

263

HJ

SB 99

-

SB 157

263

# MEMORANDUM

LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

POUCH Y — STATE CAPITOL  
JUNEAU, ALASKA 99811

TO: Rep. Terry Gardiner, Chairman  
House Judiciary Committee

DATE: 31 March 1975

FROM: Stuart C. Hall, Legislative Counsel

SUBJECT: Public Records Act  
(CSSB 99)

As you consider CSSB 99, you may wish to include an amendment to clean up AS 11.30.240 relative to mishandling of public records. This section was deleted from the Ombudsman Act due to questions raised by the press and others, and I have excluded those questioned provisions. However, the present law is unduly narrow in its application, and the penalty provisions confusingly written. The amendment I suggest is as follows:

On page 1, between lines 26 and 27, insert:

"\* Sec. 2. AS 11.30.240 is amended to read:

Sec. 11.30.240. MISHANDLING OF PUBLIC RECORDS. A person who has the legal custody of and who wilfully destroys, secretes, or mutilates a public record, book, paper, or writing, or a person [AN ATTORNEY] who wilfully destroys, secretes, or mutilates a public record, book, paper, or writing, or wrongfully takes a public record, book, paper, or writing from the person having legal custody of it, or who has obtained possession wrongfully and refuses or neglects to return or produce it when lawfully required or demanded so to do, upon conviction, is punishable by a fine of not less than \$100 nor more than \$500, or by imprisonment for not less than 90 days nor more than one year, or by both [IMPRISONMENT IN THE PENITENTIARY FOR NOT LESS THAN SIX MONTHS NOR MORE THAN ONE YEAR, OR BY IMPRISONMENT IN A JAIL FOR NOT LESS THAN THREE MONTHS NOR MORE THAN ONE YEAR, OR BY A FINE OF NOT LESS THAN \$100 NOR MORE THAN \$500]."

The amendment makes no substantive change to the penalty clause, but merely re-writes it in the style contemporarily employed by this office and the legislature. The restrictive application of the present law to attorneys only seems curious, and it is suggested that be broadened to include any person.

cc: Sen. Chancy Croft

Original sponsor: Rules Committee

Offered: 2/14/75  
Referred: Rules

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 99  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 NINTH LEGISLATURE - FIRST SESSION  
5 A BILL

6 For an Act entitled: "An Act relating to public records; and providing for  
7 an effective date."

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

9 \* Section 1. AS 09.25 is amended by adding a new section to read:

10 Sec. 09.25.125 ENFORCEMENT: INJUNCTIVE RELIEF; CRIMINAL  
11 SANCTIONS. (a) A person having custody or control of a public record  
12 who hinders or attempts to hinder, or a person not having custody or  
13 control who aids or abets another person in hindering or attempting  
14 to hinder, the inspection of a public record subject to inspection  
15 under sec. 110 or 120 of this chapter may be enjoined by the superior  
16 court from committing a violation of sec. 110 or 120 of this chapter.

17 (b) A person who has custody or control of a public record who  
18 intentionally hinders or attempts to hinder, or a person not having  
19 custody or control who intentionally aids or abets another person in  
20 hindering or attempting to hinder, the inspection of a public record  
21 subject to inspection under sec. 110 or 120 of this chapter is guilty  
22 of a misdemeanor and, upon conviction, is punishable by a fine of not  
23 less than \$100 nor more than \$500. Upon a subsequent conviction, that  
24 person is guilty of a misdemeanor and is punishable by a fine of not  
25 less than \$250 nor more than \$1,000, or by imprisonment for not more  
26 than six months, or by both.

27 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-  
28 070(c).

29

*Doesn't  
belong in  
civil procedure  
title*

#

A M E N D M E N T

OFFERED IN THE HOUSE:

By: Smith

To: \_\_\_\_\_ HOUSE BILL No. HCR 60

SENATE BILL No. \_\_\_\_\_

PAGE: 2

LINE: 17

2

18-24

Page 2, line 17, delete ";" and add after the word "interest"  
"if the long lines carrier fails to provide adequate  
satellite earth stations;"

Page 2, lines 18-24, delete existing material and insert:

"BE IT RESOLVED by the Legislature of the State of Alaska  
that funds appropriated to build state owned satellite  
earth stations should be used for such purposes only in  
in the event the long lines carrier fails to install  
satellite earth stations in numbers and according to  
specifications that have already been determined by the  
Governor's Office of Telecommunications in consultation  
with the long lines carrier."

9 civil procedure

Original sponsor: Rules Committee

Offered: 2/14/75  
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

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3 IN THE LEGISLATURE OF THE STATE OF ALASKA

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9 \* Section 1. AS 09.25 is amended by adding a new section to read:

10 Sec. 09.25.125. ENFORCEMENT: INJUNCTIVE RELIEF; CRIMINAL  
11 SANCTIONS. (a) A person <sup>responsible for the</sup> having custody or control of a public record  
12 who hinders or attempts to hinder, or a person not having custody or  
13 control who aids or abets another person in hindering or attempting  
14 to hinder the inspection of a public record subject to inspection  
15 under sec. 110 or 120 of this chapter may be enjoined by the superior  
16 court from committing a violation of sec. 110 or 120 of this chapter.

17 (b) A person who <sup>is responsible for the</sup> ~~has~~ custody or control of a public record who  
18 intentionally hinders or attempts to hinder, or a person not having  
19 custody or control who intentionally aids or abets another person in  
20 hindering or attempting to hinder the inspection of a public record  
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28 070(c).

change  
to  
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deny

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enough lang.  
for offense  
provided

→ Title II



Alaska State Legislature  
Senate

JUNEAU, ALASKA

MEMORANDUM

April 2, 1975

TO: Representative Terry Gardiner

FROM: Senator Chancy Croft 

I have reviewed Stuart Hall's memorandum to you of March 31 regarding CSSB99. I think his suggestion is a good one, and if House Judiciary sees fit to add it to the bill, I think the Senate would probably concur.

cc: Stuart Hall

Original sponsor: Rules Committee

Offered: 2/14/75  
Referred: Rules

1 IN THE SENATE BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 99

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25 less than \$250 nor more than \$1,000, or by imprisonment for not more  
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27 \* Sec. 2. This Act takes effect immediately in accordance with AS 01.10.-  
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29

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# MEMORANDUM

LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

POUCH Y — STATE CAPITOL  
JUNEAU, ALASKA 99811

TO: Rep. Terry Gardiner, Chairman  
House Judiciary Committee

DATE: 31 March 1975

FROM: Stuart C.  Hall, Legislative Counsel

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cc: Sen. Chancy Croft

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# COMMITTEE REPORT

3/8/78

## HOUSE

Mr. Speaker:

Date \_\_\_\_\_

The Committee on JUDICIARY has had SB 113 amended

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



# *Ketchikan General Hospital*

---

3100 TONGASS AVE.

*Ketchikan, Alaska 99901*

May 5, 1975

Representative Terry Gardiner  
Chairman House Judiciary Committee  
Pouch V  
Juneau, Ak. 99811

Re: Senate Bill #113

Dear Representative Gardiner:

I understand that Senate Bill #113 now being referred to the HESS Committee may also be referred to the House Judiciary Committee. If it is I would like to urge you to support it.

In the interest of high quality care and cost containment, Medicare/Medicaid and the Joint Commission on Accreditation of Hospitals mandate that a program of on-going self-evaluation and peer review be carried out in hospitals.

The hospital medical and professional staff, organized to monitor specific aspects of care, includes committees for utilization review, medical audit, medical records, tissue, infection and pharmacy-therapeutics, among others, each committee responsible for a separate component of quality of care.

For this medical care evaluation process to be effective, the staff must look at its own medical performance objectively, rationally, and nonthreateningly with a means to make changes where changes are needed. It must measure the performance of peers against norms of care and medical criteria which the staff itself has set up. Unless the staff is assured of some degree of confidentiality and of immunity from having the records of these review processes subpoenaed, it cannot and will not have free, open and uninhibited discussions. Therefore, it is the concern of the Governing Board, Administration and Medical Staff of this hospital that we obtain this immunity.

Thank you very much for your efforts in obtaining the passage of this bill, Senate Bill #113.

Sincerely,

*Sister Ellen Caldwell*

Sister Eller. Caldwell  
Administrator

SEC:ls

DRS. WILSON AND WILSON, P.C.  
ARTHUR N. WILSON, M.D.  
JAMES A. WILSON, M.D., F.A.C.S.  
ARTHUR N. WILSON, JR., M.D.  
P.O. BOX 319  
KETCHIKAN, ALASKA 99901

May 5, 1975

Representative Susan Sullivan  
House Health Education and Social Services Committee  
House of Representatives  
Juneau, Alaska 99811

Dear Representative Sullivan:

I am writing this letter to express the views of myself, Dr. Arthur Wilson, Jr. and Dr. James Wilson with respect to Senate Bill 113. Dr. James Wilson has supported action of the kind outlined for several years during the times that he has been Chief of Staff, on the Executive Board of the Ketchikan General Hospital and an officer in the state Medical Society.

I would say that all of the doctors who are on executive boards of the hospitals in Alaska, or who serve on the various Review Committees, want this bill. I have personally spoken to the presidents of the state Medical Society during the last three years--they have told me that attempts have been made to introduce such a bill and have been met with the objection that members of other boards do not get this kind of immunity.

The most recent review board known as the Professional Service Review Organization is being implemented this year. We think there are features of this bill which are unworkable and restrictive, nevertheless it is law and hence must be complied with. Part of the duties of doctors who are on this board will be to look over patients records to determine whether they are getting adequate treatment, whether it is being done on time, whether hospitalizations are unduly prolonged. Any records that show a physician's judgment is faulty, that his treatment is below par, is reported to the Review Board. I think it is obvious that the PSRO member would not want records of their meetings, discussions on cases at hospital staff meetings, available for perusal "in an action brought by a person whose activities have been or are being scrutinized or reviewed by a review organization" to quote the second section of the bill.

Representative Susan Sullivan  
May 5, 1975  
Page 2

Physicians on hospital staffs owe a duty to the patients in the hospital, to the medical profession and the public to see that the practice of medicine is conducted with the utmost skill possible. Physicians who do slip shod work must be corrected. In many instances this can be done quietly, but when it becomes necessary to refuse further hospital privileges to a staff member because of incompetence, the board member who is trying to set high medical standards should be immune from suits. We want these records confidential and not subject to subpoena or discovery as set forth in Section 18-23-030.

42 U.S.C., Section 1320c-1 which mentions disciplinary actions by state licensing boards should also have immunity. At the present time they do not have this.

The above are our ideas of what we want, why we want it. We need it because we don't have it. On reading the bill I have not found any objectionable features.

Very truly yours,

*Arthur N. Wilson, Sr., M.D.*

Arthur N. Wilson, Sr., M.D.

ANW:kf

CC: George Holman, Senate HESS Committee  
Terry Gardiner, House Judiciary Committee

30 113

May 7, 1975

TO: Senator Ziegler

I have spoken to Susan Sullivan regarding SB 113 and she assures me that it will be scheduled in the near future.

Alaska  
Regular Session  
Chapter Laws  
5 BILL No. 113

An Act relating to medical review committees: exempting proceedings of medical review committees from discovery: providing for limitations of liability of medical review committees.

Preface: The public interest lies in the costs of health insurance. These costs are directly related to the costs of hospital and medical services plus the currently mounting problems in the area of medical malpractice insurance.

At this time Federal Law and voluntarily the Joint Committee on Accreditation of Hospitals (J.C.A.H.) are requiring and various health services, professional societies and associations in the State of Alaska are promulgating programs and establishing committees for the purpose of reviewing professional credentials and standards of care, utilization and expense in the rendering of health services. Such review is an effort to deter or eliminate some of the causes of increased claims and costs of providing health services and to provide a statistical basis for further analysis and recommendations.

The public interest is thus best served by providing immunity for peer review committees so that the medical profession can with candor evaluate the credentials and competence of professional peers in connection with hospital staff appointment reappointment and the delineation of clinical privileges; can explore over utilization of medical services, problems of charges for medical services and alleged acts of malpractice in order that it can better influence its members and can better document the experience rate of its physicians and thus help improve both quality and costs of health care delivery.

Section 1. a) medical review committee - definition as used in this section, the term "medical review committee" or "committee" shall mean a committee, which may include professional and administration staff members, of a state or local professional society, or of a medical staff or a licensed hospital or nursing facility, provided the medical staff operates pursuant to written by laws that have been approved by the governing body of the hospital or nursing facility, which is formed to evaluate and improve the quality of health care rendered by providers of health service or to determine that health services rendered were professionally indicated or were performed in compliance with the applicable standard of care: or that the cost of health care rendered was considered reasonable by the providers of health services in the area.

b) medical review committee, immunity from discovery.

The proceedings and records of committees as described in 1 (a) shall not be subject to discovery or introduction into evidence in any civil action against a provider of professional health services arising out of matters which are the subject of evaluation and review by such committee and no person who was in attendance at a meeting of such committee shall be permitted or regarded to testify in any such civil action as to any evidence or other matters produced or presented during the proceedings of such committee or as to any findings, recommendations, evaluations, opinions or other actions of such committees or any members thereof; provided, however, that information, documents or records otherwise available from original sources are not to be construed as immune from discovery or use in any such civil action merely because they were presented during proceedings of such committee, nor should any person who testi-

files before such committee or who is a member of such committee be prevented from testifying as to matters within his knowledge, but the said witness can not be asked about his testimony before such a committee or opinions formed by him as a result of such committee hearings.

c) medical review committee, limitation of liability.

No person who is a member or employee of, who acts in an advisory capacity to who furnishes counsel or services to a medical review committee (1a) shall be liable for damages or other relief in any action brought by a person or persons whose activities have been or are being scrutinized or reviewed by a medical review committee, by reason of the performance by him of any duty, function or activity of such a committee, unless the performance of such duty, function or activity was motivated by malice toward the person affected thereby. No person shall be liable for damages or other relief in any action by reason of the performance of him of any duty, function or activity as a member of a review committee when the person acts in the reasonable belief that his action or recommendation is warranted by facts known to him or the committee after reasonable efforts to ascertain the facts upon which the medical review committee action or recommendation is made.

MEMO            May 2, 1975  
FROM            SENATOR ZIEGLER  
TO              REPRESENTATIVE SULLIVAN  
RE              SB 113

House HESS just received the captioned bill which was given a secondary referral to House Judiciary.

I am attaching copies of correspondence which may be helpful to you. It is a good bill, I feel, and one which is badly needed by hospitals, clinics, the medical profession and so on.

It is about the only piece of personal legislation I would like to see fly and, if there's anything you can do to move it along, I would be appreciative.

RHZ/pkz

enc.

cc ✓ Representative Gardiner

Senator Robert Zeigler  
Page 2

DRS. WILSON AND WILSON, P.C.  
ARTHUR N. WILSON, M.D.  
JAMES A. WILSON, M.D., F.A.C.S.  
ARTHUR N. WILSON, JR., M.D.  
P.O. BOX 319  
KETCHIKAN, ALASKA 99901

Physicians on hospital staffs owe a duty to the patients in the hospital, to the medical profession and the public to see that the practice of medicine is conducted with the utmost skill, accuracy, and efficiency. They who do not share these basic

March 12, 1975

Senator Robert Zeigler  
Pouch V  
Juneau, Alaska 99811

Dear Senator Zeigler:

I am writing this letter to express the views of myself and Dr. Arthur Wilson, Jr. with respect to Senate Bill 113. Dr. James Wilson is out of town. He has supported action of the kind outlined for several years during the times that he has been Chief of Staff, on the Executive Board of the Ketchikan General Hospital and an officer in the state Medical Society.

I would say that all of the doctors who are on executive boards of the hospitals in Alaska, or who serve on the various Review Committees want this bill. I have personally spoken to the presidents of the state Medical Society during the last three years--they have told me that attempts have been made to introduce such a bill and have been met with the objection that members of other boards do not get this kind of immunity.

The most recent review board known as the Professional Service Review Organization is being implemented this year. We think there are features of this bill which are unworkable and restrictive, nevertheless it is law and hence must be complied with. Part of the duties of doctors who are on this board will be to look over patients records to determine whether they are getting adequate treatment, whether it is being done on time, whether hospitalizations are unduly prolonged. Any records that show a physician's judgment is faulty, that his treatment is below par, is reported to the Review Board. I think it is obvious that the PSRO member would not want records of their meetings, discussions on cases at hospital staff meetings, available for perusal "in an action brought by a person whose activities have been or are being scrutinized or reviewed by a review organization" to quote the second section of the bill.

Senator Robert Zeigler

Page 2

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42 U.S.C., section 1320c-1 which mentions disciplinary actions by state licensing boards should also have immunity. At the present time they do not have this.

The above are our ideas of what we want, why we want it. We need it because we don't have it. On reading the bill I have not found any objectionable features.

Very truly yours,

*Arthur N. Wilson, Sr., M.D.*

Arthur N. Wilson, Sr., M.D.

ANW:kf

CC: Robin Taylor, Attorney  
Sister Ellen Caldwell  
Rodman Wilson, M.D.

# Ketchikan Medical Clinic

3612 TONGASS  
KETCHIKAN, ALASKA 99901

J. W. Mortensen, M. D.

H. J. Henrickson, M. D.

D. E. Johnson, M. D.

Phone 225-3144

Phone 225-3145

March 25, 1975

Senator Robert H. Ziegler  
Pouch V  
Juneau, Alaska 99811

Dear Senator Ziegler:

I am writing to you in reference to Senate Bill No. 113, regarding the availability of hospital medical audit minutes to the courts.

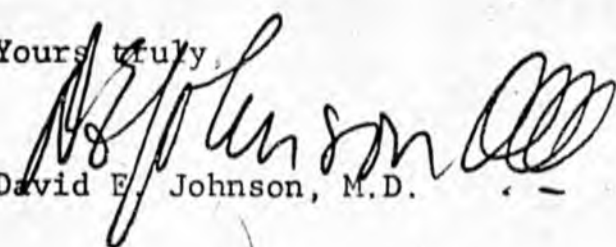
As a practicing physician and as a participant in the Professional Standards Review Organization for Alaska, I am very concerned that our work in reviewing medical care be done in the most frank and completely honest manner possible. It is only if this is true, that the audit will perform its function in assuring that each patient receives the best possible care.

If audit is not preserved separate and distinct from any external inquiry, physicians will be considerably less than forthright in their analyses, to protect themselves from litigation as well as to protect their colleagues. Audits, then, would simply be an elaborate charade.

Because I believe that auditing is important, I earnestly request that you report out this bill favorably from your committee and that you support it on the Senate floor.

Thank you for your assistance in this matter.

Yours truly,

  
David E. Johnson, M.D.

SB

132

# COMMITTEE REPORT

4/22/75

HOUSE

Mr. Speaker:

Date 5/13/75

The Committee on JUDICIARY 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

( ) "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:

[Signature] recommends: No

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

[Signature] Chairman

House Judiciary Committee  
May 6, 1975

The meeting was called to order at 1:30 p.m. by Chairman Gardiner. All members were present except Mr. Brown.

#### HB 422 Public Assistance Programs

Rod Betit, director of the Food Stamp Program stated that this is primarily a clean up bill. In the present law the crime is defined but no penalty is provided. This bill provides a penalty which fits the crime. Under present law they can only prosecute fraud felonies. This bill was submitted at the request of the department.

Mr. Parr moved on page 2, lines 1 and 28: add "wilfully" fails. The amendment passed on vote.

Harry Trager, a fraud investigator in the Department of Health and Social Services stated that the bill will assist him. The present law refers to a "reasonable" time while the bill provides for 10 days. This will eliminate the need to determine what is reasonable.

Mr. Bradley moved on page 2, line 17: add ; or  
The amendment passed.

Mr. Bradley moved CS HB 422 out of committee. There being no objection, it was so ordered.

#### SB 60 Arbitrary Discrimination

Mr. Bowman presented proposed amendment to give communities local option. These were adopted by the committee. He stated that he had no objection to the proposed amendment by Mike Thomas but felt that it should be checked out with Legislative Affairs.

#### SB 132 Nursing home administrators

Larry Sullivan, Director of Medical Assistance in the Department of Health and Social Services stated that the bill was needed to comply with federal requirements in order to obtain federal medicaid funds. He stated that licensing was now being done under H & SS emergency regulations. He suggested that on line 14, page 1 of the HCS to reduce the number of professionals by one and add another member of the general public. On page 3, line 10 he suggested deleting "19" and adding "21" since this is the age requirement for federal contracts. On page 3, lines 17 - 19 there is a grandfather clause. He felt that page 1, lines 19 - 21 were not necessary. He explained that the religious exemption is for Christian Scientists.

Sharon Andrew of the Department of Commerce stated that she favored elimination of the board and placing licensing under H & SS or Commerce.

127

House Judiciary Committee  
May 9, 1975

The meeting was called to order at 4 p.m. by Chairman Gardiner.  
All members were present.

SB 350 Marijuana

The amendments proposed by the AG in response to Commissioner Burton's objections (search, confiscate, id) were adopted. The Attorney General stated that under the bill it would be more difficult to initiate a case, but easier to prove one. Mr. Parr moved Judiciary CS SS SB 350 am out of committee. There being no objection, it was so ordered.

HB 432 Child Protection

Mr. Brown moved that Section 2 (e) be deleted. The amendment passed.

Mr. Brown moved on page 2, lines 7 and 8: add imprisonment for not more than one year or . . . \$5,000, or by both. The amendment passed.

Page 2, line 6: add willfully. The amendment passed.

Federal statutes require mandatory compliance. The definition in the bill is parallel to the federal definition.

CS HB 432 (Judiciary) was moved out of committee.

HB 402 Disabilities of a minor

Mr. Parr raised the question of specific exemptions for voting and drinking. Mr. Brown moved on line 29 language to the effect that: constitutional age requirements, except for those pertaining to alcohol. The amendment passed.

Mr. Brown moved on page 1, line 20: change the parent to a parent. The amendment passed.

Mr. Brown moved on page 1, line 21: subsection, as to that parent or guardian. The amendment passed.

Mr. Brown moved on page 2, line 1: included but not limited to. The amendment passed.

Judiciary CS HB 402 was passed out of committee.

SB 132 Nursing Home administrators

Research showed that a board was necessary in order to get federal funding. The committee recommended a letter of intent to the effect that it is the desire of the legislature to see a uniform act -- which would eliminate the need for a bunch of boards.

House Judiciary Committee  
May 9, 1975  
page 2

Page 1, delete (b) after consult  
line 14: 1 administrator, 2 public representatives  
lines 19 - 21 governor. delete rest  
page 2, line 1 delete "at least"  
page 2, line 17 delete (5) and renumber  
page 3, line 4 add not applicable to Pioneers Homes  
page 3 delete 100 and renumber, delete "qualified"  
page 2, line 5 delete are of good character, with  
page 4 delete (2) investigation

The above amendments were adopted and Judiciary CS SB 132 was moved out of committee.

SB 60 Arbitrary Discrimination

The amendments suggested by Mr. Bowman and Mr. Thomas were adopted and the bill reported out of committee as a CS.

Changes from Senate version:

Effective date - The Department of Health and Social Services is not and has not been budgeted for travel, per diem, and clerical support expenses of this board since its inception and does not have the support staff, expertise, nor moneys necessary to provide continued administration of this Board. Therefore, the House HESS Committee amended SB 132 am to provide an effective date that was amenable to both the Department of HSS and the Department of Commerce.

Membership of the Board

Membership of the Board - The House HESS Committee amended SB 132 am to provide that the two nursing home administrators on the board would not both be employed by the same corporation. This amendment was added to ensure that any corporation which operates more than one nursing home in the state would not gain undue influence over the Board through appointment of their administrators to the Board.

The HESS Committee also deleted "a person from the Pioneers of Alaska Grand Lodge" and inserted "a person from the general public". Specification by the bill that the only consumer representative be "a person from the Pioneers of Alaska Grand Lodge" runs counter to federal anti-discrimination policies since the 25 year residency requirement for membership in the Lodge will preclude appointment of many other well-qualified Alaskan citizens (example: Elderly members of Senior Citizens Centers). This amendment would not preclude a Member of Alaska Grand Lodge from being appointed.

The other amendments added to the Senate version were technical in nature. Their purpose was to ensure that all those administrators licensed by the Provisional Board would be recognized. In addition the definition of "nursing home" was broadened to include intermediate nursing care as required by the federal government.

# Genie Chance

SENATE

LEGISLATIVE COUNCIL  
CHAIRMAN  
FINANCE COMMITTEE  
HESS COMMITTEE

May 6, 1975

## MEMORANDUM

TO: MEMBERS OF THE HOUSE JUDICIARY COMMITTEE

FROM: SENATOR GENIE CHANCE

SUBJECT: HCS SB No. 132am, NURSING HOME ADMINISTRATORS

### Background

The Department of Health and Social Services (DHSS) 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. The Department of Health, Education, and Welfare, Region X, has advised the DHSS 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 DHSS promulgated emergency regulation in Register 51, July 8, 1974 (7ACC 12.045) establishing a Nursing Home Administrator Licensing Board. The Board has been functioning since that time under DHSS 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 monies. 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,

### Purpose:

As amended, the 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.

Changes from Senate version:

Effective date - The Department of Health and Social Services is not and has not been budgeted for travel, per diem, and clerical support expenses of this board since its inception and does not have the support staff, expertise, nor moneys necessary to provide continued administration of this Board. Therefore, the House HESS Committee amended SB 132 am to provide an effective date that was amenable to both the Department of HSS and the Department of Commerce.

Membership of the Board

Membership of the Board - The House HESS Committee amended SB 132 am to provide that the two nursing home administrators on the board would not both be employed by the same corporation. This amendment was added to ensure that any corporation which operates more than one nursing home in the state would not gain undue influence over the Board through appointment of their administrators to the Board.

The HESS Committee also deleted "a person from the Pioneers of Alaska Grand Lodge" and inserted "a person from the general public". Specification by the bill that the only consumer representative be "a person from the Pioneers of Alaska Grand Lodge" runs counter to federal anti-discrimination policies since the 25 year residency requirement for membership in the Lodge will preclude appointment of many other well-qualified Alaskan citizens (example: Elderly members of Senior Citizens Centers). This amendment would not preclude a Member of Alaska Grand Lodge from being appointed.

The other amendments added to the Senate version were technical in nature. Their purpose was to ensure that all those administrators licensed by the Provisional Board would be recognized. In addition the definition of "nursing home" was broadened to include intermediate nursing care as required by the federal government.

HOUSE JOURNAL

May 15, 1975

House Judiciary Committee  
Statement of Intent on  
Judiciary CS for SB 132 (Nursing Home Administrators)

In view of the relatively small number of potential licensees, the committee was reluctant to create another Title 8 licensing board and would have preferred to include the licensing of the nursing home administrators in an already existing medical board. However, federal statutes seem to require a Uniform Healing Arts statute or the creation of a separate board. Since Alaska has no such statute, the new board is necessary to comply with federal law. With the numerous medically related licensing boards already in existence, the committee suggests that a Uniform Healing Arts licensing statute, which might be placed under the Department of Health and Social Services instead of the Department of Commerce, be drawn up for legislative consideration.

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Terry Gardiner  
Chairman  
House Judiciary Committee

S B

1 3 8

COMMITTEE REPORT

2/27/75

HOUSE

Mr. Speaker:

Date 3/13/75

The Committee on Judiciary has had SB 118

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 CI

COMMITTEE and refer to Judiciary

( ) reports it back WITHOUT RECOMMENDATION

( ) "other"

Members signing the Majority report:

\_\_\_\_\_  
\_\_\_\_\_  
James A. ...  
Tom ...

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:  
\_\_\_\_\_ recommends:  
\_\_\_\_\_ recommends:  
\_\_\_\_\_ recommends:  
\_\_\_\_\_ recommends:

James A. ... Chairman

A M E N D M E N T

OFFERED IN THE HOUSE:

By: House Judiciary

To: \_\_\_\_\_ HOUSE BILL No. \_\_\_\_\_

SENATE BILL No. 138

PAGE: 1

LINE: 12 & 13

Line 12

after "parks" ADD "and state recreation areas"

after "established" ADD "by law" and DELETE the rest of the sentence

Line 13

after "shall" ADD "and shall be" and DELETE the rest of the sentence

COMMITTEE REPORT

5/22/75

HOUSE

Mr. Speaker:

Date May 25, 1975

The Committee on JUDICIARY has had SP 128

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" Majority No Rec

Members signing the Majority report:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends: No Rec

\_\_\_\_\_ recommends: No Rec

\_\_\_\_\_ recommends: No Rec

\_\_\_\_\_ recommends: No Rec

\_\_\_\_\_ recommends: No Rec

\_\_\_\_\_ Chairman

House Judiciary Committee  
March 5, 1975

HB 106/SB 138 Zoning in State Parks

Ted Smith, sponsor of HB 106 testified that it was primarily to prevent incompatible business enterprises in the parks.

Mr. Fink suggested that an amendment be made to line 13 to the effect that actions are not final unless approved by the legislature.

Mr. Fink requested a letter from the Attorney General regarding whether or not land in Chugach State Park would be subject to zoning (since private land in the park has previously been designated as enclaves and not inholdings).

The bill will be held pending receipt of the letter from the AG.

HB 99 Guide Licensing

Mr. Brown testified that the Resources CS cleans up the language but does not make any substantive changes.

Mr. Fink brought up the problem in line 23 of the reference to 200 (e) Joel Bennett will study the matter to determine if 200 (e) should be changed or repealed.

HB 170 Judicial payments of subdivisions

Hearing scheduled for Monday, March 24 at 1:15 p.m.  
Invite: Art Snowden, John Spencer, Municipal League, Community and Regional Affairs, Reps. Gruening and Cowper, get fiscal note.

HB 148 Conscience Clause

Hearing scheduled for Monday, March 10. Invite representatives of the unions.

HB 14 Criminal Code

Since the Senate resolution hasn't made much progress, the Chairman will draft a House resolution for committee discussion.

House Judiciary Committee  
March 11, 1975

The meeting was called to order at 1:20 p.m. by Chairman Gardiner. All members were present.

HB 209 Income tax penalty

Fred Boetsch, Deputy Commissioner of the Department of Revenue testified that the Federal Internal Revenue Code has provisions for punishing those who give false withholding information but at present the state can only prove fraud after a person has either filed a false or no tax return. This bill would give the state authority to prosecute those who give false information on W-4 forms.

Mr. Parr moved that HB 209 be reported out of committee with a do pass recommendation. There being no objection, it was so ordered.

SB 138 Zoning state parks

Chugach and Kachemak parks exclude "valid entries" so that zoning for enclaves in these two parks only comes under the borough rather than the park. To exclude the valid entry provision would require a bill, an exemption in the Municipal Code, a change in the enclave status, and possibly boundary changes in the parks.

Mr. Brown moved that in line 12 "and state recreation areas" be added after "state parks". There being no objection, the amendment was adopted.

Mr. Brown moved that in line 12 "established under this chapter" be deleted and replaced by "established by law." There being no objection, the amendment was adopted. The committee also requested that the Revisor of Statutes be informed that all state parks are not in the same statute.

Mr. Fink moved that on line 13 to end the language be changed to state "Zoning under (a) of this section is final when approved by concurrent resolution of the legislature at the next regular session after the regulations are adopted." There being no objection, the amendment was adopted.

House Judiciary Committee  
March 13, 1975

The meeting was called to order at 1:25 p.m. by Vice Chairman Bradley. Mr. Gardiner and Mr. Specking were absent.

#### HB 139 Rental Adjustment

Rep. Gruening stated that the bill deletes the waiver section which, in the past, has been abused. This bill would not affect past waivers, but could affect the Teamsters lease now under contention.

Kathy Jacobson of the Department of Natural Resources stated that the Department favors the bill. The Teamsters problem has given publicity to the possible waiver and they anticipate that more people will attempt to receive a waiver.

Mr. Fink stated that FHA won't finance housing developments if there is a possibility that the land will be reassessed every five years.

Bill Fackler, Deputy Commissioner of Natural Resources, testified that there are presently 2 - 3 thousand state leases exclusive of those dealing with extracting resources.

Mr. Parr moved on page 1, line 11: After "lease" add , except an open-to-entry lease" The amendment passed

Mr. Brown moved HB 139 am out of committee. There being no objection, it was so ordered.

#### HB 35 Guide Licensing

The committee agreed to await further testimony Mr. Parr would obtain in Fairbanks this weekend.

#### HB 99 Guide Licensing

Mr. Gardiner explained that the CS changes the departments in sections 2 and 3 to the correct departments.

Mr. Bradley moved CS HB 99 out of committee. There being no objection, it was so ordered.

#### SB 138 Zoning in State Parks

Mr. Cotton moved SB 138 out as amended previously. Mr. Fink objected.

The committee discussed adding language in line 10 to give the Department "exclusive" authority.

The committee agreed to send the bill to Community and Regional Affairs and then back to Judiciary. Mr. Fink moved that the bill be signed out with the amendments previously adopted. There being no objection, it was so moved.

172

House Judiciary Committee  
May 26, 1975

The meeting was called to order at 2:15 p.m. by Chairman Gardiner. All members were present.

CS SB 257 am Municipal Fire Departments

Douglas Body, Coordinating Fire Chief, testified that there is no statutory authority for the fire departments to do some of the things they are presently doing.

The following amendments passed:

page 1, line 18, page 1, line 23: after city insert: organized village.

page 2, line 7: after trespass insert: upon property at or near the scene of a fire.

page 2, line 7: delete without liability

page 2, line 21: delete without liability

page 2, line 17: insert before inspect: upon 24 hour notice to the owner or occupant,

page 2, line 24: delete all of subsection (9) and renumber

page 3, line 2: insert after misdemeanor: , and upon conviction, is punishable by imprisonment for one year, or by a fine of not more than \$1,000, or by both.

page 2, line 3: delete all of Section 3

page 3, line 6: insert definition section "preplanning" to be drafted.

The Judiciary CS for CS SB 257 am was passed out of committee.

SB 384 Revise statutes

page 6, line 9: delete bring and insert seek, delete action and insert or an action in the nature of an action for mandamus.

The Judiciary CS for SB 384 was passed out of committee.

SB 138 Zoning State Parks

The C and RA CS for SB 138 was passed out of committee.

SB

140

COMMITTEE REPORT

5/13/75

HOUSE

Mr. Speaker:

Date 5/13/75

The Committee on JUDICIARY has had SB 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" Individuals

Members signing the Majority report:

[Signature] \_\_\_\_\_  
[Signature] \_\_\_\_\_  
[Signature] \_\_\_\_\_  
\_\_\_\_\_

Members NOT concurring in the Majority report:

[Signature] recommends: in con pass  
[Signature] recommends: in con pass  
[Signature] recommends: same as above  
\_\_\_\_\_ recommends:  
\_\_\_\_\_ recommends:

[Signature] Chairman

# STATE OF ALASKA

JAY S. HAMMOND, Governor

## DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

POUCH K - STATE CAPITOL  
JUNEAU 99801

May 23, 1975

The Honorable Terry Gardiner  
Chairman, Judiciary Committee  
Alaska House of Representatives  
Pouch V, State Capitol  
Juneau, Alaska 99811

Re: SB 140 am (Increasing  
Membership of Governor's  
Commission on Administration  
of Justice)

Dear Mr. Gardiner:

As I told you in our telephone conversation, SB 140 am is very important to the Department of Law, the Governor's Commission on the Administration of Justice, and more particularly the Attorney General. As evidence of the Attorney General's concern, I have enclosed a copy of a letter which he had intended to send you today, before he learned of the fate of SB 140 am.

As I also mentioned in our telephone conversation, SB 140 am originates generally out of the Federal "Juvenile Justice and Delinquency Prevention Act of 1974" which provided in part that:

The State planning agency and any regional planning units within the State shall, within their respective jurisdictions, be representative of the law enforcement and criminal justice agencies including agencies directly related to the prevention and control of juvenile delinquency, units of general local government, and public agencies maintaining programs to reduce and control crime, and shall include representatives of citizens, professional, and community organizations including organizations directly related to delinquency prevention."  
(emphasis added)

More specifically, SB 140 am is required by a special condition attached to the 1975 Law Enforcement Assistance Administration Planning Grant for the State of Alaska. This planning grant, in the amount of \$204,000, funds the operations of the

The Honorable Terry Gardiner  
Chairman, Judiciary Committee

May 23, 1975

-2-

Criminal Justice Planning Agency for 1975-76. I have attached to this memorandum copies of the special condition and the relevant section of Pub. Law 93-415.

If additional information is needed as to the importance of this bill, please contact me.

Sincerely yours,

AVRUM M. GROSS  
ATTORNEY GENERAL

By *James L. Hanley*

James L. Hanley  
Assistant Attorney General

JLH:as  
Enclosures



# STATE OF ALASKA

## DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

JAY S. HAMMOND, Governor

POUCH K— STATE CAPITOL  
JUNEAU 99801

May 23, 1975

The Honorable Terry Gardiner  
Chairman, Judiciary Committee  
Alaska House of Representatives  
Pouch V, State Capitol  
Juneau, Alaska 99811

Re: SB 140

Dear Terry:

As Chairman of the Governor's Commission on the Administration of Justice, I naturally have a personal interest in SB 140, which pertains to the membership on the Commission. It is necessary that we have this bill to entitle us to certain federal funds, as well as to insure adequate representation on the Commission for representatives of juvenile programs. I would appreciate it if you could bring the bill out for floor action during the closing days if at all possible. If you have any questions on the bill, please do not hesitate to call and we can discuss them.

Yours very truly,

Avrum M. Gross  
Attorney General

AMG:as

SB

153

COMMITTEE REPORT

5/1/75

HOUSE

Mr. Speaker:

Date 5/1/75

The Committee on JUDICIARY has had SR 153

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>James Hardin</u>	_____	_____
<u>W. S. Seadley</u>	_____	_____
<u>Robert [unclear]</u>	_____	_____
<u>Samuel [unclear]</u>	_____	_____

Members NOT concurring in the Majority report:

\_\_\_\_\_ recommends:

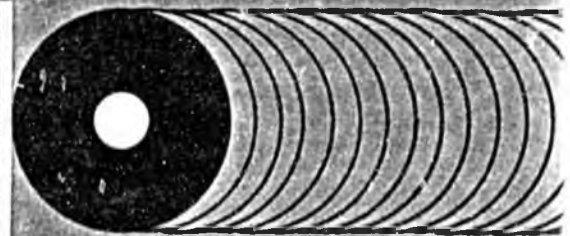
\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

\_\_\_\_\_ recommends:

James Hardin Chairman



# Piracy: a booming racket

Here's what you and your legislators need to know to help eliminate the illegal piracy of sound recordings. It's a \$200 million a year crime and growing. And every honest taxpayer is the victim.

The pirates are profitable, feeding on the initiative, talent and capital investment of legitimate companies.  
**John L. Murphy,**  
Chief, Economic Policy, Department of Justice

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## Nearly one-third of all tape recordings sold in the U.S. are produced by pirates!

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You'll find pirated copies of legitimate recordings in practically every area in the U.S. where recordings are sold.

### Why is piracy so widespread?

It's very profitable for the pirates. Duplication of tapes is mechanically simple. Federal laws protect only those recordings produced since February, 1972. Most of the pirated material was originally recorded prior to that time. *Most states with criminal laws prohibiting piracy penalize piracy only as a misdemeanor, so when a pirate is caught, he may pay only a small fine, pack up and move to a new location under a new name.* It's a perfect setup for the fast-buck con artist.

Many law enforcement people are either unaware that piracy is illegal or too busy with other "important" problems to give piracy the attention it needs. The consumer is either unaware that he's paying for "hot," inferior merchandise, or else he can't resist the cheap price.

### Whom does piracy hurt?

Piracy is harmful in many ways to many people. It hurts every segment of the public, it hurts elderly citizens in nursing homes and countless other citizens who are deprived of free entertainment financed by royalties from legitimate sales; it hurts service personnel in veterans hospitals because it likewise reduces the funding available for their free entertainment. Piracy hurts every artist (not just the big stars with earnings in six figures), musician and vocalist alike, it hurts legitimate manufacturers, retailers, wholesalers, and everyone who works for them. It hurts every level of government that suffers from lost taxes, thereby adding an additional burden to every honest taxpayer.

### How does piracy hurt?

Some of the damage that pirates do was recently described by Hal C. Davis, President of the American

Federation of Musicians, in testimony before the House Subcommittee of the Judiciary.

Mr. Davis said, "Now, I have heard it said that record pirates are engaged in a legitimate business which they should be able to pursue because they are represented by respectable counsel. . . . We all know that murderers and thieves have often been represented by respectable counsel. To me, a pirate is a pirate in anybody's language. To put it bluntly, a pirate is a person who steals a product made by my people and the other great artists, the vocalists. In my judgment, he has no right to grow wealthy on the creative efforts of those gifted people. He flagrantly violates human and moral rights. This pirate could easily become legitimate by signing the applicable collective bargaining agreements, and paying prevailing wages and other benefits.

"The legitimate recording industry pays into two funds for every record or commercial recording sold. One is known as the Special Payments Fund and the other is the Music Performance Trust Funds. On September 1, 1974, out of the Special Payments, some \$8 million was paid to all the musicians recently employed by the Recording Industry. This is in addition to the basic scale they received for making the records.

"In addition, some \$9 million last fiscal year were spent by the Trustee of the Music Performance Trust Funds. This nonprofit, public service organization provided free live concerts of various sizes and descriptions for the people of this country. Some took place in schools, some took place in veterans hospitals, some took place at block parties, some took place in public parks. In all, approximately 100,000 of these programs were performed free of charge last year and all were open to and given for the benefit of the public. Every act of piracy deprives both of these funds of the proper payments."

Aside from these losses from piracy to all legitimate sectors of society described by Mr. Davis, piracy hurts the public in other significant ways. Here are some of them:

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**"100,000 . . . programs  
free to the public . . .  
(were deprived by)  
piracy of proper  
payment"**

---

---

## Piracy is harmful in many ways to many people

---

### 1. Pirate merchandise is generally of poor quality; the sound isn't as good as a legitimate recording.

Since a pirate tape is a reproduction of a reproduction, the sound can't be as good as the initial version. It's like reproducing a photograph from a photograph, instead of from the original negative. Some pirate tapes are of such poor quality, or are so poorly assembled, that they foul up tape recorders.

### 2. Legitimate companies are hampered in offering a wide selection of recordings to meet the widely varying interests of the public.

Pirates copy only the big-selling records. And these big sellers subsidize thousands of lesser-selling recordings, including much classical and jazz output. Without the income from the big sellers that are pirated, the selection of recordings available to the public will decline. Most recordings don't appeal to the masses and many fail to recover their costs. The \$200 million the pirates steal each year could finance a lot of different legitimate records. (\$200 million is four times the amount spent to operate all U.S. Attorney offices throughout the nation for a year!)

### 3. It's more difficult for recording companies to invest in new artists, new musicians and song writers, as well as classical orchestras, because of the income lost to the pirates.

Introducing and popularizing new talent requires money, and that money has to come from the profitable recordings.

### 4. Pirates seldom pay full taxes. That means the rest of the public has to pay more.

Tax authorities estimate that a large percentage of the \$200 million pirate take is not reported to the Internal Revenue Service or state and local governments. That's a lot of taxable income.

Piracy also hurts a broad range of other people. *The artist gets no income from pirate recordings.* His talent, his unique performance, his time, his contractual rights, all go unrewarded. Since the professional life span of the average popular artist is relatively short, he is entitled to 100 per cent of the income from his talent—which is the only thing he has to sell. Remember, all artists suffer—not just the stars.

**Musicians and arrangers are heavily dependent on the income from recordings for their livelihood.**

The pirates pay them nothing. Income from legitimate recordings goes to their pension and welfare funds, pays for retired musicians and those who are sick and out of work. These funds get nothing from the pirates. The Music Performance Trust Funds depends on income from legitimate tape and record sales to finance its free public concerts.

### Legitimate retailers and wholesalers are badly damaged by sellers of pirate recordings.

The honest businessman cannot compete with competitors who sell stolen merchandise or "swag." Stolen goods are cheap, and pirate tapes and records are actually the same as stolen goods. Pirates copy only the big sellers. They take no risks and incur none of the expenses of the companies which created and popularized the big sellers.

### The law enforcement community is also affected because piracy has become so widespread.

Any criminal business that flourishes in practically every area, that produces illegal income of \$4 million a week, contributes to the erosion of public respect for the law and its enforcers.

### Is this an issue of labor vs. management?

No! On the contrary—the fight against piracy has united labor and management in common cause. It should be recognized that at every level both the 330,000-member American Federation of Musicians (AFL-CIO) and the Recording Industry Association of America (the industry association representing most legitimate recording companies) are working together to achieve enactment of strong laws in every state.

But everywhere the pirates are lighting back. Astonishingly enough, they have often been successful in persuading even some of our most sincere legislators that their efforts help the plain people of America because they can buy their product cheaper! The notion that the public is benefited when a thief sells a stolen automobile or radio at a cheaper price than the honest manufacturer can meet is nonsense!

---

## Help is available for law enforcers

---

The music and recording industry and the American Federation of Musicians are committed to the elimination of piracy. The recording companies and the music publishers maintain investigators who are ready and able to cooperate with Federal, state and local law enforcement.

The Anti-Piracy Intelligence Bureau of the Recording Industry Association of America, Inc. (RIAA), is located at 1 East 57th Street, New York, New York, 10022, (212) 688-3778. The Bureau conducts and supervises all investigations of piracy on a national basis, cooperates closely with federal, state and local authorities and serves as a clearing house for collecting and reviewing all information on pirate activities—manufacturers, wholesalers and retailers.

If you know where pirate products are being produced or sold, or if you want help in identifying pirate or counterfeit merchandise, contact the RIAA Bureau.

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## How to spot pirate recordings

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*Tape recordings are the most widely sold form of pirate merchandise. Here are some good clues you can use to spot pirate tapes.*

**1. Watch out for package or label with no familiar company name or trademark.**

Pirates create their own packaging, and most show no company name or trademark. Rarely is there an address; usually just a phony post office box number.

**2. Be alert for clumsy, inferior-looking package art work.**

Record companies creatively make their album and tape covers "arty," distinctive, and attractive. Pirates generally do not. Few pirates use multi-color printing and artwork. Photos or illustrations of performers are never used.

**3. Be leery of look-alike cover designs.**

Pirates often use the same package and label design on several different tapes. They change only the names of the songs and artists.

**4. Beware of statements saying "fees and royalties have been paid," or "the law has been complied with."**

Legitimate companies pay the proper royalties and fees and need not acknowledge this on their packages.

**5. Watch out for more than one top artist or musical group on the same tape.**

Most artists and groups perform exclusively for one record company. *Some discs are also produced by pirates, but not many.* The same clues used in spotting tapes also apply to discs.

### The bottom line

Each of us in recent years has been tragically affected by so-called "white collar" or "business" crimes in our society. Piracy is one of these. It is a big and rotten business. It is, quite simply, stealing and no invocation of "free enterprise" can clothe it in respectability.

You, your friends, your elected representatives at every level of government have a stake in outlawing piracy, because you are its victim.

### Model Legislation

#### Statement of Purpose

This bill is intended to prevent the unauthorized duplication and sale of sound recordings, either tape recordings or discs. Pirates of recordings divert some \$200 million a year from legitimate sources—retailers, wholesalers, musicians, arrangers, artists, the musicians union and recording companies. Nearly one in three tape recordings sold in the United States come from pirate sources.

The pirates are parasites who rob legitimate retailers, wholesalers, producers, artists, musicians and the unions of the fruits of their honest labors. Because piracy is simple and lucrative, it attracts the shady operator and the fast buck artist.

Record piracy grew out of modern technology, the advent of the tape recorder and the ease with which recordings can be duplicated. When the United States copyright law was enacted in 1909, this was not envisioned.

Federal law was amended in late 1971 to protect recordings. United States copyright law now protects all sound recordings produced *after* February 15, 1972. State laws are necessary to protect other recordings. A majority of the states have passed such laws.

The constitutionality of state anti-piracy statutes, such as this proposed law, has been upheld by the U.S. Supreme Court [Goldstein v. Calif. 412 US 546 (1973)].

The courts have also held that piracy is a form of unfair competition and illegal under civil laws. The 9th and 10th United States Circuit Courts of Appeals have

---

## You . . . have a stake in outlawing piracy, because you are its victim

---

# DeHart and Broide

March 28, 1975

The Honorable Robert Ziegler  
Pouch V  
Capitol Building  
Juneau, Alaska 99801

Dear Senator Ziegler:

I appreciate your taking the time to discuss Senate Bill 153 with me by phone. This letter is in response to your request for information concerning the merits of the bill.

S.B. 153 amends the present law, which was enacted last year as House Bill 680.

Federal law prohibits the unauthorized manufacture or sale of sound recordings released after February 15, 1972. This was done in late 1971 through extension of the federal copyright law (Public Law 92-140). Congress did not grant this limited copyright to sound recordings published prior to February 15, 1972 because this would have involved granting a copyright retroactively. Recordings produced by legitimate manufacturers after that date display this symbol to indicate post February 15, 1972 production.



As you can understand, when the original copyright law was enacted in 1909, no one foresaw the future popularity of sound recordings, the development of the tape recording, and the ease with which tapes can be duplicated today.

State laws are necessary to protect pre-February 15, 1972 recordings because tape piracy remains a widespread problem, diverting hundreds of millions of dollars from those who have legitimately earned it. It is estimated that nearly one out of every three tape recordings sold in the U.S. is a pirate copy. Because of piracy, some \$200 million a year is diverted from its rightful recipients -- artists, musicians, music publishers, composers, retailers, wholesalers and record manufacturers, and the unions. (Some background material on the piracy problem is enclosed as Attachment A.)

The U.S. Department of Justice has recommended to the states that special legislation be adopted to prohibit piracy.

# DeHart and Broide

March 28, 1975

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Pouch V  
Capitol Building  
Juneau, Alaska 99801

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Ⓟ

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The Honorable Robert Ziegler  
March 28, 1975  
Page Two

To date, some 27 states have passed criminal laws against record piracy, and this number is expected to grow. (See Attachment A-1, page 9.)

The constitutionality of state anti-piracy laws has been upheld by the U.S. Supreme Court (Goldstein v. California, 412 U.S. 546, June 1973).

State laws are necessary because record piracy continues to be rampant. This is unfair competition, and also deprives the lawful owners of sound recordings of their property and their profits.

Record piracy has been consistently held unlawful in various U.S. courts, even in the absence of state anti-piracy statute.

Moreover, four U.S. Circuit Courts of Appeals have ruled that the compulsory licensing provisions of the Copyright Act may not be used as justification for unauthorized duplication of sound recordings. These appeals came about because some pirates argued that they are "legal" when they pay royalties to the music publishers.

Despite these court decisions, piracy continues. That is because a pirate found guilty in one jurisdiction merely moves to another. Piracy is so profitable that the pirates are willing to take the risk of misdemeanor penalties, with modest sentences or fines. Under such circumstances, it is up to the states to join with the federal government to protect law-abiding citizens and declare piracy illegal.

Like the other states, Alaska has also been the scene of a good deal of pirate sales of recordings. A state law is therefore important.

The amending bill introduced by Senator Chance defines "owner" in a manner developed in discussions with the Justice Department, and stemming from court decisions. It also contains an amendment (starting on line 13) which would curtail the growth of so-called "sound-alike" recordings. A sound-alike recording is one which simulates a hit recording by imitating the style and sound of the original performer(s). Sound-alikes generally involve deceptive packaging, labeling display techniques, as well as advertising, which are intended to dupe the consumer into believing that he is buying the original.

Full disclosure of the name of the manufacturer and the performers, as required by Senator Chance's bill, should alert the would-be buyer to the fact that he is buying a simulation, not the original.

The Honorable Robert Ziegler  
March 28, 1975  
Page Three

The production of sound-alikes has been growing as a result, we believe, of the crackdown on pirates. (See Attachment B for background information on sound-alikes.)

On behalf of the Recording Industry Association of America, our client, we urge that the Alaska legislature enact Senate Bill 153. Its passage is supported by all segments of the legitimate recording industry, including the manufacturers, the artists, musicians, the American Federation of Musicians, music publishers and composers, wholesalers and retailers.

If you have questions, we would be pleased to answer them.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ed De Hart". The signature is written in a cursive, somewhat stylized font.

Edward H. DeHart

Enclosures  
EDH: jn

139

House Judiciary Committee  
May 15, 1975

page 2

The committee agreed that after two weeks were taken, a man should be able to extend his leave for medical reasons. Line 13 in the old bill stating which leave could be used would be put into the CS and lines 11 and 12 of the proposed CS deleted.

The Judiciary CS was passed out of committee.

HB 298 Security

Miles Scholsberg, Director, Division of Banking, stated that this bill would expand the definition of securities in order to close loopholes in enforcement of securities law - to prevent fraud by providing a deterrent. Included under the definitions of securities are pyramid sales (chain letters), commodities option contracts, health clubs (charter members). Lines 21 - 25 leave the option for possible exemptions for such companies as Avon and Fuller Brush. Mr. Brown moved on page 1, line 22: add: after consultation with the Attorney General. This amendment passed. The Commerce committee amendments were adopted except in line 4 delete /.

The Judiciary CS was passed out of committee.

SB 153 Sound Recordings

Senator Chance, sponsor of the bill, stated that the language "federally copyrighted" was inserted on the floor last session and made the bill worthless. SB 153 deletes this language and defines "owner." The copyright law for recordings became effective in 1972 but was not retroactive. This bill is designed to prevent pirates and sound alike recordings. The committee passed out SB 153.



# LAWS OF ALASKA

1974

Source

SCS CSHB 680

Chapter No.

134

## AN ACT

Relating to the protection of the rights of owners of sound recordings.

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

\* Section 1. AS 45 is amended by adding a new chapter to read:

#### CHAPTER 51. SOUND RECORDINGS.

Sec. 45.51.010. REPRODUCTION, SALE WITHOUT CONSENT PROHIBITED. A person who reproduces for sale, sells, offers for sale, or knowingly advertises for sale any federally copyrighted sound recording that has been reproduced without the written consent of the owner of the master recording is guilty of a misdemeanor and upon conviction for the first offense is punishable by (1) confiscation of the unlawful stock of the reproduced recording and (2) by imprisonment for a period of not more than one year, or by a fine of not more than \$1,000, or by both.

Sec. 45.51.020. EXEMPTIONS. The prohibition contained in sec. 10 of this chapter is not applicable to the reproduction of a sound recording that

(1) is used, or intended to be used, solely for broadcast by commercial or educational radio or television stations; or

(2) constitutes the verbatim transcript, or other public record, of the proceedings of a judicial, legislative or administrative agency, department or other public body for which a charge or fee may or may not be made or collected for the reproduced recording.

The language "for the first offense" was removed from ch. 134 S.A. 1974 by the revisor of statutes as there was no ~~to~~ other language in the section referring to second or subsequent offenses and it was felt that the ~~the~~ penalty provided in the statute was <sup>(and subsequent)</sup> intended to apply to second as well as first offenses.

# DeHart and Broide

April 7, 1975

Senator Robert H. Ziegler, Sr.  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Senator Ziegler:

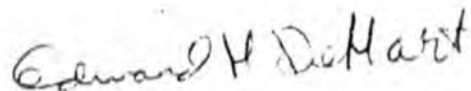
Thanks so much for your letter of April 3.

As I explained by phone, Senate Bill 153 has no bearing on those "antique copyright laws" or the ASCAP situation.

I trust this clarifies the matter and will enable S.B. 153 to move forward, as you indicated.

Let me know if you have any further questions.

Sincerely,



Edward H. DeHart

edh/ec

SB

157

"An Act relating to the Public Employment Relations Act; and providing for an effective date."

# COMMITTEE REPORT

3/24/76

HOUSE

Mr. Speaker:

Date April 13, 1976

The Committee on JUDICIARY has had CSSH 157

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

Members NOT concurring in the Majority report:

<u>[Signature]</u>	recommends: <u>Do Not Pass</u>
<u>[Signature]</u>	recommends: _____
<u>[Signature]</u>	recommends: <u>Do Not Pass</u>
<u>[Signature]</u>	recommends: _____
<u>[Signature]</u>	recommends: _____

Terry [Signature] Chairman

Ketchikan, Alaska  
March 28, 1976

Honorable  
Mr Jerry Gardner, Chairman  
House Trust Committee  
State Capital Building  
Pouch C  
Juneau, Alaska

Dear Mr. Gardner;

I am writing to you to show my  
concern for bill CS-SB 157. I urge  
you to support CS-SB 157, which  
will allow those with religious  
convictions to follow the dictates of  
their conscience.

Thank you. Jerry.

Sincerely

Mrs Stella G. Mackie  
518 Durossmont  
Ketchikan, Alaska

Ketchikan Alaska

Mar-28-1976

To The Honorable Terry Gardner  
State Capitol Building  
Pouch "C"  
Juneau Alaska 99801

Dear Sir:-

We urge you to support  
CS-SB 157 which will allow  
those with religious convictions  
to follow the dictates of their  
conscience.

Thank you,  
Sincerely

Mr. & Mrs W. C. Eastham

April 8, 1976

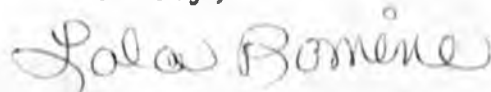
The Honorable Representative Terry Gardiner  
Alaska State House of Representatives  
Pouch "V" State Capitol Building  
Juneau, Alaska 99811

Dear Sir:

Please vote favorably on bill No. CS-SB 157 (L&M) which has passed the Senate and will soon be in the house. This bill is supported by the Alaska Federation of Labor and by many Alaskans who are concerned about protecting the right of the individual to the freedom to live according to the dictates of his conscience.

This country was built upon the principles of freedom and it has made the U.S. one of the most powerful countries in the world. We don't want destroyed the great gift that our forebears gave their all to win. We do have a tendency to take our freedoms for granted, but we must not, we must continue to protect it. This is why I must write to you with this request, and so again, I ask that you vote "yes" on this bill.

Sincerely,



Lola Romine

Pouch O  
Ketchikan, Ak. 99901  
April 6, 1976

The Honorable Terry Gardiner, Chairman  
House of Representatives  
Pouch "V" State Capitol Building  
Juneau, Alaska 99811

Dear Mr. Gardiner:

Please support CS-SB 157 (L&M) now in the House Judiciary Committee. All people have certain rights including those with religious convictions.

Sincerely Yours,

*A. F. Brookes.*  
*Clara Brookes*  
*Malcolm Crookes*

Pouch X

Ketchikan, AK 99901

April 4, 1976

The Honorable Terry Gardiner  
Alaska State House of Representatives  
Pouch "U" State Capitol Bldg.  
Juneau, AK 99811

Dear Mr. Gardiner:

Please vote for C.S.-SB 157 (P4M)  
which was passed by the s' rate and  
is now in the house. Protection of  
religious freedom is important and  
I urge your full support of this bill.

Yours truly,  
(Mrs) Ruth E. Talley

Pouch X  
Ketchikan, AK 99901  
April 4, 1976

The Honorable Terry Gardiner  
Alaska State House of Representatives  
Pouch "V" State Capital Bldg.  
Juneau, AK 99811

Dear Mr. Gardiner:

Please support C.S. - SB 157 (L & M)  
which was passed by the Senate  
and is now in the house. Protection  
of religious freedom is important and  
I urge your full support of this  
bill.

Yours truly,  
Rep. Talley

Pouch "K"  
Ketchikan, Alaska 99901  
April 5, 1976

The Honorable Terry Gardiner  
Alaska State House of Representatives  
Pouch "V" State Capitol Building  
Juneau, Alaska 99811

Dear Mr. Gardiner,

No doubt you, or your "Office Secretary" will be wondering why, why one of the loyal citizens of Alaska, now topping four score years by nearly five, am writing a personal letter to you at this time. Well, it is this way: because CS-SB 157 (L&M) has made two hurdles. One of the main obstacles to the passage of CS-SB 157 (3M) until recently has disappeared. Approval has been given by the Alaska Federation of Labor. This is as it should be. The Senate has passed the measure without ONE VOTE of dissent. The House of Representatives now has the final vote. In this Bicentennial Year of our nation protection of ~~our~~ religious freedom and the free exercise thereof must not be forgotten. I respectfully solicit your vote in support of this bill, and to use your influence also in its favor. You will be glad you did! Thank you!

Sincerely,

*Alice C. Elders*

Alice C. Elders

A. C. E.--AK.

# FIRST BAPTIST CHURCH

1905 First Avenue  
KETCHIKAN, ALASKA 99901  
Phone 907-225-3588

James Dan Hill  
Mission Pastor

JUDSON D. OWEN  
Pastor

Marion B. Dunham  
Radio Minister

April 1, 1976

The Honourable Terry Gardiner  
Alaska House of Representatives  
Pouch V  
State Capitol Building  
Juneau, Alaska 99811

Re: CS for Senate Bill No. 157 (L&M)

Dear Mr. Gardiner,

It is my understanding that the above mentioned bill is now in the House and with your committee. Perhaps by the time you read this letter some action will have been taken; if so, then my purpose will have been accomplished. If not, then let me urge you to take whatever steps are necessary to get it either passed or rejected.

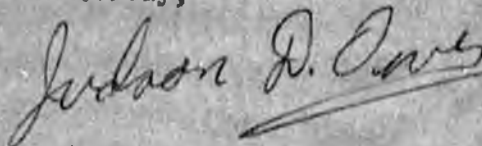
It is my desire, however, that the bill will pass. My reasons are based upon personal beliefs and Baptist heritage.

The reasons arising from my personal beliefs are just that. Though I am the pastor of the First Baptist Church in Ketchikan, I do not speak for all of my members. Nor am I bound by what they believe. Neither does the Southern Baptist Convention, with which we are affiliated, dictate policy to us.

As for Baptist heritage, our history is replete with incidents of stands taken for religious liberty. We may not agree with another person's religious beliefs, but we will defend very strongly their right to believe as they feel led. For this reason, I, as a Baptist, urge you to take a positive approach toward this bill.

Thank you for taking time to read this letter and giving consideration to my request.

Sincerely,



Judson D. Owen

R. M. HARDCASTLE

*General Insurance*

Telephone: 225-2176

106 MAIN STREET  
KETCHIKAN, ALASKA 99901

March 30, 1976

The Hon. Terry Gardiner  
Alaska House of Representatives  
Pouch V State Capitol Building  
Juneau, Alaska 99801

Dear Terry:

I would support the amendment to Senate Bill 157, providing for exemption on grounds of religious convictions to those employee members' dues and making said dues payable to a charity not affiliated with a religious, labor or employee organization.

I feel the principle of religious convictions should be respected.

Thank you.

Yours truly,

*R. M. Hardcastle*



2303 First Ave.  
Ketchikan, Alaska  
March 27, 1976

Dear Mr. Chairman:

It has come to my attention that the conscience clause CS-SB 157 is coming before your committee soon. As a concerned resident I urge you to support this bill.

Similar bills have been passed in Oregon, Idaho, and Montana, allowing employable persons to work at "union jobs" and still follow the dictates of their conscience. It seemed to me the "last frontier" should also grant the individual their rights.

Thank you for your time and interest.

Sincerely,  
Karen Sanders

March 24

To The Honorable Gardner  
State Capitol Bldg.  
Pouch "C"  
Juneau, Alaska 99801

Dear Honorable Gardner:

As an advocate of religious liberty, I sincerely urge you to support the Conscience Clause CS-SB 157 which would allow those with religious convictions to follow their beliefs in this regard.

I understand the bill passed 23-0 in the Senate & I feel this is an indication on the Senate's feelings on furthering religious liberty.

Yours very truly,

Gander E. Feller  
418 Canyon #1  
Ketchikan, Alaska  
99901

March 26, 1976

P.O. Box 1085

Ward Cove, Alaska  
99928

Dear Chairman Gardner:

I am a supporter of the religious convictions bill before the House, CB-SB 157. I am writing to you to express my support of this bill and, in turn, hope you also will support this bill, coming shortly, before your committee.

We in Southeastern Alaska have expressed our support for you in past years and we sincerely hope you give full

28 MAR 1976

Dear Mr. Gardner,

As resident of the Great State  
of Alaska and my desire is to  
remain so.

Please consider the importance  
of the conscience clause CS-SB 157  
I support this bill and would  
very much like to see it pass,  
for the protection of my religious  
liberties

Thank you for attention to  
furthering this matter.

Sincerely

M. F. Avery



# NORTH PACIFIC UNION CONFERENCE



*of*

ALASKA  
IDAHO  
MONTANA  
OREGON  
WASHINGTON

10225 EAST BURNSIDE  
P.O. BOX 16677

PORTLAND, OREGON 97216  
(503) 255-7300

March 23, 1976

The Honorable Terry Gardiner  
House of Representatives  
Pouch "V", State Capitol Building  
Juneau, AK 99811

Dear Terry:

Re: CS for Senate Bill No. 157 (L&M)

Dwayne Carlson, President of the Alaska Federation of Labor, pledged the support of the AFL for the "conscience clause" amendment to the Alaska Public Employment Relations Act in testimony before the Senate Labor and Management Committee on Thursday, March 18.

The members of the Seventh-day Adventist Church are deeply grateful to Mr. Carlson and the AFL for lending their influence in behalf of CS-SB 157 (L&M) which will give protection to public employees with religious convictions against membership in or payment of dues to labor unions.

Enclosed are copies of CS-SB 157 (L&M) and a news clipping from the Southeast Alaska Empire which reports labor's support.

When this issue comes to the House, your support will be deeply appreciated.

Sincerely yours,

Arthur R. Lickey  
Director of Public Affairs

CS

Enclosures 2

# SOUTHEAST ALASKA EMPIRE

The Capital City's Daily Newspaper

VOL. 70 NO. 56

THURSDAY, MARCH 18, 1976

10 PAGES TODAY 25 CENTS

## Union Sides With Church On Measure

By CLARK MILLER  
Empire Staff Reporter

The Alaska Federation of Labor has come out in support of a bill sought by the Seventh Day Adventist Church which will exempt church members who are public employes from union membership and the payment of union dues.

Dwayne Carlson, president of the AFL, said this morning he would testify before the Senate Labor and Management Committee later today in favor of the bill. It would require the church member to pay an amount equal to dues to the union, and would require the union to contribute that money to "a charity of its choice not affiliated with a labor or employe organization," as the bill reads.

The committee heard testimony in favor of the bill this morning by Arthur Lickey, director of public affairs for the Alaska Mission of Seventh-day Adventists. He said the church asks its members not to belong to or pay dues to unions, primarily because the church cannot condone some of the methods unions have historically used to attain their goals.

Lickey said the church has tried for years in both the public and private sector to achieve "voluntary accommodation," by which both parties agree that the money will be paid to some non-union, non-religious charity voluntarily. He said, however, legislative remedies are now being sought in state and federal governments because of widespread labor resistance.

Oregon, Washington and Montana all have recently enacted "conscience clauses," Lickey said, and in those states it "is working beautifully" and posing no undue hardship on the unions.

While the issue is in the courts all over the

country, Lickey said the legislature should take the lead on the question, rather than waiting for the courts to decide it.

Lickey mentioned in his testimony that Alaska Teamster chief Jesse Carr has in the past strongly opposed the idea behind the bill under consideration, and has told Lickey that he may oppose any such bills in the future.

Carlson said after the morning hearing Lickey's remarks on Carr were "not appropriate." He said he did not know if the Teamsters would be represented in later hearings on the bill.

The Alaska Public Employes Association is voluntarily accomodating church members now and is expected to support the bill. Not all of the estimated 50 Seventh Day Adventists included in the state's 26,000 public employes are opposed to union membership. Those who seek the exemption under the proposed law would have to submit "proper proof of religious conviction" to the state Labor Relations Agency.

Sen. Brad Bradley, R-Anchorage, engaged in a little theological debate with Lickey, mentioning Samson's slaughter of a thousand men with the jawbone of an ass as an apparently divine exception to the "non-retaliatory" principles on which the church bases its union stand. He also mentioned Jesus' anger as he drove the money changers from the temple.

Lickey said the church is concerned with protecting the consciences of those members who are genuinely committed to the non-retaliatory principles. He said in a war an Adventist will usually serve in a medical or other non-combative role. "Members may be strange, but they are not cowards," he said.

Lickey mentioned teachers' and nurses' associations, and the American Medical Association, as groups which, because of their increasingly union-like activities, are coming under close scrutiny by the church.

He stressed to the committee the church's desire to have friendly relations with labor. "Unions have traditionally helped the little man...this bill will help the little man" whose conscience won't allow him to join or support union.

March 27, 1976

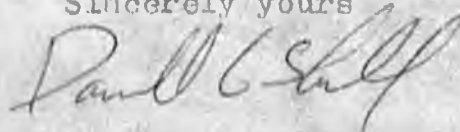
Mr. Terry Gardiner  
Alaska State House of Representatives  
State Capital Building  
Pouch V  
Juneau, Alaska 99801

Dear Mr. Gardiner;

We desperately have need of a law which provides protection for those whose religious beliefs are contrary to the joining or the supporting of labor unions.

Please support bill no. CS-SB 157 (L&M) in the House Judiciary committee.

Sincerely yours

A handwritten signature in cursive script, appearing to read "Paul C. Kelly". The signature is written in dark ink and is positioned below the typed name "Paul C. Kelly".

Wrangell, Alaska  
P.O. Box 964

Wrangell, Alaska  
99929

Mr. Terry Gardiner  
Chairman

Dear Sir:

In this memorial year of our nation's history, it would be indeed proper and wonderful to re-call, that the desire of Religious Freedom was intense in the hearts of our Pioneer Settlers.

I implore you to please consider sincerely, and vote for (support)

CS-SB 157 (L+M)

Sincerely,  
Felicia C. Thurston

March 29, 1976

Dear Mr. Harding:

I would like to write a short note to ask you if you would support CS-SB 157 (L & M) in the House Judiciary Committee.

I think this Bill would be a great step in the right direction as it would help those with religious convictions to be protected.

Thank you very much.

Sincerely

Karen Lawrence

Mr and Mrs Eugene Edgerly  
247 Grand Larry  
Anchorage Alaska  
99504

3/29/76

Mr Terry Gardiner  
Alaska State House of Representatives  
State Capitol Building  
Pouch V  
Juneau, Alaska 99801

Dear Sir:

"Please support CS-SB 157  
(Land M) in the House Judiciary  
Committee. All people have rights  
including those with religious  
convictions."

Sincerely yours

Mr and Mrs Eugene Edgerly  
247 Grand Larry  
Anchorage Alaska  
99504

10049 Klitt Sta.  
Anchorage, Alaska  
99502

Mar 27, 1976

Mr Terry Gardner  
Alaska State House of Representatives

Would you please support

CS-SB 157 (L+M) in the House

Judiciary Committee so people with  
Religious convictions about not joining  
a labor union will be able to make a  
choice.

Thank you

Sincerely

Robert Parks

Pastor R. M. Hausman  
2001 "E" 3rd Ave.  
Anchorage, Alaska 99501

2-29-76

Dear Mr. Gardner

Please support  
bill C.S. - SRS 157(L + M)  
in the House Judiciary  
Committee. All people  
have rights including  
those with religious  
convictions."

Sincerely yours  
Pastor R.M. Hausman

# CUSTOM INTERIORS OF ALASKA, INC.



Box 8288 Anchorage, Alaska 99504

March 27, 1976

Mr. Terry Gardiner  
Alaska State House of Representatives  
State Capital Building  
Pouch V  
Juneau, Alaska

Dear Mr. Gardiner:

We as a contracting co. ask that you PLEASE support Bill  
no. CS-SB 157 (IAM) in the House Judiciary Committee.

We feel that the law should provide a protection for the  
conscience of those in the sector of public employ from  
joining or supporting labor unions.

Sincerely yours

CUSTOM INTERIORS OF ALASKA INC.

*Dwight D. Shall*

Dwight D. Shall  
President

DS:ds



3-29-76

Box 306

Wangell, Ak 99929

Terry Gardiner  
Dear Sir;

I understand that CS-SB 157  
(L+M) has been referred to your  
committee after passing the  
Senate.

I strongly urge you to  
pass the bill. In this, the  
year of our country's  
Bicentennial it seems  
only right to me that Alaskans  
have the religious freedoms  
that other states enjoy.

Thank you for your con-  
sideration.

Sincerely yours,  
Robert A. Wondzell

P.O. Box 135  
Wrangell, AK 99929  
March 29, 1976

The Honorable Terry Gardiner, Chairman  
House Judiciary Committee  
House of Representatives  
Pouch "D" State Capitol Building  
Juneau, AK 99801

Dear Mr. Gardiner:

It would be appreciated if you would support religious convictions of CSLEB 157 (L+M) now in your committee.

In this Bicentennial year of our nation it seems fitting to uphold the freedoms our nation was founded on.

Thank you for giving this your consideration.

Sincerely yours,

Mary O. Cooper

3-29-76  
Box 306  
Wrayell, Ok 99729

Berry Gardiner

Dear Sir:

I urge you to speak up and vote for religious rights. Your vote for C S-B 157 (L+M) will be deeply appreciated. This bill has been ignored too long.

Sincerely yours,  
Shirley C. Wrayell

March 29, 76

Box 1703

Wrangell, AK 99801

The Honorable Terry Gardiner, Chairman  
House of Representatives  
Pouch "V" State Capitol Building  
Juneau, Alaska 99801

Dear Mr. Gardiner:

Please support CS-SB 157  
(J+M) now in the House Judiciary  
Committee. All people have  
certain rights including those  
with religious convictions.  
Thank-you.

Sincerely yours,  
Mr. + Mrs. Wm Black

3/27/76  
Juneau ak

The Honorable Jerry Gardiner  
House of Representatives  
Pouch "V" State Capitol Building  
Juneau, Alaska 99811

Dear Mr. Gardiner:

On this the 200<sup>th</sup> anniversary of our country it is appropriate to consider one of the freedoms guaranteed by the Constitution of this great land. This is the freedom of religious convictions.

Please support CS-SB 157 (L+M). There are many who need your help in this matter.  
Yours,

Larry St. Clair  
PO Box 1614  
Juneau, Alaska 99802