Zip:Soldotna Ak 99669 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

KETCHIKAN (KTN)

1 Name:Mr. Doug Ward Phone: 2285302
Address: Affiliation: Ak SHIP
City /St /Zip:Ketchikan AK 99901 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

MATSU (MAT)

1 Name:Mr. Jay Dearborn Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

NOME (NOM)

1 Name:Mr. Charlie Lean Phone:
Address: Affiliation: AK Comm. o
City /St /Zip: Type: Testifier
Bill:

(1)

Alaska State Legislature

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

committee on Capital Budget, dated 4/10/00
bill # / subject

I am a Social Worker with the Division of Family and Youth Services in the Kenai office. Funding for the Division is a concern as it affects the job, and quality of work, that I am able to do.

I have a Bachelors degree in Social work, but because of lack of funding for clerical help, I spend the majority of my time doing paperwork rather than social work. Paperwork such as Medicaid applications, change report forms, and trying to track down requests for funds and payments for foster parents take up a majority of my work day. Time that could be better spent working with families.

Also, in an office of 10 social workers, we have only 4 cell phones and one state car. Often there is not a cell phone available when a social workers is going out into the field, which leaves us out of touch w/ the office and/or police in case of emergency. Having to drive our own vehicles means we are not protected by the States car insurance & clients then know what

Signed: _____

Testifier Margit Cox

Representing (Optional)

Address

Phone number

(I)

Alaska State Legislature

Please enter into the record my testimony to the Senate Finance committee name committee on Capital Budget bill # / subject, dated 4/10/00.

car we drive, which leaves us at risk as clients can identify us (and our families) in the community.

Our office does not receive enough funding for supplies. All of the Social workers in the Kenai office spend their own money on pens, paper, & other office supplies.

Overtime is another issue. All of the Social Workers in the Kenai office put in an average of 10 hours per week of overtime, but we are not paid for these hours due to lack of funding. Much of this overtime is used to complete paperwork that could be done by clerical help if we had enough support.

Signed: Margit Cox
Testifier

DFYS
Representing (Optional)

P.O. Box # 4137 Soldotna, Alc. 99669
Address

262-10365
Phone number

NEW FBX

David Ferree

City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

12 Name:Pete Brauman Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

13 Name:Joe Garcia Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

14 Name:Mickey Allen Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

15 Name:Don Gray Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

16 Name:Cynthia Henry Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

17 Name:Ron Dixon Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

18 Name:Philip Anderson Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

19 Name:Jeanette Grasto Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

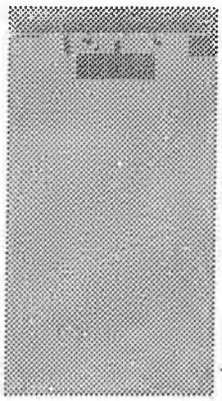
20 Name:Jon McCoy Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

KENAI (KEN)

1 Name:Mr. Pat Truesdell Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

2 Name:Ms. Bobbi O'Neil Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS



NOME (NOM)

1 Name:Mr. Charlie Lean Phone:
Address: Affiliation: AK Comm. o
City /St /Zip: Type: Testifier
Bill:

WRANGELL LTC (WRG)

1 Name:Mrs. Julie Decker Phone: 874-3110
Address: Box 2138 Affiliation: SARDFA
City /St /Zip:Wrangell AK 99929 Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

Name	Location	Subject
John T Drescher	Anchorage	SB 192
Gary Doss	Anchorage	SB 192
Jay Dearborn	Mat su	SB 192

DELTA JCT. (DJT)

1 Name:Mr. Lew Reece Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

FAIRBANKS (FBX)

1 Name:Aldana Janaitis Phone:
Address: Affiliation: UAF Meseum
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

2 Name:Charles Rollins Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

3 Name:Hugh Fate Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

4 Name:Angela Ketgler Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

5 Name:Doris Koivesto Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

6 Name:Mike Prax Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

7 Name:Andy Warrwick Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

8 Name:Cindy Branley Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

9 Name:Phil Younker Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

---

10 Name:Pamela Younker Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

KENAI (KEN)

1 Name:Mr. Pat Truesdell Phone:

Teleconference Participants

TCN: 10716

Participant Lists

View List for

ALL | Testifiers | Go >>> | Close Window

Participants

Unidentified Testifiers: 0 Unidentified Observers: 0

ANCHORAGE (ANC)

1 Name:Ms. Ramya Subramanian Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

2 Name:Ms. Moe McGee Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

3 Name:Mr. Patrick Shiflea Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

4 Name:Mrs. Shelagh Davis Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

5 Name:Michael Carr Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

6 Name:Ms. Joan Markley Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

7 Name:Mr. Daniel Hofman Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

8 Name:Mrs. Peggy Burgin Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

9 Name:Mr. John Simpson Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 192: APPPROPRIATIONS; CAPITAL BUDGET/REAPPROPS

Name	Location	Subject
Rick Solie	Fairbanks	SB 192

SB

193

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 2/11/00 3/6/00

FURTHER:

DATE TURNED IN TO OFFICE: 3/6/00

Finance Committee considered SENATE BILL NO. 193

"An Act relating to the payment of wages and claims for the payment of wages."

and recommends:

[✓] be **replaced** with _____ CS SB 193 (Fin)

[ ] adopt **previous** _____ (_____ (_____)

[✓] attached amendment(s) Forthcoming

[ ] adopt Letter of Intent by _____ :e

[ ] further referral to the _____ CS :e

Senate Bill:
[✓] same title
[ ] new title

House Bill:
[ ] same title
[ ] technical title
[ ] new: SCR# _____

SIGNING DO PASS	*DP*	*OTHER RECOMMENDATIONS*	*NR*	*DNP*	*AM*
Rell E. [illegible]	✓	Al Adams	X		
[illegible]	✓				
Pete Kelly	✓				
Loren D. Leman	✓				
Gary [illegible]	✓				
Co-Chair: [illegible]	✓	*Co-Chair:*			
Co-Chair: Dean R Parnell	✓	*Co-Chair:*			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
Labor	2/7/00	0	

[ ] **APPROPRIATION -- no fiscal note**

***include fiscal notes accompanying Governor's bill**

REPORTED OUT OF S/C 3/6/00

FISCAL NOTE

No. 1

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. Bill Version: CSSB193(L&C)
(S) Publish Date: 2/11/00

Revision Date/Time (Note if correction):

Title: **Collection of Unpaid Wages**

Sponsor: **Senator Pearce**

Requestor: **Senate L&C**

Department Affected: **Labor and Workforce Develop**

BRU: **Labor Standards and Safety**

Component: **Wage and Hour**

COMPONENT SERIAL NO. **345**

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

OPERATING	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						
CHANGE IN REVENUE FUND SOURCE #						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipt						
1006 GF/MHTIA						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY00) impact: $ **none**

ANALYSIS: (Attach a separate page if necessary)

See Attached

Prepared by: **Alan Dwyer, Director** Phone: **465-4855**

Division: **Labor Standards and Safety** Date/Time: **2/7/00 10:36 AM**

Approved by Commissioner: **Ed Flanagan, Commissioner**

Agency: **Department of Labor** Date: **2/7/00**

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Rev 10/99

SB 193
#1

Fiscal Note: SB 193 - Collection of Unpaid Wages

This bill will allow the Department to represent those wage claimants that cannot find an attorney to represent them due to the relative small size of their claim. The Department of Labor and Workforce Development (DOL) statutory cap for a straight claim for unpaid wages under AS 23.05.220(c) is tied to the Small Claims cap of $7,500. Wage claims exceeding $7,500 cannot be pursued by DOL. Private attorneys cannot profitably handle those cases. This leaves a large gap where employees with wage claims between $7,500 up to about $20,000 are unable to get representation.

There is no incentive for attorneys to pursue private wage claims under $20,000. It is not cost effective for an employee to pay hourly attorney's fees and it is not profitable for an attorney to take such cases on a contingency fee basis. The only recourse for such employees is to proceed Pro Se in the appropriate court, a daunting option for the average non-attorney and usually unsuccessful due to unfamiliarity with the system.

By raising the limit for Wage and Hour cases handled in Small Claims Court, this amendment provides a source of assistance for this category of employee. It is desirable to keep these cases in Small Claims Court rather than District or Superior Court in order to expedite resolution and keep down costs to all parties.

The division does not anticipate that the volume of such claims will require additional staff in order to handle them.

CS FOR SENATE BILL NO. 193(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR PEARCE

A BILL

FOR AN ACT ENTITLED

"An Act relating to the payment of wages and claims for the payment of wages."

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

* **Section 1.** AS 22.15.040(a) is amended to read:

(a) **Except as otherwise provided in this subsection, when** [WHEN] a claim for relief does not exceed $7,500, exclusive of costs, interest, and attorney fees, and request is so made, the district judge or magistrate shall hear the action as a small claim unless important or unusual points of law are involved or the state is a defendant. **The Department of Labor and Workforce Development may bring an action as a small claim under this subsection for the payment of wages under AS 23.05.220 in an amount not to exceed $20,000, exclusive of costs, interest, and attorney fees.** The supreme court shall prescribe the procedural rules and standard forms to assure simplicity and the expeditious handling of small claims.

* **Sec. 2.** AS 22.15.120(a) is amended to read:

(a) A magistrate shall preside only in cases and proceedings under AS 22.15.040, 22.15.100, and 22.15.110, and as follows:

(1) for the recovery of money or damages only when the amount claimed, exclusive of costs, interest, and attorney fees, does not exceed $7,500;

(2) for the recovery of specific personal property when the value of the property claimed and the damages for the detention do not exceed $7,500;

(3) for the recovery of a penalty or forfeiture, whether given by statute or arising out of contract, not exceeding $7,500;

(4) to give judgment without action upon the confession of the defendant for any of the cases specified in this section, except for a penalty or forfeiture imposed by statute;

(5) to give judgment of conviction upon a plea of guilty or no contest by the defendant in a criminal proceeding within the jurisdiction of the district court;

(6) to hear, try, and enter judgments in all cases involving misdemeanors that are not minor offenses if the defendant consents in writing that the magistrate may try the case;

(7) to hear, try, and enter judgments in all cases involving minor offenses and violations of ordinances of political subdivisions;

(8) for the extradition of fugitives as authorized under AS 12.70;

(9) to provide post-conviction relief under the Alaska Rules of Criminal Procedure for any of the cases specified in (5), (6), or (7) of this subsection if the conviction occurred in the district court**; or**

(10) **to hear, try, and enter judgments in actions for the payment of wages brought by the Department of Labor and Workforce Development as provided in AS 22.15.040(a)** [REPEALED].

* **Sec. 3.** AS 23.05.140(b) is amended to read:

(b) If the employment is terminated, [REGARDLESS OF THE CAUSE OF TERMINATION,] all wages, salaries, or other compensation for labor or services become due immediately and shall be paid within **the time required by this subsection** [THREE WORKING DAYS AFTER THE TERMINATION] at the place where the employee is usually paid or at a location agreed upon by the employer and employee. **If the employment is terminated by the employer, regardless of the cause for the termination, payment is due within three working days after the**

termination. If the employment is terminated by the employee, payment is due at the next regular pay day that is at least three days after the employer received notice of the employee's termination of services.

* **Sec. 4.** AS 23.05.140(d) is amended to read:

(d) If an employer violates (b) of this section by failing to pay within **the time required by that subsection** [THREE WORKING DAYS OF TERMINATION], the employer may be required to pay the employee a penalty in the amount of the employee's regular wage, salary, or other compensation from the time of demand to the time of payment, or for 90 working days, whichever is the lesser amount.

* **Sec. 5.** AS 23.05.140 is amended by adding new subsections to read:

(e) In an action brought by the department under this section, an employer found liable for failing to pay wages within the time required by (b) of this section shall be required to pay the penalty set out in (d) of this section. The amount of the penalty shall be calculated based on the employee's straight time rate of pay for an eight-hour day.

(f) In an action brought for unpaid overtime under AS 23.10.060 that results in an award of liquidated damages under AS 23.10.110, the provisions of (d) of this section do not apply unless the action was brought by the department under (e) of this section.

* **Sec. 6.** AS 23.05.220(c) is amended to read:

(c) The department may not accept an assignment of a claim in excess of the amount set out in AS 22.15.040 as the maximum amount, exclusive of costs, interest, and attorney fees, for the jurisdiction of the district court to hear an action **for the payment of wages** as a small claim.

1-LS1263\H
Cramer
3/3/00

CS FOR SENATE BILL NO. 193(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR PEARCE

A BILL

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(a) A magistrate shall preside only in cases and proceedings under AS 22.15.040, 22.15.100, and 22.15.110, and as follows:

New Text Underlined [DELETED TEXT BRACKETED]

(1) for the recovery of money or damages only when the amount claimed, exclusive of costs, interest, and attorney fees, does not exceed $7,500;

(2) for the recovery of specific personal property when the value of the property claimed and the damages for the detention do not exceed $7,500;

(3) for the recovery of a penalty or forfeiture, whether given by statute or arising out of contract, not exceeding $7,500;

(4) to give judgment without action upon the confession of the defendant for any of the cases specified in this section, except for a penalty or forfeiture imposed by statute;

(5) to give judgment of conviction upon a plea of guilty or no contest by the defendant in a criminal proceeding within the jurisdiction of the district court;

(6) to hear, try, and enter judgments in all cases involving misdemeanors that are not minor offenses if the defendant consents in writing that the magistrate may try the case;

(7) to hear, try, and enter judgments in all cases involving minor offenses and violations of ordinances of political subdivisions;

(8) for the extradition of fugitives as authorized under AS 12.70;

(9) to provide post-conviction relief under the Alaska Rules of Criminal Procedure for any of the cases specified in (5), (6), or (7) of this subsection if the conviction occurred in the district court; **or**

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* **Sec. 3.** AS 23.05.140 is amended by adding new subsections to read:

(e) In an action brought by the department under this section, an employer found liable for failing to pay wages within three working days of termination shall be required to pay the penalty set out in (d) of this section. The amount of the penalty shall be calculated based on the employee's straight time rate of pay for an eight-hour day.

(f) In an action brought for unpaid overtime under AS 23.10.060 that results in an award of liquidated damages under AS 23.10.110, the provisions of (d) of this

section do not apply unless the action was brought by the department under (e) of this section.

* **Sec. 4.** AS 23.05.220(c) is amended to read:

(c) The department may not accept an assignment of a claim in excess of the amount set out in AS 22.15.040 as the maximum amount, exclusive of costs, interest, and attorney fees, for the jurisdiction of the district court to hear an action **for the payment of wages** as a small claim.

SENATE FINANCE
COMMITTEE
Amendment Number: #1
Bill Number: SB 193
Sponsor: Wilken Date: 3/6/00
Logged In By: Mindy

1-LS1263\D.1
Cramer
3/1/00

AMENDMENT

OFFERED IN THE SENATE BY SENATOR WILKEN

TO: CSSB 193(STA)

Page 2, following line 23:

Insert new bill sections to read:

"* **Sec. 3.** AS 23.05.140(b) is amended to read:

(b) If the employment is terminated, [REGARDLESS OF THE CAUSE OF TERMINATION,] all wages, salaries, or other compensation for labor or services become due immediately and shall be paid within **the time required by this subsection** [THREE WORKING DAYS AFTER THE TERMINATION] at the place where the employee is usually paid or at a location agreed upon by the employer and employee. **If the employment is terminated by the employer, regardless of the cause for the termination, payment is due within three working days after the termination. If the employment is terminated by the employee, payment is due at the next regular pay day that is at least three days after the employer received notice of the employee's termination of services.**

* **Sec. 4.** AS 23.05.140(d) is amended to read:

(d) If an employer violates (b) of this section by failing to pay within **the time required by that subsection** [THREE WORKING DAYS OF TERMINATION], the employer may be required to pay the employee a penalty in the amount of the employee's regular wage, salary, or other compensation from the time of demand to the time of payment, or for 90 working days, whichever is the lesser amount."

Renumber the following bill sections accordingly.

Page 2, line 26:

Delete "within three working days of termination"

Insert "within the time required by (b) of this section"

SENATE FINANCE COMMITTEE

2000 COMMITTEE ACTION

Bill Number	SB 193
Amendment	#1
Motion	
Motion by	Sen W
Objection	
Objection by	Sen A
Removed	
Second Objection by	
Committee Member	***Vote***
Senator Randy Phillips	y
Senator Dave Donley	
Senator Loren Leman	y
Senator Al Adams	N
Senator Gary Wilken	y
Senator Pete Kelly	y
Senator Lyda Green	y
Co-Chair Sean Parnell	y
Co-Chair John Torgerson	y
Tally	
Yea	0 7
Nay	0 1
Absent	0
MOTION	Adopted

SENATE FINANCE COMMITTEE
Amendment Number: #1
Bill Number: SB 193
Sponsor: Wilken Date: 3/6/00
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1-LS1263\D.1
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Renumber the following bill sections accordingly.

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Insert "within the time required by (b) of this section"

Alaska State Legislature

During Interim: (June - Dec.)
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Anchorage, Alaska 99501-2133
(907) 269-0200
Fax (907) 269-0204

During Session: (Jan. - May)
State Capitol
Juneau, Alaska 99801-1182
(907) 465-4993
Fax (907) 465-3872

Senator Drue Pearce

Sponsor Statement

SB 193
"An Act relating to the payment of wages and claims for the payment of wages"

The Department of Labor and Workforce Development (DLWD) was established to serve the interests of the employee through fair business practice. SB 193 is designed to address complaints from the public regarding unethical employers who illegally withhold final wages from employees.

SB 193 increases the amount of past wages from $7500 to $20,000 that employees are allowed to retain within three days of termination. SB 193 will update the law making it possible for attorneys and the DLWD to pursue small wage claims. In the current statute AS 23.05.220(c), it is not feasible for private attorneys to take such cases on a contingency fee basis when the maximum cap is $7500.

SB 193 would provide a source of assistance for this category of employee. The State of Alaska would serve in its best interests by keeping these cases in small claims rather than District or Superior Court in order to expedite resolution and keep down costs to all parties.

This measure would serve as a tool assisting employees to acquire representation for wages not paid by their previous employer. SB 193 is a sensible bill that will strengthen Alaskan labor relations.

Senator_Drue_Pearce@legis.state.ak.us

ROBERT W. LANDAU
ATTORNEY AT LAW, ARBITRATOR & MEDIATOR
2525 BLUEBERRY ROAD, SUITE 103
ANCHORAGE, ALASKA 99503

(907) 272-2266
FAX (907) 272-1077

February 4, 2000

Senator Drue Pearce
State Capitol
Juneau, AK 99801

Representative Andrew Halcro
State Capitol
Juneau, AK 99801

Re: SB 193 / HB 276
Wage and Hour Claim Limit

Dear Senator Pearce and Representative Halcro:

I am actively involved in the area of labor and employment law as an attorney, arbitrator and mediator. I am writing in support of the above bills which would raise the jurisdictional amount limit for wage and hour claims brought by the Department of Labor in small claims court from $7,500 to $20,000. I believe that raising the wage claim limit would allow the Department to seek relief for a greater number of employees who otherwise would not be able to obtain legal representation because of the relatively small size of their claims. In addition, I believe that the Department should be provided with sufficient resources and staffing to adequately pursue the greater number of wage claims it is being asked to handle. Without adequate funding, the goal of these bills would be nothing more than an empty promise.

Thank you for your consideration of these comments.

Sincerely,

Robert W. Landau

RL:hs

Subject: [Fwd: Fw: SB193]
Date: Mon, 07 Feb 2000 12:32:15 -0900
From: "J. R. (Randy) Carr" ?Randy_Carr@labor.state.ak.us?
Organization: Alaska Department of Labor and Workforce Development
To: Dwight L Perkins ?dwight_perkins@labor.state.ak.us?

here are Wil's comments

Subject: Fw: SB193
Date: Sat, 5 Feb 2000 13:23:54 -0800
From: "Will Schendel" ?schenlaw@ptialaska.net?
To: ?randy_carr@labor.state.ak.us?

----- Original Message -----
From: Will Schendel
To: Senator_Drue_Pearce@legis.state.ak.us
Sent: Saturday, February 05, 2000 1:22 PM
Subject: SB193

Dear Senator Pearce,

I write in support of SB 193 regarding raising the limit on unpaid wage claims assignable to Wage and Hour. My perspective and experience is as an attorney specializing in employment law. I represent both employees and employers.

Very few ex-employees with unpaid wage claims for less than $20,000.00 or $30,00.00 can find a private attorney to represent them (because they cannot afford to pay an attorney on an hourly basis, and because no rational attorney will represent them for a percentage of the possible recovery when the costs of going to trial, if necessary, will greatly exceed the possible fee recovery). There are two solutions to this problem: One solution is to make a statutory change to award the winning employee a full recovery of attorney fees, as is currently the case for suits over unpaid minimum or overtime wages. That solution, of course, will add to the expense to the losing employer, and doesn't address another problem in unpaid wages suits - that the defaulting employer often is insolvent (and no rational attorney will be motivated by the prospects of a full fee award against an insolvent defendant). The second solution is to provide essentially free counsel to the unpaid employee, by permitting Wage and Hour to take the claim to court (without charge to the ex-employee). That second solution, however, assumes that Wage and Hour has the time (or, if it contracts with the Department of Law for legal services, that it has the money) to go to court. It's been my experience, here in Fairbanks, that Wage and Hour goes to court once in a blue moon, because its staff can do more good for other employees, by doing non-court claims processing. Raising the Wage and Hour cap isn't going to do much to actually induce Wage and Hour to take these claims, unless there are additional appropriations to Wage and Hour to actually pursue these claims, or, maybe, until Wage and Hour is given authority to recover its actual costs and fees from the defaulting employers. If the Legislature isn't in favor of enacting a full attorney's fee award provision for unpaid wages (though I would encourage it to do so), or in favor of increasing the Wage and Hour Division's appropriations for enforcement, raising the cap won't do much good, but it might frighten a few employers into paying wages.

My first preference, then, is for the Legislature to put some real teeth into the unpaid wage assignment law in Alaska by encouraging the private bar to take more of these cases (through an award of full attorney fees); at the same time, the cap on wage and Hour assignments could be raised, so that Wage and Hour could, if it had the resources and time, take more of the claims, but the Division should also be given a bigger hammer and inducement to enforce these claims, by awarding full fees and costs to the Department of Labor, and by increasing enforcement-targeted appropriations to the Division.

OWENS & TURNER
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
1500 WEST 33RD AVENUE, SUITE 200
ANCHORAGE, ALASKA 99503-3502

THOMAS P. OWENS, JR.
TERRANCE A. TURNER
WILLIAM F. MEDE
SCOTT J. NORDSTRAND
ERIN ROSE
PATRICK J. MCCABE
KIMBERLY K. GEARIETY
DENNIS J. EFTA

TELEPHONE
(907) 276-3963
FACSIMILE
(907) 277-3695

January 27, 2000

RECEIVED
FEB 01 2000
Ans'd.....

The Honorable Drue Pearce
President of the Alaska Senate
State Capitol, Room 107
Juneau, Alaska 99801-1182

RE: SB 193

Dear Sen. Pearce:

I am an Anchorage attorney. A significant portion of my practice includes defending employers throughout Alaska against wage and hour claims. I am writing in support of portions of SB 193 relating to increasing the jurisdiction of the small claims court for wage and hour claims assigned to the Alaska Department of Labor and Workforce Development. I cannot support, however, the provision eliminating a court's discretion regarding penalties for late payment of wages.

It is my understanding that sections 1, 2 and 4 of SB 193 would allow the Department to accept assignment of wage and hour claims up to $20,000, exclusive of interest, costs and fees, and allow the district court to hear such claims as in small claims court. This is an increase from the current cap of $7,500. I believe this provision would be of benefit to all parties concerned, including employers, legitimate claimants and the Department, by reducing litigation costs.

I am opposed to section 3, which would make penalties mandatory in cases in which an employer fails to pay an employee's wages within three business days after the termination of the employment relationship. There may be justifiable reasons for such delay, and the current statute allowing a court to exercise its discretion in awarding penalties has not led to abuse.

Very truly yours,

OWENS & TURNER, P.C.

William F. Mede

PERKINS COIE LLP

1029 WEST THIRD AVENUE, SUITE 300 · ANCHORAGE, ALASKA 99501-1970
TELEPHONE: 907 279-8561 · FACSIMILE: 907 276-3108

February 8, 2000

Senator Jerry Mackie
Senator Drue Pearce
Members of the Senate Labor and Commerce Committee

Re: SB 193

Dear Senators:

Senate Bill 193, as currently written, is a flawed bill. I urge that SB 193 be amended or killed.

I support that part of SB 193 that raises the jurisdiction of the Department of Labor to prosecute wage and hour claims from $7,500 to $20,000. The Department of Labor, in my experience, has always been professional, courteous, knowledgeable, and relatively easy to deal with. The DOL has been fair when an employer has made a good faith mistake. They have been reasonable when an employer has questioned the clarity of the law as applied to the employer's situation. Providing the DOL with authority to resolve wage and hour claims up to $20,000 makes sense and is good public policy.

What doesn't make sense is amending AS 23.05.140 (d) to provide a mandatory penalty for failure to pay wages within three working days of termination. This will create windfalls for employees and penal consequences for many employers who have a legitimate dispute and are acting in good faith.

AS 23.95.140 currently provides that an employee may be entitled to 18 weeks of pay (90 working days) if the employer doesn't pay all compensation owed, within three working days of termination. Thus, if an employee and an employer have a legitimate dispute over whether one dollar is owed, the employee could win over four months pay for the unpaid dollar. This is unfair.

I have represented numerous employers in wage and hour disputes, including many where the employer and the employee have a good faith dispute over whether the employee should have been treated as a non-exempt employee entitled to overtime pay. In almost all cases, the employee also asserts that if they win, they are also entitled to 90 working days pay for failure to pay the overtime that was in dispute.

Sometimes, judges grant this request. Thus, the employee receives the disputed overtime, an equal amount in liquidated damages, full attorneys' fees, and 18 weeks of pay on top. A legitimate dispute over $10,000 of overtime can mushroom to a judgment of $50,000 or more. This can be a crippling blow to small businesses.

The amendment of AS 23.05.140 should be deleted from SB 193. Also, to bring a bit of fairness to the process, AS 23.05.140 should be amended to:

- Clarify that it does not apply when the employee receives some other penalty award (e.g. liquidated damages under AS 23.10.110) under AS 23.05 or AS 23.10; and

- Is not to be awarded when the employer reasonably believed, by a preponderance of the evidence, that the employee was not entitled to the compensation demanded.

I base my views and comments on over a decade of representing Alaska employers in wage and hour cases, including my present work as a labor and employment attorney with the law firm of Perkins Coie. I currently serve as the Legislative Director for the State Council for the Society for Human Resource Management (SHRM) and I chair the Legislative Affairs Committee for the Anchorage Society for Human Resource Management (ASHRM).

The views expressed in my written comments and oral testimony are my personal views. I do not speak for Perkins Coie, SHRM, the State Council, or ASHRM.

I would be pleased to provide additional testimony and comment to the Committee, if the information would be helpful.

Very truly yours,

Jay Seymour

S. Jay Seymour

SENATE FINANCE COMMITTEE

S I G N - I N

SB 193-COLLECTION OF UNPAID WAGES

NAME: Al Dwyer Subject/Bill No: 193

Co./Dept./Title: Dept of Labor & Wff. Director SOS Phone: 465-4855

Address: _____ Zip: _____

Do you wish to testify? ___Yes ___No X 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

SENATE FINANCE COMMITTEE

S I G N - I N

SB 193-COLLECTION OF UNPAID WAGES

NAME: AL DWYER Subject/Bill No: SB 193

Co./Dept./Title: DOL/WD Director of L.S.+S. Phone: 907-465-4855

Address: _____ Zip: _____

Do you wish to testify? ___Yes ___No X 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

Teleconference Participants

TCN: 10415

Participant Lists

View List for

ALL | Testifiers | Go >>> | Close Window

Participants

Unidentified Testifiers: 0 Unidentified Observers: 0

ANCHORAGE (ANC)

1 Name:Mr. Randy Carr (Ans ?s) Phone: 269 4914
Address: PO Box 107021 Affiliation: Dept Labor
City /St /Zip:Anchorage AK 99510 Type: Testifier
Bill: SB 193: COLLECTION OF UNPAID WAGES

2 Name:Mr. Jay Seymour Phone: 279 8561
Address: 1029 W 3rd #300 Affiliation:
City /St /Zip:Anchorage AK 99510 Type: Testifier
Bill: SB 193: COLLECTION OF UNPAID WAGES

FAIRBANKS (FBX)

1 Name:Ms. Christine McGarvin Phone:
Address: Affiliation:
City /St /Zip: Type: Testifier
Bill: SB 193: COLLECTION OF UNPAID WAGES

SB 198

SFIN

FILE

SB 198

was referred to the Senate Finance Committee

Hearing(s) were held

The bill did not move from Committee

GARY WILKEN
SENATOR
Districts 29 & 30
West Fairbanks

Senate Standing Committees
Member: Finance
Member: Health, Education, & Social Services (HESS)
Member: Legislative Budget & Audit
Member: State Affairs

Alaska State Legislature
Senate

During Session:
State Capitol Building
Juneau, Alaska 99801-1182
Tel: (907) 451-5501 (in Fbks area)
Tel: (907) 465-3709 (outside Fbks)
Fax: (907) 465-4714
Website: www.garywilken.com
E-Mail: Senator_Gary_Wilken@legis.state.ak.us

Interim:
1851Fox Ave
Fairbanks, Alaska 99701
Tel: (907) 451-5501
Fax: (907) 451-0438

Sponsor Statement

SB 198 - Increase Base Allocation for Education

The State of Alaska's Education Funding Formula is based on a specific dollar amount per student. Currently the base student allocation is $3,940. Senate Bill 198 increases this allocation by $50.00, thus increasing the base amount for each student to $3,990.

In FY01, the Foundation Program, which funds K-12 Alaska public schools, will require approximately $19 million less in state aid than the amount authorized in FY00. Several key factors contribute to the drop in state aid while continuing to fully fund the foundation formula; a decline in projected student enrollment, an increase in required local effort, and an increase in deductible impact aid.

Senate Bill 198 keeps a portion of these savings within K-12 education and provides a modest increase in school funding equally across the state. I encourage your support for SB 198.

ALASKA MUNICIPAL LEAGUE
Alaska Conference of Mayors

217 Second Street, Suite 200 ▪ Juneau, Alaska 99801 ▪ Tel (907)586-1325 Fax (907)-463-5480

February 25, 2000

Senator Gary Wilken
Alaska State Capitol
Juneau, AK 99811

Dear Senator Wilken:

On behalf of the members of the Alaska Municipal League, I am writing in support of your legislation, SB 198, to increase the base allocation for education by $50 per pupil. Our understanding, in talking with the Department of Education & Early Development, is that the state is due to receive a $20 million windfall for several reasons. One of which comes from over $6 million more in mandatory contributions (4 mills) from local property taxpayers due to rising assessed value of property. This amount is directly deducted from education funding by the state.

In light of the increased local taxpayers contribution to education, we strongly support your effort to return those funds back to the schools in the form of increased base allocation. There are large unmet educational needs in every community around the state and passage of this legislation will put money directly back into the schools for the benefit of our children.

Thank you for sponsoring SB 198 and if you have any questions on this or other municipal issues, please call me at 586-1325.

Sincerely,

Kevin C. Ritchie
Executive Director

cc: Education & Local Government Subcommittee

C:/data/jk/leg00/sb198letter

SENATE FINANCE COMMITTEE

SIGN-IN

SB 198-INCREASE BASE ALLOCATION FOR EDUCATION

NAME: Carl Rose Subject/Bill No: SB198

Co./Dept./Title: AASB Phone: 6-1083

Address: Zip:

Do you wish to testify? ✓ Yes ___No ___Respond To Questions

NAME: Vernon Marshall Subject/Bill No: SB 198

Co./Dept./Title: NEA-AK Phone: 586-3090

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

Teleconference Participants

TCN: 10472

Participant Lists

View List for

ALL | Testifiers | Go >>> | Close Window

Participants

Unidentified Testifiers: 0 Unidentified Observers: 0

ANCHORAGE (ANC)

1 Name:Ms. Nancy Davis
Address: 17508 Toakana Way
City /St /Zip:Eagle River AK 99577
Bill: SB 95: SCHOOL GRADE LEVELS
Phone: 694 3556
Affiliation: PTA Leg Te
Type: Testifier

DELTA JCT. (DJT)

1 Name:Mr. Dan Beck
Address: Super, Delta/Greely Sch
City /St /Zip:
Bill: SB 105: PUBLIC SCHOOL FUNDING
Phone:
Affiliation:
Type: Testifier

2 Name:Mr. Art Griswold
Address:
City /St /Zip:
Bill: SB 105: PUBLIC SCHOOL FUNDING
Phone:
Affiliation:
Type: Testifier

FAIRBANKS (FBX)

2 Name:Mr. Royce Chapman
Address: PO Box 55414
City /St /Zip:North Pole AK 99705
Bill: SB 198: INCREASE BASE ALLOCATION FOR EDUCATION
Phone: 488-8450
Affiliation: FbSclBd
Type: Testifier

4 Name:Ms. Cynthia Henry
Address: 3216 Riverview
City /St /Zip:Fairbanks AK 99709
Bill: SB 198: INCREASE BASE ALLOCATION FOR EDUCATION
Phone: 452-8477
Affiliation: FbSclBd
Type: Testifier

5 Name:Ms. Carter Crawford
Address: 516 2nd Ave
City /St /Zip:Fairbanks AK 99701
Bill: SB 198: INCREASE BASE ALLOCATION FOR EDUCATION
Phone: 452-2125
Affiliation:
Type: Testifier

6 Name:Ms. Debbie Cook SB 198
Address: 2290 Yankovich Rd
City /St /Zip:Fairbanks AK 99709
Bill: SB 105: PUBLIC SCHOOL FUNDING
Phone: 457-1725
Affiliation: ChinokChtr
Type: Testifier

7 Name:Ms. Mika Mach
Address: 322 Ketchikan Ave
City /St /Zip:Fairbanks AK 99701
Bill: SB 105: PUBLIC SCHOOL FUNDING
Phone: 479-0239
Affiliation: ChinokCh
Type: Testifier

GLENNALLEN (GLN)

HOMER (HOM)

Homer

1 Name:Mr. Scot Wheat Phone: 235-6840
Address: Also testify on SB 198 and SB 244 Affiliation: Mental Hea
City /St /Zip:Homer AK 99603 Type: Testifier
Bill: SB 105: PUBLIC SCHOOL FUNDING

---

2 Name:Mr. Rick Harness Phone: 235-0603
Address: Also testify on SB 198 Affiliation: self
City /St /Zip:Homer AK 99603 Type: Testifier
Bill: SB 105: PUBLIC SCHOOL FUNDING

KENAI (KEN)

1 Name:Mr. Patrick Hickey (SB198, SB244) Phone: 2622446
Address: 148 N Binkley Affiliation: KPBSD
City /St /Zip:Soldotna Ak 99669 Type: Testifier
Bill: SB 105: PUBLIC SCHOOL FUNDING

---

2 Name:Ms. Catherine DeLacee Phone: 262-1538
Address: 37035 Nicholas Lane Affiliation:
City /St /Zip:Soldotna Ak 99669 Type: Testifier
Bill: SB 198: INCREASE BASE ALLOCATION FOR EDUCATION

MATSU (MAT)
NOME (NOM)

1 Name:Ms. Karen Ligon Phone: 9074432231
Address: Nome Public Schools, PO Box 131 Affiliation: NPS
City /St /Zip:Nome AK 99762 Type: Testifier
Bill: SB 105: PUBLIC SCHOOL FUNDING

Debbie Ossiander (OF1) SB95 Eagle River
PETERSBURG (PSG)

1 Name:Mrs. Elizabeth Bacom Phone: 772-3090
Address: PO Box 683 Affiliation:
City /St /Zip:Petersburg AK 99833 Type: Testifier
Bill: SB 105: PUBLIC SCHOOL FUNDING

---

2 Name:Mrs. Elizabeth Bacom Phone: 772-3090
Address: PO Box 683 Affiliation:
City /St /Zip:Petersburg AK 99833 Type: Testifier
Bill: SB 198: INCREASE BASE ALLOCATION FOR EDUCATION

SEWARD (SEW)

1 Name:Mr. Malcolm Fleming Phone:
Address: PO Box 302 Affiliation: SEWARD HS
City /St /Zip:Seward AK 99664 Type: Testifier
Bill: SB 198: INCREASE BASE ALLOCATION FOR EDUCATION

SB 204

HFIN
FILE

(TI)

HOUSE COMMITTEE REPORT

Date Referred to Committee: April 15, 2000 FURTHER REFERRALS:

Date of Committee Action: 4/19/00

The FINANCE Committee considered: SB 204

SENATE BILL NO. 204 EXTEND ALASKA COMMISSION ON AGING

"An Act extending the termination date of the Alaska Commission on Aging; and providing for an effective date."

recommends it be replaced with the following committee substitute HCS SB 204 (FIN) [ ] the same title [ ] a new title

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

ADOPTS: HFC Letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept) APPROVES PREVIOUS: (Dept/Date)

[X] fiscal note(s) DOA [ ] fiscal note(s) _____

[ ] zero fiscal note(s) _____ [ ] zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
Con Bunde Bunde	✓			
Gail Davies DAVIES	X			
Bert Grussendorf GRUSSENDORF	X			
Gary L. Davis DAVIS	X			
Kim Williams WILLIAMS	X			
Kait Phillips PHILLIPS	✓			
Foster FOSTER	X			

CHAIR'S SIGNATURE Con Bunde UC

Con Bunde Chair

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. HCS SB 204 (FIN)

Revision Date/Time (Note if correction) 4/19/00
Dept. Affected Administration
Title An Act extending the termination date of the Alaska Commission on Aging
BRU Senior Services
Component Protection, Community Services and Administration
Sponsor (S) HESS
Requester (H) FIN
Component No. 2083

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	633.4	633.4	633.4	633.4	633.4	633.4
Travel	70.0	70.0	70.0	70.0	70.0	70.0
Contractual	264.6	264.6	264.6	264.6	264.6	264.6
Supplies	8.0	8.0	8.0	8.0	8.0	8.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	976.0	976.0	976.0	976.0	976.0	976.0
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	784.7	784.7	784.7	784.7	784.7	784.7
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	81.6	81.6	81.6	81.6	81.6	81.6
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	109.7	109.7	109.7	109.7	109.7	109.7
Other (Specify Type)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	976.0	976.0	976.0	976.0	976.0	976.0

Estimate of any current year (FY2000) cost:

POSITIONS						
Full-time	10	10.0	10.0	10.0	10.0	10.0
Part-time	1	1.0	1.0	1.0	1.0	1.0
Temporary	0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: *(Attach a separate page if necessary)*

This bill will extend the termination date of the Alaska Commission on Aging to June 30, 2004. In reality, it will have no fiscal impact on the department, as these costs are already included in the Governor's budget. This fiscal note assumes that the Commission will continue in its current configuration, and reflects salary and benefit costs for all positions. Expenditure data also reflects travel, contractual, and supply costs as submitted in the Governor's budget.

Prepared by: Jane Demmert, Executive Director
Phone 907-465-4879
Division Senior Services
Date/Time
Approved by Commissioner -- Robert Poe, Jr. Alison M. Elgee
Date 4/19/00
Agency Department of Administration

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HCS CS SB 204 (Fin)

LETTER OF INTENT

It is the intent of the Legislature that during the interim the Long Term Care Task Force address the placement of the Long Term Care Ombudsman's office and make a recommendation to the Twenty-Second Legislature as to the placement of the office.

Representative Con Bunde
Vice-Chairman

Adopted by the House Finance Committee
April 19, 2000

4/19/00

#1

1-LS1288\G.1
Lauterbach
4/18/00

adopted N/O

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE PHILLIPS

TO: HCS SB 204(HES)

Page 1, line 2:

Delete all material.

Page 1, line 3:

Delete "**Commission on Aging to the legislative branch;**"

Page 1, line 6, through page 8, line 26:

Delete all material.

Page 8, line 27:

Delete "**Sec. 9**"

Insert "**Section 1**"

Page 8, line 30, through page 13, line 13:

Delete all material.

Page 13, following line 13:

Insert a new bill section to read:

"*** Sec. 2.** This Act takes effect June 30, 2000."

Health, Education, and Social Services Committee
Alaska State Legislature
House of Representatives

MEMORANDUM

April 12, 2000

To: House HESS Committee Members

From: Rep. Fred Dyson, Chair, House HESS

RE: CS for SB 204

This CS moves the Long Term Care Ombudsman from the Older Alaskans' Commission to the Legislative Branch.

In order for the long term care of the elderly to be monitored and investigated properly we must move the Long Term Care Ombudsman's (LTCO) office out of its current conflicted position. It is not possible for the Director of the Commission on Aging to neutrally monitor the Long Term Care Ombudsman who may be investigating actions of that Director, his/her employees, and colleagues within the Department of Administration. A recent Legislative Audit, #02-4591-00, clearly shows the conflict that exists under the present system. Alaskans have a right to be assured that they, or their friends and relatives who are under the care of a state operated facility will be accorded the same rights to a full and fair investigation of care as are persons in the care of a private facility.

The only way to be sure that investigations of public and private long term facilities are seen equal is to move the responsibility for investigation of complaints and advocacy for the rights of seniors away from a body that also operates some of these facilities.

Alaska State Capitol, Room 106 • Juneau, Alaska 99801
(907) 465-3759 phone • (907) 465-4587 fax

Alaska State Legislature

Senator Mike Miller, Chairman
Senator Pete Kelly, Vice Chairman
Senator Drue Pearce
Senator Gary Wilken
Senator Kim Elton

State Capitol, Rm 119
Juneau, Alaska 99801-1182
(907) 465-3762

Senate Committee on
Health, Education and Social Services

SB 204

"An Act extending the termination date of the Alaska Commission on Aging"

The Alaska Commission on Aging was first established as a single Planning and Service Area (PSA) in the Department of Administration as the Older Alaskans Commission in July of 1981 by AS 44.21. Being classified as a PSA means that the commission is the only agency in the State that plans, funds, and oversees services to seniors statewide. In 1994,legislation was adopted (Chapter 131,SLA 1994) that changed the commission's name to Alaska Commission on Aging.

The commission is authorized to administer and coordinate state programs for older Alaskans and to administer federal programs provided under the Older Americans Act, 42 U.S. Code 3001-30451, as amended. Together, the provisions of AS 44.21 and the Older Americans Act establishes the commission's authority, purpose, and scope of work.

On September 17,1999, the Alaska State Legislature, Legislative Budget and Audit Committee's special report on the Department of Administration, Alaska Commission on Aging conclusion's were the following:

Report Conclusions

The expiration date of ACoA should be extended.

In our opinion, ACoA has demonstrated that there is a public need for this commission. According to AS 44.66.010, the commission is scheduled to expire June, 30,2000.We recommend that the legislature adopt legislation extending ACoA's expiration date to June 30,2004.

The purpose of SB 104 is to extend the termination date of the Alaska Commission on Aging; to June 2004.

SB 204

MARTY MARGESON
1401 West13th Ave
Anchorage,Ak.99501
907-278-9275,FAX279-9282
E-mail:asweethome@gci.net

SUPPORT SENATE BILL 204:MOVE THE OLTCO
House Finance
Committee Hearing Testimony 4/18/00

I would like to offer support to Senate bill 204 moving the Longterm Care Ombudsman's office from its conflicted position under the Dept. Administration to the Legislative Office. We have continually witnessed problems in our beloved Anchorage Pioneer Home – problems more easily addressed and solved if the Ombudsman's office were freer to act and investigate. How can Commissioner Poe oversee both agencies – both the Pioneer Homes and the Longterm Care Ombudsman – is this not an obvious conflict of interest. We have seen that the fox cannot guard the hen house – we see problems continue. We are a state without consumer protections. Families and handicapped Senior residents deserve the unbiased protection and advocacy of a strong Longterm Care Ombudsman. This can only be accomplished by immediately moving the Office. I encourage you to support this bill.

1-LS1288\G.1
Lauterbach
4/18/00

#1

AMENDMENT

OFFERED IN THE HOUSE BY REPRESENTATIVE PHILLIPS

TO: HCS SB 204(HES)

Page 1, line 2:

Delete all material.

Page 1, line 3:

Delete "**Commission on Aging to the legislative branch;**"

Page 1, line 6, through page 8, line 26:

Delete all material.

Page 8, line 27:

Delete "**Sec. 9**"

Insert "**Section 1**"

Page 8, line 30, through page 13, line 13:

Delete all material.

Page 13, following line 13:

Insert a new bill section to read:

"*** Sec. 2.** This Act takes effect June 30, 2000."

TESTIMONY OF FRANCES PURDY
IN SUPPORT OF HCS SB 204
(Moving the Office of the Long-Term Care Ombudsman
from the department of administration to the legislative branch_

Committee Chair and Honorable Representatives:

I come before you today in support of HCSSB204. This is a very sound solution for supporting the mission of the Office of the Long-Term Care Ombudsman (OLTCO). The Long-Term Care Ombudsman programs were developed at the national level, in part, because nursing home licensing in some states was ineffective at ensuring adequate and safe services for seniors. In Alaska, we anticipated the long-term care service delivery and created the OLTCO to advocate for seniors in nursing homes and assisted living homes. Alaska also saw a need to have the OLTCO advocate for seniors in public housing or when they use long term care services in their own home or in the community.

When the OLTCO was first placed in the Alaska Commission on Aging (Commission), the Commission focused on planning and not service delivery. The Commission is now heavily involved in coordinating or supervising the delivery of long term care services to seniors. The Commission and the Division of Senior Services (Division) now are involved in almost every aspect of senior service delivery except nursing home administration and licensing. The Division even participates in the admission process into nursing homes.

The Commission administer grants that operate assisted living homes in rural Alaska, senior centers throughout the state, senior transportation, meals on wheels, care coordinators who manage the care delivered to seniors not in nursing homes. The Commission shares budget, personnel and other administrative staff and functions with the Division that makes a conflict with the one also a problem with the other. This subjects the OLTCO to financial or administrative repercussion for challenging Commission or Division policies, procedures or services.

The following are Division programs about which seniors request individual or systemic advocacy: Adult Protective Services, the OLTCO advocates for the wishes of seniors when Adult Protective Services represents what the State of Alaska believes is best for the senior; Medicaid Waiver, the OLTCO advocates for either the seniors' use of the Medicaid Waiver services instead of a nursing home or advocates for a higher amount of services than approved by the Division so that the senior can stay at home rather than going to an assisted or nursing home; and Assisted Living Home licensing whose role is to enforce the minimum standards while the OLTCO advocates for the best practices and needs of seniors that may require more than minimum standards.

In the Department is also found the Division of Longevity Bonus (the six Pioneers' Homes) and the Office of Public Advocacy (public guardians and conservators that manage the assets or services for seniors and advocates the right of the State to make decisions for the Senior in conjunction with Adult Protective Services).

These issues cause tension because the OLTCO has the role and responsibility to be an advocate for individual seniors and advocate for systemic changes that effect seniors in general. This tension makes the OLTCO job difficult. The advocacy tasks are completely compromised with the placement of the OLTCO within the very Commission, Division and Department that houses the overwhelming number of programs about which seniors have complaints or request advocacy. The OLTCO in this small bureaucracy appears to be easily touched by overlapping and conflicting program tasks and directions of the Commission, Division and Department.

This legislation was first developed over one year ago. It has been reviewed by all entities involved, including the regional and national offices that fund and supervise the Long-Term Care Ombudsman programs. This legislation follows the well researched trend of other states to make the Long-Term Care Ombudsman independent of the programs, managers, owners and agencies from which seniors" complaints arise.

The issues involved in this conflict need not be analyzed on a personal basis. The conflicts identified in the state and national studies transcend this current administration. The problems are created by the current placement of the OLTCO in an administrative structure that delivers the very programs seniors request assistance to change or to resolve problems left unresolved by that administration. The administrative problems can be solved by a restructure as offered in this proposed statutory revision.

Please vote to pass this bill out of committee so that the OLTCO can perform its advocacy and problems solving tasks without conflict. Seniors deserve an advocate, in fact, not just on paper.

I thank you for this opportunity to discuss this important issue.

Frances Purdy
1741 Westview Circle
Anchorage, Alaska 99504
333-0871
pager 231-3021

TESTIMONY TO SUPPORT MOVING THE OFFICE OF THE LONG TERM CARE OMBUDSMAN'S OFFICE OUT OF THE DEPT. OF ADMINISTRATION
SB 204

APRIL 19, 2000

Members of the Committee:

My name is Bud Caress. My mother was a 5 year resident of the Anchorage Pioneers' Home. I am a 41 year resident of Alaska. I appreciate the opportunity to supply testimony for this issue.

The Office of the Long Term Care Ombudsman is designated by statute to investigate and advocate for the health and well-being of senior citizens in long term care facilities. The placement of the Alaskan office within the Department of Administration's Alaska Commission on Aging, makes this office unable to fully function as the strong foundation that seniors can depend on when they are powerless to resolve problematic conditions in their long term care.

How then can the Office of the Long Term Care Ombudsman investigate and advocate for resolution of problems in long term care, when they are overseen by the very Department that houses the State of Alaska's largest long term care facility itself? How could the LTCO "throw rocks at it's own house" safely? Sometimes advocating for change requires some "rock throwing". The political situation surrounding this office has been allowed to go on too long and must be corrected in order to serve Alaska's vulnerable elderly population effectively.

Please support moving the OLTCO out of it's conflicted position and into a neutral setting where they can serve the elderly population of Alaska in the way they were designed by the Legislature to operate.

Many thanks to Senator Lyda Green for having the courage to take a stand to make sure that the senior citizens that are unable to represent themselves have a strong voice in Juneau.

Bud Caress
6808 Spruce Road
Anchorage, AK 99507
349-1712

D-19

SB 204

TESTIMONY TO SUPPORT MOVING THE OFFICE OF THE LONG TERM CARE OMBUDSMAN'S OFFICE OUT OF THE DEPT. OF ADMINISTRATION

APRIL 18, 2000 Committee members (HCS SB204)

[redacted] Through the Chairs:

I appreciate the opportunity to testify to this issue that I consider so critical to the elderly residents of long term care in Alaska. My mother was a 5 year resident of Anch. Pioneers' Home and I am currently a member of the Northside Anch. Pioneers' Home Family Council.

The Office of the Long Term Care Ombudsman is designed by statute to investigate and advocate for the health and well-being of senior citizens in long term care facilities. Because of the placement of the Alaskan office within the Department of Administration's Alaska Commission on Aging, this office cannot fully function as the strong foundation that seniors can depend on when they are powerless to resolve problematic conditions in their long term care alone. Currently the office exists as a beleaguered entity that operates at the mercy of the Department of Administration's political whims.

These are the same political whims that has the Department's Commissioner refusing to recognize concerned family members and citizens who wish to see that the State of Alaska does the best job possible in the business of caring for it's most frail and dependent residents. Commissioner Poe's refusal to acknowledge or support the newly formed Northside Pioneers' Home Family Council speaks volumes about the inability of this department to allow for realistic resolution of resident care issues. How then can the Office of the Long Term Care Ombudsman go about the business of investigating and advocating for resolution of problems, if they are not allowed to acknowledge that serious problems exist?

Please support moving the OLTCO out of it's conflicted position and into a neutral setting where they can serve the elderly population of Alaska in the way they were designed by the Legislature to operate.

Lisa Caress-Beu
2420 Chinook Avenue
Anchorage, AK 99516
(907) 345-0515

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. HCS SB 204 (HES)

Revision Date/Time (Note if correction) 4/17/00
Dept. Affected Administration
Title An Act extending the termination date of the Alaska Commission on Aging
BRU Senior Services
Component Protection, Community Services and Administration
Sponsor (S) HESS
Requester (H) FIN
Component No. 2083

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	633.4	633.4	633.4	633.4	633.4	633.4
Travel	70.0	70.0	70.0	70.0	70.0	70.0
Contractual	264.6	264.6	264.6	264.6	264.6	264.6
Supplies	8.0	8.0	8.0	8.0	8.0	8.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	976.0	976.0	976.0	976.0	976.0	976.0
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	784.7	784.7	784.7	784.7	784.7	784.7
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	81.6	81.6	81.6	81.6	81.6	81.6
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	109.7	109.7	109.7	109.7	109.7	109.7
Other (Specify Type)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	976.0	976.0	976.0	976.0	976.0	976.0

Estimate of any current year (FY2000) cost:

POSITIONS

Full-time	10	10.0	10.0	10.0	10.0	10.0
Part-time	1	1.0	1.0	1.0	1.0	1.0
Temporary	0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: *(Attach a separate page if necessary)*

See attached.

REPORTED OUT OF HFC

Prepared by: Jane Demmert, Executive Director
Phone 907-465-4879
Division Senior Services
Date/Time
Approved by Commissioner Robert Poe, Jr. Alison McElgin
Date 4/17/00
Agency Department of Administration

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FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. HCS SB 204 (HES)

Analysis continued:

This bill will:

1) extend the termination date of the Alaska Commission on Aging (ACOA) to June 30, 2004;

2) effective July 1, 2000 transfer the Long Term Care Ombudsman function from the Alaska Commission on Aging to the Alaska Legislature. In reality, the bill will have no fiscal impact on the Commission and the Department of Administration, as these costs are already included in the Governor's budget. This reflects salary and benefit costs for all positions, as well as travel, contractual and supply costs as submitted in the Governor's budget. This fiscal note assumes the Commission will continue in its current configuration with one change: the transfer of the Long Term Care Ombudsman function to the Legislature. The Long Term Care Ombudsman program is funded with federal Older Americans Act funding. Under provisions of the Older Americans Act, the Commission is the sole State agency designated to receive and administer Older American Act funding. Therefore the Commission will establish an annual Reimbursable Services Agreement with the Alaska Legislature to annually transfer to the Legislature funding for continued operation of the Long Term Care Ombudsman function.

The annual operating budget for the LTCO function is included in the total ACOA funding. The LTCO budget is $238.0.

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. HCS SB 204 (HES)

Revision Date/Time (Note if correction) 4/17/00
Dept. Affected Administration
Title An Act extending the termination date of the Alaska Commission on Aging
BRU Senior Services
Component Protection, Community Services and Administration
Sponsor (S) HESS
Requester (H) FIN
Component No. 2083

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	633.4	633.4	633.4	633.4	633.4	633.4
Travel	70.0	70.0	70.0	70.0	70.0	70.0
Contractual	264.6	264.6	264.6	264.6	264.6	264.6
Supplies	8.0	8.0	8.0	8.0	8.0	8.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	976.0	976.0	976.0	976.0	976.0	976.0
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	784.7	784.7	784.7	784.7	784.7	784.7
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	81.6	81.6	81.6	81.6	81.6	81.6
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	109.7	109.7	109.7	109.7	109.7	109.7
Other (Specify Type)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	976.0	976.0	976.0	976.0	976.0	976.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time	10	10.0	10.0	10.0	10.0	10.0
Part-time	1	1.0	1.0	1.0	1.0	1.0
Temporary	0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: *(Attach a separate page if necessary)*

See attached.

Prepared by: Jane Demmert, Executive Director
Phone 907-465-4879
Division Senior Services
Date/Time
Approved by Commissioner Robert Poe, Jr. Alison McElay
Date 4/17/00
Agency Department of Administration

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FISCAL NOTE

STATE OF ALASKA **BILL NO. HCS SB 204 (HES)**
2000 LEGISLATIVE SESSION

Analysis continued:

This bill will:

1) extend the termination date of the Alaska Commission on Aging (ACOA) to June 30, 2004;

2) effective July 1, 2000 transfer the Long Term Care Ombudsman function from the Alaska Commission on Aging to the Alaska Legislature. In reality, the bill will have no fiscal impact on the Commission and the Department of Administration, as these costs are already included in the Governor's budget. This reflects salary and benefit costs for all positions, as well as travel, contractual and supply costs as submitted in the Governor's budget. This fiscal note assumes the Commission will continue in its current configuration with one change: the transfer of the Long Term Care Ombudsman function to the Legislature. The Long Term Care Ombudsman program is funded with federal Older Americans Act funding. Under provisions of the Older Americans Act, the Commission is the sole State agency designated to receive and administer Older American Act funding. Therefore the Commission will establish an annual Reimbursable Services Agreement with the Alaska Legislature to annually transfer to the Legislature funding for continued operation of the Long Term Care Ombudsman function.

The annual operating budget for the LTCO function is included in the total ACOA funding. The LTCO budget is $238.0.

Alaska State Legislature

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State Capitol
Room 411
Juneau, Alaska 99801-1182

Representative Gail Phillips

To: House Finance Committee Members

From: Representative Gail Phillips Gail

Date: April 18, 2000

Re: SB 204: Extend Alaska Commission on Aging

Please see the attached memo from Pat Davidson to Senator Randy Phillips regarding placement of the Long-Term Care Ombudsman.

In checking with the bill sponsor, Senator Miller, his main concern is for extending the Commission's sunset clause. He has no preference on where the Ombudsman is placed.

Further discussions with Legislative Council members revealed that no one knew about the idea of placing the Long -Term Ombudsman position under Legislative Council. Members expressed it should not be placed under the Council, which is certain to have budget impacts regardless of the federal funds coming into this program.

My recommendation would be to adopt one of the other suggestions made by the auditor. Certainly, using a private sector contractor has a great amount of appeal.

Thanks

GP/ccm

ALASKA STATE LEGISLATURE

LEGISLATIVE BUDGET AND AUDIT COMMITTEE

Division of Legislative Audit

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MEMORANDUM

TO: The Honorable Randy Phillips
Alaska State Senate

FROM: Pat Davidson
Legislative Auditor

DATE: February 18, 2000

RE: Organizational Placement of the
Long Term Care Ombudsman

We have prepared this memorandum in response to your request regarding the Long Term Care Ombudsman (LTCO) function, and where it possibly should be organizationally located. As reflected in our sunset audit report of the Alaska Commission on Aging (ACoA) we had concerns about the organizational independence of the LTCO position, and recommended the commission investigate alternative organizational options.

Since the time we completed our audit, ACoA has considered various options in regards to reorganizing the LTCO function. Since, in our view, the nature of the reorganization was appropriately within the discretion of ACoA, we did not discuss possible organizational options in our sunset report. We believe we have some insight into the alternative reorganization of the LTCO function, and at your request, we will set out our thoughts, perspective, and concerns in this memorandum.

In our view, any reorganization of the LTCO function must address two central problems:

1. The conflict of interest with the management of the state's Pioneer Homes. Department of Administration (DOA) management is responsible for administering the state's Pioneer Homes. Operation of the homes falls within LTCO oversight. DOA's deputy commissioner is a voting member of ACoA and in the past has participated in the hiring and firing of the LTCO. Accordingly, any change in the organizational placement of the LTCO function must better isolate the position from oversight and possible interference from DOA management.

2. The lack of established investigative protocols. State law suggests that ACoA take an active role in LTCO operations. At AS 44.22.239, it provides "[ACoA] *shall enter into cooperative agreements concerning the operations of the* [LTCO], *including protocols for investigations, with state and local agencies that have jurisdiction over long term care facilities or over the abuse and neglect of older Alaskans.*" [Emphasis added.]

   While the statute seems to suggest that such protocols involve coordination between state agencies, we also think it would be helpful to establish procedures regarding how complaints should be handled while being investigated. In particular, the confidentiality status of complaints under investigation and how information about ongoing and completed investigations should be communicated are key operational standards that need to be established. It may be useful for ACoA to solicit the perspective of private sector facilities and industry organizations when developing procedures and protocols for LTCO investigations.

Possible Reorganization Options

1. Keep the LTCO function under ACoA but with improved oversight and greater separation from Pioneer Home administration. ACoA could revise its bylaws to provide for a special subcommittee with the specific responsibility of overseeing the LTCO. A group of three to five commission members exclusive of the designee of the DOA commissioner and the chair of the Pioneer Home Advisory Committee could make up such a committee. Besides directing, in a general way, the activities of the LTCO and being responsible for evaluating the incumbent's performance, the sub-committee could develop standard procedures for how the LTCO is to conduct investigations.

   Rather than leave such an administrative restructuring to ACoA, the legislature may want to amend state law to create such an LTCO oversight committee under commission auspices. Such action would make it clear the legislature wished to better isolate the LTCO function from DOA management influence, while at the same time provide the individual in the position formal, institutionalized accountability, and oversight.

   In our view it is important to keep ACoA involved, at some level, with the selection, oversight, and support of the LTCO function. The primary people served by the LTCO are "constituents" of ACoA. Commission members are more likely to be attuned to the needs, and difficulties, that the elderly may be facing in various long term care facilities. Although DOA would retain a position on the commission under this scenario, this change may provide for a sufficient level of independence for the LTCO.

2. Transfer administrative responsibility for ACoA from the Department of Administration (DOA) to the Department of Health and Social Services (DHSS). Under this option, the LTCO, along with other functions and programs of ACoA would be transferred to DHSS. This option would segregate the LTCO function from the operations of the state's Pioneer Homes. ACoA could still maintain direct oversight of the long-term care ombudsman. Independence from management of the Pioneer Homes could also be improved by making the designee of the DHSS commissioner a voting member of ACoA (currently

this is a non-voting position) and making the representative of the Department of Administration a non-voting member.

Separating various programs administered by ACoA staff between DOA and DHSS may be somewhat of a problem. ACoA staff is responsible for administering numerous programs funded in large part by federal funds. The administration of these federal funds also involve the Division of Senior Services (DSS) personnel, and the executive director of ACoA has a somewhat unique dual reporting responsibility to both the commission and the DSS director. We do not think these reorganization problems would be insurmountable.

3. Transfer the LTCO function to the Division of Medical Assistance (DMA) within DHSS. This option would involve transferring the LTCO function to the licensing section of DMA. This agency is responsible for inspecting and licensing all health facilities in the State to determine the facility meets state and federal operating standards. Additionally, similar to the LTCO, this agency investigates complaints made against health care providers.

   The purpose behind the agency's inspections is to determine a health care provider's ability to provide services which are safe and of an acceptable quality. The inspections (called surveys) are typically unannounced. Inspections can take two to five days to complete and include such things as: a review of medical records; observing direct patient care; interviews with staff, patients, and families; review of facility policies and procedures; and, inspection of the physical integrity of the buildings. These activities are similar to, and address, many of the operational aspects carried out in a typical LTCO investigation.

   Under this option, it may be difficult, although probably not impossible, to keep ACoA actively involved in the oversight and direction of the LTCO function. This option would likely result in the LTCO becoming more of a line state agency, reporting either to the director of DMA, or directly to the DHSS commissioner's office.

   Another drawback may involve the merging of somewhat disparate objectives. The DMA surveys are part of regulatory regime of health care facilities wishing to qualify for reimbursement through Medicare and Medicaid. The LTCO function is typically characterized as being an "advocate" for individuals in long term care facilities. The operating philosophy involved with advocacy may result in a very different inspection and reporting approach than may be the case with regulatory inspections.

4. Provide function through a contract with a private non-profit organization. Another option, which has been considered by ACoA, is providing LTCO services through a contract with a private sector, non-profit organization. One such organization that was considered was an entity such as the Disability Law Center. The organization is non-profit which essentially acts as legal advocates on behalf of the disabled, pursuing enforcement of such laws as the Americans with Disabilities Act and the Individuals with

Disabilities Education Act. In addition to this advocacy function, DLC provides outreach, direct services, and public education regarding disabled citizens of the State.

It is critical that whatever organization is selected, it would be important that the contract specifies in some detail how the LTCO should operate and report results. The aforementioned investigative protocols and the oversight relationship with ACoA would be especially critical. It would appear to us that ACoA would possibly be able to exercise less control in such a situation, leaving much of the day-to-day prioritization and operations to the discretion of the contractor. Under such an option it would be important that the previously discussed ACoA sub-committee supervise the contract. Use of such a sub-committee, exclusive of DOA-affiliated membership, in such a way would avoid what may be viewed as clouding the independence of the LTCO function.

Another concern we would have would be continuity. Even though multi-year contracts can be used to ensure a selected contractor will be around long enough to build up experience, good contracting practice would dictate that the contract be "re-bid" on a periodic basis. Such requirements do pose the possibility there may be lack of continuity in carrying out the LTCO function.

5. Transfer the LTCO function to the Office of the Ombudsman in the legislative branch of government. Ms. Demmert also spoke briefly to this possibility. She commented that this option had been considered by ACoA, but largely had been discarded on the recommendation of Ms. Moya, Acting Ombudsman. That recommendation was based on her perspective that her current statutory authority was incompatible with the functions of the LTCO. Whether this could be remedied with a statutory change would be question for the ombudsman.

   Placement of the LTCO in the legislative branch would seemingly address the concerns regarding undue influence and conflict of interest that seem to remain under any of the other placement schemes. Such placement however, would place what should be an ongoing, administrative oversight function involving day-to-day operations outside the executive branch of government. In our view it may be awkward to provide what we believe is the necessary operational oversight to the LTCO from the legislative branch of government.

We believe virtually any operational scenario would be consistent with federal requirements. Federal funding provided in association with the Older Americans Act is used to cover the cost of the LTCO function. Accordingly, this federal legislation does establish certain parameters and requirements in regards to how the LTCO function must be carried out. From our reading of the federal law, and from discussions with Ms. Demmert, it does appear that the requirements are not particularly restrictive. In our view any of the organizational scenarios discussed in this memorandum would not run afoul of relevant federal requirements nor jeopardize the funding received for the operation of an LTCO program.

I hope this memorandum has been useful. In order to be concise and in the interest of response time we have omitted specific discussion of what statutory changes may have to be made to accompany any particular option. If we can be of further assistance, or you would like a more in-depth review of one or all of these options, please feel free to contact me.

Alaska State Legislature

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

committee on SB 204, dated 4/19/00.
bill/subject

To Committee Chair and Honorable Representatives:
I support this Bill. I am an RN Certified in Gerontology. I have been in nursing for 30 years. I worked at API for 6 yrs. I know on many occasions we were told not to report information to the LTCO. This continues to be true even today. I feel Seniors in the State of Alaska Continue to be harmed by LTCO under Dept of Admin. LTCO office needs to be free to carry out any & all Complaints for all Senior Citizens. This has not been the Case since I started to advocate for People in API in April 1992. I feel this bill will stop the intentional interference that has been allowed to happen under the Dept. of Adm.

Signed: Kathleen Emmons
Testifier

Representing (Optional)

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