

ALASKA LEGISLATURE

HOUSE and SENATE FINANCE COMMITTEE FILES, 2005-2006 2858

4/6/05 withdrawn not brought up

AMENDMENT NO.

4

OFFERED IN THE FINANCE COMMITTEE

BY: Rep. Weyhrauch

TO: HB 122 (MLV)

1 Page 2, following line 23

2 INSERT: (3) The state shall pay any penalty or cost based upon early termination
3 under this subsection, and hold harmless a party financially penalized by the
4 adoption of this subsection.

5

6 Page 3, following line 1

7 INSERT: (4) An institution of higher education may not seek reimbursement
8 from the state for any costs incurred under this subsection.

9

10 Page 3, line 2, following, "natural gas"

11 DELETE: "or other heating fuel"

12

14 Page 3, following line 10

12 INSERT: The state shall pay any penalty or cost incurred by public utility
13 financially penalized by the adoption of this subsection.

14

15 Page 3, following line 18

16 INSERT: The department may not seek reimbursement from the state for any
17 costs incurred under this subsection.

15

*adopted
4-5-05*

Meyer

24-LS0446P.1
Bullock
3/22/05

AMENDMENT 1

OFFERED IN THE HOUSE

TO: CSHB 122(MLV)

1 Page 2, lines 18 - 19:

2 Delete "; a termination under this paragraph does not remove the liability for any
3 amount"

4 Insert ", and the payment of any amounts"

5

6 Page 3, line 27, following "Bank":

7 Insert ", except for a loan made by the Alaska Housing Finance Corporation"

4/6/05
withdrawn

withdrawn -
pending
legal opinion

AMENDMENT NO. 3

OFFERED IN THE FINANCE COMMITTEE

BY: Rep. Weyhrauch

TO: HB 122 (MLV)

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18

Page 2, Line 9 · through

DELETE: Section 2. ~~to~~ pg 3 line 27

withdrawn
4-5-05

Amended

*Withdrawn
4-5-05*

AMENDMENT NO. 2

OFFERED IN THE FINANCE COMMITTEE

BY: Rep. Weyhrauch

TO: HB 122 (MLV)

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18

Page 1, Line 7
DELETE: Section 1.

*Amended to
amendment 3 - see p. 2
with discussion*

CS FOR HOUSE BILL NO. 122(MLV)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON MILITARY AND VETERANS' AFFAIRS

Offered: 3/21/05

Referred: Finance

Sponsor(s): REPRESENTATIVES DAHLSTROM, Berkowitz, Kott, Lynn, Hawker, Gruenberg, Wilson, Elkins, Thomas

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to certain relief concerning motor vehicle leases, telephone services,
2 education, utilities, state loans, and hunting, fishing, and trapping licenses for members
3 of the Alaska National Guard deployed to a combat zone; to reimbursement of
4 premiums for Servicemembers' Group Life Insurance paid by members of the Alaska
5 National Guard deployed to a combat zone; and providing for an effective date."

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

7 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
8 to read:

9 **FINDINGS AND INTENT.** The legislature finds that

10 (1) the Alaska National Guard has a proud tradition of military service with
11 many Alaskans having answered the call of the nation and served in the national guard;

12 (2) there have been instances in which the dependents of members of the
13 Alaska National Guard have been left without adequate financial resources when a national

1 guard member has been killed while on active duty;

2 (3) members of the Alaska National Guard are now being asked to serve
3 extended periods of active duty in combat areas; and

4 (4) members of the Alaska National Guard provide the state and its citizens
5 valuable benefits through their service in the state and through recently extended periods of
6 active duty in combat zones outside of the state, and, in exchange for these extended periods
7 of active duty, they should receive assistance and other relief related to the burdens of their
8 deployment when appropriate.

9 * Sec. 2. AS 26.05 is amended by adding new sections to read:

10 *Sec 2. up to*
am p. 3. **Sec. 26.05.261. Relief for servicemembers deployed to a combat zone. (a)**

11 This section applies to a member of the Alaska National Guard deployed to a combat
12 zone for a period of not less than 30 days.

13 (b) The member, the member's spouse, or other person authorized to act on
14 behalf of the member may terminate, without penalty or other cost based on early
15 termination, a

16 (1) motor vehicle lease executed by or on behalf of the member
17 deployed to a combat zone by providing written notice and surrendering the motor
18 vehicle to the lessor; a termination under this paragraph does not remove the liability
19 for any amount due under the lease not related to the early termination;

20 (2) contract for wireless telephone service executed by or on behalf of
21 a member by providing written notice to the wireless telephone service provider and
22 surrendering the wireless telephone used under the contract, and not owned by the
23 member, to the service provider.

24 (c) Upon request by a member, an institution of higher education in the state

25 (1) shall grant the member and a dependent of a military member a
26 military leave of absence from the institution;

27 (2) shall credit any tuition and fees paid that are applicable to an
28 academic term during a military leave of absence toward tuition and fees due for an
29 academic term beginning within 12 months following the return of the member from
30 deployment;

31 (3) may not change the educational status or degree requirements for a

1 member accepted in a degree program before the date of deployment.

2 (d) A public utility that provides electricity, natural gas, or other heating fuel
3 to the residential premises of a member may not cease to provide electricity, natural
4 gas, or other heating fuel for nonpayment. Upon the return of the member from
5 deployment, the person providing electricity, natural gas, or other heating fuel shall
6 offer the member a period of not less than the length of the period of deployment to
7 pay any arrearages incurred during the period of deployment and may not charge the
8 member interest or late payment fees for payments not made during the period of
9 deployment or the repayment period. A member may request a longer period for
10 repayment upon a showing of hardship.

11 (e) A member may not be required to make a payment on a state loan during
12 the period of deployment. Interest on the state loan shall continue during the period of
13 deployment and the member shall resume making payments upon returning from
14 deployment.

15 (f) The Department of Fish and Game shall reissue, without charge, any
16 fishing, hunting, or trapping license obtained by a member for the year in which a
17 member is deployed to a combat zone for a period of not less than 30 days for the year
18 following the member's return from deployment.

19 (g) In this section,

20 (1) "combat zone" means an area of hostile fire or imminent danger
21 that entitles a member on duty in that area to special pay;

22 (2) "institution of higher education" has the meaning in AS 23.20.520;

23 (3) "member" means a member of the Alaska National Guard
24 described in (a) of this section;

25 (4) "state loan" means any loan made by an agency of the state, a
26 public corporation of the state, or the Alaska Commercial Fishing and Agriculture
27 Bank.

28 **Sec. 26.05.263. Reimbursement of Servicemembers' Group Life Insurance**
29 **premiums.** (a) Subject to appropriation, the adjutant general of the department shall
30 reimburse premiums paid by a member of the Alaska National Guard deployed to a
31 combat zone to the Servicemembers' Group Life Insurance program (38 U.S.C. 1965

1 et seq.).

2 (b) A member of the Alaska National Guard deployed to a combat zone, the
3 member's spouse, or person authorized to act on behalf of the member must apply to
4 the department for reimbursement under this section within six months following the
5 date the member returns from deployment using the form provided by the department.

6 (c) In this section, "combat zone" has the meaning given in AS 26.05.261.

7 * Sec. 3. The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 APPLICABILITY. (a) AS 26.05.261(b), enacted by sec. 2 of this Act, applies to a
10 motor vehicle lease or contract for wireless telephone service entered into on or after the
11 effective date of this Act.

12 (b) AS 26.05.261(c), (d), (e), and (f), enacted by sec. 2 of this Act, apply to a member
13 of the Alaska National Guard deployed to a combat zone on or after the effective date of this
14 Act.

15 (c) The reimbursement of premiums paid by a member of the Alaska National Guard
16 deployed to a combat zone to the Servicemembers' Group Life Insurance program (38 U.S.C.
17 1965 et seq.) under AS 26.05.263, enacted by sec. 2 of this Act, applies to premiums paid on
18 or after the effective date of this Act.

19 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

Back-up to HB 172, supporting
AK's National Guard
24 LS0445F

HOUSE JOINT RESOLUTION NO. 8

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES WEYHRAUCH, Dahlstrom, Gardner, Lynn, Stoltze, Gruenberg

Introduced: 2/2/05

Referred: House Special Committee on Military and Veterans' Affairs, State Affairs

A RESOLUTION

1 Expressing support of Alaska Army National Guard soldiers deployed worldwide.

2 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 WHEREAS Alaska has more than 250 Alaska Army National Guard soldiers on
4 active duty, and approximately 170 of those soldiers are currently deployed overseas, many of
5 them involved in Operation Iraqi Freedom and Operation Enduring Freedom; and

6 WHEREAS 67 Aviation Battalion soldiers recently returned from nearly a year in
7 Kosovo; and

8 WHEREAS additional deployments of soldiers to Operation Iraqi Freedom and
9 Operation Enduring Freedom are planned; and

10 WHEREAS approximately 80 National Guard soldiers are on duty in Alaska working
11 with the National Missile Defense security mission at Fort Greely, and another 36 soldiers
12 have just completed two years of duty securing Kulis Air National Guard Base; and

13 WHEREAS active duty for these National Guard soldiers involves spending a great
14 deal of time away from their homes and families; for example, Alaska Army National Guard
15 soldiers involved in Operation Iraqi Freedom and Operation Enduring Freedom generally
16 spend an entire year overseas, with an additional six months of mobilization, training, and

1 demobilization time; and

2 WHEREAS each of these National Guard soldiers has a civilian life, a family, and a
3 role in the community as well, and service overseas requires considerable personal sacrifice as
4 well as support from families, friends, employers, and the community; and

5 WHEREAS National Guard soldiers are employed in all sectors of Alaska's economy;
6 as civilians, they are mechanics, truck drivers, cooks, business managers, small business
7 owners, pilots, fishermen, accountants, police officers, fire fighters, mill workers, salespeople,
8 and public employees; and

9 WHEREAS National Guard soldiers live in all areas of the state, from Metlakatla to
10 Barrow, from Kotzebue to Togiak, and in Kodiak, Kenai, and Kake;

11 BE IT RESOLVED that the Alaska State Legislature commends the bravery,
12 dedication, and willingness to serve of each individual in the Alaska Army National Guard,
13 particularly those who have been, are, or will soon be deployed overseas; and be it

14 FURTHER RESOLVED that the Alaska State Legislature recognizes and
15 appreciates the personal sacrifices made by these soldiers in order to serve, as well as those of
16 their families, employers, and communities; and be it

17 FURTHER RESOLVED that the Alaska State Legislature commends the families
18 and friends of these soldiers and recognizes their unwavering support; and be it

19 FURTHER RESOLVED that the Alaska State Legislature expresses its heartfelt
20 support of these soldiers as they carry out their missions, and wishes each of them success in
21 these important endeavors and a safe return home.

22 COPIES of this resolution shall be sent to Major General Craig E. Campbell,
23 Adjutant General, Department of Military and Veterans' Affairs and Commander of the
24 Alaska Army National Guard; Lieutenant General H. Steven Blum, Chief, National Guard
25 Bureau, United States Department of Defense; and the Honorable Ted Stevens and the
26 Honorable Lisa Murkowski, U.S. Senators, and the Honorable Don Young, U.S.
27 Representative, members of the Alaska delegation in Congress.

ALASKA STATE LEGISLATURE

Interim:

716 West 4th Avenue
Anchorage, AK 99501-2133
Phone: (907) 622-3783
Fax: (907) 622-3784



Session:

Alaska State Capitol
Juneau, AK 99801-1182
Phone: (907) 465-3783
Fax: (907) 465-2293
Toll Free (877) 460-3783

REPRESENTATIVE NANCY DAHLSTROM

ELMENDORF AFB • FORT RICHARDSON • BIRCHWOOD • FIRE LAKE • GOVERNMENT HILL • MULDOON
Representative_Nancy_Dahlstrom@legis.state.ak.us

SPONSOR STATEMENT CS HB 122 (MLV)

At a time when the federal government is considering action to better serve our military men and women in foreign countries, Alaska's guardsmen deserve the state's support as well.

As many of you know, guardsmen don't serve in the military full time; they are our co-workers and next-door neighbors. Providing a little extra security for their dependents affords them a little extra assistance while away on duty.

The legislation affects guardsmen who are deployed for a minimum of 30 days and qualify for hostile fire or imminent danger duty pay in a combat zone. CS HB 122 (MLV) includes the following provisions:

- **Termination of a motor vehicle lease:** allows any person, or spouse of a person, who is deployed on active duty to terminate any motor vehicle lease that is entered into on or after the effective date of the bill and is executed by or on behalf of the person deployed.
- **Termination of a cellular phone contract:** allows any person, or spouse of a person, who is deployed on active duty to terminate, without penalty, a cellular phone contract that is entered into on or after the effective date of the bill and is executed by or on behalf of the person deployed.
- **Military education leave of absence:** requires institutions of higher to grant a student "military leave of absence" from the institution should he/she be deployed under this legislation. Requires these institutions, upon request of the individual to credit tuition and fees (without any penalty) paid towards a subsequent academic term within one year of return from deployment. Also, requires institutions to allow students, already accepted in a degree program, to maintain their student status and degree requirements.

- **Utility Protection:** prohibits a regulated company who provides gas, electric or other heating source from ceasing to provide gas, electric or other heating source to the residential premises of any residential consumer who is deployed under this legislation for nonpayment for gas supplied or electricity provided to the residential premises.

Requires the utility company to work out a payment plan for any past due amounts.

Prohibits any late payments fees or interest from being charged to the residential consumer during the deployment

- **State loan deferment:** allows any person who is deployed on active duty under this legislation to defer any state loan payment that is due on or after the effective date and is entered into by or on behalf of the person deployed.
- **Fishing and Hunting License:** requires the Department of Fish and Game to reissue any fishing or hunting licenses obtained for the year in which the person is deployed under this legislation, for the year following the return of the guardsman.
- **Life Insurance premium reimbursement:** allows any person, or spouse of a person, who is deployed on active duty to submit a reimbursement claim form within six months of returning for all life insurance premiums paid during time of deployment.

It is the guardsmen's mission to support United States National Security objectives, and passing this legislation allows us to honor and support them in that role. HB 122 has bipartisan support and I ask for the committee's favorable consideration. Thank you.

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

States shore up support for troops

Thu Feb 17, 9:38 AM ET

From life insurance to utility bills and tuition, there's a surge of support for part-time soldiers.

By Sara B. Miller, Staff writer of *The Christian Science Monitor*

This April, when Rhode Island residents file their tax returns, they'll be able to check off a box to donate part of their tax refund to an assistance fund for the state's National Guard and Reserve families.



Earlier this month, the governor of New Mexico signed a bill making his state the first to buy life-insurance policies - worth \$250,000 - for all its active-duty Guard members.

- [Bush administration blurs media boundary](#)
- [Profile of Iraq's likely new leader](#)
- [Kid's skip class - and parents go to jail?](#)
- [Race filter arsenic from the world's water](#)
- [About the Christian Science Monitor](#)

And from South Dakota to Alabama, states have introduced or passed legislation ranging from tuition assistance, to free hunting licenses, to extensions on renewal periods for driver's licenses. Some of the perks apply to the military at large, but many are intended specifically for part-time soldiers.

Across the country, experts say, state aid to military personnel is growing. It reflects the increasingly critical role of the National Guard in Iraq ([news - web sites](#)) and the broader war on terror, and the mounting frustration with what some politicians see as Congress's insufficient contribution to the welfare of troops.

Legislation on behalf of military personnel has flourished since 2002, according to the National Conference of State Legislatures (NCSL). In New Mexico, Gov. Bill Richardson (D) says 24 states have contacted his office about the life-insurance bill since he signed it into law Feb 2. "I believe this is spreading like wildfire because this is the right thing to do," he says. "There is so much frustration with Congress doing so little."

War, experts point out, strikes closer to home when entire units are called to the front from a single state. "States are kicking in because the use of the National Guard is more extensive than they are accustomed [to]," says David Segal, director of the Center for Research on Military Organization at the University of Maryland. "It is their sons and daughters that are being called up."

The last major mobilization of the Guard for overseas deployments was during World War II, he says, when the draft was also in effect. "What's different now is that in World War II everyone went.... There was no major perception of inequity."



AP Photo

That perception, coupled with extended tours of duty and a mounting death toll in Iraq, have contributed to drops in recruitment numbers for the National Guard. Yet Guard and Reserve troops comprise about half of those fighting in Iraq.

Compounding their personal hardship, deployment often translates into financial strain: Forty percent of them earn less while serving abroad than in their civilian jobs, according to a Pentagon ([news - web sites](#)) study, and experts suggest the real number of troops with a salary gap may be still higher - even without the inclusion of other costs, such as childcare when one parent is abroad.

That's where the Rhode Island Military Relief Fund comes in, says Lt. Col. Robert Behm, director of the Rhode Island National Guard State Family Program. Contributions of \$140,000 have funded grants of \$1,000 for families with a loved one injured or killed on duty, and up to \$2,000 for emergencies, such as avoiding evictions and paying overdue utility bills.

Yet the greatest challenge, says Colonel Behm, isn't finding donations; rather, it's getting families to accept them. "Our biggest problem is that most of the time, we get families who are embarrassed; they don't want their spouse to know they couldn't handle the situation."

Officials expect Rhode Island residents to contribute even more money to the assistance fund come Tax Day. "There's almost not a week that goes by that we don't have some deployment or return," says Lt. Gov. Charles Fogarty. "We have a state responsibility to do this."

Other state lawmakers feel the same way, according to the NCSL:

- Missouri is one of many states trying match Rhode Island's tax-form donation technique.
- Delaware grants veterans with 90 or more consecutive days on active duty one year of free access to state parks.
- Alabama exempts active-duty troops from hunter-safety education requirements.

State support is, of course, good public policy: States look to the National Guard to help with everything from riots to natural disasters. Now, as residents see neighbors and co-workers being deployed, there is a heightened awareness of the Guard's sacrifices in Iraq. "The National Guard is more integrated into the civilian community, in a way that active-duty personnel are not, says Mady Wechsler Segal, a military sociologist at the University of Maryland.

In some ways, the state efforts are an extension of federal moves to boost compensation. The Pentagon recently announced plans to increase the tax-free federal death gratuity from \$12,420 to \$100,000 for survivors of military members killed in the line of duty.

Still, the federal government can play a larger role for National Guard and Reserve troops, says US Sen. Evan Bayh ([news](#), [bio](#), [voting record](#)) (D) of Indiana. In his state, he says, some of them have had to file for bankruptcy. That's why he's proposed a measure to eliminate the "patriot penalty" - the difference between civilian and combat pay.

The measure would provide a tax credit of up to \$15,000 a year to companies that pay the salary difference, and would directly pay those service members whose companies do not make up the difference, up to \$50,000 a year. "States have stepped forward with insurance policies" and other programs, he says. "But many states are really strapped financially."

It's a dilemma felt across the country. John Goheen, spokesman for the National Guard Association of the United States, notes the difficulty of setting state financial priorities. "Money is not endless; hard choices need to be made," he says. "How do you balance buying hardware with the supporting of service members and their families?"

The type of support that's needed - and increasingly expected - has shifted since 9/11, just as the nation's demands on its troops have changed. And with longer, more frequent deployments, many of those affected are pushing for a greater acknowledgment of how critical families - both their support of the troops and the military's support of them - really are.

"The whole family concept is something that, during the last few years, they realize there is a need for," says Behm.

But there is still much to do, says Amy Palmer, an Air Force veteran and the eastern region director for Operation Homefront, which provides day-to-day assistance to military families. "Because [the military] is more terrorist-oriented, it means a lot of frequent deployment," she says. "They are not looking at the transforming of the family to meet those needs.... And it gets harder every time."

Story Tools

 [Email Story](#)  [Post/Read Msgs](#)  [Formatted Story](#)

Rating: Would you recommend this story?

Not at all **1 - 2 - 3 - 4 - 5** Highly

Avg Rating: 3.93, 50 votes

Copyright © 2005 [The Christian Science Monitor](#)

Copyright © 2005 Yahoo! Inc. All rights reserved.

[Questions or Comments](#)

[Privacy Policy](#) - [Terms of Service](#) - [Copyright Policy](#) - [Ad Feedback](#)

Local News

Patriot plan helps soldiers

By Bridget Tharp
GUEST REPORTER

January 20, 2005

In Kosovo, he was just a soldier. After graduation, he'll have to fight as a father.

Army Cadet Sgt. Maj. Aaron Keighley, a University senior in ROTC, enrolled in the ROTC program after he returned from active duty in Kosovo.

"I know what it's like to be away. But I was only 18-years-old, and I didn't have as much responsibility as I have now," Keighley said.

State lawmakers created a plan to help military families like Keighley's.

"Ohio's Patriot Plan" offers nine ways for active-duty soldiers to prevent potential debt and stress for their families during their deployment overseas.

When he finishes college, Keighley will return to combat as an officer. Keighley said he hopes that his unit will trust him as an officer because he's been in combat before. But more than Keighley's rank will change when he is deployed a second time.

"I haven't really experienced what the military is like with a child," he said.

Now, Keighley is the father of 13-month-old son.

Keighley said the Ohio Patriot Plan gives him confidence.

"There is always a lot of stress getting deployed," Keighley said. "This will alleviate some of the stress and some of the worries that you have while you're away from your family."

The Ohio Patriot plan would rewrite the Ohio Human Rights Law to prevent discrimination against soldiers when they apply for jobs, housing or credit.

In addition, the plan would let soldiers end a cell phone contract or a car lease if called to active duty.

Known to lawmakers as Sub. House Bill 425, the non-partisan plan was passed unanimously in the Ohio Senate and House of Representatives last year.

Sponsor of the plan was Democratic Rep. Peter Ujvagi of the 47th District, which is located about 25 miles, or 30 minutes, from the city of Bowling Green. Ujvagi represents the southern and eastern sides of Toledo.

The bill won't go into effect until 90 days after Gov. Bob Taft signs it. Ujvagi said he hopes the bill will be effective by May 2005, at the latest.

"The sacrifices our military men and women make while serving on active duty should not be compounded by their families having to make additional sacrifices at home," Ujvagi said in a press release.

Ohio soldiers might not have to wait that long to see the effects of the plan. Ujvagi said a cell phone company begrudgingly ended the contract of an Ohio soldier based on knowing the legislation was already in the governor's hands.

Ujvagi said he is hoping "service members are going to be able to start using [the Ohio Patriot Plan already] if they have any problems that the legislation covers."

The Ohio Patriot Plan mimics a pair of bills that have been around in the state of New York since 2003. Rep. Ujvagi said he is already drafting the second Ohio Patriot Plan. He hopes to include items that were dropped from the original plan. Among the priorities of Plan 2, Ujvagi described a discount card for military families "similar to the Buckeye card."

Several provisions of the plan focus on families, but single soldiers also benefit.

Senior Ben Alvarez is an Army ROTC cadet who expects that he will be deployed when he graduates.

"I haven't put too much thought into family yet," Alvarez said. "But reading the plan, they're all things that I myself hadn't even thought of. Then I read it, and I'm like, 'Wow, that's a great idea!'"

Alvarez said deployment could last about a year.

"It does not make sense to have to pay for a car lease for a car that you can't drive for a year, and a cell phone that you can't use for a year. I think those two really stood out to me as being helpful to single soldiers," Alvarez said.

For soldier and father, Keighley, this plan will simplify life in general when he's away from home.

"It's good to know that even if you fall behind on your bills," Keighley said, "that you are protected by the government from them shutting off your power or kicking you out of your place."

Posted on Tue, Feb. 15, 2005, *MercuryNews.com*

Law Would Help Troops Get Out of Contracts

CONNIE MABIN

Associated Press

CLEVELAND - A law called the Ohio Patriot Plan, which Gov. Bob Taft was expected to sign Tuesday, is meant to spare Ohio families such stress. The legislation would make it illegal to evict financially struggling immediate family of military service members who have been deployed.

The law also makes it easier for service members to get out of long-term contracts for things such as car leases and cell phones, and it prohibits disconnection of utilities either during deployment or while injured soldiers recuperate.

When Lisa Spencer's Marine husband was called for duty in Iraq, it was hard enough to find the strength to comfort their three small children. But then the bills came: for the car, for the rent.

"There was a problem with the military checks and we didn't get paid right away," she said. "I had to tell my landlord that I had no money and he would have to wait for the rent."

When Spencer explained that money was on the way, the landlord let her stay. But the ordeal created stress that Spencer could have done without.

"It's hard for all of us to adjust to him not being here," said Spencer, of Salem. "To deal with all that and to have financial problems, it's hard. It's not that I don't want to pay my bills. It would be nice to have that cushion if something goes wrong."

The bill sponsored by Rep. Peter Ujvagi, a Democrat, was modeled after a New York law. Several other states, including Alabama, Pennsylvania, New Jersey, Rhode Island, Illinois and Iowa are now working on similar legislation.

The legislation creates new rules but does not establish penalties for companies that don't follow them.

Ujvagi's office said the law would allow military families to sue to seek monetary damages from people or companies that don't comply.

Michael Adelman, a lobbyist with the Ohio Bankers' League, said the lending and leasing industry supports the bill. "The last thing you want to do is create additional hurdles for these fine people who are putting their lives on the line," Adelman said.

The measure doesn't exempt military families from paying for things like rent and utilities, but gives them time to work out payment arrangements. For services such as cell phones and car leases, businesses would be barred from collecting early termination fees.

The service members must work through military attorneys to take advantage of the law.

Some businesses expressed concern about the bill as it moved through the Legislature, including a fear of too much paperwork and complicated rules. But those concerns were worked out during hearings, lobbyists said.

Among other things, the bill also prohibits soldiers' life insurance policies from being canceled. Also, military members' children could continue going to school in their home districts even if a parent is assigned to serve in another community.

Elizabeth Henderson, director of the United Service Organizations in Cleveland, said she's heard from dozens of military families who are pleased with the bill.

"For them to know that while they're overseas or even serving here in the U.S. that they don't have to worry about their car being taken away or their mortgage being taken away, that gives them such a sense of relief so that they can really focus," she said.

ON THE NET

Ohio Legislature: <http://www.legislature.state.oh.us>




Press Release

July 21, 2004

States Providing Range of Benefits for Military Families

Newly Released Survey Shows Governors Lending Helping Hand to Men and Women in Uniform

 Survey: State Support for National Guard and Regular Military Members And Their Families

WASHINGTON--With more than 40 percent of the National Guard and Reserves currently engaged in overseas military operations, the nation's governors are supporting these men and women, as well as their families, with a variety of benefits and services, a new survey has found.

Overall, according to the report, governors and their states have been stepping forward to assist families of men and women called to active duty, both regular military and National Guard and Reserves. The survey, conducted jointly by the National Governors Association (NGA) and the U.S. Department of Defense Office of Military Community and Family Policy, surveyed states to see the varied strategies that governors are employing to make life easier for deployed reservists and their families.

According to the report, states have responded to the unique challenges by, among other things, extending hiring preferences for state jobs to spouses of military personnel, offering childcare services, protecting families from foreclosure, facilitating easy access of professional licenses, and providing health and life insurance while activated.

Testifying today before the Senate Committee on Health, Education, Labor and Pensions, Subcommittee on Children and Families, NGA Executive Director Raymond Scheppach presented the results of the survey, and praised the work that states like Florida, Idaho, Indiana and North Carolina are doing to accommodate military members and their families.

To alleviate the heavy burden facing deployed military members and their families, many states have initiated plans, like a pilot program in several Florida counties, which forgives the property taxes of its deployed men and women. "Florida is proud of the men and women who serve courageously and honorably from our state," said Florida Gov. Jeb Bush, who also addressed the Senate subcommittee today. "We've made serving these military personnel, National Guardsmen and Reservists one of our top priorities. We are committed to creating a supportive environment for United States military missions based in our state, and for the military families who live among us."

Full tuition assistance for state universities, tax deductions and filing extensions are just some of the ways Indiana supports deployed military members and their families, said Indiana Gov. Joe Kernan in his remarks to the subcommittee today. Kernan also spoke about the Indiana National Guard Family Program, its focus on family readiness and the valuable involvement of volunteers. "The cornerstone of our service to Guard members and their families is a strong volunteer network," Kernan said. In particular, he noted that the program's youth services, led by a five-member council made up of sons and daughters of Guard members, works with parents and teachers on ways to help children deal with anxiety and fears that are the

result of a family member's deployment.

"I commend our nation's governors for stepping forward to provide necessary support to our servicemen and women and their families," said U.S. Sen. Lamar Alexander (R-Tenn.). "As our soldiers are away fighting to defend our freedom, it is our responsibility to make sure we support their spouse and help take care of their children.

"In the Senate we have held a series of seven hearings over the past year to identify ways we can respond to the unique challenges facing our military families. We learned that much can be done at the state level through executive orders by the governors and action by state legislatures. I am proud that today almost every state has a plan in place and is providing needed support to our troops and their families."

The NGA survey places these benefits into six categories:

- **Family Support**, including credit counseling, family survivor benefit plans, and support groups;
- **Education Benefits**, including tuition assistance and scholarships for spouses and children;
- **Licensing and Registration Benefits**, including extended deadlines for professional licenses;
- **Tax and Financial Benefits**, including tax relief and extension of filing deadlines;
- **State Employees Benefits**, including health care and life insurance benefits; and
- **Other Support Benefits**, including reemployment protection and hiring preferences.

Although states are required to enforce the Uniformed Services Employment and Reemployment Rights Act, and the Soldiers and Sailor Civil Relief Act, the benefits currently being offered by states go far beyond these basic requirements. In North Carolina, for example, the state has provided assistance to its National Guardsmen during deployment in Iraq by supplying them with hand held radios, body armor and laptop computers.

"Our brave men and women in the military have answered our country's call to duty and it is our responsibility here at home to support them and do what we can to help," North Carolina Gov. Mike Easley said. "Being away from your home and your loved ones is extremely difficult. We are reaching out to members of the military, their families and their communities to ease that burden."

In related news, Easley was one of two governors, Idaho Gov. Dirk Kempthorne being the other, who was recently appointed to lead NGA's efforts on National Guard-related issues. The announcement came during the NGA's recently completed 2004 Annual Meeting in Seattle. At that meeting, David Chu, the Defense Department's Under Secretary of Defense for Personnel and Readiness, and Gen. Ralph E. Eberhart, Commander of the North American Aerospace Defense Command and Commander of the U.S. Northern Command, met with the nation's governors to discuss states' efforts to accommodate the growing numbers of deployed Reservists and National Guardsmen and the thousands of regular military personnel overseas.

"This recent call-up of Idaho National Guard members completed the most extensive mobilization of Idaho's National Guard for overseas military deployment in our state's history," said Kempthorne. "It's possible these men and women could be away from home for up to two years and it's critical that we do everything within our means to support these fine soldiers abroad while taking care of their families here at home. The work we do here at NGA will help all governors as they struggle to adjust to these new realities."

For a copy of the complete report and a copy of Raymond Schepach's testimony, log on to the NGA Web site at [NGA Web site](#).

* Information on the web to guarantemen + women.

Life Insurance Program

Veterans Benefits & Services

Choose a Topic

Go!

Insurance
Home Page

Servicemembers'
Group Life Insurance

Veterans' Group
Life Insurance

VGLI Online
Access

SGLI Family
Coverage

Accelerated Benefits
Option

Beneficiary Financial
Counseling

Policy Conversion

Legislation

Email OSGLI

Forms

SGLI/VGLI Handbook

Servicemembers' Group Life Insurance (SGLI)

What Is SGLI?

SGLI is a program of low cost group life insurance for servicemembers on active duty, ready reservists, members of the Commissioned Corps of the National Oceanic and Atmospheric Administration and the Public Health Service, cadets and midshipmen of the four service academies, and members of the Reserve Officer Training Corps.

How Much Coverage Is Available?

SGLI coverage is available in \$10,000 increments up to the maximum of \$250,000.

How Much Does SGLI Cost?

SGLI premiums are currently \$.065 per \$1,000 of insurance, regardless of the member's age. Follow this link to view a [table of SGLI premium rates](#) at different coverage levels.

How Much Life Insurance do I Really Need?

We can help your figure out how much insurance you need. To assess your life insurance needs, follow this link to our [Insurance Needs Calculator](#).

Conversion Feature

Servicemembers with SGLI coverage have two options available to them upon release from service. They can convert their full-time SGLI coverage to term insurance under the Veterans' Group Life Insurance program or convert to a permanent plan of insurance with one of the participating commercial insurance companies. Follow these links for:

- [More information about converting to VGLI](#)
- [More information about converting to a commercial plan of insurance](#)

If you have questions - Use one of the following links for answers to [SGLI Frequently Asked Questions](#) or to view [SGLI premium rates](#). You will also find a comprehensive overview of the SGLI program in the [SGLI/VGLI Handbook](#). If you can't find the information that you're looking for on this site, please contact the appropriate office listed below.

Servicemembers should contact their **Personnel Office** for:

- changes to Basic SGLI or Family SGLI coverage

Servicemembers should contact their **Flight, Payroll and/or Finance Office** for:

- SGLI and Family SGLI premium payment information
- SGLI and Family SGLI premium refunds

Servicemembers and their beneficiaries should call, email or write the **Office of Servicemembers' Group Life Insurance (OSGLI)** for:

- pending SGLI or Family SGLI claims

Note: OSGLI does not have information concerning SGLI or Family SGLI premium payments, refunds or changes to coverage.

OSGLI can be reached by:

Toll-free telephone: 1-800-419-1473

Toll-free fax numbers:

*Death and accelerated
benefits claims only:* 1-877-832-4943

All other fax inquiries: 1-800-236-6142

Overseas:

Phone Number: 973-548-5699

Fax Number: 973-548-5300

E-mail:

*Death and accelerated
benefits claims only:* osgli.claims@prudential.com

All other inquiries: osgli.osgli@prudential.com

General Correspondence:

Office of Servicemembers' Group
Life Insurance

230 West Mt. Pleasant Avenue

Livingston, New Jersey 07039

New VGLI Applications and

VGLI Reinstatements:

OSGLI

PO Box 5000

Millville, New Jersey 08332-9928

[VA Home Page](#) / [Search](#) / [Site Map](#) / [Facilities Locator](#) / [Privacy & Security Statement](#) /
[Disclaimer](#) / [FOIA](#)

Reviewed/Updated: February 10, 2004



Life Insurance Program

Veterans Benefits & Services

Choose a Topic



- Insurance Home Page
- Servicemembers' Group Life Insurance
- Veterans' Group Life Insurance
- VGLI Online Access
- SGLI Family Coverage
- Accelerated Benefits Option
- Beneficiary Financial Counseling
- Policy Conversion
- Legislation
- Email OSGLI
- Forms
- SGLI:VGLI Handbook



SGLI Premium Rates

What are the current rates? The current rates are listed in the table below.

When did the current rates go into effect? The current rates went into effect on July 1, 2003.

Follow this link for more information about the premium rate reduction.

Current Basic SGLI Premium Rates - Effective July 1, 2003

Coverage amount	Monthly premium rate
10,000	0.65
20,000	1.30
30,000	1.95
40,000	2.60
50,000	3.25
60,000	3.90
70,000	4.55
80,000	5.20
90,000	5.85
100,000	6.50
110,000	7.15
120,000	7.80
130,000	8.45

Coverage amount	Monthly premium rate
140,000	9.10
150,000	9.75
160,000	10.40
170,000	11.05
180,000	11.70
190,000	12.35
200,000	13.00
210,000	13.65
220,000	14.30
230,000	14.95
240,000	15.60
250,000	16.25

Toll-free telephone: 1-800-419-1473

Toll-free fax numbers:
Death and accelerated benefits claims only: 1-877-832-4943

All other fax inquiries: 1-800-236-6142

Overseas:
 Phone Number: 973-548-5699
 Fax Number: 973-548-5300

General Correspondence:
 Office of Servicemembers' Group Life Insurance
 290 West Mt. Pleasant Avenue
 Livingston, New Jersey 07039

New VGLI Applications and VGLI Reinstatements:
 OSGLI

* Federal action consideration

Military to up death benefit

■ PLAN: Families could receive up to \$500,000 for those killed in combat

By BRADLEY GRAHAM and ANN SCOTT TYSON
The Washington Post

WASHINGTON — Under pressure from Congress, the Pentagon on Monday announced plans to increase death payments by nearly \$250,000 to families of U.S. troops killed in combat zones.

The proposed rise, which defense officials are saying is the largest increase in 50 years, for relatives of U.S. troops killed in Iraq and Afghanistan would effectively double to \$500,000 the cash that survivors can receive from the government payments and life insurance proceeds.

"This increase is a recognition that in certain areas of benefit compensation, the support packages for survivors have not been kept up to date," said Bryan Whitman, a Pentagon spokesman.

The initiative follows a mounting effort on Capitol Hill to correct what some lawmakers have decried as paltry compensation for survivors of U.S. troops killed in combat. The political concern has reflected growing public distress over the deaths, injuries and long hours of duty being endured by U.S. forces in Iraq.

ADN
Feb 1, 2005

See Back Page, PENTAGON

PENTAGON: Details of proposal to be announced today

Continued from A-1

Both Republicans and Democrats have introduced legislation to raise military death payments, part of a broader effort in Congress to improve conditions for those who serve in the armed forces, their families and veterans.

"What the Pentagon has put forward is a good core approach," said Sen. Jeff Sessions, R-Miss., a leading advocate of greater death payments. "It will serve as a good vehicle now for moving forward."

Under the Pentagon's plan, a one-time, tax-free "death gratuity" paid to survivors of military men and women killed in the line of duty would rise from \$12,410 to \$109,000. The government also would increase the limit of life insurance coverage for service members by \$150,000 to \$400,000. The government would pay the premiums on this extra coverage for troops in combat zones.

As of Monday, 145 Americans had died in Iraq and 156 had died in Afghanistan, according to the Pentagon. The cost of covering higher gratuity payments and extrajudicial insurance settlements for relatives of those troops would be about \$280 million in retroactive payments, according to the Defense Department.

"There is no price that you can put on human life, and no amount of money that can compensate for the loss of a loved one," said Whitman, who discussed the Pentagon proposal after it was reported by The Associated Press. "But we can make a family's financial circumstances more bearable."

The plan, which requires congressional approval, is expected to be detailed further today by the Senate Armed Services Committee. It will be sent to Congress formally next week as part of the president's state budget request, officials said.

The U.S. government already provides various forms of compensation to service members' survivors, including special payments for such categories as burial, housing relocation, education and child support.

Life gratuity payments and life insurance coverage are particularly important because they are a source of quick cash for large when grieving families need immediate financial cushion.

The program introduced in 1968 had grown to \$5,000 by the time of the Persian Gulf War in 1991. It was raised to \$6,000 after that war and boosted to \$12,000 in 2003. At the time, Congress also made it tax-free — before that, half was taxable —

and tied future increases to military pay raises.

Still, the payments have been dwarfed by government settlements averaging \$2.1 million paid to families of those killed in the terrorist attacks.

As for life insurance, troops are covered under a group program that charges modest premiums. But some service members have elected to reduce their coverage, sometimes without notifying their spouses or next of kin. The new Pentagon plan would require such notification.

Retired Marine Col Lee Lange, deputy director of government relations for the Military Officers Association of America, said his group was "pleasantly surprised" by the Pentagon's proposal.

Donna Gilmore of Stafford, Va., lost her husband, Sgt. Maj. Cornell Gilmore, the senior enlisted man in the Judge Advocate General's Corps, when Iraqi insurgents shot down the helicopter he was riding in on Nov. 7, 2003. She received \$250,000 in life insurance, a one-time death gratuity of \$12,000, and \$1,600 a month in an indemnity and survivor benefits.

"The money doesn't go far, it really doesn't," said Gilmore, who sold a car, cut back her children's living allowances and is working overtime in hopes of staying in the family home.

* Federal action consideration

Military to up death benefit

■ PLAN: Families could receive up to \$500,000 for those killed in combat

By BRADLEY GRAHAM and ANN SCOTT TYSON
The Washington Post

WASHINGTON — Under pressure from Congress, the Pentagon on Monday announced plans to increase death payments by nearly \$250,000 to families of U.S. troops killed in combat.

The proposed rise, which defense officials are saying is the most significant increase in the cash that survivors can receive from government payments and life insurance proceeds.

"This increase is a recognition that in certain areas of benefit compensation, the support packages for survivors have not been kept up to date," said Bryan Whitman, a Pentagon spokesman.

The initiative follows a mounting effort on Capitol Hill to correct what some lawmakers have decried as paltry compensation for survivors of U.S. troops killed in combat. The political concern has reflected growing public distress over the deaths, injuries and long hours of duty being endured by U.S. forces in Iraq.

ADN
Feb 1, 2005

See Back Page, PENTAGON

PENTAGON: Details of proposal to be announced today

Continued from A-1

Both Republicans and Democrats have introduced legislation to raise military death payments; part of a broader effort in Congress to improve conditions for those who serve in the armed forces, their families and veterans.

"What the Pentagon has put forward is a good core approach," said Sen. Jeff Sessions, R-Miss., a leading advocate of greater death payments. "It will serve as a good vehicle to move forward."

Under the Pentagon's plan, a one-time, back-pay death gratuity will be paid to survivors of military men and women killed in the line of duty, would rise from \$12,420 to \$100,000. The government also would increase the limit of life insurance coverage for service members by \$150,000 to \$400,000. The government would pay the premiums on this extra coverage for troops in combat zones.

As of Monday, 115 American had died in Iraq war and 156 had died in Afghanistan, according to the Pentagon. The cost of other places designated part of the global war by Congress, according to the Pentagon, is the cost of covering higher gratuity payments and extrajurisdictional insurance settlements to relatives of those who would be about \$280 million in retrospective payments, according to the Defense Department.

"There is no price that you can put on human life, and no amount of money that can compensate for the loss of a loved one," said Whitman, who discussed the Pentagon proposal after it was reported by The Associated Press. "But we can make a family's financial circumstances more bearable."

The plan, which requires congressional approval, is expected to be detailed further today by the Senate Armed Services Committee. It will be sent to Congress formally next week as part of the president's state budget request, officials said. The U.S. government currently provides various forms of compensation to service members' survivors, including specific payments for such categories as burial, housing relocation, education and child support.

The new gratuity payments are an insurance coverage for the families of those who die in combat. It was added to \$6,000 after that war and boosted to \$12,000 in 2003. At that time, Congress also made it tax-free — before that, half was taxable —

and tied future increases to military pay raises.

Still, the payments have been dwarfed by government settlements averaging \$2.1 million paid to families of those killed in the terrorist attacks. As for life insurance, troops are covered, under a group program that charges modest premiums. But some service members have elected to reduce their coverage, sometimes without notifying their spouses or next of kin. The new Pentagon plan would require such notification.

Retired Marine Col. Lee Lange, deputy director of government relations for the Military Officers' Association of America, said his group was "pleasantly surprised" by the Pentagon's proposal. Donna Gilmore, of Stafford, Va., lost her husband, Sgt. Maj. Cornell Gilmore, the senior enlisted man in the Judge Advocate General's Corps, when Iraqi insurgents shot down the helicopter he was riding in on Nov. 7, 2003. She received \$250,000 in life insurance, a one-time death gratuity of \$12,000, and \$1,600 a month in an indemnity and survivor benefits.

"The money doesn't go far. It really doesn't," said Gilmore, who sold a car, cut back her children's living allowances and is working overtime in hopes of staying in the family home.

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSHB 122 (MLV)
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Fish and Game
 Title An act relating to certain relief concerning RDU Administration and Support
motor vehicle leases, telephone services, Component Administrative Services
 Sponsor Representatives Dahlstrom, Berkowitz
 Requester House Finance Committee Component No. 479

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

CHANGE IN REVENUES (1024)	(10.6)	(10.6)	(10.6)	(10.6)	(10.6)	(10.6)
------------------------------------	---------------	---------------	---------------	---------------	---------------	---------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1024 Fish and Game Fund						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Assumptions:

- Approximately 300 members of the Alaska National Guard have been deployed in a combat zone.
- Of the 300 deployed, based upon license statistics, 50% will purchase fishing licenses, 28% will purchase hunting licenses and 10% will purchase sport fishing/small game hunting licenses.

License type	Cost	# Purchased	Amount
NR Military Sport Fishing	\$15.00	150	\$2,250.00
NR Big Game Hunting	\$85.00	84	\$7,140.00
NR Military SF/Small game hunting	\$39.00	30	\$1,170.00
Total		264	\$10,560.00

Prepared by: Tom Lawson, Director
 Division: Administrative Services
 Approved by: Wayne Regolin, Acting Commissioner
 Agency: Alaska Department of Fish and Game

Phone 465-5999
 Date/Time 4/4/05 9:30 AM
 Date 4/4/2005

HB

123

HFIN

FILE

HOUSE COMMITTEE REPC

(11)

Date Referred to Committee: February 9, 2005

FURTHER REFERRALS:

Date of Committee Action: April 11, 2005

The FINANCE Committee considered:

HB 123

HOUSE BILL NO. 123

OCCUPATIONS: FEES & EXTENSION OF BOARDS

"An Act relating to occupational licensing fees and receipts; extending the termination dates of the Boards of Barbers and Hairdressers, Social Work Examiners, Pharmacy, Professional Counselors, Psychologist and Psychological Associate Examiners, and Veterinary Examiners; relating to an exemption that allows one bill to continue more than one board, commission, or agency program; and providing for an effective date."

Recommends it be replaced with HCS or CS for HB 123 (FIN)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of
Abbrev
for
Depts:
ADM
CED
COR
CRT
EED
DEC
DFG
GOV
HSS
LEG
LAW
LWF
MVA
DNR
DPS
REV
DOT
UA

NEW FISCAL NOTES				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero

PREVIOUS FISCAL NOTES				
List by Dept(s):	FN#	Fiscal	Indet.	Zero
CED	1	✓		

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	Hawk	x			
	No. Lin			✓	
	S T 726			✓	
	MOSES			x	
	Kelly			x	x
	Doyle			x	
	FOSTER	x			
	Meyer			✓	
Chair:					
Chair:					

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 123(L&C)
(H) Publish Date: 2/9/05

Revision Date/Time (Note if correction): _____ Dept. Affected: Commerce
Title Occupations: Fee and RDU Occupational Licensing (117)
Extension of Boards Component Occupational Licensing
Sponsor Labor and Commerce
Requester House Labor and Commerce Component No. 2360

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	0.0	333.7	333.7	333.7	333.7	
Travel	0.0	36.5	36.5	36.5	36.5	
Contractual	0.0	115.6	115.6	115.6	115.6	
Supplies	0.0	0.4	0.4	0.4	0.4	
Equipment	0.0	0.0	0.0	0.0	0.0	
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	486.2	486.2	486.2	486.2	0.0

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

CHANGE IN REVENUES (1156)	0.0	486.2	486.2	486.2	486.2	0.0
----------------------------------	------------	--------------	--------------	--------------	--------------	------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other 1156 - Receipt Supported Services	0.0	486.2	486.2	486.2	486.2	0.0
TOTAL	0.0	486.2	486.2	486.2	486.2	0.0

Estimate of any current year (FY2005) cost: 486.2

Check this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 123 allows fines and penalties collected by various occupations to be included with fee collections for the purpose of determining whether revenue collected approximately equals the total costs of regulation for an occupation or board.

The bill also extends the following Boards to June 30, 2009: Barbers and Hairdressers; Social Workers; Pharmacy; Professional Counselors; Psychology; and Veterinary. In accordance with AS 08.03.020, funding is extended one year following the termination date allowing the Boards to conclude their affairs. FY 2006 funding is included in the Operating Budget request. The costs shown for subsequent fiscal years reflect the direct costs included in the FY 2006 budget. The direct costs by board are shown on the attached page.

Prepared by: Jennifer Strickler, Administrative Manager Phone (907) 465-2144
Division Occupational Licensing Date/Time 2/3/05 6:14 PM
Approved by: Edgar Blatchford, Commissioner Date 2/3/2005
Agency Commerce, Community and Economic Development

FISCAL NOTE #1

STATE OF ALASKA
2005 LEGISLATIVE SESSION

BILL NO. CSHB 123(L&C)

ANALYSIS CONTINUATION

DIRECT Expenses

	Barbers and Hairdressers	Social Workers	Pharmacy	Professional Counselors	Psychology	Veterinary	TOTAL
Personal Svcs	122,077.11	33,827.27	73,370.00	33,902.01	37,247.84	33,271.49	333,695.72
Travel	5,724.95	2,785.15	12,807.18	4,889.65	7,425.37	2,856.80	36,489.10
Contractual	34,760.13	8,247.63	34,472.41	7,356.23	23,623.41	7,138.79	115,598.60
Commodities	172.03	14.84	57.61	14.83	12.48	153.47	425.26
Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	162,734.22	44,874.89	120,707.20	46,162.72	68,309.10	43,420.55	486,208.68

The costs above reflect the FY04 Direct costs by Board and are included in the FY05 Budget and the Governor's FY06 operating budget request.

adopted

AMENDMENT

3

OFFERED IN THE HOUSE
TO: CS HB 123 (L&C)

BY *Meyer / Hawker*

- 1 **Page 1, line 1**
- 2 After "An Act relating to"
- 3 Delete "occupational licensing fees and receipts;"
- 4
- 5 **Page 1, line 7**
- 6 Delete Section 1
- 7
- 8 **Page 2, line 28**
- 9 Delete Section 2
- 10
- 11 **Page 3, line 9**
- 12 Delete Section 3
- 13
- 14 **Page 3, line 20**
- 15 Delete Section 4
- 16
- 17 **Page 4, line 22**
- 18 Delete Section 11
- 19
- 20 **Page 4, line 27**
- 21 Delete Section 12
- 22
- 23 **Renumber remaining sections accordingly.**
- 24

Adopted

AMENDMENT \

OFFERED IN THE HOUSE BY
TO: CS HB 123 (L&C)

- 1 Page 1, line 1
2 After "receipts;"
3 Insert "licensing credentials;"
4 Page 4
5 After line 21
6 Insert new section
7 **Sec. 11. AS 08.86.150 is amended to read:
8 AS 08.86.150 License by credentials. A person who is licensed or certified as a
9 psychologist by a licensing authority other than the state is entitled to be licensed in
10 the state without examination if the person applies on the proper application form,
11 submits proof of continued competence as required by regulation of the board, pays
12 the credential review fee, and the person
13 (1) holds a doctoral degree with primary emphasis on psychology that satisfies
14 the requirements of AS 08.86.130 and the examination and qualification
15 requirements for the person's out-of-state license or certificate were
16 essentially similar to or higher than the examination and qualification
17 requirements for licensure under this chapter; [OR]
18 (2) is a diplomate in good standing of the American Board of Professional
19 Psychology;]; or
20 (3) is certified or registered with a credentialing organization in psychology
21 approved by the board in regulation, and with requirements essentially
22 similar to or higher than the requirements for licensure under this
23 chapter.
24 Renumber the remaining sections accordingly.

W/D

AMENDMENT

2

OFFERED IN THE HOUSE
TO: CSHB 123(L&C)

BY REPRESENTATIVE ~~ANDERSON~~ *Weyhrauch*

- 1 Page 1, line 5, following "program;":
- 2 Insert "providing that pharmacists are to be considered health care providers in
- 3 all instances in the Alaska Statutes in which that term or its definition does not already
- 4 contain an explicit reference to pharmacists;"
- 5
- 6 Page 4, following line 21:
- 7 Insert a new bill section to read:
- 8 "* Sec. 11. AS 08.80 is amended by adding a new section to read:
- 9 Sec. 08.80.015. Pharmacists as health care providers. In all instances in
- 10 the Alaska Statutes in which the term "health care provider" or the definition of the
- 11 term "health care provider" does not contain an explicit reference to pharmacist, the
- 12 term "health care provider" shall be considered to refer to or include a pharmacist."
- 13
- 14 Renumber the following bill sections accordingly.

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

SPONSOR STATEMENT FOR CSHB 123 BY: Representative Tom Anderson

TITLE: " An Act relating to occupational licensing fees and receipts; extending the termination dates of the Boards of Barbers and Hairdressers, Social Work Examiners, Pharmacy, Professional Counselors, Psychologist and Psychological Associate Examiners, and Veterinary Examiners; relating to an exemption that allows one bill to continue more than one board, commission, or agency program; and providing for an effective date."

CS HB 123 extends the sunset for the boards of Barbers and Hairdressers, Social Work Examiners, Pharmacy, Professional Counselors, Psychologists and Psychological Associate Examiners and Veterinary Examiners. Each of these boards have been recommended by Legislative Audit for extension.

Additionally, CS HB 123 allows fines and penalties collected by various occupations to be included with fee collections for the purpose of determining whether revenue collected approximately equals the total costs of regulation for an occupation or board. This change codifies current practice and is included by request of the Division of Occupational Licensing

I would ask for your support on CS HB 123.

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

Sectional Analysis for CS HB 123 BY: Representative Tom Anderson

- Section 1-4. Amends the uncodified law of the State of Alaska to allow fines and penalties collected by various occupations to be included with fee collections for the purpose of determining whether revenue collected approximately equals the total costs of regulation for an occupation or board.
- Section 5. Extends the sunset of the Board of Barbers and Hairdressers to June 30, 2011.
- Section 6. Extends the sunset of the Board of Social Work Examiners to June 30, 2010.
- Section 7. Extends the sunset of the Board of Pharmacy to June 30, 2010.
- Section 8. Extends the sunset of the Board of Professional Counselors to June 30, 2010.
- Section 9. Extends the sunset of the Board of Psychologist and Psychological Associate Examiners to June 30, 2010.
- Section 10. Extends the sunset of the Board of Veterinary Examiners to June 30, 2009.
- Sections 11-12. Further amends statute to allow fines and penalties collected by various occupations to be included with fee collections for the purpose of determining whether revenue collected approximately equals the total costs of regulation for an occupation or board.
- Section 13. Allows the grouping of these five sunset extensions into one bill.

Good day Legislators,

The Board of Veterinary Examiners is pleased that the Legislative Audit Review Committee has concluded that the Veterinary Board serves an important role to the citizens of Alaska. Extension of the Veterinary Board's regulatory oversight of veterinary activities serves the public interest by helping to ensure that properly credentialed, qualified, medical professionals are practicing in Alaska. The Board has a strong interest in maintaining fair and effective licensing and oversight that also assures those who are properly credentialed the ability to work within their chosen field with minimal hurdles, expenses and delays while also ensuring that the public is protected from poor quality or dangerous medicine and fraud by suitable standards of practice.

The current members of the Veterinary Board serve as an effective and efficient group. The Board has taken steps to keep costs down and will continue to do so in the future. Recent costs to the State are the lowest they have been in years. The Board recognizes the importance of competent veterinary medicine to the public health, animal welfare, agriculture and bio-security. Extension of the termination date will allow the board to continue operating in the public interest while exercising appropriate regulatory oversight of veterinary professionals. The Board of Veterinary Examiners recommends extension of the Board's termination date and welcomes the continued opportunity and privilege to serve.

I welcome the opportunity to be of assistance or to answer questions.

Thank you

Dr. Steven M. Torrence, Chair, Alaska Board of Veterinary Examiners

smtcdvm@gci.net
907 789-7551 office
907 789-9205 home

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

Summary of Agencies Under Sunset Review
June 30, 2005

Board Name	Extend	Date	Length	Financially Solvent	Legislative Recommendations	Other Recommendations		
						Appointments	Fee Changes	Other
Board of Public Accountancy	Yes	2009	4 years	Yes				✓
Board of Registration for Architects, Engineers and Land Surveyors	Yes	2009	4 years	Yes	✓			✓
Board of Barbers and Hairdressers	Yes	2011	6 years	Yes	✓			
Board of Social Work Examiners	Yes	2010	5 years	Yes				
Board of Professional Counselors	Yes	2010	5 years	Yes	✓			
Board of Marital and Family Therapy	Yes	2010	5 years	No	✓	✓	✓	
Board of Psychologists and Psychological Associate Examiners	Yes	2010	5 years	No		✓	✓	
Board of Veterinary Examiners	Yes	2009	4 years	Yes				✓
Board of Dental Examiners	Yes	2011	6 years	Yes				
Board of Pharmacy	Yes	2010	5 years	No			✓	✓
Suicide Prevention Council	Yes	2009	4 years	N/A		✓		✓
Alaska Seismic Hazards Safety Commission	No			N/A	✓			✓

Summary of Agencies Under Sunset Review
June 30, 2004

Board Name	Extend	Date	Length	Financially Solvent	Legislative Recommendations	<u>Other Recommendations</u>		
						Appointments	Fee Changes	Other
Board of Real Estate Appraisers	Yes	2008	4 years	Yes				
Board of Dispensing Opticians	No	N/A	N/A	No			✓	✓

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

ATTACHMENT DOCUMENT FOR HB 123 BY: Representative Tom Anderson

Attached please find the Report Conclusions from the Audit Reports as published by Pat Davidson and Legislative Audit.

1. Board of Barbers and Hairdressers
2. Board of Social Work Examiners
3. Board of Pharmacy
4. Board of Professional Counselors
5. Board of Psychologist and Psychological Associate Examiners
6. Board of Veterinary Examiners

REPORT CONCLUSIONS

In our opinion, the termination date for the Board of Barbers and Hairdressers (BBH) should be extended. BBH is effectively regulating the various professions under its purview – barbers hairdressers, estheticians, manicurists, body piercers, and tattooists. The board is safeguarding the public interest by ensuring individuals have met the minimum educational and experience requirements before being licensed.

BBH serves a public purpose and has demonstrated an ability to conduct its business in a satisfactory manner. The board continues to make changes to regulations to improve the effectiveness of its oversight. Since the last sunset review, BBH has developed a new set of regulations related to tattooists and body piercers.

Under Alaska Statute 08.03.010(c)(4), the Board of Barbers and Hairdressers will be terminated on June 30, 2005. If this termination date is not extended, the board has a one-year period to administratively conclude its affairs. We recommend the Legislature extend the board's termination date to June 30, 2011.

Implementation of our recommendation would require the legislature to exercise some discretion permitted by state law. Alaska Statute 08.03.020(c) provides for the following:

A board scheduled for termination ... may be continued or reestablished by the legislature for a period not to exceed four years unless the board is continued or reestablished for a longer period ... [emphasis added]

Two factors influence our recommendation that the legislature extend the board to June 30, 2011. First, the board has operated effectively and in the public's interest over the past four years. Secondly, this extension would work towards smoothing out the number of boards and commissions that come under sunset in a particular year. Typically, there are four to six boards and/or commissions scheduled for a legislative sunset review; however, in 2005 there are 12 entities scheduled for sunset. Nonstandard extension dates will allow for a more even distribution of organizations going through the sunset process in any given year.

REPORT CONCLUSIONS

In addition to developing our conclusion regarding extending the Board of Social Work Examiners' (BSWE) termination date, we also analyzed the operating costs of the board. Such analysis was done to evaluate possible cost savings that might be generated by consolidation of behavioral health boards along the lines suggested in the 2002 letter of intent. Further discussion of our conclusions follows.

The termination date of the Board of Social Work Examiners should be extended

In our opinion, the termination date for the Board of Social Work Examiners should be extended. The board is operating in an efficient and effective manner and should continue to regulate clinical, master, and baccalaureate social workers. BSWE is serving the public interest by promoting the competence and integrity of those who provide services to the public as licensed social workers.

BSWE has demonstrated a capability of conducting its business in a satisfactory manner. The board continues to propose changes to regulations to improve the effectiveness of the board and ensure that social workers are licensed in the State of Alaska.

Alaska Statute 08.03.010(e)(6) requires BSWE be terminated on June 30, 2005. If not extended by the legislature, under AS 08.03.020, the board will have a one-year period to administratively conclude its affairs. We recommend the legislature extend the board's termination date to June 30, 2010.

Implementation of our recommendation would require the legislature to exercise some discretion permitted by state law. Alaska Statute 08.03.020(e) provides for the following:

A board scheduled for termination... may be continued or reestablished by the legislature for a period not to exceed four years unless the board is continued or reestablished for a longer period... [emphasis added]

Two factors influence our recommendation that the legislature extend the board to June 30, 2010. First, the board has operated effectively and in the public's interest over the past four years. Secondly, this extension would work towards smoothing out the number of boards and commissions that come under sunset in a particular year. Typically, there are four to six boards and/or commissions scheduled for a legislative sunset review; however, in 2005 there are 12 boards scheduled for sunset. Nonstandard extension dates will allow for a more even distribution of organizations going through the sunset process in any given year.

REPORT CONCLUSIONS

In our opinion, the termination date for the Board of Pharmacy should be extended. The board is safeguarding the public interest by ensuring the competence of individuals who hold themselves out to the public as pharmacists, pharmacist interns, and pharmacist technicians through reasonable licensing and regulatory requirements. The board also has a role in the regulation of pharmacies, drug rooms,¹ and wholesale distributors.

The board adopted regulatory changes that have improved the board's oversight process and promoted more effective regulation of licensed pharmacists and pharmacies.

Alaska Statute 08.03.010(c)(5) requires the Board of Pharmacy be terminated on June 30, 2005. Under AS 08.03.020, the board has a one-year period to administratively conclude its affairs. We recommend the Legislature extend the board's termination date to June 30, 2010.

Implementation of our recommendation would require the legislature to exercise some discretion permitted by state law. Alaska Statute 08.03.020(c) provides for the following:

"A board scheduled for termination ... may be continued or reestablished by the legislature for a period not to exceed four years unless the board is continued or reestablished for a longer period..." [emphasis added]

A five-year extension would work towards smoothing out the number of boards and commissions that come under sunset in a particular year. Typically, there are four to six boards and/or commissions scheduled for a legislative sunset review. For 2005, however, there were 12 entities scheduled for sunset. Nonstandard extension dates will allow for a more even distribution of organizations going through the sunset process in any given year.

¹ The term drug room refers to a situation, which requires licensure from the Board of Pharmacy, where an institutional facility that does not maintain a pharmacy but prepares and administers prescription drugs from bulk supplies for patients receiving treatment within the facility.

REPORT CONCLUSIONS

In addition to developing our conclusion regarding extending the termination date for the Board of Professional Counselors (BPC), we also analyzed the operating costs and other factors related to the operations of the board. Various nonfinancial factors were considered in order to assess the advisability of consolidating BPC with other behavioral health boards along the lines suggested in the 2002 letter of intent. Further discussion of our conclusions follows.

BPC should be consolidated with the Board of Marital and Family Therapy

When the legislature first created BPC there was extensive discussion, within referral committees, regarding the placement of professional counselors under the already existing Board of Marital and Family Therapy (BMFT). Eventually, it was decided to create a separate Board of Professional Counselors – in part because of concern the one time “start-up” costs involved in regulation should be borne entirely by counselors rather than part of the costs paid by marital and family therapists. BPC has successfully come through the board’s start-up period. Now circumstances are such, primarily because of BMFT-related factors, that we find it advisable to consolidate the two boards. The basis of our position is as follows:

1. Number of BMFT licensees has significantly declined. The number of professionals licensed by BMFT is steadily declining. Currently, there is less than half the number of licensees BMFT had in 1995. In the past three years only six new licenses have been issued for therapists.
2. Some BPC licensees also hold licenses with BMFT. Fourteen professional counselors also hold a license as a marital and family therapist.
3. Scope of practice and educational requirements are similar for therapists and counselors. As defined in state law, the areas of practice for the professionals regulated by both boards are similar. Both professionals are defined as engaging in diagnosis and treatment of mental and emotional disorders that are referenced in the standard diagnostic nomenclature. Both are charged with making diagnoses to treat such disorders whether cognitive, affective, or behavioral.

Educational requirements for licensing as a marital and family therapist or as professional counselor are similar. BMFT licensees are required to have more specialized systemic training for group and family counseling.

REPORT CONCLUSIONS

In addition to developing our conclusion regarding extending the Board of Psychologist and Psychological Associate Examiners (BPPA) termination date, we also analyzed the operating costs of the board. Such analysis was done to evaluate possible cost savings that might be generated by consolidation of behavioral health boards along the lines suggested in the 2002 letter of intent. Further discussion of our conclusions follows.

The Board of Psychologist and Psychological Associate Examiners should be extended

In our opinion, BPPA is operating in an efficient and effective manner and should continue to regulate the psychology profession. We believe the board is safeguarding the public interest by ensuring the competence and integrity of those who hold themselves out to the public as psychologists and psychological associates. BPPA serves a public purpose and has demonstrated an ability to conduct its business in a satisfactory manner.

Alaska Statute 08.03.010(c)(18) requires the Board of Psychologist and Psychological Associate Examiners be terminated on June 30, 2005. If the legislature takes no action, under AS 08.03.020, BPPA will have a one-year period to administratively conclude its affairs. We recommend the legislature extend the board's termination date to June 30, 2010.

Implementation of our recommendation would require the legislature to exercise some discretion permitted by state law. Alaska Statute 08.03.020(c) provides for the following:

A board scheduled for termination... may be continued or reestablished by the legislature for a period not to exceed four years unless the board is continued or reestablished for a longer period... [emphasis added]

Two factors influence our recommendation that the legislature extend the board to June 30, 2010. First, the board has operated effectively and in the public's interest over the past four years. Secondly, this extension would work towards smoothing out the number of boards and commissions that come under sunset in a particular year. Typically, there are four to six boards and/or commissions scheduled for a legislative sunset review; however, in 2005 there are 12 boards scheduled for sunset. Nonstandard extension dates will allow for a more even distribution of organizations going through the sunset process in any given year.

Board consolidation provides minimal savings over current BPPA costs

We analyzed various aspects of consolidating all licensing boards related to behavioral health. From the perspective of efficiency and effectiveness, the most tangible benefit of consolidation for BPPA would be a minor cost savings for each licensee.

November 4, 2004

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Title 24 and Title 44 of the Alaska Statutes, the attached report is submitted for your review.

DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT
BOARD OF VETERINARY EXAMINERS

October 29, 2004

Audit Control Number

08-20036-05

This audit was conducted as required by AS 44.66.050 and under the authority of AS 24.20.271(1). Alaska Statute 44.66.050(c) lists criteria to be used to assess the demonstrated public need for a given board, commission, agency, or program subject to the sunset review process. Currently, under AS 08.03.010(c)(21), the Board of Veterinary Examiners is scheduled to terminate on June 30, 2005. If the legislature takes no action to extend the termination date, the board would be allowed one year in which to conclude its administrative operations. We recommend that the legislature extend the board's termination date to June 30, 2009.

The sunset review was conducted in accordance with generally accepted government audit standards. Fieldwork procedures utilized in the course of developing this report are set out in the Objectives, Scope, and Methodology section.

Pat Davidson, CPA
Legislative Auditor

6A

FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The Board of Veterinary Examiners (BVE) should ensure the completeness and timeliness of its required annual reports.

Under AS 08.01.070(10), BVE is required to submit:

"... an annual performance report to the department [Commerce, Community, and Economic Development] stating the board's accomplishments, activities, and needs."

Over the years, the appearance and contents of these reports, required of all professional licensing boards, have become more standardized. While much of the report involves statistics and information maintained and generated by the Division of Occupational Licensing, the board is responsible for significant narrative segments of the each year's report.

Annual reports for FY 01, FY 02, and FY 03 were submitted on time to the department. However, pertinent standard information was not included in several of the reports. Noted omissions included budget reports, investigative reports, continuing education enforcement reports, and perhaps most importantly, BVE's operating goals and objectives for the upcoming year(s). Text stating that these items were to be "added later" was included for the omitted sections, but the reports were never updated.

Such information is critical to monitoring and assessing BVE operations. Setting out specified goals and objectives establishes standards by which the board, the licensees, the general public, and the legislature can better understand and evaluate the operations of the board. Such reports can highlight issues that need to be addressed by the legislature or by the board in regulation.

The FY 04 annual report does include all the essential elements. Accordingly, we recommend BVE take steps to ensure that each annual report is complete and timely, in order to meet the intended purpose of both the general licensing reporting statute and the board's specific reporting statute.

HB

1 2 3

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 5/4/05

FURTHER:

REPORTED OUT

MAY 5 2005

SENATE FINANCE
COMMITTEE

DATE TURNED
IN TO OFFICE:

Smyles

Finance Committee considered CS FOR HOUSE BILL NO. 123(RL S) am

HB 123 OCCUPATIONAL BDS:EXTENSION/RECEIPTS/PSYCH

"An Act relating to occupational licensing fees, fines, and penalties and to regulatory board fines; extending the termination dates of the Boards of Barbers and Hairdressers, Social Work Examiners, Pharmacy, Professional Counselors, Psychologist and Psychological Associate Examiners, and Veterinary Examiners; relating to psychologist licensing by credentials; relating to an exemption that allows one bill to continue more than one board, commission, or agency program; and providing for an effective date."

and recommends:

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

CS Senate Bill:

- Same Title
- New Title

SCS House Bill:

- Same Title
- Technical Title Change
- New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Ind.	Zero	FN#
DCCED	7/3/05	F407		✓	#1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>	✓			
COCHAIR: <i>Gary Wilber</i>	✓			
COCHAIR: <i>Linda Green</i>	✓			

FISCAL NOTE

REPORTED OUT

MAY 5 2005

SENATE FINANCE
COMMITTEE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 123(L&C)
(H) Publish Date: 2/9/05

Revision Date/Time (Note if correction): _____ Dept. Affected: Commerce
Title: Occupations: Fee and Extension of Boards RDU: Occupational Licensing (117)
Sponsor: Labor and Commerce Component: Occupational Licensing
Requester: House Labor and Commerce Component No.: 2360

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services	0.0	333.7	333.7	333.7	333.7	333.7
Travel	0.0	36.5	36.5	36.5	36.5	36.5
Contractual	0.0	115.6	115.6	115.6	115.6	115.6
Supplies	0.0	0.4	0.4	0.4	0.4	0.4
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	486.2	486.2	486.2	486.2	0.0

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

CHANGE IN REVENUES (1156)	0.0	486.2	486.2	486.2	486.2	0.0
----------------------------------	------------	--------------	--------------	--------------	--------------	------------

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other 1156 - Receipt Supported Services	0.0	486.2	486.2	486.2	486.2	0.0
TOTAL	0.0	486.2	486.2	486.2	486.2	0.0

Estimate of any current year (FY2005) cost: 486.2

Check this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 123 allows fines and penalties collected by various occupations to be included with fee collections for the purpose of determining whether revenue collected approximately equals the total costs of regulation for an occupation or board.

The bill also extends the following Boards to June 30, 2009: Barbers and Hairdressers, Social Workers, Pharmacy, Professional Counselors, Psychology, and Veterinary. In accordance with AS 08.03.020, funding is extended one year following the termination date allowing the Boards to conclude their affairs. FY 2006 funding is included in the Operating Budget request. The costs shown for subsequent fiscal years reflect the direct costs included in the FY 2006 budget. The direct costs by board are shown on the attached page.

Prepared by: Jennifer Strickler, Administrative Manager Phone: (907) 465-2144
Division: Occupational Licensing Date/Time: 2/3/05 6:14 PM
Approved by: Edgar Blatchford, Commissioner Date: 2/3/2005
Agency: Commerce, Community and Economic Development

FISCAL NOTE #1

STATE OF ALASKA
2005 LEGISLATIVE SESSION

BILL NO. CSHB 123(L&C)

ANALYSIS CONTINUATION

DIRECT Expenses

	Barbers and Hairdressers	Social Workers	Pharmacy	Professional Counselors	Psychology	Veterinary	TOTAL
Personal Svcs	122,077.11	33,827.27	73,370.00	33,902.01	37,247.84	33,271.49	333,695.72
Travel	5,724.95	2,735.15	12,807.18	4,889.65	7,425.37	2,856.80	36,489.10
Contractual	34,760.13	8,247.63	34,472.41	7,356.23	23,623.41	7,138.79	115,598.60
Commodities	172.03	14.84	57.61	14.83	12.48	153.47	425.26
Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	162,734.22	44,874.89	120,707.20	46,162.72	68,309.10	43,420.55	486,208.68

The costs above reflect the FY04 Direct costs by Board and are included in the FY05 Budget and the Governor's FY06 operating budget request.

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

SPONSOR STATEMENT FOR CS HB 123(RLS) am BY: Representative Tom Anderson

TITLE: "An Act relating to occupational licensing fees, fines, and penalties and to regulatory board fines; extending the termination dates of the Boards of Barbers and Hairdressers, Social Work Examiners, Pharmacy, Professional Counselors, Psychologist and Psychological Associate Examiners, and Veterinary Examiners; relating to psychologist licensing by credentials; relating to an exemption that allows one bill to continue more than one board, commission, or agency program; and providing for an effective date."

CSHB 123(RLS) am extends the sunset for the boards of Barbers and Hairdressers, Social Work Examiners, Pharmacy, Professional Counselors, Psychologists and Psychological Associate Examiners and Veterinary Examiners. Each of these boards have been recommended by Legislative Audit for extension.

Additionally, CSHB 123(RLS) am provides an additional provision for licensing by credential for the Board of Psychologists & Psychological Associates in AS 08.86.150.

The additional provision allows the Board of Psychology & Psychological Associates to adopt regulations that recognize other credentialing organizations. Currently, the statute provides for licensing by credential through the American Board of Professional Psychology.

I would ask for your support on CS HB 123.

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

Sectional Analysis for CSHB 123(RLS) am BY: Representative Tom Anderson

- Section 1. Extends the sunset of the Board of Barbers and Hairdressers to June 30, 2011.
- Section 2. Extends the sunset of the Board of Social Work Examiners to June 30, 2010.
- Section 3. Extends the sunset of the Board of Pharmacy to June 30, 2010.
- Section 4. Extends the sunset of the Board of Professional Counselors to June 30, 2010.
- Section 5. Extends the sunset of the Board of Psychologist and Psychological Associate Examiners to June 30, 2010.
- Section 6. Extends the sunset of the Board of Veterinary Examiners to June 30, 2009.
- Section 7. Allows the Board of Psychology & Psychological Associates to adopt regulations that recognize other credentialing organizations. Currently, the statute provides for licensing by credential through the American Board of Professional Psychology.
- Section 8. Adds fines and penalties to the program receipts accounted for separately, and appropriated from program receipts to clarify they are not made from the unrestricted general fund.
- Section 9. Repeals AS 08.95.920.
- Section 10. Allows the grouping of these five sunset extensions into one bill.
- Section 11. Establishes the immediate effective date of this Act.

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

Summary of Agencies Under Sunset Review
June 30, 2005

Board of Public Accountancy	Yes	2009	4 years	Yes					✓
Board of Registration for Architects, Engineers and Land Surveyors	Yes	2009	4 years	Yes		✓			✓
Board of Barbers and Hairdressers	Yes	2011	6 years	Yes		✓			
Board of Social Work Examiners	Yes	2010	5 years	Yes					
Board of Professional Counselors	Yes	2010	5 years	Yes		✓			
Board of Marital and Family Therapy	Yes	2010	5 years	No		✓	✓	✓	
Board of Psychologists and Psychological Associate Examiners	Yes	2010	5 years	No			✓	✓	
Board of Veterinary Examiners	Yes	2009	4 years	Yes					✓
Board of Dental Examiners	Yes	2011	6 years	Yes					
Board of Pharmacy	Yes	2010	5 years	No				✓	✓
Suicide Prevention Council	Yes	2009	4 years	N/A			✓		✓
Alaska Seismic Hazards Safety Commission	No			N/A		✓			✓

Summary of Agencies Under Sunset Review
June 30, 2004

Board Name	Extend	Date	Length	Financially Solvent	Legislative Recommendations	Other Recommendations		
						Appointments	Changes	Other
Board of Real Estate Appraisers	Yes	2008	4 years	Yes				
Board of Dispensing Opticians	No	N/A	N/A	No			✓	✓

Alaska State Legislature

House of Representatives



Official Business

State Capitol
Juneau, AK 99801-1182

ATTACHMENT DOCUMENT FOR CSHB 123(RLS) am
BY: Representative Tom Anderson

Attached please find the Report Conclusions from the Audit Reports as published by Pat Davidson and Legislative Audit.

1. Board of Barbers and Hairdressers
2. Board of Social Work Examiners
3. Board of Pharmacy
4. Board of Professional Counselors
5. Board of Psychologist and Psychological Associate Examiners
6. Board of Veterinary Examiners

REPORT CONCLUSIONS

In our opinion, the termination date for the Board of Barbers and Hairdressers (BBH) should be extended. BBH is effectively regulating the various professions under its purview – barbers, hairdressers, estheticians, manicurists, body piercers, and tattooists. The board is safeguarding the public interest by ensuring individuals have met the minimum educational and experience requirements before being licensed.

BBH serves a public purpose and has demonstrated an ability to conduct its business in a satisfactory manner. The board continues to make changes to regulations to improve the effectiveness of its oversight. Since the last sunset review, BBH has developed a new set of regulations related to tattooists and body piercers.

Under Alaska Statute 08.03.010(c)(4), the Board of Barbers and Hairdressers will be terminated on June 30, 2005. If this termination date is not extended, the board has a one-year period to administratively conclude its affairs. We recommend the Legislature extend the board's termination date to June 30, 2011.

Implementation of our recommendation would require the legislature to exercise some discretion permitted by state law. Alaska Statute 08.03.020(c) provides for the following:

A board scheduled for termination ... may be continued or reestablished by the legislature for a period not to exceed four years unless the board is continued or reestablished for a longer period ... [emphasis added]

Two factors influence our recommendation that the legislature extend the board to June 30, 2011. First, the board has operated effectively and in the public's interest over the past four years. Secondly, this extension would work towards smoothing out the number of boards and commissions that come under sunset in a particular year. Typically, there are four to six boards and/or commissions scheduled for a legislative sunset review; however, in 2005 there are 12 entities scheduled for sunset. Nonstandard extension dates will allow for a more even distribution of organizations going through the sunset process in any given year.

REPORT CONCLUSIONS

In addition to developing our conclusion regarding extending the Board of Social Work Examiners' (BSWE) termination date, we also analyzed the operating costs of the board. Such analysis was done to evaluate possible cost savings that might be generated by consolidation of behavioral health boards along the lines suggested in the 2002 letter of intent. Further discussion of our conclusions follows.

The termination date of the Board of Social Work Examiners should be extended

In our opinion, the termination date for the Board of Social Work Examiners should be extended. The board is operating in an efficient and effective manner and should continue to regulate clinical, master, and baccalaureate social workers. BSWE is serving the public interest by promoting the competence and integrity of those who provide services to the public as licensed social workers.

BSWE has demonstrated a capability of conducting its business in a satisfactory manner. The board continues to propose changes to regulations to improve the effectiveness of the board and ensure that social workers are licensed in the State of Alaska.

Alaska Statute 08.03.010(c)(6) requires BSWE be terminated on June 30, 2005. If not extended by the legislature, under AS 08.03.020, the board will have a one-year period to administratively conclude its affairs. We recommend the legislature extend the board's termination date to June 30, 2010.

Implementation of our recommendation would require the legislature to exercise some discretion permitted by state law. Alaska Statute 08.03.020(c) provides for the following:

A board scheduled for termination... may be continued or reestablished by the legislature for a period not to exceed four years unless the board is continued or reestablished for a longer period... [emphasis added]

Two factors influence our recommendation that the legislature extend the board to June 30, 2010. First, the board has operated effectively and in the public's interest over the past four years. Secondly, this extension would work towards smoothing out the number of boards and commissions that come under sunset in a particular year. Typically, there are four to six boards and/or commissions scheduled for a legislative sunset review; however, in 2005 there are 12 boards scheduled for sunset. Nonstandard extension dates will allow for a more even distribution of organizations going through the sunset process in any given year.

REPORT CONCLUSIONS

In our opinion, the termination date for the Board of Pharmacy should be extended. The board is safeguarding the public interest by ensuring the competence of individuals who hold themselves out to the public as pharmacists, pharmacist interns, and pharmacist technicians through reasonable licensing and regulatory requirements. The board also has a role in the regulation of pharmacies, drug rooms,¹ and wholesale distributors.

The board adopted regulatory changes that have improved the board's oversight process and promoted more effective regulation of licensed pharmacists and pharmacies.

Alaska Statute 08.03.010(c)(15) requires the Board of Pharmacy be terminated on June 30, 2005. Under AS 08.03.020, the board has a one-year period to administratively conclude its affairs. We recommend the Legislature extend the board's termination date to June 30, 2010.

Implementation of our recommendation would require the legislature to exercise some discretion permitted by state law. Alaska Statute 08.03.020(c) provides for the following:

"A board scheduled for termination ... may be continued or reestablished by the legislature for a period not to exceed four years unless the board is continued or reestablished for a longer period..." [emphasis added]

A five-year extension would work towards smoothing out the number of boards and commissions that come under sunset in a particular year. Typically, there are four to six boards and/or commissions scheduled for a legislative sunset review. For 2005, however, there were 12 entities scheduled for sunset. Nonstandard extension dates will allow for a more even distribution of organizations going through the sunset process in any given year.

¹ The term drug room refers to a situation, which requires licensure from the Board of Pharmacy, where an institutional facility that does not maintain a pharmacy but prepares and administers prescription drugs from bulk supplies for patients receiving treatment within the facility.

REPORT CONCLUSIONS

In addition to developing our conclusion regarding extending the termination date for the Board of Professional Counselors (BPC), we also analyzed the operating costs and other factors related to the operations of the board. Various nonfinancial factors were considered in order to assess the advisability of consolidating BPC with other behavioral health boards along the lines suggested in the 2002 letter of intent. Further discussion of our conclusions follows.

BPC should be consolidated with the Board of Marital and Family Therapy

When the legislature first created BPC there was extensive discussion, within referral committees, regarding the placement of professional counselors under the already existing Board of Marital and Family Therapy (BMFT). Eventually, it was decided to create a separate Board of Professional Counselors – in part because of concern the one time “start-up” costs involved in regulation should be borne entirely by counselors rather than part of the costs paid by marital and family therapists. BPC has successfully come through the board's start-up period. Now circumstances are such, primarily because of BMFT-related factors, that we find it advisable to consolidate the two boards. The basis of our position is as follows:

1. Number of BMFT licensees has significantly declined. The number of professionals licensed by BMFT is steadily declining. Currently, there is less than half the number of licensees BMFT had in 1995. In the past three years only six new licenses have been issued for therapists.
2. Some BPC licensees also hold licenses with BMFT. Fourteen professional counselors also hold a license as a marital and family therapist.
3. Scope of practice and educational requirements are similar for therapists and counselors. As defined in state law, the areas of practice for the professionals regulated by both boards are similar. Both professionals are defined as engaging in diagnosis and treatment of mental and emotional disorders that are referenced in the standard diagnostic nomenclature. Both are charged with making diagnoses to treat such disorders whether cognitive, affective, or behavioral.

Educational requirements for licensing as a marital and family therapist or as professional counselor are similar. BMFT licensees are required to have more specialized systemic training for group and family counseling.

REPORT CONCLUSIONS

In addition to developing our conclusion regarding extending the Board of Psychologist and Psychological Associate Examiners (BPPA) termination date, we also analyzed the operating costs of the board. Such analysis was done to evaluate possible cost savings that might be generated by consolidation of behavioral health boards along the lines suggested in the 2002 letter of intent. Further discussion of our conclusions follows.

The Board of Psychologist and Psychological Associate Examiners should be extended

In our opinion, BPPA is operating in an efficient and effective manner and should continue to regulate the psychology profession. We believe the board is safeguarding the public interest by ensuring the competence and integrity of those who hold themselves out to the public as psychologists and psychological associates. BPPA serves a public purpose and has demonstrated an ability to conduct its business in a satisfactory manner.

Alaska Statute 08.03.010(c)(18) requires the Board of Psychologist and Psychological Associate Examiners be terminated on June 30, 2005. If the legislature takes no action, under AS 08.03.020, BPPA will have a one-year period to administratively conclude its affairs. We recommend the legislature extend the board's termination date to June 30, 2010.

Implementation of our recommendation would require the legislature to exercise some discretion permitted by state law. Alaska Statute 08.03.020(c) provides for the following:

A board scheduled for termination... may be continued or reestablished by the legislature for a period not to exceed four years unless the board is continued or reestablished for a longer period... [emphasis added]

Two factors influence our recommendation that the legislature extend the board to June 30, 2010. First, the board has operated effectively and in the public's interest over the past four years. Secondly, this extension would work towards smoothing out the number of boards and commissions that come under sunset in a particular year. Typically, there are four to six boards and/or commissions scheduled for a legislative sunset review; however, in 2005 there are 12 boards scheduled for sunset. Nonstandard extension dates will allow for a more even distribution of organizations going through the sunset process in any given year.

Board consolidation provides minimal savings over current BPPA costs

We analyzed various aspects of consolidating all licensing boards related to behavioral health. From the perspective of efficiency and effectiveness, the most tangible benefit of consolidation for BPPA would be a minor cost savings for each licensee.

November 4, 2004

Members of the Legislative Budget
and Audit Committee:

In accordance with the provisions of Title 24 and Title 44 of the Alaska Statutes, the attached report is submitted for your review.

DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT
BOARD OF VETERINARY EXAMINERS

October 29, 2004

Audit Control Number

08-20036-05

This audit was conducted as required by AS 44.66.050 and under the authority of AS 24.20.271(1). Alaska Statute 44.66.050(c) lists criteria to be used to assess the demonstrated public need for a given board, commission, agency, or program subject to the sunset review process. Currently, under AS 08.03.010(c)(21), the Board of Veterinary Examiners is scheduled to terminate on June 30, 2005. If the legislature takes no action to extend the termination date, the board would be allowed one year in which to conclude its administrative operations. We recommend that the legislature extend the board's termination date to June 30, 2009.

The sunset review was conducted in accordance with generally accepted government audit standards. Fieldwork procedures utilized in the course of developing this report are set out in the Objectives, Scope, and Methodology section.

Pat Davidson, CPA
Legislative Auditor

FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The Board of Veterinary Examiners (BVE) should ensure the completeness and timeliness of its required annual reports.

Under AS 08.01.070(10), BVE is required to submit:

"... an annual performance report to the department [Commerce, Community, and Economic Development] stating the board's accomplishments, activities, and needs."

Over the years, the appearance and contents of these reports, required of all professional licensing boards, have become more standardized. While much of the report involves statistics and information maintained and generated by the Division of Occupational Licensing, the board is responsible for significant narrative segments of the each year's report.

Annual reports for FY 01, FY 02, and FY 03 were submitted on time to the department. However, pertinent standard information was not included in several of the reports. Noted omissions included budget reports, investigative reports, continuing education enforcement reports, and perhaps most importantly, BVE's operating goals and objectives for the upcoming year(s). Text stating that these items were to be "added later" was included for the omitted sections, but the reports were never updated.

Such information is critical to monitoring and assessing BVE operations. Setting out specified goals and objectives establishes standards by which the board, the licensees, the general public, and the legislature can better understand and evaluate the operations of the board. Such reports can highlight issues that need to be addressed by the legislature or by the board in regulation.

The FY 04 annual report does include all the essential elements. Accordingly, we recommend BVE take steps to ensure that each annual report is complete and timely, in order to meet the intended purpose of both the general licensing reporting statute and the board's specific reporting statute.

Good day Legislators,

The Board of Veterinary Examiners is pleased that the Legislative Audit Review Committee has concluded that the Veterinary Board serves an important role to the citizens of Alaska. Extension of the Veterinary Board's regulatory oversight of veterinary activities serves the public interest by helping to ensure that properly credentialed, qualified, medical professionals are practicing in Alaska. The Board has a strong interest in maintaining fair and effective licensing and oversight that also assures those who are properly credentialed the ability to work within their chosen field with minimal hurdles, expenses and delays while also ensuring that the public is protected from poor quality or dangerous medicine and fraud by suitable standards of practice.

The current members of the Veterinary Board serve as an effective and efficient group. The Board has taken steps to keep costs down and will continue to do so in the future. Recent costs to the State are the lowest they have been in years. The Board recognizes the importance of competent veterinary medicine to the public health, animal welfare, agriculture and bio-security. Extension of the termination date will allow the board to continue operating in the public interest while exercising appropriate regulatory oversight of veterinary professionals. The Board of Veterinary Examiners recommends extension of the Board's termination date and welcomes the continued opportunity and privilege to serve.

I welcome the opportunity to be of assistance or to answer questions.

Thank you

Dr. Steven M. Torrence, Chair, Alaska Board of Veterinary Examiners

smtdvm@gci.net
907 789-7551 office
907 789-9205 home

ALASKA PSYCHOLOGICAL ASSOCIATION

Advancing Psychology as a Science, Profession, and Means of Promoting Human Welfare

March 30, 2005

Representative Tom Anderson
Room 408
State Capitol
Juneau, AK 99801-1182

Re: HB 123 ~ Occupations: Fees and Extension of Boards.

Dear Representative Anderson:

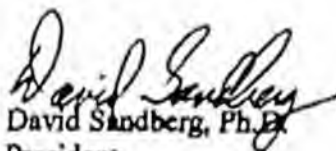
Thank you for meeting with us on our lobbying day in February, we very much appreciate you taking the time out of your busy schedule to listen to our issues. As you may recall, in January 2005, the Legislative Budget & Audit office delivered a clean audit on the Board of Psychologists & Psychological Associate (BPPA) performance. We write to you today to encourage your support for HB 123, which extends our licensing legislation until June 30, 2010. Your support of HB123 will help members of the Alaska Psychological Association (AK-PA) continue to deliver quality psychological services to the citizens of Alaska.

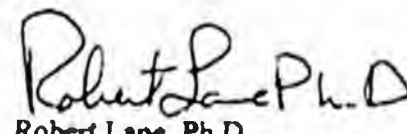
We would also like to take this opportunity to ask for your support for an amendment to our governing statute to update Alaska's laws with respect to the issue of reciprocity. Language has been submitted to House Finance Chairman Kevin Meyer's office to add an additional provision to AS 08.86.150 – Licensing by Credentials and we urge you to support adoption of the request. In essence, the language would allow the Licensing Board to develop policies and procedures to address changes in licensing by qualification and reciprocity with other state's licensing boards. The BPPA and the Alaska Psychological Association are in agreement to this language request.

With grateful acknowledgment to you and the House Labor & Commerce Committee for getting this important legislation moving, we strongly encourage your support in adopting this amendment and moving the bill along through the legislative process.

Thank you in advance for your support of legislation. If you have questions on this or other issues that we may be of help on, please feel welcome to call upon us.

Sincerely,


David Sandberg, Ph.D.
President
dberxphd@mtaonline.net


Robert Lane, Ph.D.
Federal Advocacy Coordinator
ahsrnl@ak.net

P.O. Box 241292, Anchorage, AK, 99524-1292, Phone and Fax (907) 344-8878

SENATE COMMITTEE REPORT

DATE: 4/26/05

FURTHER: Finance

DATE TURNED
IN TO OFFICE: 5/3/05

Labor and Commerce Committee considered CS FOR HOUSE BILL NO. 123(RLS) am

HB 123 OCCUPATIONAL BDS:EXTENSION/RECEIPTS/PSYCH

"An Act relating to occupational licensing fees, fines, and penalties and to regulatory board fines; extending the termination dates of the Boards of Barbers and Hairdressers, Social Work Examiners, Pharmacy, Professional Counselors, Psychologist and Psychological Associate Examiners, and Veterinary Examiners; relating to psychologist licensing by credentials; relating to an exemption that allows one bill to continue more than one board, commission, or agency program; and providing for an effective date."

and recommends:

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

CS Senate Bill:
 Same Title
 New Title

SCS House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____



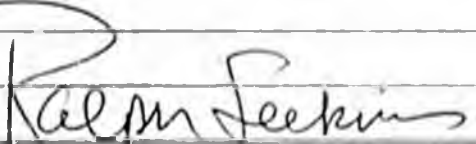
NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
DIED	2/3/05	✓			1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Davis</i> <i>B. Stevens</i>  	<input checked="" type="checkbox"/>			
<i>Sellins</i> CHAIR: 	<input checked="" type="checkbox"/>			

HB

127

HFIN

FILE

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 127(STA)
(H) Publish Date: 3/9/05

Revision Date/Time (Note if correction): _____ Dept. Affected: Revenue
Title Peace Corps/Diplomat Sanctions RDU Revenue Programs & Support
Component Permanent Fund Dividend
Sponsor McGuire
Requester _____ Component No. 981

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2005) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary)

HB 127 adds service in the Peace Corps and the US Foreign Service as allowable absences for permanent fund dividend eligibility.

The Peace Corps advises that 42 current Peace Corps volunteers name Alaska as their home of record. We are advised that there are 36 employees of the US Foreign Service listing Alaska as their legal residence. Seventy-eight additional applications in an estimated pool of 640,000 total applicants will have negligible impact on the PFD workload. The impact of adding 78 additional eligible applicants on the amount of dividend payments, taking 2004 as an example, would have been a \$0.12 reduction of the dividend, from \$919.84 to \$919.72.

Prepared by: Sharon Barton Phone _____
Division: Permanent Fund Dividend Date/Time: 2/25/05 3:24 PM
Approved by: Tom Boutin Date: 2/25/2005
Agency: Deputy Commissioner

*adopted
3/30*

24-LS0471\G.1
Cook
3/29/05

AMENDMENT \

OFFERED IN THE HOUSE
TO: CSHB 127(STA)

BY REPRESENTATIVE MEYER

- 1 Page 2, line 29:
- 2 Delete "[OR] (14), or (15)"
- 3 Insert "or (15) [(14)]"

with drawn
3/30
AMENDMENT 2

OFFERED IN THE HOUSE FINANCE COMMITTEE
BY REPRESENTATIVE CROFT

TO: CS HB 127(STA)

Page 1, line 1, after "peace corps":

Insert: ", and Olympians and national-team athletes"

Page 3, before line 1 insert new subsection to read:

"(15) because of their duties training or competing as an Olympian or national team athlete;"

Page 3 line 5:

Delete: "(14)"

Insert : "(15)"

Page 3 line 8:

Delete: "(14)"

Insert : "(15)"

Page 3 line 11:

Delete: "(14)"

Insert : "(15)"

Page 3 line 12:

Delete: "(14)"

Insert : "(15)"

Renumber accordingly.

Withdrawn
3/30
3

AMENDMENT

OFFERED IN THE HOUSE
TO: CSHB 127(STA)

BY REPRESENTATIVE WEYHRAUCH

1 Page 1, line 1, following "Act":

2 Insert "relating to voter registration and voting for purposes of eligibility for
3 permanent fund dividends;"

4
5 Page 1, following line 7:

6 Insert a new bill section to read:

7 "** Section 1. AS 43.23.005(a) is amended to read:

8 (a) An individual is eligible to receive one permanent fund dividend each year
9 in an amount to be determined under AS 43.23.025 if the individual

10 (1) applies to the department;

11 (2) is a state resident on the date of application;

12 (3) was a state resident during the entire qualifying year;

13 (4) has been physically present in the state for at least 72 consecutive
14 hours at some time during the prior two years before the current dividend year;

15 (5) is

16 (A) a citizen of the United States;

17 (B) an alien lawfully admitted for permanent residence in the
18 United States;

19 (C) an alien with refugee status under federal law; or

20 (D) an alien that has been granted asylum under federal law;

21 (6) was, at all times during the qualifying year, physically present in
22 the state or, if absent, was absent only as allowed in AS 43.23.008; [AND]

23 (7) was in compliance during the qualifying year with the military

1 selective service registration requirements imposed under 50 U.S.C. App. 453
2 (Military Selective Service Act), if those requirements were applicable to the
3 individual, or has come into compliance after being notified of the lack of compliance;

4 (8) is registered to vote in state elections if the individual was
5 qualified to register to vote in state elections during the qualifying year; and

6 (9) voted in the most recent general election held before the
7 current dividend year if the individual was qualified to vote in that general
8 election."

9
10 Page 1, line 8:

11 Delete "Section 1"

12 Insert "Sec. 2"

13

14 Renumber the following bill sections accordingly.

15

16 Page 4, line 12:

17 Delete "secs. 3 - 5"

18 Insert "secs. 4 - 6"

19

20 Page 4, line 15:

21 Delete "sec. 4"

22 Insert "sec. 5"

23

24 Page 4, line 16:

25 Delete "sec. 5"

26 Insert "sec. 6"

27

28 Page 4, line 19:

29 Delete "Section 6"

30 Insert "Section 7"

31

1 Page 4, line 20:

2 Delete "Sections 3 - 5"

3 Insert "Sections 4 - 6"

4

5 Page 4, line 21:

6 Delete "Sections 1 and 2"

7 Insert "Sections 1 - 3"

Alaska State Legislature

Session
State Capitol Building, Room 118
Juneau, Alaska 99801-1182
Phone (907) 465-2995
Fax (907) 465-6592

Interim
716 West Fourth Avenue, Suite 430
Anchorage, Alaska 99501
Phone (907) 269-0250
Fax 9907) 269-0249



Chair, Judiciary Committee
Vice-Chair, House Committee on
Economic Development,
Trade and Tourism
Member
Oil & Gas Committee

Representative Lesil McGuire House District 28

SPONSOR STATEMENT HB 127

"An Act relating to service in the peace corps and to service as a diplomat in the United States Foreign Service as allowable absences from the State for purposes of eligibility for permanent fund dividends and to the period for filing an application for a permanent fund dividend; authorizing the Department of Revenue to issue administrative orders imposing sanctions for certain misrepresentations or other actions concerning eligibility for a permanent fund dividend and providing for administrative appeal of those orders; and providing for an effective date."

Alaskans are known for being proud of their great state. But even beyond that, Alaskans are proud to be Americans. Many young Alaskans consider serving or volunteering their time as a way to give back to the country what has been given to them. Many serve in the military, others choose to make conditions better for others by devoting two years of their lives to the Peace Corps, while others serve as diplomats, building relational bridges to our allies and in preserving peace. In each case, these Alaskans play a major role in promoting democracy in other countries and representing us as Americans.

Both Peace Corps Volunteers and U.S. Foreign Service Diplomats sacrifice time with family, often live in less comfortable conditions, and many times place themselves in harms way to serve our country. We should not cause them to sacrifice further by requiring them to forfeit their permanent fund dividends during their time overseas.

The policy decision has been made to provide every qualifying Alaskan man, woman and child with a dividend from the permanent fund. Peace Corps Volunteers and U.S. Foreign Service Diplomats are two groups of Alaskans who have members that meet all the requirements, have the intent to return to the state and yet they are denied their opportunity to receive a dividend. Peace Corps Volunteers were one of the original groups that were a recognizable exemption. In 1998, amid wide-range debate about who to add and who to leave off, Peace Corps Volunteers were cut from the list. If the Peace Corps Volunteers along with U.S. Foreign Service Diplomats were added to the list of recognizable exemptions, it will make the difference of less than a penny on each Alaskan's dividend.

Peace Corps Volunteers and U.S. Foreign Service Diplomats deserve the gratitude that they have earned in their time as volunteers and service diplomats to have the opportunity to receive their permanent fund dividend. HB 127 will add Peace Corps Volunteers and U.S. Foreign Diplomats as an allowable absence for the purpose of filing and receiving an Alaska Permanent Fund Dividend.

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES