

187

HHES

SB

128

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SB

352

0072
191



JUNEAU ALASKA

Alaska State Legislature

House

HESS COMMITTEE MEETING

MAY 19, 1975

Members Present:

Bierne	Parr
Osterback	Sullivan
Ostrosky	

Testifying Guests:

Norris Johnson, Juneau Wastewater Operator
Jerry Reinwand, Dep. Commissioner, Dept. of Environmental Conservation
Gonald G. Hansen, Dept. of Environmental Conservation
Don Clocksin, Alaska Legal Services
Bob Cooksey, National Education Association
Alphie Newell, Legislative Staff member

HB 407 Certification of Wastewater Operators

Reinwand: The purpose of this bill is to make certain that once a facility is build, it will be possible to find a competent person to operate it. Our department supports this bill as it is.

Hansen: The bill would set up the requirement that all wastewater operators are certified. As public health is in the hands of these operators, we want to be sure that they are adequately trained. Last year, 170 million dollars was spent on sewerage treatment facilities in the State. 40 million of this was State funds. With so much spent on the facilities, we want them to be run properly. The hiring is presently done at the municipal level. (presents fiscal note) There is a large initial expense which would drop off.

Johnson: I am in charge of the Juneau Borough Wastewater Operators and would like to speak about how this bill would benefit operators. Presently, Alaska has no certification program for waterwater operators, and I believe we are the last state without one. Certification requirements would support the establishment of training programs within the State, and would assist in application for EPA (federal) grants.

The majority signed to pass the bill out with a "do pass" recommendation. As Mr. Parr had arrived late, he chose not to sign until he had heard some testimony, so a quorum was not formed.

CSHB 402 Emancipation of Minors

Clocksinn: I support this bill as it is. It provides procedures for a minor to petition the court and become emancipated if he is self-supporting. It is presently not permitted for a minor to petition the court in his or her own name. Age restriction for voting, consumption of alcohol, and constitutional stipulations, however, cannot be waived by a court.

The bill was passed out with a "do pass" recommendation, with no objection.

CSSB 128am Transfer of Federal Agency Schools

Cooksey: This bill was drawn up to assist in the transfer of BIA schools to the State system. It provides for the transfer of BIA teachers so that they may receive the benefits currently enjoyed by State teachers, including the same pay scale, accumulated sick leave, tenure, and retirement. The original bill mandated the transfer; this one does not.

Bierne: What would happen in a case where a BIA teacher was not certified?

Cooksey: The bill specified Alaskan certification as a requirement in order to be transferred.

The bill was passed out with a "do pass" recommendation without objection.

HB 500 Halfway House for Female Prisoners

Newell: The 6th Avenue Annex, where female prisoners are presently kept in Anchorage, puts all women, pre-sentenced or post-sentenced into one big cell. This not only allows no privacy, but is not conducive to any rehabilitation program. There are constant interruptions as persons are brought in for such problems as drunk and disorderly conduct. This bill would provide funds to move sentenced prisoners to a half-way house operated by the Salvation Army.

Parr: In accordance with equal rights, why aren't the women sent to Eagle River? There should be no distinction made.

Adams: The present conditions are not equal. For men, there are separate facilities for sentenced and unsentenced persons. Facilities must be maintained for women in five places in the State, while they are awaiting trial, and there are not that many women.

Osterback: How many women could you take care of for this sum?

Adams: This would provide five beds in Anchorage.

Parr: You still have not answered why the women could not be sent to Eagle River.

Adams: Eagle River was designed specifically as a facility for men. There are no separate units for women, and so physical alterations would be required.

Parr: What does the Salvation Army charge?

Adams: \$22 per day.

Parr: What would be the legal responsibility of the Salvation Army under this set-up as they are not legal officials?

Adams: Under statute, we can furlough an individual, so we would be furloughing these individuals to the Salvation Army. If a problem should arise, the Salvation Army would notify us. We don't hold them legally liable.

Sullivan: There would be some sort of program provided for the inmates, is that right?

Adams: They would provide some counseling. Most of these women would be involved in outside activities.

Parr: Why couldn't we have on State facility for all sentenced women instead of having them in five places?

Adams: Particularly with short sentences, it would be a disservice to ship a woman far away from her community.

Bierne: I make a motion to pass the bill out.

The bill was passed out with a "do pass" recommendation, four signing in the majority, and one in the minority.

HB 501 Prisoner Relocation to Anchorage

Adams: This bill would provide for half-way house operations to be moved out of the 3rd Avenue Building so that we can use this as a maximum security facility. The estimated cost is \$167,700. This would allow more persons to be housed in the maximum security facility, and would allow some others to get into half-way houses.

Parr: We are not anticipating an increase in the number of prisoners, but will need five more positions. Is that right?

The bill was passed out with a "do pass" recommendation. Four signed in the majority, and one in the minority.

Sullivan: I would like to put together a calendar for the first two weeks of next session before we close. If any of you have any bills you would like to be included, please let me know.

We, the following undersigned Bureau of Indian Affairs teachers, do not want the revised Senate Bill CCSB 128. This bill, which was originally designed to help B.I.A. teachers retain their current employment benefits, if the B.I.A. school is transferred into, or absorbed by, a new and existing school district, has been so altered by the addition of "...if the school board and the teacher agree to the transfer", that this makes the bill ineffective for us. We want the CSSB 128 Senate Bill as it was originally written, not as revised by the HESS Committee.

Frederick James L. Fox
Dennis P. Johnson
Jeanne Johnson
Albert J. Peacock
Pat Peacock
M D Brown
Geneva B. Brown
Gene Huff
Charles S. Wall
John L. Stoken
Roberta A. Stoken
Marion M. Wall
Viola L. Lanham
Delbert S. Lanham
Zona H. Hogan
Patsy Hjalmarsen
Jean Robb
Sally Monroe
John R. Lashua
Joe Dale Sparks
Edward Robb
J. H. Kelly

William R. Carson
Newa Carson
Janet Lashua
Archie F. Reeve
Andrea H. Reeve
Byorn Hjalmanson
Rondal H. Hogan
Essie N. Sparks
Mary Ellen Kelly
Judy L. Olson
Shannon Keene
Winifred L. Hess
J W Holcomb
Jeanne Holcomb

CSSB

130

5/8/75

COMMITTEE REPORT

HOUSE

Mr. Speaker:

Date 5/15/75

The Committee on HESS has had CS SS SR 130

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR _____ AND THAT

CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE _____

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

[Signature] _____
[Signature] _____
[Signature] _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman



JUNEAU ALASKA

Alaska State Legislature

House

HESS COMMITTEE MEETING

May 16, 1975

Members Present:

Bierne	Ostrosky
Davis	Sullivan
Hackney	Swanson
Osterback	

CSSSSB 130 Alcohol Rehabilitation/ Grants-in-Aid

Senator Sackett explained that the purpose of this bill was to assist small communities who needed alcoholism treatment services, but lacked the funds to meet the 25% matching requirements.

The bill was passed out with a "do pass" recommendation without objection.

HB 436 Medical Injuries Compensation

The recorded testimony of Dr. Rodman Wilson, President of the Alaska State Medical Association was played. He suggested that the bill be held over for further work. Barbara Walker, member of the Alaska Nurses Association was also in favor of holding it over. Dr. Hedges, a surgeon in Juneau gave some history of the bill and further supported many of Dr. Wilson's statements.

It was agreed that this bill should be held in committee.

SB

132

COMMITTEE REPORT

3/20/75

HOUSE

COMMERCE
JUDICIARY

Mr. Speaker:

Date 4/3/75

The Committee on HESS has had SB 132 am

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR SB 132 AND THAT

CS FOR SB 132 DO PASS as amended

() "and" recommends it BE REFERRED TO THE _____

COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

<u>[Signature]</u>	_____
<u>[Signature]</u>	_____
<u>[Signature]</u>	_____
<u>[Signature]</u>	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman

A M E N D M E N T

OFFERED IN THE HOUSE:

By: (H) HESS COMMITTEE

To: _____ HOUSE BILL No. _____

SENATE BILL No. SCSSB 142am

(1) PAGE: 1

LINE: 17

(2) PAGE : 3

LINE: 4

(1) Delete, "a person from the general public." and insert:

" a consumer of nursing home services."

(2) After ~~period~~ add " This does not apply to the administrators
of the Pioneer's Homes."



JUNEAU ALASKA

Alaska State Legislature

House

HESS COMMITTEE MEETING

April 3, 1975

Members Present:

Beirne	Ostrosky
Hackney	Sullivan
Ose	Swanson
Osterback	

Chairman Sullivan called the meeting to order at 3:00pm. The first order of business was SB 132am.

SB 132am by Chance

Senator Chance gave a briefing of the bill. The reasoning for sponsorship of the bill was the requirement under the Federal Regulations that nurses be licensed for Medicare funding. Presently there is no law on the Alaska books. The only law existing is that the Dept. of Health and Social Services had the power of emergency licensing only. Without this law we are taking the chance of losing Federal funding. This will only affect nursing homes that are receiving funds from the Medicare program.

Ose Objection to the amendment of deleting 'a person from the Pioneers of Alaska Grand Lodge'.

Chance Explained that the bill would not affect the Pioneer Homes because they are not eligible for Medicare assistance anyway because of their discriminatory process.

Hackney How much are we spending under this bill?

Chance The fiscal note is about \$24,000.

Hackney Apparently then, we are losing funding by the Federal regulations in our Pioneer Homes?

Chance Pioneer Homes are a separate thing entirely. This bill only affects the rest of the nursing homes and in order for the rest of these facilities to get federal funds, they must be licensed.

Hackney If this bill were passed, I see it as a problem to the Pioneers Home and I would ask that we hear from a Pioneer Home representative.

Barbara Walker - Alaska Nursing Assn.

We have no objection to this bill. We have requested an amendment that has already been incorporated in the bill by the Senate HESS Committee. The two main important reasons for the passage of this bill are: 1) to insure Federal funding, and 2) the assurance of competent individuals in charge of these private homes.

Page Two
HESS Meeting
4-3-75

Donna Rogers Div. of Medical Assistance
Spoke in favor of the bill. Also in support of all proposed amendments.

Swanson I move and ask unanimous consent to accept all the proposed amendments.
Ostrosky Second the motion.

Chairman Hearing no objection, the amendments are adopted.

Swanson Move and ask unanimous consent to move SB 132am out of Committee as a
Committee Substitute for SB132am.

Ostrosky I second the motion.

Chairman Hearing no objection, motion carried. HCS for SB132am has been moved out
of Committee.

Chairman Sullivan then made several announcements:

At 7:30am the Committee was invited to breakfast at the Hilton by the State
Board of Education.

On Saturday, Confirmation Hearings on the Board of Regents were to be held in the
HESS Committee Rm. at 2:00.

Meeting Adjourned.



JUNEAU ALASKA

Alaska State Legislature House

HESS COMMITTEE MEETING

April 8, 1975

Members Present:

Beirne	Osterback
Davis	Parr
Hackney	Sullivan
Ose	Swanson
Ostrosky	

Chairman Sullivan called the meeting to order at 2:30 to take up the reconsideration of SB132am.

Mr. Vern Perry, Director of Pioneers Homes

Objection to overall administrator. Objection to the bill as written. This would mean that the top man at each Home would have to be a licensed nursing home administrator.

Swanson Proposed an amendment to exempt the administrators of Pioneers Homes.

Ose Second

Chairman Hearing no objection, motion carries.

Hackney Proposed amendment delete "person from the general public" and add "a consumer of nursing home services".

Ose Second

Chairman Hearing no objection, motion carries.

Ose I move and ask unanimous consent to CSSB132 as amended be passed out with unanimous consent of the Committee.

Swanson Second

Chairman Hearing no objection, HCSSB 132as has unanimously passed the Committee.

HB 143

Dr. Sarafian This bill addresses fraud in post-secondary education. It needs to be amended so that it won't prohibit nonfraudulent activities.

Stu Hall Spoke of the present Statutes and how they need to be strengthened.

Page Two
HESS MEETING
4-8-75

Sharon Armstrong

The present accreditation system doesn't protect consumers. The FTC wants 50 states to adopt their model bill, HB 143 is in many ways superior.

Mr. Parr asked if this would cover operations that operate by mail from outside and Ms. Armstrong replied that it would.

Mr. Parr then directed a question to both Mr. Hall and Ms. Armstrong asking if this would in any way infringe upon the freedom of religion. The feelings were that this would not create any problems in this area.

Dr. DaFoe Pres. of U OF A

Addressed himself to Beirnes question about Tanana Land Claims College and to Mr. Ose's question about the U of A trying to prevent competition.

Dr. Sarafian

Expressed concern about the load placed on the Post-Secondary Education Commission

Mr. Andrus Local VA
Spoke in favor of the bill

Mr. Bannister Asst A.G.

Gave examples of fraudulent costs. Recommends a Sec. 5 be added at the end of the bill.

Mr. Bill Vaudin

Spoke against bill. Concerned about these standards and am questioning whether or not the people still have a voice. If there would be enough bi-lateral representation, then the intent of this bill may work.

Recommended: Pg. 5 Sec. 060 - 'has or has access to'.
We would like to be allowed by Statute to run our own program.

Eric Ekvall Ak. Native Resource Develop. Corp.

Offered two amendments:

Pg. 5 Line 14 change and to or

Pg. 5 Line 13 add "or has access to provide education of good quality".

Sheidon Jackson College Dr. Bovee

Asked a question in regards to the bonding section and if were actually required. Referred to Pg. 10 Line 9 the word 'may'.

Hall This would mean it would be permissive but not mandatory.

Beirne Would like to see rewording of the bonding section of this bill. It seems that this is often a prohibitive factor.

Meeting was adjourned at 6:00. Bill to be voted on at a later date.

POSITION PAPER
ON
SENATE BILL #132

573
132

An act relating to the licensure of nursing home administrators.

This Bill would create a Board of Nursing Home Administrators and spells out the duties and powers of the Board -- a major one being the licensing of nursing home administrators.

Sec. 08.70.020.(b) Indicates that the 5 board members "are appointed by the Governor after consulting with the Executive Board of the Alaska State Hospital Association." It further states that the two nursing home administrators "shall be selected from a list of qualified administrators prepared by the Executive Board of the Association and containing at least five candidates."

It is highly appropriate that the Alaska State Hospital Association prepare a list of persons qualified as nursing home administrators. It is not appropriate, however, for that same Executive Board to propose names of qualified persons to fill the other three board positions. Instead, it is proposed that the Alaska Nurses' Association prepare a list of eligible RN's, that the Alaska State Medical Association prepare a list of qualified physicians, and that the Commissioner of the Department of Health and Social Services prepare a list of persons "from the general public."

Sec. 08.70.100. QUALIFICATIONS OF APPLICANTS indicates in paragraph (2) that the applicant shall "be in sound physical and mental health". The term "sound physical health" is vague, general, and would rule out persons who have physical disabilities or deformities which in no way limit their effectiveness or ability as potential nursing home administrators. It is suggested that the wording read as follows: "be in a sufficiently healthy state, mentally and physically, to be capable of adequately performing the duties and functions of a nursing home administrator."

Under Sec. 08.70.110.(2) The following words should be capitalized since they represent an established service or organization which represents a trade name title. These words are Professional Examination Service, Nursing Home Administrators.

Sec. 08.70.120. EXAMINATION On line 29, replace the word "scheme," the last word in the sentence, with the word "protocol." This language will be more understandable and traditional than the word "scheme."

Sec. 08.70.180. DEFINITIONS (5) defines the meaning of "nursing home." The wording should be consistent with the definition in the State Licensing Act and the Administrative Code which defines "nursing home." This is found in 7 AAC 12 40. It varies in the following respect: line 25 reads "ill and not in need of hospital care," etc.. Line 26 reads "shall be" instead of "is." While it does not radically change the meaning, it is preferable to use the identical definition of "nursing home" for purposes of simplicity and clarity.

The changes which are recommended specifically then are as follows:

- 1. Sec. 08.70.100. QUALIFICATIONS OF APPLICANTS
 - (2) [be in sound physical and mental health;], replaced by,
 - (2) be in sufficiently healthy state, mentally and physically, to be capable of adequately performing the duties and functions of a nursing home administrator;
- 2. Sec. 08.70.110. LICENSING
 - (2) persons who passed the [professional examination service's nursing home administrators], replaced by,
 - (2) persons who passed the Professional Examination Service's, Nursing Home Administrators.
- 3. Sec. 08.70.120. EXAMINATION

The board determines the content, scope, format, and grading [scheme.] replaced by the word, protocol.
- 4. Sec. 08.70.180. DEFINITIONS

Line 25 and 26: [ill but who do require skilled nursing care and related medical services; the term "nursing home" is restricted] replaced by, ill and not in need of hospital care, but who do require skilled nursing care and related medical services. The term "nursing home" shall be restricted ...

With the above recommended changes the department supports this bill.

Recommended By: Donald H. Freedman
Division Director

2/20/75
Date

Approved By: Francis S. Williamson
Commissioner

2-25-75
Date

Comments by Governor's Office:

By: _____

Date

SB
132

POSITION PAPER
ON
SENATE BILL NO. 132

"An Act relating to the licensing of nursing home administrators".

This bill provides for the establishment of a Board of Nursing Home Administrators within the Department of Commerce and specifies the composition of the Board's membership. The bill requires that only a nursing home which is supervised by a licensed nursing home administrator may operate in Alaska unless specifically exempted by the Board. Basic requirements for licensure, including written examination, and delineation of who must be licensed are provided. Also included are provisions for provisional licensure, expiration and renewal of licenses, requirements for licensure fees, definitions of unlawful acts, and penalties for violation of the Act.

The Department of Health and Social Services administers the Medicaid program (Title XIX of the Social Security Act) which is funded 50% by the Federal Government. One of the requirements of this federal program is that administrators of skilled nursing facilities be licensed by the State. Region X, DHEW, has advised the Department that this requirement will be extended to include administrators of intermediate nursing homes. In an effort to prevent imposition of financial penalties on the Medicaid program, the Department promulgated emergency regulations in Register 51, July 8, 1974 (7AAC 12.045) establishing a Nursing Home Administrator

Licensing Board. The Board has been functioning since that time under this Department's supervision. However, the Department of Health and Social Services has neither the support staff nor the expertise necessary to provide permanent administration of this Board.

Failure to establish a viable nursing home administrator licensing board could result in significant loss of federal moneys. For FY 74, the federal portion of skilled nursing home services claimed amounted to \$765,744. The federal portion claimed for intermediate nursing care was \$851,501. However, it is possible for the entire Medicaid program to be found out of compliance with federal law and regulations on this single issue. In FY 74 the federal share of medical assistance under Medicaid entered as a claim totaled \$3,690,739. *

The Department recommends the following changes to this bill:

Page 1, lines 14-17 - delete and substitute the following:

"OF OFFICE. (a) The board consists of five members; one nursing home administrator licensed under this chapter and practicing in the State, a registered nurse licensed in the state, a physician licensed in the state, and two persons from the general public." There are only ten persons in the state who are licensed administrators and who are actively practicing. Since these are extremely busy persons, it is the Department's feeling that there will be difficulty in obtaining two persons from the small numbers eligible who will be able or willing to serve full terms. The administrator, physician, and nurse provide necessary expertise and we recommend two consumer positions in keeping with federal advocacy of consumer representation.

Page 1, lines 18-22 - delete and substitute the following:

"(b) Board members are appointed by the Governor after consulting with the Department. The board members shall be selected from a list of qualified persons prepared by the Department. The Department shall consult with the Alaska State Hospital Association and other interested parties when preparing its list of candidates. There should be at least two candidates for each vacant position." This change is suggested as there are only ten qualified administrators in Alaska to choose from, and it would be difficult to find half of them who could and would serve on the Board. The responsibility for choosing candidates should rest with the Department of Commerce to achieve a broader perspective in selecting all candidates. In addition, the Department of Commerce has had much experience in this field and has numerous lists for potential candidates.

Page 3, line 11, delete "19" and substitute "21". This suggestion is made so that administrators licensed in Alaska will meet standards of other states to ensure granting or reciprocity allowed under Sec. 08.70.110(b) of this act. In addition, in order to enter into binding contracts with the federal government, a person must be at least 21 years of age. An administrator under 21 would face legal problems in this area.

Page 3, lines 18-20 - delete Sec. 08.70.110(a)(2) and substitute the following Sec. 08.70.110(a)(2):

"(2) persons licensed under emergency regulations 7AAC 12.045 promulgated in Register 51, July 8, 1974, who have practiced as administrators since licensure". This recommendation is made to ensure that all persons

licensed by the Board established by the Department of Health & Social Services be recognized for continued licensure. The group mentioned in the bill's (2) is included in this suggested revision.

Page 4, lines 3-10 - delete and substitute the following:

"Sec. 08.70.130 PROVISIONAL LICENSES (a). A provisional license may be granted without examination to a person who meets the standards adopted by the Board under Sec. 50 of this chapter and who is needed to fill a vacancy in an administrative position and no licensed administrator is available to fill the vacancy". Sec. 08.70.130(a)(1) is no longer necessary since these persons are currently licensed.

Page 5, delete line 25 and substitute the following:

"but who do require skilled or intermediate nursing care and related medical services:".

Page 5, delete line 27 and substitute the following:

"of which is to provide skilled or intermediate nursing care and related medical ser -".

These last two changes are to anticipate federal requirement of intermediate nursing home administrators licensure and thus prevent need for unnecessary revision. The individuals who might be affected are currently licensed under emergency regulations 7AAC 12.045 and offer no objections to this change.

Page 6 - add a new section entitled:

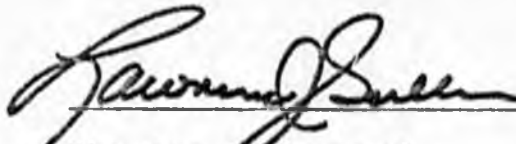
"Sec. 08.70.200. This act takes effect immediately in accordance with AS 01.10.070(c)". The Department of Health and Social Services is not

and has not been budgeted for the travel, per diem, and clerical support expenses of this Board since its inception and does not have the support staff expertise, nor monies necessary to provide continued administration of this Board.

Thus, Page 1, line 6-7 should be deleted and the following substituted:
"For an Act entitled: 'An Act relating to the licensing of nursing home administrators; and providing for an effective date.'"

The Department supports the Bill with changes recommended above.

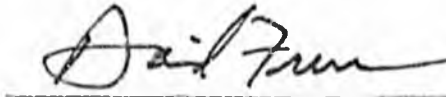
Recommended By:


Director, Division of
Medical Assistance

Date

3/7/75

Approved By:


Commissioner, Department of
Health and Social Services

Date

2/10/75

Comments by Office of Governor:

By: _____ Date _____

The Legislature of the State of Alaska
 FISCAL NOTE
 Second Session - Eighth Legislature

I. REQUEST

Bill Identification: S. B. 132
 Title: Licensing Nursing Home Administrators
 Requested by: _____ Date: _____
 Return Date Requested: _____
 Agency: Commerce Program: Occupational Licensing

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 74	FY 75	FY 76	FY 77	FY 78	FY 79
100 PERSONAL SERVICES		0	0			
200 TRAVEL		1900	700			
300 CONTRACTUAL		500	100			
400 COMMODITIES		0	0			
500 EQUIPMENT		0	0			
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

B. FUNDING: (Thousands of dollars)

GENERAL FUND		2400	800			
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	0/	0/	/	/	/
MAN MONTHS (P./T.)	/	0/	0/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

3 board meetings in Anchorage to promulgate regulations @ \$250 750
 1 board meeting in Fairbanks to promulgate regulations - TRAVEL & PER DIEM 1150
 Space rental - advertising - clerical - supplies (for regulations) 500

This Board will have very minor activity. It will require 4 meetings in the first year to get the regulations promulgated. The regulations now being used under Health and Social Services would need very negligible modification.

After the first year, a maximum of not to exceed 2 meetings per year would be adequate. One would probably suffice. There are fewer than 20 potential licenses involved and would be absorbed into the Division of Occupational Licensing system without additional cost after the first year.

V. DATE: 3-11-75

PREPARED BY: J. Ray Roady

J. RAY ROADY, DIRECTOR

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

CSSB

135

"An Act relating to negotiations with certified employees of school districts and the mediation of disputes; and providing for an effective date."

COMMITTEE REPORT

5/27/75

HOUSE

Mr. Speaker:

Date 5/27/75

The Committee on HESS has had CSSB 135 (2d Rules)

under consideration. A Majority of the members of the Committee

- () recommends it DO PASS
- () recommends it DO NOT PASS
- () recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- () recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- () "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- () reports it back WITHOUT RECOMMENDATION
- () "other"

Members signing the Majority report:

Susan Sullivan _____
Nathaniel B. ... _____
... _____
... _____

Members NOT concurring in the Majority report:

... recommends: ...
... recommends: ...
 _____ recommends:
 _____ recommends:
 _____ recommends:

Susan M. Sullivan Chairman



Alaska State Legislature
House

JUNEAU ALASKA

HESS COMMITTEE MEETING
May 27, 1975

Members Present:

Bierne	Parr
Davis	Sullivan
Osterback	Swanson
Ostrosky	

CSSB 135 (2nd Rules)

A very brief meeting was held concerning CSSB 135 which relates to negotiations for school district employees. The meeting commenced at 12:15 pm.

Representative Ostrosky moved that the bill be passed out with a "do pass" recommendation. Rep. Bierne seconded the motion. The bill was passed out with five in favor of a "do pass" recommendation, and two with no recommendation.

W.L. ROOT, CPA

7337 OLD SEWARD HIGHWAY
ANCHORAGE, ALASKA

PHONE: 349-2332
349-2911



March 11, 1975

Dear Susan Sullivan,

The above letter was delivered to me today. In my opinion, Union demands for increased wages is and has been one of the major causes of inflation in the United States. I feel that a union contract at the Anchorage Community College Campus which provides teachers with a 30% increase is unconscionable and highly inflationary.

Although my stand will probably result in my forced termination from the staff at Anchorage Community College, I cannot in good conscience sign an agreement which in effect condones this inflationary trend.

I signed a contract with the University of Alaska in which I agreed to avail myself and my talents to the betterment of my students by being in class. I reaffirmed this position when I did not honor a strike which I could see hurt only the students.

A Union Official has said "Let's bury the hatchet.", I personally request that that be done, and that I be allowed to fulfill my obligation to the University and the students by completing this semester of instruction.

My case now rests with the administration of the University and the mercy and good conscience of the Union.

William L. Root, CPA
Teacher
Anchorage Community College

WLR:lm

To: All Bargaining Unit Members

From: ACCFT Budget Committee and Edie Lynch, president

Re: Agency fee structure and timetable for payment

Date: March 10, 1975

The agency fee structure has been set at \$35 per month for the first nine months worked each calendar year. The fee for March 1975 is due and payable today. You may pay directly to the ACCFT Treasurer, Dave Lamborn or you may give a signed fee checkoff authorization form either to Dave Lamborn or to your Regional Personnel Office. Payment or submission of the form must take place no later than 5:00 P.M. March 10, 1975.

For this year only, the Union will make available to all bargaining unit members the opportunity to pay the agency fee in one lump sum. A payment of \$175 (\$180 for Union members) made on or before April 1, 1975 will pay the agency fee in full from September 1, 1974, through May 31, 1975. Whether or not you intend to avail yourself of this opportunity, you must pay the \$35 fee for March no later than March 10, 1975.

Bargaining unit members who pay \$35 for their March fee and who opt to pay a lump sum fee must pay the additional \$140 on or before April 1, 1975. Union members who paid a \$100 lump sum last September and who intend to pay in a lump sum need not pay any additional fee in March. These people must pay \$80 on or before April 1, 1975 to complete fee payment for the period from September 1, 1974 through May 31, 1975.

Please remember: Everyone must either pay \$35 or submit a signed checkoff authorization by 5:00 P.M. March 10, 1975 for the March service fee. The only exception is for those Union members who paid a \$100 lump sum in September, 1974. Your continued employment with Alaska's community colleges depends on this, so please do not forget.

For your convenience dues authorization forms are available in K222-a between 8 A.M. and 5 P.M.

SB

140

COMMITTEE REPORT

3/19/75

HOUSE

JUDICIARY

Mr. Speaker:

Date May 2, 1975

The Committee on HESS has had SE 140 am

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR _____ AND THAT

CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE _____

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

[Signature] Chairman



Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

May 2, 1975

Members Present:

Beirne Swanson
Hackney Sullivan
Osterback
Ostrosky

Chairman called the meeting to order at 3:15pm. The first order of business was SB 140.

SB 140

Susan Gordan - Alaska Youth Advocates

The intent of this legislation is to put the Federal requirement into the Alaska Statutes. Congress passed the Act in 1974. Money will be coming through the State Planning Agency. It is required that each State Commission on Administration of Justice have two juvenile specialists on the Commission. All juvenile monies will come through this Act from now on. This important in terms of grant money for the entire state.

Swanson What type of grants are these, matching?

Gordan No, 90% Federal, we have to match 10% cash funds, 100% Federal money in that sense.

Swanson Move and ask unanimous consent to move bill out of Committee.

Osterback Seconded

Chairman Hearing no objection, so ordered.

CSHB 181 Work shop type discussion on the bill, no witnesses were present at this time.

Ostrosky Move out with individual recommendation.

Beirne Seconded

Chairman Hearing no objection, so ordered.

SB

203 AM

"An Act relating to school attendance."

COMMITTEE REPORT

1/19/76

HOUSE

Mr. Speaker:

Date Mar 7/76

The Committee on HESS has had SB 203 am

under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

[Signature] _____
[Signature] _____

Members NOT concurring in the Majority report:

_____ recommends:
 _____ recommends:
 _____ recommends:
 _____ recommends:
 _____ recommends:

[Signature] Chairman



JUNEAU ALASKA

Alaska State Legislature

House

HOUSE HESS COMMITTEE MEETING

MARCH 8, 1976

Present: Ostrosky Hackney
Parr Davis
Beirne Sullivan

Testifying: Eric Lee, C&RA, Community Services
Frank Pauls, H & SS, Public Health
Grace Billings, Office on Aging
Glenn Sachs, Office on Aging
M. Dan Plotnick, Office on Aging
Nat Cole, D.O.E.

HCR 97 - Relating to State Purchases of Drugs - Sullivan

Dr. Pauls, feels bill will create a savings to the state. Drugs usually purchases on a bid or blanket contract with drug houses.

Committee questions how you educate state employees to the advantages of drug purchases. Pauls says you work with purchasing agents.

Ostrosky - Vote do pass, unanimous

HB 714 Sr. Citizens nutrition and recreation facility - Parr

Parr expressed the need that the senior citizens of Fbks have for the facility.

Eric Lee - spoke for Community and REgional affairs concerning this project. Felt that the funds would not be of any trouble, just filtered through C&Ra.

Hackney- thinks new facility in FBks, under construction right now could speak to the needs and be utilized by the Sr. citizens.

Mr. Plotnick - Brought two staff people to speak to the needs in the FBKS areas. Billings & Sacks. Fbks area - new ASHA housing area for SR. citiznes now under construction, understands there is a kitchen facility to be used. This would give the sr. citizens a place to make their meals.

Sullivan - Feels there is a possibility of putting this new facility near the ASHA project so it can be utilized more often.

Parr - bad idea, there are many sr. citizens in Fbks, who do not live hear that housing development

Page 2
March 8, 1976

Hackney - wants to explore possibility of using other facilities rather than building a new one. Suggested the Alaskaland area.

Parr - Amendment - Section 1, period after FBKS.
Section 2, Dept. shall contract with NSC on Aging for purposes specified in Section 1
Section 3, (same as section 2 on the bill)

Amendment voted on do pass

Sullivan moved to pass out
Beirned - requested reconsideration. wants to know whether she can add a section to include the same appropriation for the Anchorage area and to go through the municipality.

Parr says O.K.

Sullivan - must be a committee substitute for HB 714

Voted on - Do pass,

SB 203 AM School Attendance Hohman

Nat Cole, feels that the dept. O.K.s this concept of education and already basically does give credit for learning experiences, but feels the legislature can express intent by passing this bill.

Committee, wanted to know whether this time counted towards the full 180 days that is required of students, yes.

Voted Do Pass 5

CSSB 272 Operation of vending machines by blind or handicapped

Sullivan spoke to the need of this legislation because blind have very few options for employment and this is one of them. There seems to be no problems with this.

Vote - do pass unanimous

SB

220



Alaska State Legislature

House

JUNEAU ALASKA

HESS COMMITTEE MEETING

April 28, 1975

Members Present:

Beirne Ostrosky
Davis Parr
Hackney Swanson
Osterback

Vice Chairman Parr called the meeting to order at 3:00pm. The first order of business was SB 220.

SB 220 Senator Hohman Gave briefing of the bill.

Swanson In favor of bill.

Hackney What we are asking for here is a review of the construction by the Legislative Budget & Audit Committee. How often do they meet?

Hohman More frequently than once a month by history.

Phil Thompson - Dept. of Education

Neither the Dept. or SOS goes to bid for the construction projects. Offer an amendment: Pg. 1 Line 16 insert "the Dept. of Public Works". With this amendment, we have no objection to the bill. The bill is not retroactive. Most of the projects have not gone to bid. The Key here is if the Legislative Budget & Audit Committee meets regularly. Core Drillings should be taken and included in the reports to the L. B&A Comm.

Hackney Do you have any objection to perhaps a language change?

Hohman I think this language here is sufficient. It is stated that the Committee will study all reports of construction when they meet.

Parr Move for the adoption of Mr. Thompson's suggested amendment to add Dept. of Public Works.

Swanson Seconded

Parr Hearing no objection, amendment adopted.

Swanson Move bill out with a 'do pass'.

Davis Second

Parr Hearing no objection, so ordered.

Page Two
HESS Meeting
4-28-75

HB 415 & HB 419

Jeff Jeffers (HB415) Dept. of Education.

Parr Are these Companion bills?

Jeffers No, they are separate. HB 415 would place the money with the Dept. of H&SS, it provides a good sum to begin a process that would take longer than one year. We are in favor of the bill.

Beirne Last year this bill did not pass, are we building on what H&SS already has?

Jeffers We agreed that they would hire a person and put them temporary duty with our Dept. A study was done with 314D Funds.

Hackney Were the funds in the Gov's budget?

Jeffers No, they were never there.

Beirne Why should we put it through H&SS again for it to go to the Dept. of Educ?

Jeffers It doesn't provide a continuous program the way it is written here. In 415 it doesn't provide for the employment of anyone for the position.

Beirne If we were to change this to the Dept. of Educ. what would it do?

Jeffers It would not in itself establish this position.

HB 419 Would provide a position and enough funds to add to the curriculum teacher training as such. No price tag to this particular bill. Provides a more sustained effort than 415. They treat the same problem however.

Parr Is the Dept. prepared to explain where they are to suggest to the School Districts where to add this extra program....will something have to be deleted?

Jeffers We would not, the wording in the bill takes care of this. A Health Education specialist at range 21 A, about \$1800 per month, \$26,460 per year. Would only be funded if money were provided. The money in 415 would go to the Dept. of H&SS.

Swanson I don't think this kind of education should be included in Kindergarten.

Larry Sullivan - Juneau School Board

415 & 419....In '68 and '69 they recommended the need for Health Education. I disagree with Mr. Jeffers that Health Education is presently taught in schools. See definite need for this in Alaska. Don't need to drop anything in the curriculum, it could be added to the Science program. On behalf of the Juneau School Board, we support this bill.

Swanson This bill should have come to us as a bill and as an approp. bill accompanying it.

Parr I question the need for State aid here. With the School leaders being paid what they are, they should be able to originate such important programs.

Page Two
HESS Meeting
4-28-75

Parr Proposed amendment, Line 12, Delete Dept. of H&SS and insert Dept. of Education.

Beirne Proposed amendment to HB 415, would say that the funds would flow to the Ept. of Education.

Parr This could be done by amending the Title of the bill.

Ostrosky Line 12 & 13, move for the adoption of amendment: Substitute "Coordination" for "Initial Development".

Parr Hearing no objection, motion passes.

Beirne I would like to get the Comm. of Education to answer to the bills, we need more input here.

Swanson I would like to know more details about the program, what is going to be taught and at what age etc.

Beirne I move to hold up on the bills for Comm. Lind to reply. Fiscal notes etc.

Parr Hearing no objection, motion carries.

HB 421 Don Kemp - Div. of Children & Family Services.

Purpose of the bill is to amend the Ak. Statutes to bring them into conformity with supplemental security income program. This does not effect persons eligibility for help.

Beirne Move out with a 'do pass'

Parr Hearing no objection, so ordered.

HB 426 Dr. Schrader, Dir, Div. of Mental Health

We are in support of this bill. It will allow to claim reimbursement through Title 19 for services that are already provided. It will enable the Dept. of collect approx. \$365,000 for the Fed. Government.

Ostrosky Intermediate Care facility?

Schrader For the mentally retarded, the regulation specifically talk about the mentally retarded. Harborview Memorial Hospital in Valdez for example. This will allow us to claim reimbursement for an additional number of residence there.

Hackney It gives me great pleasure to move and ask unanimous consent for the adoption of this bill.

Parr Congratulations, Mr. Hackney. Hearing no objection, so ordered.

HB 427 Roger Lang Dept. of H&SS. 5.2% of the total case load was ineligible for total grants. In each case we are talking on the average of about \$270.00.

Page Two
HESS Committee
4-28-75

Hackney Where would you get the money to put this into effect?

Lang We could get a run from the Empl. Sec. Div. based on the SS# from the recipient payrolls and have someone do a physical check where there are discrepancies. To start out we should be able to do it with our existing staff. All this bill does is allow us the right to get the information through the Empl. Sec. Div.

Hackney Move out with a 'do pass'
Parr Hearing no objection, so ordered.

HB 428

Beirne Offered amendment: Line 15 delete "amount set by the Commissioner" and
insert: 0-50 beds \$50.
51-124 beds \$100.
125 or more beds \$150.

No objection to the amendment, motion carries.

Swanson Move HB 428 out with a Committee Substitute and a do pass recommendation.
Parr Hearing no objection, so ordered.

Meeting adjourned @5:30pm.

"An Act relating to review of construction projects under the rural school construction bond issue by the Legislative Budget and Audit Committee; and providing for an effective date."

COMMITTEE REPORT

4/10/75

HOUSE

FINANCE

Mr. Speaker:

Date April 28, 1975

The Committee on HESS has had SB 220

under consideration. A Majority of the members of the Committee

() recommends it DO PASS

() recommends it DO NOT PASS

() recommends it DO PASS WITH ATTACHED AMENDMENT(S)

() recommends it BE REPLACED WITH CS FOR _____ AND THAT

CS FOR _____ DO PASS

() "and" recommends it BE REFERRED TO THE _____

COMMITTEE

() reports it back WITHOUT RECOMMENDATION

() "other"

Members signing the Majority report:

<u>[Signature]</u>	<u>[Signature]</u>	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Members NOT concurring in the Majority report:

<u>[Signature]</u>	recommends: <u>NO REC.</u>
_____	recommends:
_____	recommends:
_____	recommends:
_____	recommends:

[Signature] Chairman

A M E N D M E N T

OFFERED IN THE HOUSE:

By: HESS COMMITTEE

To: _____ HOUSE BILL No. J

SENATE BILL No. SB 220

PAGE: 1

LINE: 16

After the word System, add "or the Dept. of Public Works"

THE FOLLOWING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

DEPARTMENT OF EDUCATION

POSITION PAPER

SENATE BILL #770

"relating to review of construction projects under the rural school construction fund and funds by the Legislative Budget and Audit Committee; and . . ."

BACKGROUND:

In the past, adequate information concerning school construction cost data at various sites throughout the State has not been available or provided by the agencies to the Legislature when school construction funding has been requested. Therefore, estimated costs of various projects have been in error. The agencies' inability to provide accurate cost data when requesting capital funding has been due to the lack of planning funds by which the agencies can assemble such data. Appropriate site data should be provided to the Legislature at the time funds are requested. The advance planning revolving fund appropriated to ASOS, Chapter 147, SLA of 71, should allow that agency to assemble realistic information for funding requests in SB 77. Neither the Department of Public Works nor Education have such planning funds at this time.

WHAT THE PROPOSED LEGISLATION WOULD DO:

By having the Legislative Budget and Audit Committee review and approve construction of projects of the "1973 Rural School Construction Fund", the Legislature becomes involved in the administration of construction funds.

SPECIAL PROBLEMS:

Neither the Department of Education nor the Alaska State Operated Schools System goes to bid for construction of a project. AS 55.05.010 provides that the Department of Public Works is responsible for the planning and construction of public works. AS 75.25.026, DEFLECTIONS, would include schools constructed for the State by the State. Therefore, it is recommended that Part 1, Part 15 and 16, delete "the Department of Education or the Alaska State-Operated Schools System" and insert "Department of Public Works".

There could be some problems with the LBA review and approval, if such does not occur in a timely manner. If the LBA meets on a regular basis, few problems would occur, however, if the Committee meets sporadically, or if the body should not achieve a quorum, an entire construction season could be lost while agencies are awaiting review and approval.

THE PRECEDING DOCUMENT(S) MAY NOT FILM
LEGIBLY BECAUSE OF POOR QUALITY OF THE
ORIGINAL.

SB

26/Am

"An Act relating to the evidence in prosecutions for rape and assault with intent to commit rape; changing Rule 43(g)(11), Rules of Civil Procedure; and providing for an effective date."

COMMITTEE REPORT

4/11/75

HOUSE

JUDICIARY

Mr. Speaker:

Date 4/14/75

The Committee on HESS has had SB 261 am

under consideration. A Majority of the members of the Committee

recommends it DO PASS

recommends it DO NOT PASS

recommends it DO PASS WITH ATTACHED AMENDMENT(S)

recommends it BE REPLACED WITH CS FOR _____ AND THAT

CS FOR _____ DO PASS

"and" recommends it BE REFERRED TO THE _____

COMMITTEE

reports it back WITHOUT RECOMMENDATION

"other"

Members signing the Majority report:

<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____
<u>[Signature]</u>	_____	_____

Members NOT concurring in the Majority report:

<u>[Signature]</u>	recommends:
<u>[Signature]</u>	recommends:
<u>[Signature]</u>	recommends:
_____	recommends:
_____	recommends:

[Signature] Chairman

POSITION PAPER
ON
SENATE CONCURRENT RESOLUTION # 16

A concurrent resolution relating to the medical and psychological care required of victims sexually assaulted.

This resolution expresses the sense of the Legislature that victims of sexual assault merit maximum help in the form of sensitive care and skilled professional help and urges training for personnel of medical facilities in these areas.

The resolution of itself would not affect the Department of Health & Social Services but would probably generate increased calls for service by some agencies of the Department.

This appears to be a very desirable resolution.

Training for personnel dealing with victims of sexual assault probably should encompass also both public safety and correctional officials.

The Department favors this concurrent resolution.

Recommended By: David T. [Signature]
Division Director

2/28/74
Date

Approved By: Frederick McGuinis
Deputy Commissioner

3/5/75
Date

Comments by Governor's Office

By: X

Date



JUNEAU ALASKA

Alaska State Legislature

House

HESS COMMITTEE MEETING

April 14, 1975

Members Present:

All members

Chairman Sullivan called the meeting to order at 3:00pm.

SB 261am

Senator Chance, Sponsor of the bill, gave briefing. Bill relates to the project of the year for the American Women's Club and is endorsed by American Bar Association.

Parr There is a house bill by Bradner on the same subject with more specifics.

Hackney I am in favor of the bill.

Ostrosky I Move and ask unanimous consent for a 'do pass' recommendation.

Parr Objection, I would ask for individual recommendations.

Ose Yes, I would vote no rec.

Chairman Sullivan counted the votes and the majority of the members voted do pass.

HB 12

Rep. Beirne gave briefing of the bill and recommended that since it doesn't pertain to this Committee any further, that the bill be passed out as 'no rec' and sent on to Finance where it can be studied in depth.

Hackney I would rather sit on it until next year than to pass it out, that is like saying the bill has our endorsement.

Parr I am in favor of the concept but if the figures on those pages submitted by the Dept. are correct, they are highly incorrect!

Swanson I am not in support of this bill either. I think we should move it out with individual recommendations.

Ostrosky If that is a motion Mr. Swanson, I will second it.

It was voted on that the bill be sent on to the Finance Committee with 'individual recommendations.'

HB 225 Beirne gave briefing of the bill. The same wording which includes the concept of HB 13 is in this bill. It is requesting that all architectural barriers be eliminated over a 10 year period in all government buildings.

Bob McGuire Deputy Commissioner/Public Work
see page two.

McGuire Spoke of the possibilities of the bill.

John Steinman - Chief Architect/Div. of Buildings.
Should clarify that some of our people have gone through these matters and placed priorities which is not what we're suppose to do and I wish to apologise for this. A question I would raise is whether or not this can be our perogative to make judgments on the barriers rather than making it mandatory?

Beirne I am wondering where you got the idea that a handicapped person is one in a wheelchair only?

McGuire This was over simplified abit.

Beirne This is already being mandated on a Federal level. I think you're addressing this in a very small scope. This information you have submitted to Rep. Sullivan is totally irresponsible. I can assure you that unless the State does this now, they will be subject to suits and higher costs to the State at a later date.

Swanson Have we ever been sued in your knowledge with something like this?
McGuire No, not to my knowledge.

Beirne In Anchorage it is a group of handicapped students suing the State. This is a State responsibility that we put this into law. The Federal laws are based on the US Standards.

Steinman I don't think it is the intent here that is in question, it is the way in which we will have to carry it out.

Beirne I think the bill is very lenient.

Osterback We should start working in the rural areas first where, as you said, the majority of the handicapped people are.

Hackney How would HB 225 affect leased buldings?

McGuire I don't interpret that we would be changing the present buildings already in use. The Dept. of Adain. handles all leasing procedures. We've made requests and they're willing to do anything that we're willing to pay for. These costs to handl the handicapped are considerably higher than the average costs of construction. An expensive proposition!

Steinman In Sec. 4 I would like to suggest an amendment.

Page 2 Line 25 delete 'be planned, designed, financed, constructed, opened to public use, or otherwise placed in operation' and add after be "initiated for planning, design, finance, and construction" unless...

Ostroaky I Move for adoption of the proposed amendment.

Beirne Second

Chairman Without hearing objection, amendment passes.

Beirne Proposed amendments: Pg 1 Line 8, add "ed" to infirm

Pg 1 Line 19, "oooooooooooooooooooo"

Pg.1 Line 17, after the word 'federal' add 'state or

other public funds.'

SENATOR GENIE CHANCE

SEXUAL ASSAULT LEGISLATION

SENATE CONCURRENT RESOLUTION NO. 15 - ASSIGNMENT OF POLICEWOMEN TO REPORTED INCIDENTS OF RAPE

Rape victims believe that female officers would be more sensitive to their needs and that more policewomen should be available to respond to calls from rape victims. This concurrent resolution recommends that local law enforcement agencies undertake an affirmative assignment program to place more policewomen in positions which will enable them to respond to rape victims. It states that special efforts should be made to assign female officers to night duty when most rapes occur.

SENATE CONCURRENT RESOLUTION NO. 16 - MEDICAL EXAMINATIONS OF VICTIMS
SEXUAL ASSAULT

Emergency medical facilities provide inadequate treatment for rape victims. A woman who has been raped is often beaten and traumatized. The extent of the medical treatment is frequently limited to a vaginal examination for the purpose of gathering potential evidence.

This concurrent resolution recommends to the director of each public medical facility in the state and to each private medical emergency facility in the state having a contractual relationship with the state or local political subdivision that each victim of sexual assault who is treated by them should be given a thorough examination for both physical and emotional trauma. The staff of such facilities should be instructed on the appropriate care and treatment of victims of sexual assault. In addition, such facilities, as standard operating procedure should inform the victim of venereal disease, pregnancy, and psychiatric services, of the possibility of financial aid from the Violent Crimes Compensation Board, and of any other services or aids available in the community which could serve to alleviate the eventual trauma occasioned by a sexual assault.

SENATE CONCURRENT RESOLUTION NO. 17 - PEACE OFFICER TRAINING PROGRAMS
RELATED TO TREATMENT OF RAPE
VICTIMS

The training and instruction police officers receive generally emphasizes the legal elements of the crime of rape. Little, if any, training time is spent discussing the psychological and emotional needs of the rape victim. Consequently, peace officers often display a significant lack of sensitivity in their handling of rape victims.

This concurrent resolution recommends that Alaska Police Standards Council, in conjunction with local community women's organizations and representatives of local medical professions, develop courses of instruction for law enforcement personnel regarding the proper investigation of rape cases, with emphasis on the psychological and emotional effects on the victim.

SENATE CONCURRENT RESOLUTION NO. 18 - TRAINING IN NONAGGRESSIVE SELF-
DEFENSE IN SECONDARY SCHOOLS OF
THE STATE

With the high incidence of violent crimes against individuals, there is a need for public high schools to include as part of their physical education program training in nonaggressive self-defense. If persons were better able to defend themselves, they would be less vulnerable to rape and other violent bodily assault.

This concurrent resolution requests that each school district ascertain the need for offering physical education classes in nonaggressive self-defense and if a need exists to report to the Department of Education by July 1, 1976. It further requests that the Department of Education work with and assist school districts, including the state operated school system, in developing programs in nonaggressive self-defense and that the Department should submit a summary and evaluation of its findings to the Tenth Legislature - First Session.

SENATE CONCURRENT RESOLUTION NO. 19 - SPECIAL INVESTIGATIVE UNITS FOR
CASES INVOLVING SEXUAL OFFENSES

Most law enforcement agencies have inadequately staffed and trained investigative units for sexual offenses. Special rape investigative units which have been established by a few departments provide more thorough and effective investigation of rape reports.

This concurrent resolution requests the Alaska Police Standards Council to develop a plan for the training of specialists to investigate charges of rape and other sexual assaults and to encourage local law enforcement agencies to develop special investigative units for cases involving sexual assaults.

SENATE BILL NO. 261 - PROVIDING FOR AN INCAMERA HEARING TO DETERMINE THE
RELEVANCY OF THE PROSECUTING WITNESS' PREVIOUS
SEXUAL CONDUCT

Many times the victim of sexual assault is extensively questioned about his/her sexual history in open court, without a showing that such questioning is relevant to the innocence or guilt of the accused. The fear of such detailed examination about a very personal aspect of an individual's life may deter victims from bringing criminal complaints, and may be a significant factor in the low percentage of reported rapes.

Senate Bill 261 requires that the defense attorney be required, by specified procedures and out of the hearing of the jury, to "lay a foundation" as to the relevancy of the victim's prior sexual history; and that the judge make a determination of the relevancy of the prior history before such evidence is admissible. A showing of relevancy should not be required when the prior sexual activity occurred with the accused. In no event may evidence of previous sexual conduct of the prosecuting witness committed more than one year before the date of the alleged crime be admissible, except previous conduct with the defendant.

SENATE BILL NO. 262 - JURY INSTRUCTIONS IN RAPE CASES

During the last few years there has been great disagreement in various states with regard to the types and content of jury instructions in criminal prosecutions for rape, attempted rape, and assault with intent to commit rape.

There is little doubt that the charge of sexual assault is difficult to defend and to prosecute. The law requires that the jury be informed that the charge is difficult to defend and that the jury must examine the testimony of the prosecution's witness with caution. The question in most cases of sexual assault is whether or not the victim consented to the sexual act.

The jury should not be permitted to draw an inference that a woman who has previously consented to sexual intercourse would be more likely to consent again, except where the previous sexual intercourse occurred with the accused. The jury should be permitted to consider the prior sexual history of the victim, if relevant, only on the issue of whether the victim consented to the alleged rape, and not be permitted to consider such acts in judging her credibility regarding other facts in dispute. The issue of chastity should not be confused with the issue of veracity.

Senate Bill 262 states that a jury may not be instructed that the prior sexual conduct of the complaining witness, in and of itself, may be considered in determining the credibility of the complaining witness. In addition, the Bill states that the jury may not be instructed that it may be inferred that a victim who has previously consented to sexual intercourse with a person other than the defendant is more likely to have consented to sexual intercourse with the defendant.

SENATE BILL NO. 273 - MEDICAL TREATMENT AND COSTS INCURRED BY A VICTIM OF SEXUAL ASSAULT

Often emergency medical facilities provide inadequate treatment for rape victims. A person who has been sexually assaulted is often beaten and traumatized. The extent of the medical treatment is frequently limited to a vaginal examination for the purposes of gathering potential evidence. Many physicians on duty at emergency medical facilities are not experienced in the examining procedures necessary to gather evidence from victims of sexual assault. Cases are dropped for insufficient evidence as a result of inadequate examinations which ignored valuable evidence. Hospital and emergency medical facilities charge victims of rape for costs of the medical examination necessary to compile evidence for possible prosecution. Victims of sexual assault oftentimes go without necessary medical treatment because of its high cost.

Senate Bill 273 requires the Department of Health and Social Services to provide within each organized borough and city that a person experienced in the examination of victims of criminal sexual assaults is available on call 24 hours each day for the examination of reported victims of these offenses.

Each reported victim shall be given a thorough examination for both physical and emotional trauma, shall be provided all treatment indicated as a direct result of either the physical or emotional trauma and shall be informed of available venereal disease, pregnancy, and psychiatric services and of the Violent Crimes Compensation Board.

All incurred costs of examination, treatment and where required to obtain treatment not adequately available locally, costs of transportation to another place where treatment is adequately available and return transportation shall be paid directly by the state.

All costs of treatment shall not exceed the normal charges for the service in the locality in which the service is rendered.

SENATE BILL NO.305 - REVISION OF STATUTES INCLUDING RAPE AND SODOMY

With the continual revision of statutes involving crimes of sex and the changing morality of the society, the Alaska statutes pertaining to sex are outmoded and confused.

Sexual acts involving force, specifically forced oral copulation, have recently gone unprosecuted because of this confusion. To remedy this problem and many others, this Senate Bill revises Chapter 11.

Throughout Chapter 11, "rape" is deleted and aggravated sexual assault is inserted in the following sections:

Sec. 11.05.150. Imposing Less than Prescribed Penalties

Sec. 11.15.010 First Degree Murder

Sec. 11.15.160. Assault with Intent to Kill or Commit Rape or Robbery

Sec. 11.15.295 Use of Fire Arms during the Commission of Certain Crimes

Sec. 11.30.040(b)

Chapter 11 is amended by adding two new sections. Section 11.15.125 Petty Sexual Assault and 11.15.127 Aggravated Sexual Assault. The purpose of these new sections is to define categories of sexual contact or sexual intercourse where one of the parties is unable to consent or does not consent to the sexual act.

Sec. 11.15.125 Petty Sexual Assault defines a situation in which a person who has sexual contact with another, not his spouse, or causes the other to have sexual contact with him, without consent, is guilty of petty sexual assault if (1) he knows that the contact is offensive to the other person; (2) he knows that the other person suffers from a mental disease or defect rendering him incapable of appraising the nature of his conduct; (3) he knows that the other person is unaware that a sexual act is being committed; (4) the other person is less than 16 years old; (5) he has substantially impaired the other person's power to appraise or control his conduct by administering or employing without the other's knowledge drugs, intoxicants or other means for the purpose of preventing resistance; or (6) the other person is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over him. The offense of petty sexual assault is a misdemeanor. In this section "sexual contact" is any touching of the genitals of the person for the purpose of arousing or gratifying sexual desire.

Sec. 11.15.127 Aggravated Sexual Assault defines a situation in which a person who has sexual intercourse with another person, not his spouse, is guilty of aggravated sexual assault if (1) the other person is compelled to submit by force or by threat of imminent death, serious bodily injury, extreme pain or kidnapping, to be inflicted on anyone; (2) the person substantially impairs the other's person's power to appraise or control his conduct by administering or employing without his knowledge or consent drugs, intoxicants or other means for the purpose of preventing resistance; (3) the other person is unconscious; or (4) the other person is less than 16 years old. Aggravated sexual assault is a felony. For the purpose of this section, sexual intercourse includes intercourse by means of the mouth, vagina, or rectum, with some penetration however slight; emission is not required.

Chapter 11 is amended by repealing AS 11.14.120 - 11.14.134 and AS 11.40.120. These amendments create a category of crime called "sexual assault". There are two degrees of crime under sexual assault: Petty Sexual Assault and Aggravated Sexual Assault. Victims of these crimes either do not consent to the sexual act described under the sections or are incapable of consenting to the act. Sexual acts between consenting adults are legal regardless of whether they are for the purposes of arousal or intercourse and involve either oral, anal, or vaginal sex.

Superior Court
State of Alaska
THIRD JUDICIAL DISTRICT
303 K STREET
ANCHORAGE, ALASKA 99501

SB 261

CHAMBERS OF
EBEN H. LEWIS

February 11, 1975

TELEPHONE: (907) 274-8511

Hon. Helen Fischer
Alaska House of Representatives
State Capitol Building
Juneau, Alaska 99801

Dear Helen:

Our efforts last year at obtaining some legislation attacking the criminal problem in our state had only moderate success, you will recall. However, the introduction of the legislation served to get the attention of both legislature and the community in general to the magnitude of the problem. I have another suggested piece of legislation directed toward the various serious crime of rape, of which there have been a great many instances in our community during the past year.

I have presided over four rape or attempted-rape trials since December 1973. Only one has resulted in a conviction. The jury found the defendant not guilty in two of the other cases and in the fourth the jury was unable to agree and was dismissed. That case was set for retrial but the victim refused to undergo the ordeal of testifying the second time around and the state reluctantly dismissed the indictment. Since that time the defendant has left the state and has been involved in a sex crime in Oklahoma, according to information I have received.

SB
261

In each of the acquittals, I am convinced that the jury reached its verdict, not because the defendant was innocent, but because the victim, under existing rules of evidence, was permitted to be presented to them, through cross examination by defense counsel, as a tarnished tart. Probably the jury felt her to be deserving of the treatment she got from her assailant. This is so, because under existing rules of evidence in Alaska, and in most of the states up to this time, it is required that the trial judge allow defense counsel to examine the prosecuting witness as to her prior sexual conduct with other men, even though such conduct has no bearing on the case. Since she then is seriously compromised, in the view of some of the more virtuous-minded jurors, she becomes accordingly less believable and the case simply does not get proven "beyond a reasonable doubt". Of the rape and attempted rape cases I tried last year, had there been no jury, all would have resulted in conviction, based upon the evidence I heard. Thus, justice is being defeated

Hon. Helen Fischer
February 11, 1975
Page 2.

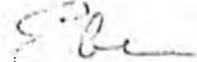
by the existence of this archaic rule which was more appropriate to Victorian morality. At present, the courts in this state allow evidence of moral character of the prosecuting witness and as to her reputation for chastity and virtue "to aid the jury in determining whether her story is true or false, and the act of intercourse voluntary or against her will".

This is upon the theory that "a woman who is chaste and virtuous will be less likely to consent to an act of illicit carnal intercourse than one who is unchaste". (quote from our present jury instructions).

Having personally observed in these trials that the young women who were the victims of the rapes charged were, beyond my reasonable doubt raped, notwithstanding evidence of their rather easy sexual life style, it is my view that such evidence should no longer be allowed in rape prosecutions except in those rare instances where it would be directly relevant to the crime charged. The legislatures of California, Iowa and Michigan, and several other states took it upon themselves in 1974 to abolish this anachronism in the law in order to accomplish necessary justice.

I am concerned that the Supreme Court of this state may not be prepared at this time to accept an appeal from a trial under existing law where the trial judge declined to permit evidence of the prosecuting witness' "virtue" to be scrutinized. The legislature can take this step. It is time Alaska stopped putting the victim in rape cases on trial. I am enclosing xerox copies of the California, Iowa and Michigan Statutes in addition to a draft proposed statute I prepared for your convenience should you wish to file such a bill in the Alaska House. I will be pleased to discuss the matter further with you at any time convenient to you.

Sincerely,



Eben H. Lewis
Superior Court Judge

EHL:b
Encl.
✓cc: Hon. Genie Chance

SB

272 AM

"An Act relating to the operation of food service and concession stands by blind and handicapped persons."

5/9/75

COMMITTEE REPORT

FINANCE

HOUSE

Mr. Speaker:

Date Mar 7/76

The Committee on HESS has had CS SB 272 BR

under consideration. A Majority of the members of the Committee

- recommends it DO PASS
- recommends it DO NOT PASS
- recommends it DO PASS WITH ATTACHED AMENDMENT(S)
- recommends it BE REPLACED WITH CS FOR _____ AND THAT
CS FOR _____ DO PASS
- "and" recommends it BE REFERRED TO THE _____
COMMITTEE
- reports it back WITHOUT RECOMMENDATION
- "other"

Members signing the Majority report:

Susan Sullivan _____

James H. ... _____

... _____

Members NOT concurring in the Majority report:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

_____ recommends:

Susan Sullivan Chairman



Alaska State Legislature

House

JUNEAU ALASKA

HOUSE HESS COMMITTEE MEETING

MARCH 8, 1976

Present: Ostrosky Hackney
Parr Davis
Beirne Sullivan

Testifying: Eric Lee, C&RA, Community Services
Frank Pauls, H & SS, Public Health
Grace Billings, Office on Aging
Glenn Sachs, Office on Aging
M. Dan Plotnick, Office on Aging
Nat Cole, D.O.E.

HCR 97 - Relating to State Purchases of Drugs - Sullivan

Dr. Pauls, feels bill will create a savings to the state. Drugs usually purchases on a bid or blanket contract with drug houses.

Committee questions how you educate state employees to the advantages of drug purchases. Pauls says you work with purchasing agents.

Ostrosky - Vote do pass, unanimous

HB 714 Sr. Citizens nutrition and recreation facility - Parr

Parr expressed the need that the senior citizens of Fbks have for the facility.

Eric Lee - spoke for Community and REgional affairs concerning this project. Felt that the funds would not be of any trouble, just filtered through C&Ra.

Hackney- thinks new facility in FBks, under construction right now could speak to the needs and be utilized by the Sr. citizens.

Mr. Plotnick - Brought two staff people to speak to the needs in the FBKS areas. Billings & Sacks. Fbks area - new ASHA housing area for SR. citiznes now under construction, understands there is a kitchen facility to be used. This would give the sr. citizens a place to make their meals.

Sullivan - Feels there is a possibility of putting this new facility near the ASHA project so it can be utilized more often.

Parr - bad idea, there are many sr. citizens in Fbks, who do not live hear that housing development

Page 2
March 8, 1976

Hackney - wants to explore possibility of using other facilities rather than building a new one. Suggested the Alaskaland area.

Parr - Amendment - Section 1, period after FBKS.
Section 2, Dept. shall contract with NSC on Aging for purposes specified in Section 1
Section 3, (same as section 2 on the bill)

Amendment voted on do pass

Sullivan moved to pass out
Beirned - requested reconsideration. wants to know whether she can add a section to include the same appropriation for the Anchorage area and to go through the municipality.

Parr says O.K.

Sullivan - must be a committee substitute for HB 714

Voted on - Do pass,

SB 203 AM School Attendance Hohman

Nat Cole, feels that the dept. O.K.s this concept of education and already basically does give credit for learning experiences, but feels the legislature can express intent by passing this bill.

Committee, wanted to know whether this time counted towards the full 180 days that is required of students, yes.

Voted Do Pass 5

CSSB 272 Operation of vending machines by blind or handicapped

Sullivan spoke to the need of this legislation because blind have very few options for employment and this is one of them. There seems to be no problems with this.

Vote - do pass unanimous

THIS BILL RESOLUTION

has been prepared by the staff of the Legislative Council in response to the request and at the direction of the sponsor. The staff has attempted to place it in proper legal and clerical form subject to any special limitations or instructions of the sponsor. Member requests are kept confidential by the staff and any announcement of intent to have a document drafted or introduced remains the prerogative and responsibility of the sponsoring member in dealing with colleagues and other persons. The Council or its staff may not endorse or comment on policy matters involved in a bill or resolution. The substance and merits of a bill or resolution are the responsibility of the sponsor.

Delivered to sponsor: 3-5-76

NATIONAL FEDERATION OF THE BLIND OF ALASKA

325 East 3rd Avenue
Anchorage, Alaska 99501
Telephone 272-0000

file
SB 272 am

President: Lee Campbell
Vice President: Jimmie Trietsch
Secretary/Treasurer: Jackie Giles

Executive Secretary: Louise Rude

Board of Directors:
Lee Campbell
Jimmie Trietsch
Jenny Jensen
Clarence Hoffman
Charles Ei

February 10, 1976

The Honorable Susan Sullivan
Alaska State Representative
Ninth Alaska State Legislature
Juneau, AK 99811

Dear Representative Sullivan:

Last night the National Federation of the Blind of Alaska met to consider proposed legislation relating to the blind and severely handicapped persons and vending operations in public buildings.

We believe that this proposal will provide more comprehensive protection for blind or severely disabled vending stand operators in the state and will open the door for the development of new vending stand opportunities for those individuals having the potential and interest in Small Business Enterprise operations.

In light of this, the Board moved and passed on the motion supporting this legislation which we hope will become known as the "Little Randolph-Shappard Act".

We do very much appreciate your support and concern for our needs.

Sincerely yours,
Louise Rude

Louise Rude
President

:gw

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF EDUCATION

DIVISION OF VOCATIONAL REHABILITATION

February 5, 1976

Mrs. Susan Sullivan, Chairman
Committee on Health, Education & Social Services
House of Representatives
9th Alaska State Legislature
Juneau, Alaska 99811

Dear Chairman Sullivan;

As a result of our conversations yesterday on S.B. 272, "An Act Relating to the Operation of Food Vending Facilities and Vending Machines by a Blind or Handicapped Person," I am herewith transmitting three (3) documents.

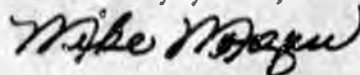
For your consideration on the legislation now pending before the legislature, I have included a copy of Public Law 93-516, which includes the latest amendments to the federal Randolph-Sheppard Act, now administered by this division. I have also included a copy of the proposed federal regulations issued pursuant to that Act December 23, 1975.

In talking with our Anchorage office, I learned that the reasoning behind the telegram you received from Mrs. Lee Campbell was that they were most desirous of proposing legislation which would parallel the federal Randolph-Sheppard program resulting from the latest changes. Mrs. Campbell had requested from Mr. Dale Reeves, Chief of Special Projects and Blind Services, assistance in trying to accomplish this. Mr. Reeves wrote, in conjunction with Mrs. Campbell, and in consideration of the federal regulations and several other state programs, the proposal that I have enclosed. Mrs. Campbell has indicated to Mr. Reeves her very strong support of this proposal.

The proposal has not yet been reviewed by the Alaska Chapter of the National Federation of the Blind. However, an emergency meeting has been scheduled for next Monday night to review the changes. I believe that the Federation will vote to support it also.

Once again, let me apologize for the confusion in this matter. I was not communicating properly with all of the various segments in the state. If there is anything further we can do to assist you in this or other matters, please do not hesitate to call on me.

Sincerely yours,



Michael C. Morgan
Director

cc: Dale Reeves, Chief of Special Projects & Blind Services
Mrs. Louis Rudd, President of the National Federation of the Blind
Mrs. Lee Campbell, Vending Stand Operator

THE LEGISLATURE OF THE STATE OF ALASKA
FISCAL NOTE
 Second Session - Ninth Legislature

I. REQUEST

Bill No. HB 714
 Title: ...Senior citizens nutrition and recreation facility in Fairbanks...
 Requested by: HESS Date: February 13, 1976
 Return Date Requested: _____
 Agency: Community & Regional Affairs Program: Development

II. FISCAL DETAIL

Budget Request Unit(s) Affected: Local Government Assistance

A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		-0-				

B. FUNDING: (Thousands of dollars)

GENERAL FUND		-0-				
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	/	/	/	/	/
MAN MONTHS (P./T.)	/	/	/	/	/	/

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

The grant will be monitored similar to the oil impact development grants in fiscal year 1975. The Department would require a proposed budget and periodic reports of facility status and expenditures. Annual audits would be reviewed to determine accountability of project expenditures. Current departmental field staff would complete any on-site monitoring required.

IV. ATTACHMENTS

V. DATE: February 23, 1976 PREPARED BY: *Lynn A. Wegener*

Lynn A. Wegener
 Administrative Officer

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)



JUNEAU ALASKA

Alaska State Legislature
House

SB 272

Pouch V
Juneau, Alaska 99801
May 26, 1975

Louise Rude, Executive Secretary
National Federation of the Blind of
Alaska
325 East 3rd Avenue
Anchorage, Alaska 99501

Dear Ms. Rude:

Although the Senate State Affairs Committee offered a substitute for Senate Bill 272 which incorporated the words, "blind and visually handicapped persons", the final outcome of the Senate was Senate Bill 272am. This differs from the original in that it provides for preference in both food service and concession stands, but is the same as the original in the wording, "blind and handicapped persons". This version of the bill has recently come to our committee.

Per your agency's request, previously communicated to us by Senator Genie Chance, we are holding the bill in our committee until the beginning of the next session. This will allow time for further efforts to enact a bill that would meet your acceptance.

Please be assured that the concerns of the National Federation of the Blind of Alaska will be given utmost consideration.

Yours truly,

A handwritten signature in cursive script that reads "Susan Sullivan".

Susan Sullivan, Chairwoman
House HESS Committee

SS:la

SB 272

NATIONAL FEDERATION OF THE BLIND OF ALASKA

~~VIA REGISTERED MAIL~~
ANCHORAGE, ALASKA 99501
TELEPHONE 272-~~7175~~
0000

National Federation of the Blind of Alaska
325 East 3rd Avenue
Anchorage, Alaska 99501

May 14, 1975

State House of Representatives
Pouch V
Capitol Building
Juneau, Alaska 99811

Dear State Congressman:

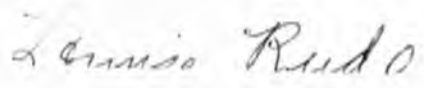
We, the members of the National Federation of the Blind of Alaska, are deeply concerned that Senate Bill No. 272, the Little Randolph Sheppard Act, does not follow exactly the parent Federal Randolph Sheppard Act and its amendments, said amendments being contained in U. S. Senate Bill 2581.

We urge that you make every effort to change the wording of Senate Bill 272 to follow exactly the pattern of the parent Federal Randolph Sheppard Act. The Federal Act was passed exclusively and explicitly for the blind of the nation.

We feel that the one glaring deviation at the end of Senate Bill 272 is dangerous to the livelihood of blind individuals throughout the State of Alaska. The end of that bill should read "blind and visually handicapped."

We would rather see the bill scrapped than passed in its present form. We would be pleased to work with you in drafting a new form of the bill.

Yours very truly,



Louise Rude, Executive Secretary
National Federation of the Blind of Alaska

cc: Susan Sullivan
Hugh Malone
Willard Bowman

S B

352

SENATE HESS COMMITTEE

MINUTES

April 14, 1975

Members Present: Hohman, Chance, Colletta, Bradley

Guests Present: Stephanie Scowcroft, Office on Ageing
Gail Roust, Office on Ageing
Bill Overstreet, AASB
Sam Kito, Fairbanks School Board
Bob Van Houte, NEA-Alaska
Don Kirkpatrick, Ass't Superintendent, Kenai School District
Representative Helen Beirne

Senator Hohman called the meeting to order at 1:15 and asked the Committee to consider Senate Bill 352, relating to Community Schools. SB 352

The chair was turned over to Senator Colletta.

Bill Overstreet testified in favor of the bill (see attached testimony). Overstreet

Representative Helen Beirne remarked on the disparity between the fiscal note for HB 179 and that for SB 352, these being identical bills. Mr. Overstreet said that he felt the one on SB 352 which was more recent was the more realistic.

Bob Van Houte testified in support of the bill. VAN HOUTE

Don Kirkpatrick from Kenai testified in support of the bill and discussed the plans in Kenai for a pilot community schools program to meet cultural, recreational, educational and social needs. He sees the community school program dovetailing with the community college program and in response to a question from Senator Colletta indicated that Kenai's budget would dovetail with the Fiscal Note formula for SB 352,

The Governor's bill on community schools, HB 182, has been incorporated into HB 179.

Senator Bradley moved that SB 352 be passed out of committee with a do pass recommendation and asked unanimous consent.

Motion carried.

Senator Colletta adjourned the meeting at 1:45 p.m.



ASSOCIATION OF ALASKA SCHOOL BOARDS

SUITE 3 264 NORTH FRANKLIN STREET • JUNEAU, ALASKA 99801 • PHONE 586-1083

SB 352

The Community School concept is based upon the belief that each community or neighborhood of larger communities has these three things in common:

1. A number of people of all ages who have educational, recreational, cultural, and social needs that are not being met.
2. A number of people of all ages with the necessary knowledge, skills, and talents to meet their neighbor's needs.
3. A facility (the school) that is grossly underutilized and is convenient to the people of the neighborhood.

Senate Bill No. 352 (CSHB 179 is identical) would address itself to this situation by providing financial assistance to districts that would seek to improve the quality of life for all its citizens through this concept. The bill would ultimately provide that each district could secure an amount equal to 2% of its public school foundation support to implement community school programs. These funds would be utilized to train and employ "Community School Directors" whose job it would be to keep the schools open evenings and assist the people of the community in developing programs to meet their needs.

To provide that the implementation of this concept be orderly and thorough support would be phased in over a four-year period. The first year districts would receive 1/2 of 1%, the second year 1%, the third year 1 1/2% and thereafter an amount equal to 2% of their foundation support.

Districts would have to submit a plan to the Department for its approval and the plan would have to provide for an advisory council, direction, coordination, and personnel requirements, together with a statement of the number of schools to be operated as community schools.

The act provides for technical service from the Department to any district needing assistance in planning its program.

The concept has been approved by virtually every national organization and study group that concerns itself with education. Many districts in Alaska are doing some of the things advocated but the problem, as I see it, is a kind of tunnel vision that tends to regard such expenditures as "robbing" the K-12 program. Enactment and funding of this legislation would overcome that problem. Actually the Community School concept would probably strengthen the K-12 program more than would allocating an equivalent amount directly to that program by increasing the educational programs to youngsters and by involving their parents in the schools.

STATE JOURNAL

COMMITTEE REPORT

It is the intent of the Senate Health, Education and Social Services Committee, in passing out Senate Bill 352, relating to Community Schools, to support the need for community school programs throughout the State. The Committee recognizes the need for recreational, social and educational programs for persons of all ages in community which would provide for the use of the school facility other than during the regular hours.

This bill would provide financial assistance to school districts to train and employ community school directors to implement the programs.

George Hohman, Jr.
George Hohman, Chairman
Senate Health, Education and
Social Services Committee

Genie Chance
Genie Chance, Vice-Chairman
Senate Health, Education and
Social Services Committee

4/15/75
Date

PRESS RELEASE
OFFICE OF THE GOVERNOR

February 19, 1975

-86-

Governor Jay S. Hammond has introduced, through the House of Representatives, legislation to provide for a program of community school grants and technical assistance to local school districts involved in community school programs. The legislation has been sought by the Association of Alaska School Boards, the Community Education Task Force, PTA, and other educational associations and citizen groups.

The bill established an "Alaska Community Education Advisory Council" consisting of nine members to be appointed by the State Board of Education. In his letter of transmittal to House Speaker Mike Bradner, Governor Hammond indicated that the Advisory Council would be "responsible for advising the Commissioner of Education on community education matters and will review and make recommendations to the Commissioner on grant applications."

The community education concept has spread rapidly across the United States during the last few years, mainly inspired by grants from the Flint, Michigan based Mott Foundation. The concept broadens the use of school facilities beyond the normal school day, providing courses for both school age children and a chance for continuing educational opportunities for adults.

Governor Hammond emphasized in his letter that "it is intended that local communities will assume responsibility for their community school programs as they move into full operation." Governor Hammond also stated that "the grant fund is to offer 'mini-grants' to local districts to supplement the efforts of the council and the coordinator in assisting the local communities to initiate community school programs."

FISCAL NOTE
First Session - Ninth Legislature

I. REQUEST

Bill No. Senate Bill 352
 Title: Community Schools
 Requested by: Senate Hess Date: 4/7/75
 Return Date Requested: 4/14/75
 Agency: Education Program: _____

II. FISCAL DETAIL

Budget Request Unit(s) Affected: _____
 A. EXPENDITURES: (Thousands of dollars)

OBJECT	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80
100 PERSONAL SERVICES		26.5	28.6	30.9	33.4	36.1
200 TRAVEL		27.7	29.9	32.3	34.9	37.7
300 CONTRACTUAL		17.0	16.2	17.5	18.9	20.4
400 COMMODITIES		6.5	5.4	5.8	6.2	6.8
500 EQUIPMENT		1.5	1.5	1.5	1.5	1.5
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		223.1	569.7	1,011.2	1,583.2	1,931.4
TOTAL		302.3	651.3	1,099.2	1,678.1	2,033.9

B. FUNDING: (Thousands of dollars)

GENERAL FUND		302.3	651.3	1,099.2	1,678.1	2,033.9
FEDERAL FUNDS						
OTHER						

C. POSITIONS:

PERMANENT/TEMPORARY	/	1 /	1 /	1 /	1 /	1 /
MAN MONTHS (P./T.)	/	12 /	12 /	12 /	12 /	12 /

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

See Attached

IV. ATTACHMENTS

V. DATE: 4/14/75 PREPARED BY: [Signature]

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

AGENCY COMMENT
SENATE BILL 352
DEPARTMENT OF EDUCATION

Background

There has been a great deal of interest throughout the nation in fuller utilization of public school buildings, particularly for community activities and non-academic kinds of training and interest courses. The community school concept started in Flint, Michigan some years ago and has spread throughout the country. We have had some community school activities in the State of Alaska for several years. The Juneau school district had community school programs throughout the district, however, a year or so ago due to tight fiscal situations the School Board decided to eliminate the community schools program as an economy measure. Anchorage, Fairbanks, some of the State Operated Schools and other school systems are still offering limited programs and in some cases quite a variety of programs through the community schools concept. However, there has not been any state level direction or emphasis given to community schools.

For the first time, the Department of Education's budget and the Governor's allowance contain funds for state level planning and coordination of community schools. The Department's budget contains roughly \$57,000 for statewide coordination of planning. This action coupled with two bills that have been introduced to the House of Representatives and Senate Bill 352 definitely indicates an interest on the part of the legislature in exploring the possibilities of community school operations. The community schools subject has been addressed by past legislative sessions, however, no bills have been enacted into law.

Recommendations

The Department of Education recognizes the need for and importance of community schools' activities. Admittedly, the approximately \$57,000 in the Department's budget represents a rather limited approach to community schools' needs. However, the Department cannot endorse the grant program as its highest priority to the exclusion of other programs in a limited financial situation such as we presently have in Alaska.

Fiscal Analysis

An estimate of the fiscal impact of SB 352 is attached.

SB 352 Attachment

Sec. 14.36.040100 Personal Services

Coordinator -- Range 21A
 Salary \$22,428
 Benefits 4,037
 Sub-total \$26,465

Grand Total Personal Services\$26,500200 Travel

For Coordinator
 25 trips @ \$170 per trip = \$4,250
 Per diem @ \$42.00/day
 x 75 days = 3,150
 Sub-total \$7,400

Sec. 14.36.020

For Community Education
 Advisory Council Members
 9 members x 6 trips x
 \$250 per trip \$13,500
 Per Diem
 6 trips x 3 days each
 @ \$42.00/day = 6,804
 Sub-total \$20,304

Grand Total Travel\$27,700300 Contractual Services

Coordinator Telephone = \$ 1,000
 Postage = \$ 1,000
 Sub-total \$ 2,000

Sec. 14.36.030(4)

Talent Bank Services = \$15,000
 Sub-total \$15,000

Grand Total Contractual Services\$17,000400 Commodities

Coordinator Office Supplies = \$ 1,500
 Sub-total \$ 1,500

Sec. 14.36.030(3)

Clearing House - State Library
 Printed materials = \$ 2,000
 Audio-Visual materials = 3,000
 Sub-total = \$ 5,000

Grand Total Commodities\$ 6,500

Equipment

\$ 1,500

Grants Program
Sec. 14.36.060

	FOUNDATION SUPPORT	X	% OF SUPPORT	X	PROPORTION	=	TOTAL
FY 76							
Large Districts	92,303.0		.005		.25	=	115.4
Small Districts	20,061.0		.005		.50	=	<u>50.2</u>
			TOTAL -- FY 76				165.6
FY 77							
Large Districts	100,966.3		.01		.25	=	252.4
Small Districts	22,163.0		.01		.50	=	<u>111.0</u>
			TOTAL -- FY 77				<u>363.4</u>
FY 78							
Large Districts	104,000.9		.015		.25	=	390.0
Small Districts	22,829.5		.015		.50	=	<u>171.2</u>
			TOTAL -- FY 78				<u>561.2</u>
FY 79							
Large Districts	107,118.7		.02		.25	=	535.6
Small Districts	23,513.9		.02		.50	=	<u>235.1</u>
			TOTAL -- FY 79				<u>770.7</u>
FY 80							
Large Districts	110,337.8		.02		.25	=	551.7
Small Districts	24,220.5		.02		.50	=	<u>242.2</u>
			TOTAL -- FY 80				<u>793.9</u>

ASSUMPTIONS:

80% Foundation goes to the 9 largest districts who operate 140 schools. Assume 1/4 schools communitiy schools.

18% Foundation goes to the 22 districts operating 45 schools. Assume 1/2 schools community schools. Assume 3% growth in Foundation Support Program.

FORMULA (Sec. 14.36.060):

FY 76 for the 9 large districts	.005	Foundation Support	x 25%
for the 22 other districts	.005	Foundation Support	x 50%
FY 77	.01		x 25%
	.01		x 50%
FY 78	.015		x 25%
	.015		x 50%
FY 79	.02		x 25%
	.02		x 50%

Sec. 14.36.070 (ASOSS including military schools)

Using the percentages in Sec. 14.36.060 and assuming four years to completely phase into community schools programs.

FY 76:	$1/4 \times \$50,000,000 \times .005$	=	\$62,500.00
FY 77:	$(1/4 \times \$55,000,000 \times .01) + (1/4 \times \$55,000,000 \times .005)$	=	\$206,250.00
FY 78:	$(1/4 \times \$60,000,000 \times .015) + (1/4 \times \$60,000,000 \times .01) + (1/4 \times \$60,000,000 \times .005)$	=	\$450,000.00
FY 79:	$(1/4 \times \$65,000,000 \times .005) + (1/4 \times \$65,000,000 \times .01) + (1/4 \times \$65,000,000 \times .015) + (1/4 \times \$65,000,000 \times .02)$	=	\$812,500.00
FY 80:	$(1/4 \times \$70,000,000 \times .01) + (1/4 \times \$70,000,000 \times .015) + (1/2 \times \$70,000,000 \times .02)$	=	\$1,137,500.00