

1179

HSA

SB 59

-

SB 470

1179

RESOLUTION OF THE CITY OF WHITTIER  
HIGHWAY CONNECTION BETWEEN PORTAGE  
AND WHITTIER: BERNARD L. MARSH  
APPOINTED AS LOBBYIST AND  
CONSULTANT

RESOLUTION NO. 11.2.77

WHEREAS, the Prince William Sound Region is the most magnificent and spectacular recreational area in Southcentral Alaska, and

WHEREAS, an improved road access would make this recreational area available for use by the major concentration of population in Alaska, and

WHEREAS, Whittier's commercial port capacity would be greatly expanded to the benefit of all Southcentral Alaska if access to Whittier were improved, and

WHEREAS, the current expansion of small boat harbor facilities offers new opportunities for better service that are difficult to exploit without adequate access, and

WHEREAS, lack of convenient land access between Whittier and Anchorage/Kenai Peninsula is a deterrent to the possible economic growth of Whittier,

NOW, THEREFORE be it resolved by the City Council of the City of Whittier, Alaska:

1. That the Whittier City Council supports and encourages the development of a new or improved highway connection between Portage and Whittier, and
2. That the Whittier City Council urges the Alaska State Legislature, the State Administration, and the appropriate Federal agencies to plan and construct a project to accomplish this purpose, and
3. That the Whittier City Council hereby appoints and retains Bernard L. Marsh of Anchorage, Alaska, as its lobbyist and consultant, to develop feasibility for and to promote such a project, and
4. That copies of this resolution be distributed to all members of the Alaska State Legislature, the Governor, the Alaska Congressional Delegation and the heads of appropriate agencies.

PASSED AND APPROVED this 2nd day of November, 1977.

Cecil F. Zeigler  
Cecil F. Zeigler, Mayor

ATTEST:

Anna Fay Sanders  
City Clerk/Treasurer

# MEMORANDUM

# State of Alaska

TO: Vern Metcalfe,  
Special Assistant  
Legislative Liaison  
Commissioner's Office  
Juneau

DATE: May 4, 1978

FILE NO:

TELEPHONE NO:

FROM: Maurice Wilson *MW*  
Manager, Central Region  
Transportation Planning

SUBJECT: Portage to Bear Valley  
Roadway Cost Estimate  
S.R. 585

The 1972 study indicated a cost of \$2,348,000 to build 7,650 feet of highway and 440 feet of bridges from Portage to Bear Valley. The 1978 cost update is \$4,250,000.

The road to Bear Valley would be of little use without the rail shuttle portion of the proposal.

Project scope is as follows:

The new roadway construction for this project would begin on the Portage Glacier Road approximately 1700 feet east of the Portage Glacier Observatory. The alignment curves to the east away from the observatory area to cross Portage Creek approximately 200 feet downstream from the Portage Lake outlet. From this point the alignment curves around the base of the mountain at the northwest end of the lake and crosses Placer Creek with a structure about 400-feet north of the inlet into Portage Lake. The roadway alignment then parallels the mainline tracks of the Alaska Railroad and would terminate at a parking lot 1300 feet west of tunnel door number two.

Construction of the new roadway should be to State Standards for Secondary Highways using six inches of select material, six inches of crushed aggregate base course and three inches of hot bituminous pavement. There would be two driving lanes 12-feet wide with two-foot shoulders and 4:1 side slopes. The first 2000 feet of construction would consist of building a new fill eight to ten feet high to raise the elevation of the proposed roadway to the level of the existing roadway at the beginning of the project. After crossing Portage Creek 3250 feet of rock excavation will be necessary to construct the road into Bear Valley. From this point, an additional 2400 feet of fill, 10 to 12 feet high, will be necessary for constructing the roadway to its termination point at the proposed parking lot.

Two bridges would be required on this project. The first one would be approximately 280 feet long across Portage Creek while the second one crossing Placer Creek would be about 160 feet.

Judy — this road requires an Environmental Impact Statement  $\approx$  a 4F statement because it adjoins a Federal park. The 4F statement would take 15-18 months.

Dick Holden  
6/1/78

May 8, 1978  
000H

SB 585

Honorable John C. Sackett  
Senator  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Senator Sackett:

Following is the information you requested on SB 505, the Act which would appropriate \$250,000 for the State share of the project cost of the Portage to Bear Valley Road.

The right-of-way involved is National Park Service land.

The project has not been included in the proposed Capital Improvement Projects of our Department.

The 1972 study of this proposed road showed a cost of \$2,348,000 to build 7,650 feet of highway and 440 feet of bridges. The 1978 cost update would total \$4,250,000.

Construction should be to state standards for secondary highways using six inches of select material, six inches of crushed aggregate base course, and three inches of hot bituminous pavement. There would be two driving lanes of 12-foot width with 2-foot shoulders. The two bridges would be (1) approximately 200 feet long across Portage Creek, and (2) 160 feet long across Placer Creek.

Sincerely,



Donald Harris  
Commissioner

32

DH:PPR:172

State Share : 5% share.

# TELEGRAM

BCA ALASKA COMMUNICATIONS, INC.

PHONE: 533-8440

FUNEAU, ALASKA 99201

02233 NL TDA WHITTIER ALASKA 53 06-05 1140P ADT

PMS SEN W E BRAD BRADLEY

JUN

I HOPE YOU WILL VOTE APPROVAL ON S9585 AND SCR100 BECAUSE  
THESE BILLS ARE OF SUCH GREAT IMPORTANCE TO A LARGE PART  
OF THE POPULATION OF THE STATE OF ALASKA.

KAY SHEPHERD, PRESIDENT

WHITTIER HISTORICAL AND FINE ARTS MUSEUM INC

MEMBER BORAD OF DIRECTORS ALASKA STATE MINI TV ASSOC INC

1978 JUN 5 AM 1 59

SB

116

# COMMITTEE REPORT HOUSE

FURTHER: FINANCE

March 14, 1979

Date: 4-9-79

Mr. Speaker:

The Committee on STATE AFFAIRS has had SB 116

"An Act relating to participation by employees of the Alaska State Office in Tokyo in the public employees' retirement system; eff. date."

under consideration and (a majority of the committee) (the committee reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendmerts(s)
- replace with <sup>it</sup> CS for SB 116  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

**MEMBERS SIGNING  
DO PASS**

[Signature]

[Signature]

[Signature]

[Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**MEMBERS HAVING  
OTHER RECOMMENDATIONS:**

[Signature]

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\_\_\_\_\_

[Signature]  
CHAIRMAN

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. House CS for Senate Bill 116  
 Title An Act Relating to Public Employee Benefit  
 Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL  
 Agency Affected Administration - Division of Retirement and Benefits  
 Program Category Affected Retirement and Benefits (PERS)  
 BRU, Program, or Subprogram(s) Affected 02-96-8-01-01-01 and 01-71-1-00-00  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES		1.5				
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 TRS STATE MATCH						
100 BENEFITS		13.3	8.3	8.3	8.3	8.3
TOTAL		30.8	8.3	8.3	8.3	8.3

FUNDING (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
GENERAL FUND		25.2	6.9	6.9	6.9	6.9
FEDERAL FUNDS		1.4	0.4	0.4	0.4	0.4
VETERAN'S FUND		0.1				
FISH & GAME FUND		0.2				
HIGHWAY FUND		0.4	0.1	0.1	0.1	0.1
AIRPORT FUND		0.9	0.2	0.2	0.2	0.2
CAPITAL FUND		2.6	0.7	0.7	0.7	0.7
PERS						
TRS						

POSITIONS NONE

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
FULL TIME						
PART TIME						
TEMPORARY						

III. ANALYSIS

Sections 1,2,3,5

- It is estimated that an average of approximately \$5.0 will be incurred by the State for those individuals receiving additional benefits from the banked medical leave.
- Estimate that approximately \$5.0 has been incurred as a result of the retroactive provision in Section 5 of the bill.

Section 4

- Of the three employees at the Alaska State office in Tokyo, it is indicated that two will elect to join PERS and one will elect a cash payout.
- The "cash payout" will increase the operating budget for the Office of the Governor (onetime) by \$17,542 (assuming one dollar will purchase 195 yen).
- The present value of the benefits provided to the two individuals electing to join the PERS has been calculated to be \$44,859. These benefits will be funded with level payments of \$3,311 per year for the next 25 years, resulting in a total cash outlay by the State of \$82,775.

*Paul B. Arnoldt* 

IV. DATE 4-13-79 PREPARED BY Paul B. Arnoldt, Director  
 AGENCY Division of Retirement & Benefits  
 PHONE 455-4460

Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)  
 Office of the Governor (Keith Specking)  
 11-201 (Rev 12/74)

THE LEGISLATURE OF THE STATE OF ALASKA  
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SENATE BILL NO. 116  
 Title Participation by Employees of the Alaska State Office in Tokyo in PERS  
 Requested by \_\_\_\_\_ Date \_\_\_\_\_

II. FISCAL DETAIL

Agency Affected Administration - Division of Retirement and Benefits  
 Program Category Affected Retirement and Benefits (PERS)  
 BRU, Program, or Subprogram(s) Affected 02-96-8-01-01-01 and 01-71-1-07-00-00  
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL		17.5				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 TRS STATE MATCH						
100 BENEFITS		3.3	3.3	3.3	3.3	3.3
TOTAL		20.8	3.3	3.3	3.3	3.3

FUNDING (Thousands of Dollars)

GENERAL FUND		20.3	2.8	2.8	2.8	2.8
FEDERAL FUNDS		0.1	0.1	0.1	0.1	0.1
VETERAN'S FUND						
FISH & GAME FUND						
HIGHWAY FUND						
AIRPORT FUND		0.1	0.1	0.1	0.1	0.1
CAPITAL FUND		0.3	0.3	0.3	0.3	0.3
PERS						
TRS						

POSITIONS NONE

FULL TIME						
PART TIME						
TEMPORARY						

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

- Of the three employees at the Alaska State office in Tokyo, it is indicated that two will elect to join PERS and one will elect a cash payout.
- The "cash payout" will increase the operating budget for the Office of the Governor (one-time) by \$17,542 (assuming one dollar will purchase 195 yen).
- The present value of the benefits provided to the two individuals electing to join the PERS has been calculated to be \$44,859. These benefits will be funded with level payments of \$3,311 per year for the next 25 years, resulting in a total cash outlay by the State of \$82,775.

*Paul B. Arnoldt*

IV. DATE 2/05/79 PREPARED BY Paul B. Arnoldt, Director  
 AGENCY Division of Retirement & Benefits  
 PHONE 465-4460

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

6300 - sick leave costs

The emp was the an work makes 1000 per mo  
& the an ill n 6 weeks -  
total ben 2100 -  
assump 3 a yr / 6300 total

sect on 1 of bill covers I, II, III  
Section 2 of the bill

add 6300 to 3.3  
makes 9.6  
SG add to total 20.8  
then add to 20.3



# Alaska State Legislature

## House of Representatives

### Committee on State Affairs

Official Business

Pouch V  
State Capitol  
Juneau, Alaska 99811

#### STATE AFFAIRS COMMITTEE LETTER OF INTENT

#### HCSSB 116

Subsequent to the passage of House Committee Substitute for Senate Bill 116 out of State Affairs Committee the following question has been raised with the Legislative Affairs Agency concerning this legislation: in the case of the employee who was off the job due to medical disability exceeding thirty consecutive working days then returned to work for a short period of time (say, twelve working days) then was off the job for an additional length of time due to illness arising from the same medical disability, the question arises -- would the employee be entitled to take banked medical leave for all of the working days following the tenth working day or would it be necessary for the employee, having returned to work to give up an additional ten days of personal leave before he could again have access to the sick leave bank. It is the purpose of this report to indicate that as long as the second period of illness stemmed from the same medical disability, it would only be necessary for the employee to give up one ten-day period of personal leave. All of the subsequent days of leave covered by the one medical disability would come from the sick leave bank. This interpretation incidentally has been concurred in as far as the language of the act is concerned by the director of the legal division of the Legislative Affairs Agency.

SB

1988

# COMMITTEE REPORT

## HOUSE

FURTHER:

April 5, 1979

Date: 4-10-79

Mr. Speaker:

The Committee on STATE AFFAIRS has had CSSB 198 am

"An Act relating to the hiring of non-permanent employees in the state personnel system; eff. date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for C-5B 199 am  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

**MEMBERS SIGNING  
DO PASS**

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

**MEMBERS HAVING  
OTHER RECOMMENDATIONS:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[Signature]  
CHAIRMAN

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

*Representative Mike Miller*

Division of Personnel

January 21, 1965

The Honorable Clem V. Tillion  
President  
Alaska State Senate  
Juneau, Alaska 99811

Dear Mr. President:

Pursuant to the provisions of Alaska Statute 39.25.195(h) the Director of Personnel shall present a report on nonpermanent and emergency hire practices in state government to the Legislature within the first 10 days of each regular legislative session.

I am herewith respectfully presenting said report.

Because the Blue Ribbon Commission On The State Personnel Act was instrumental in the development of this legislation I have transmitted a copy of the report to Senator Bill Ray.

Sincerely,

Bruce A. Cummings  
Director

UC/MS  
cc: Senator Bill Ray

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

NONPERMANENT EMPLOYMENT  
FIRST ANNUAL REPORT  
January 1, 1980

PURPOSE:

The purpose of this report is to be in compliance with AS 39.25.195 (Ch. 67 SLA 1979). That statute in pertinent part requires:

The director shall present a report on non-permanent and emergency hire practices in state government to the legislature within the first 10 days of each regular legislative session. ... The report shall include information on the number of nonpermanent employees authorized under this section and the number of emergency employees hired in each department, a description of the procedures used in authorizing the hiring of nonpermanent employees, and any recommendations for legislation required to implement the intent of this section. (AS 39.25.195(h))

The statute became effective January 1, 1980. Because the effective date is so recent, this initial report must be limited in information.

It is intended that the second report, due January 1981, will cover all activity for calendar year 1980. A consistent reporting period is therefore being established for future reports.

The Number of Nonpermanent Employees Authorized:

As of December 31, 1979, two nonpermanent positions had been authorized for filling in January; a Graduate Intern I with the Department of Law and a Park Planner II with the Department of Natural Resources. Formal intent to establish an additional 183 nonpermanent positions had been received. However, because the required certifications had not been completed by employing agencies none of the positions had yet been authorized by the Director.

As of December 15, 1979, there were 425 temporary employees on the payrolls of those agencies affected by AS 39.25.195-200.

Summary data by department on temporary employees is presented on Page 6.

A Description of Procedures Uses In Authorizing The Hiring of Nonpermanent Employees.

Preliminary work on developing procedures to implement the law was begun in August, 1979. In early September an interagency committee was formed to complete the procedures. The committee was composed of representatives from the Division of Personnel and Labor Relations and the Departments of Fish and Game, Public Safety, Transportation and Public Facilities, Community and Regional Affairs, Labor, Health and Social Services, and Law. The combined agencies had in the past made approximately 70% of all temporary appointments.

The procedures provide for:

- 1) a uniform method that the head of the department may designate other persons to make the required certifications,
- 2) a means for the agencies to notify the Director of Personnel on planned nonpermanent positions,
- 3) a uniform method of certifying funds and needs for nonpermanent positions consistent with AS 39.25.195,
- 4) guidelines for certifying the circumstances for each emergency appointment,
- 5) Waiver of the eligible list for Comprehensive Employment And Training Act (C.E.T.A.) employees.

A primary objective of the committee was to seek compliance with the law by modifying existing procedures whenever possible rather than establishing totally new unfamiliar procedures. To the extent possible that objective has been realized.

The procedures were distributed December 21, 1979, and are an addendum to this report.

The Number of Emergency Employees Hired.

Because of the time frame of this report there have not been any emergency appointments under the new law. A method of reporting emergency appointments has been established within the procedures implementing AS 39.25.195-200, so that emergency appointments made during and after January 1980 will be reported.

<u>DEPARTMENT</u>	PERI. POS. (1)	VACANT NO. (2)	& PERCENT (3)	TEMPS. (4)	NONPERM. (5)
ADMINISTRATION	674	65	9.6	37	7
LAW	208	16	7.7	11	4
REVENUE	314	55	17.5	19	3
EDUCATION	353	45	12.7	31	31
HEALTH & SOCIAL SERVICES	1879	206	11.0	51	22
LABOR	737	165	22.4	49	48
COMMERCE & ECONOMIC DEVELOPMENT	297	26	8.8	6	-0-
MILITARY AFFAIRS	101	16	15.8	4	2
NATURAL RESOURCES	789	249	31.6	26	1
FISH & GAME	720	147	20.4	93	53
PUBLIC SAFETY	305	89	11.1	10	-0-
ENVIRONMENTAL CONSERVATION	135	26	19.3	4	1
COMMUNITY & REGIONAL AFFAIRS	154	32	20.8	22	13
TRANSPORTATION	2873	838	29.2	62	-0-
TOTAL	10,035	1,975	19.7	425	185

Because AS 39.25.195-200 in most part excludes the Office of the Governor, that agency has not been included.

- (1) Permanent classified and partially exempt positions as of December 15, 1979.
- (2) Of the positions recorded in Column 1 the number vacant. Includes seasonal positions where the employee was on seasonal leave.
- (3) Column 2 expressed as percentage of Column 1.
- (4) The number of temporary employees as of December 31, 1979.
- (5) The number of nonpermanent positions intended and authorized as of December 31, 1979.

Recommendations For Legislation Required To Implement The Intent  
Of This Section.

Every effort has been made to implement the law consistent with the intent. It must be recognized that the law only recently became effective (January 1, 1980). Therefore, there has been no actual experience in administering this statute. For this reason there are no recommendations for additional legislation at this time. As administrative experience is obtained some unanticipated difficulties are likely. Specific recommendations will be made when legislation is the appropriate solution.

TO: [ All Personnel Officers

DATE: December 21, 1979

FILE NO:

TELEPHONE NO:

FROM: Sandra Withers *SW*  
Director  
Division of Personnel & Labor Relations  
Department of Administration

SUBJECT: Procedures;  
Nonpermanent Employees

With this memorandum I am transmitting the initial procedures to implement AS 39.25.195-200 (Chapter 67, SLA 1979) which becomes effective January 1, 1980.

These procedures and the new forms being established were developed by a committee of department personnel officers along with this Division. A cross section of all departments were represented. Although all major questions that we could anticipate have been addressed, we realize that after 20 years of developed practices with "temporary" employees some offices will have greater adjustments than others to be in compliance with the law. Please bear in mind, it is the stated intent of the legislature to curb those administrative practices which surrounded temporary employment in the past.

Please address any suggestions or recommendations for improvement on these procedures to Ken Kareen, Deputy Director of this Division. We will have a follow-up meeting with the committee and with all departmental personnel officers to seek improvements based on the experiences gathered by working with these procedures

SW/atw

## NONPERMANENT APPOINTMENT

### PROCEDURES

There are five types of nonpermanent appointments. They are: 1) emergency, 2) substitute, 3) program, 4) project, and 5) normal.

All nonpermanent appointments, except emergency, require that a position be established prior to the appointment.

All nonpermanent appointments, except emergency require written approval prior to the appointment from the Director of Personnel and Labor Relations.

Because the procedures for emergency appointments differ from the procedures for other nonpermanent appointments, they are addressed separately in Section G.

Other types of nonpermanent appointments are addressed in the normal sequence of actions which are:

- A - Identification of Need for Nonpermanent Employee
- B - Certification of Conditions and Funds
- C - Position Approval
- D - Selection of Employee
- E - Appointment
- F - Follow Up on Time Restrictions

#### A. IDENTIFICATION OF NEED FOR NONPERMANENT EMPLOYEE

##### Normal, Program, and Project Appointments

Two and one-half months prior to the anticipated month of hire the hiring department must submit a completed "Nonpermanent Employee Need Identification" card (02-256) to the Division of Personnel and Labor Relations. If a nonpermanent position has already been established and is available for filling, the department does not need to submit a new card.

Illustration II shows the reporting time frame.

Appendix C is a sample of the form including the instructions for completing it.

ILLUSTRATION 1

12/79

TYPE OF NONPERMANENT	FORMS REQUIRED		STATUS CODE	NORMAL APPOINTMENTS FROM	DURATION OF APPOINTMENT
	ID CARD (02-256)	CERTIFICATIONS (02 '230)			
EMERGENCY: Appointment made under conditions requiring immediate action to carry on work required in the public interest; appointments limited to 30 days.	NO	NO <sup>1</sup>	EM		UP TO 30 DAYS
PROGRAM: Appointments to nonpermanent positions created primarily to help the employee; appointment limited to duration of the program.	YES	YES	NG	DISPATCH/ELIGIBLE LIST	DURATION OF PROGRAM
PROJECT: Appointments to complete specific work which is not a regular and continuing function of the department, but which requires more than 120 days to complete; appointments limited to duration of project.	YES	YES	NJ	DISPATCH/ELIGIBLE LIST	DURATION OF PROJECT
NORMAL: Appointment to complete a given work assignment which does not exceed 120 calendar days in a 12 month period; an employee may not work more than 120 calendar days in a 12 month period in one department.	YES	YES	NT	DISPATCH/ELIGIBLE LIST	UP TO 120 DAYS
SUBSTITUTE: A nonpermanent appointment to a position which is temporarily vacated by a permanent employee on leave. Appointment limited to duration of the incumbent's leave or an earlier date specified by the department.	YES <sup>2</sup>	NO	NS	DISPATCH/ELIGIBLE LIST	DURATION PER PRIOR LIMIT OF DEPARTMENT OR RETURN OF PERMANENT EMPLOYEE

-2-

1. THE FORM IS NOT REQUIRED. CERTIFICATION IN FORM OF LETTER OR MEMORANDUM IS REQUIRED.  
 2. PARTIALLY COMPLETED CARD REQUIRED.

ILLUSTRATION II

<u>Planned Appointment</u>	<u>Need Identification* Due</u>	<u>Certifications* Due</u>	<u>Expect* Approval</u>
January	October 15	November 5	December 1
February	November 15	December 5	January 1
March	December 15	January 5	February 1
April	January 15	February 5	March 1
May	February 15	March 5	April 1
June	March 15	April 5	May 1
July	April 15	May 5	June 1
August	May 15	June 5	July 1
September	June 15	July 5	August 1
October	July 15	August 5	September 1
November	August 15	September 5	October 1
December	September 15	October 5	November 1

\* If the listed date is a Saturday, Sunday, or holiday then the first working day following the date indicated shall be considered appropriate.

## Nonpermanent Substitute Appointments

To request authority to make a nonpermanent substitute appointment, the hiring department must submit a partially completed "Nonpermanent Employee Need Identification" card along with a "Request for Certification" (02-254).

Those portions of the "Nonpermanent Employee Need Identification" card which must be completed are:

1. (a) Department  
(b) Division  
(d) Geographical Code  
(e) Beginning Date
2. (b) Ending Date

### Comments:

Identify the position control number being filled on a substitute basis and state if the incumbent of record is on medical, personal, or annual leave. If the incumbent is on some other type of leave, specify the type.

5. Signature of individual filing this report.
7. (a) Date of the report.

The form "Request for Nonpermanent Position and/or Authority to Appoint Nonpermanent Employee" (02-230) is not required for substitute appointments.

## B. CERTIFICATION OF CONDITIONS AND FUNDS

The form titled "Request for Nonpermanent Position and/or Authority to Appoint Nonpermanent Employee" constitutes certification by the employing agency that funds are available for the requested position, and that conditions exist in the agency which justify the appointment of a nonpermanent employee in accordance with AS 39.25.195-200.

Sections "A," "B," "C," and "D" of the form should be completed by the hiring department. Sections "B" and "C" on this form must be signed by the Commissioner of the Department or a person designated by the Commissioner as a certifying officer in accordance with AS 39.25.200(1).

If a "Nonpermanent Employee Need Identification" form has not been previously submitted, the department must submit a completed card along with the request. If one has been previously submitted, only the request form is required.

This form is to be completed in duplicate. The hiring department must send the form with original signatures to the Director of Personnel and Labor Relations. The Department Personnel Officer should retain a copy of the forms.

### C. POSITION APPROVAL

The Director of Personnel and Labor Relations will indicate approval of the position requested and authority to proceed with an appointment in "Section E--Approval" of the request form.

Before proceeding with the appointment, the hiring department should note if the approval is "as requested" or "with qualifications as stated."

If the request is for a nonpermanent substitute appointment, the authority for the department to make an appointment will be issued by "Section B--Certification or Authorization" of the "Request for Certification."

### D. SELECTION OF EMPLOYEE

The selection of an employee to fill the position by union dispatch or from the appropriate eligible list must be consistent with bargaining agreements and the Personnel Rules. The normal process shall be the same as filling a permanent position of the same job class.

In some instances another procedure for selecting an employee may be authorized. When another procedure is authorized, the approval will indicate "with qualification as stated" and instructions shall be detailed in the comments portion of the approval section. (Section E of "Request for Nonpermanent Position and/or Authority to Appoint Nonpermanent Employee.")

If there are any questions about the instructions the Department Personnel Officer must obtain clarification from the Division of Personnel and Labor Relations before proceeding.

### E. APPOINTMENT

The appointment of a nonpermanent employee shall follow established department procedures except that the nonpermanent employee may not be placed on the state payroll unless the Director of Personnel and Labor Relations has approved the personnel action for the employee's appointment. Therefore, after the Personnel Action (02-023) has been completed, signed and is ready for payroll, the department must send the central payroll copy and central personnel copy directly to the Director of Personnel and Labor Relations.

Those actions approved by the Director will be forwarded to central payroll. Actions not approved by the Director will be returned to the originating agency.

### F. FOLLOW UP ON TIME RESTRICTIONS

All nonpermanent employees are time restricted. The normal restriction is 120 days in a 12-month period. Project and program employees are

limited by the duration of the specified program or project. Substitute appointments are restricted by the department's identified ending date or the return of the permanent employee, whichever occurs first.

It is the employing department's responsibility to monitor all non-permanent appointments and originate timely separating personnel actions on or before the employment authority has expired.

#### G. EMERGENCY APPOINTMENTS

Emergency appointments do not require prior approval, eligible list certification or dispatch. However, use of these procedures is not precluded.

An emergency employee is:

"....an employee appointed for a period not to exceed 30 calendar days, whose appointment was made under conditions requiring immediate action to carry on work that is required in the public interest." AS 39.25.200(3)

Within 15 working days following an emergency appointment, the employing department shall certify the reasons for the appointment to the Director of Personnel and Labor Relations. There is not a prescribed form for this purpose. The certification shall be in the format of a letter or memorandum and must address the following subjects:

1. The reasons for appointing an emergency employee, including description of the work requiring continuance in the public interest and the location of the work.
2. What alternative actions to the appointment were considered or taken, such as:
  - a) reassignment of other employees
  - b) authorized overtime
  - c) request for assistance from other government agencies
3. The name of the emergency employees appointed.
4. The statement: "I hereby certify that the reported facts and statements are correct and that the emergency appointment is justified in accordance with AS 39.25.195 and AS 39.25.200(3).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Certifying Officer

This report must be certified by the Commissioner or person designated by the Commissioner under AS 39.25.200(1) to certify nonpermanent actions and must be received by the Director of Personnel and Labor Relations within 15 working days of the appointment.

STATE OF ALASKA  
CERTIFYING OFFICER'S AFFIDAVIT  
AS 39.25.195-200

I hereby designate \_\_\_\_\_ to certify documents in accordance with AS 39.25.200(1).

This designation is for a period of twelve months beginning from the date of the Department Head's signature. The designation is automatically ended at the time that the employee designated separates from employment with this department. This designation is subject to being revoked at any time by the Department Head notifying the Director of Personnel and Labor Relations in writing of such revocation.

DEPARTMENT \_\_\_\_\_

SIGNATURE OF DEPARTMENT HEAD \_\_\_\_\_

DATE \_\_\_\_\_

I have read and understand AS 39.25.195 - AS 39.25.200. The use of my signature stamp in exercising this designation shall be the same as if I personally sign the document and does not in any way diminish my responsibility.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Distribution:

- Director of Personnel & Labor Relations\*
- Director of Finance
- Employing Agency\*
- Employee Concerned

\* Must have original signatures.

TO All Personnel Officers

DATE September 19, 1979

FILE NO:

TELEPHONE NO:

*SW*  
FROM Sandra Withers, Director  
Division of Personnel &  
Labor Relations  
Department of Administration

SUBJECT Nonpermanent Employee  
Need Identification  
January-March 1980

The enclosed forms are for your use in planning for nonpermanent positions needed during the first quarter of 1980. The requested information will be used to identify recruitment needs and to develop the procedures necessary to assure compliance with Chapter 67, SLA 1979.

Please ask those in your department responsible for projecting employment needs to complete one form for each nonpermanent appointment you plan to make during the period January 1, through March 31, 1980. You will be asked to project your needs for the second quarter later.

The completed forms must be submitted to the Division of Personnel and Labor Relations by close of business October 3, 1979.

SW/ja

DIVISION OF PERSONNEL & LABOR RELATIONS

NONPERMANENT EMPLOYEE NEED IDENTIFICATION

1.	a) <input type="text"/>	b) <input type="text"/>	c) <input type="text"/>	d) <input type="text"/>	e) <input type="text"/>	<input type="text"/>	<input type="text"/>
	Dept.	Div.	Class Code	Geo. Code	Mo.	Day	Year
	Beginning Date						
2.	a) <input type="text"/>			b) <input type="text"/>			<input type="text"/>
	Supervisor Social Security Number			Mo.			Year
	Ending Date						
3.	<input type="text"/>						
	Supervisor's Name		Last	FIRST	M.		
4.	<input type="text"/>						
	Class Title of Nonpermanent Position						
5.	<input type="text"/>						
	Location of Nonpermanent Position						
COMMENTS:					DIV. OF PERSONNEL & LABOR RELATIONS		
					RECEIVED		
					RECORDED		
					VERIFIED		
Signature of individual filing this report					Reported		
6.	a) Date	b) Social Security Number				<input type="text"/>	<input type="text"/>
						B/U	Identification

25-25619/791 Per AS35 25.195-200

INSTRUCTIONS

This form is a planning tool to be used in identifying future needs for nonpermanent employees. It is not a formal request for hire. This information will allow the Division of Personnel & Labor Relations to anticipate your needs and direct its recruitment efforts accordingly.

Please complete a separate form for each nonpermanent position following the instructions below. Use the space for comments to provide additional information or explanation.

- Line 1:
- a) Department code
  - b) Division code for the division the nonpermanent position will be assigned to.
  - c) Class code. Most will have four digits, but some classes with more than one eligible list will have a letter in addition.
  - d) Geographic code for the location of the nonpermanent position.
  - e) Beginning date. That date the nonpermanent employee will report for work.

- Line 2:
- a) Social security number of person who will be assigned to supervise the nonpermanent employee.
  - b) Ending date. When will the work of the nonpermanent employee be completed?

Line 3: Name of the supervisor of the nonpermanent employee.

Line 4: Include the complete class title from the classification outline.

Line 5: Location of nonpermanent position. If there is more than one location, explain in the comments section.

Line 6: Signature of the person who by filing this report verifies the probable need for this nonpermanent position.

- Line 7:
- a) Date of report
  - b) Social security number of person filing the report.

12/79



STS: STATUS CODES

TYPE

- I Indicates an intended position.
- A Indicates an authorized position.
- D Indicates a position that has been filled and the work has been completed.
- E Indicates a position for which the authorization or the intended dates have passed.

- G Indicates program
- J Indicates project
- T Indicates normal
- E Indicates emergency

## INSTRUCTIONS

### Section A - Identification

- 1) Fill in the six character identification established for the position.

or

If no prior identification has been assigned complete a "Nonpermanent Employee Need Identification" card. Attach this card to the form and check (✓) the box indicating that it is attached.

- 2) Job Class: Indicate the class title of the position being requested.
- 3) Indicate if the position being requested is "normal" or "program" or "project." If the request is for a project position, statement 4 of Section C must be certified. If the request is for a program position, statement 5 of Section C must be certified. The distinction between program and project exists in the purpose of the employment. If the employment is to assist the individual employed such as CETA, student interns, and apprentices, the position is a program position and the employee must be appointed as such. If an additional position is being requested to complete a specific work project which is not a regular and continuing function of the department or agency, but will exceed 120 days, the position is a project position and the employee must be appointed as such.
- 4) Indicate if the position will be filled from a certification of eligibles or union dispatch or by other means consistent with AS 39.25.195-200 and the applicable collective bargaining agreement. If "other" is indicated sufficient explanation must be given.

### Section B - Funds Certified

This section must be signed by the Commissioner of the department or by a person designated by the Commissioner as a Certifying Officer in accordance with AS 39.25.200 (1).

### Section C - Reason Certified

The reason or reasons for the nonpermanent employee are indicated in this section. Not less than one of the five indicated reasons must be certified by the Commissioner or his designee per AS 39.25.200 (1). If more than one statement is appropriate each statement that is a correct description of the circumstances should be signed.

**SECTION A - IDENTIFICATION**

1)   OR  Nonpermanent employee need identification card (02-2561) is attached.

2) Job Class \_\_\_\_\_

3. This request is for a nonpermanent position as indicated:  Normal (120 day appt.)  Program  Project

4. If approved appointment will be made from:  Eligible List: Certification  Union Dispatch  Other: \_\_\_\_\_

**SECTION B - FUNDS CERTIFIED**

I certify that adequate money is available for the anticipated duration of this appointment

Signature of Certifying Officer \_\_\_\_\_ Date \_\_\_\_\_

**SECTION C - REASON CERTIFIED**

SIGN WHICHEVER OPTION APPLIES TO YOUR SITUATION

1) I certify that the legislature has appropriated money for the position proposed knowing that it is to be performed by a nonpermanent employee. The appropriation code and budget page reference is cited in Section D.

Signature of Certifying Officer \_\_\_\_\_ Date \_\_\_\_\_

2) I certify that there is an immediate need to fill an authorized, permanent position and it is impractical to establish the position or to make certification within a reasonable time. The authority, position and circumstances are explained in detail in Section D.

Signature of Certifying Officer \_\_\_\_\_ Date \_\_\_\_\_

3) I certify that an immediate need exists which this agency could not have reasonably anticipated and met through the creation of a permanent position. The circumstances and the reasons we could not anticipate this need are explained in Section D.

Signature of Certifying Officer \_\_\_\_\_ Date \_\_\_\_\_

4) I certify that a project exists and the need for an employee can be most appropriately met through the use of a project employee. The project and our needs are described in Section D.

Signature of Certifying Officer \_\_\_\_\_ Date \_\_\_\_\_

5) I certify that a program exists and the need for an employee can be most appropriately met through the use of a program employee. The program and our needs are described in Section D.

Signature of Certifying Officer \_\_\_\_\_ Date \_\_\_\_\_

**SECTION D - EXPLANATION**

1) REASON FOR REQUEST

CONTINUE ON REVERSE IF NECESSARY

**SECTION D (2) FUNDING SOURCE**

**SECTION D (3) DESCRIPTION OF DUTIES (P402 Optional)**

CONTINUE ON REVERSE IF NECESSARY

**SECTION E - APPROVAL**

Approved as Requested \_\_\_\_\_ Director of Personnel & Labor Relations \_\_\_\_\_ Date \_\_\_\_\_  
 Approved with Qualifications as Stated on Reverse in Comments \_\_\_\_\_

---

**SECTION D (1) Reason for Request - Continued**

---

**SECTION D (3) Description of Duties - Continued**

It is not necessary that sections B and C be signed by the same person. The person certifying Section C is also certifying the correctness of the explanations contained in Section D.

#### Section D - Explanation

This section is for detailed explanation of: 1) the reason for the request 2) identification of the funding source by sufficient codes so that the Division of Budget and Management can identify the source of the funds without additional information and 3) sufficient explanation of the duties assigned to this position so that proper class allocation can be verified.

**Request for Certification**

**Section A. To: Department of Administration Division of Personnel & Labor Relations**

Date <b>January 16, 1980</b>		Department <b>Fish and Game</b>
Position Title <b>Fish Culturist II</b>	Class Code <b>6124</b>	Position Control Number <b>11 B 016</b>
Location of Position <b>Tutka Lagoon</b>		Location Code <b>CYO</b>
Employee Replaces <b>n/a</b>		Date of Separation <b>n/a</b>
<b>HOURS OF WORK</b> <input type="checkbox"/> Full Time <input type="checkbox"/> Part Time		Date of Classification Action <b>Authorized 01/4/80</b>
<b>KIND OF POSITION</b> <input type="checkbox"/> Permanent <input checked="" type="checkbox"/> <del>Temporary</del> Non Permanent <input type="checkbox"/> Seasonal		
<b>ELIGIBLE LISTS</b> <input type="checkbox"/> Open Competitive <input type="checkbox"/> Departmental <input type="checkbox"/> Interdepartmental		
<b>SPECIAL REQUESTS</b> <input type="checkbox"/> Subfill with _____ job class <input type="checkbox"/> _____ Examining Option		
_____ Signature of Appointing Authority		_____ Personnel Officer Title

**Section B. Certification or Authorization**

**To: Requesting Department**

Date \_\_\_\_\_

The following Certification is hereby issued to your request:

<input type="checkbox"/> Complete Certification	<input type="checkbox"/> Agency Lay Off List
<input type="checkbox"/> Incomplete Certification (May be declined per RULE 5 03.5)	<input type="checkbox"/> Other _____

ATTACHED MASTER ( \_\_\_\_\_ ) FOR ( \_\_\_\_\_ ) CONSTITUTES THE CERTIFICATION OF ELIGIBLES TO FILL THIS POSITION.

ATTACHED MASTERS ( \_\_\_\_\_ ) FOR ( \_\_\_\_\_ ) AND ( \_\_\_\_\_ ) FOR ( \_\_\_\_\_ ) CONSTITUTE THE CERTIFICATION OF ELIGIBLES TO FILL OR SUBFILL THIS POSITION RESPECTIVELY.

ATTACHED MASTERS ( \_\_\_\_\_ ) FOR ( \_\_\_\_\_ ) AND ( \_\_\_\_\_ ) FOR ( \_\_\_\_\_ ) CONSTITUTE THE CERTIFICATION OF ELIGIBLES TO FILL THIS POSITION. THE ELIGIBLE LIST FOR ( \_\_\_\_\_ ) HAS BEEN AUGMENTED FROM THE ELIGIBLE LIST FOR ( \_\_\_\_\_ ). ANY APPOINTMENT SHOULD BE MADE TO THE CLASS OF ( \_\_\_\_\_ ).

The following Authorization is hereby issued in response to your request:

<input type="checkbox"/> Provisional Appointment	If no selection has been reported by _____ this authority is automatically rescinded.	
<input type="checkbox"/> In absence of appropriate eligible list	<input type="checkbox"/> Incomplete eligible list	<input type="checkbox"/> Subfilling with _____ class
<input type="checkbox"/> Temporary Appointment	<input type="checkbox"/> Other _____	

By \_\_\_\_\_  
The Director of Personnel & Labor Relations

**Section C. Action of Appointing Authority**

Date _____	Return to Department of Administration Division of Personnel & Labor Relations as soon as you have made your selection, if not from the eligible list, attach application.
Appointee _____	Effective date of Appointment _____
<b>STATUS OF APPOINTEE</b> <input type="checkbox"/> Probationary <input type="checkbox"/> Provisional <input type="checkbox"/> Subfill <input type="checkbox"/> Substitute <input type="checkbox"/> Seasonal <input type="checkbox"/> Incomplete certification declined <input type="checkbox"/> Returned for the following reason _____ <input type="checkbox"/> Temporary	
_____ Signature of Appointing Authority	_____ Title

TO: [ All Personnel Officers  
All Administrative Directors

DATE: August 21, 1979

FILE NO

TELEPHONE NO

FROM: *S. Withers*  
Sandra Withers, Director  
Division of Personnel and  
Labor Relations  
Department of Administration

SUBJECT: Non-permanent Employees

Effective January 1, 1980, Chapter 67, SLA 1979, goes into effect. This new law will substantially change procedures governing the hire and retention of non-permanent (temporary) employees.

We are preparing draft regulations to administer the law, and plan to hold personnel council meetings to review the draft and solicit recommendations. The first meeting is scheduled at 10:00 a.m. on September 4, 1979, in the testing room of the Division of Personnel and Labor Relations, 10th floor, State Office Building. The meeting should be attended by each department Personnel Officer and their immediate supervisors, if desired. This meeting will address principles, general needs and the changes which must be made in how we handle non-permanent employment. Of particular concern is that we be prepared to comply with this law on January 1, 1980. We must have procedures ready at that time to:

- 1) Expedite the processing of requests for non-permanent hire;
- 2) Provide for certification of eligible lists; and
- 3) Know the specific numbers, job classes and locations of prospective non-permanent positions.

In the near future, we will be asking for you to identify non-permanent employment needs, and we will request that the information be provided for each department for the first quarter of calendar year 1980. This information will be part of the data base for reports to the Legislature and will direct recruiting efforts to assure that projected employment needs can be met.

Temporary appointments made up to the close of business on December 31, 1979, may last for 120 days from January 1, 1980 or six months from the date of appointment, whichever is less. After that time, the 120 day limit on non-permanent appointments will be in effect. Please note that the law requires prior approval for all non-permanent appointments. It is imperative that you inform all program managers within your department of these new limitations immediately so they may begin planning for what amounts to a substantial change in the way we do business.

If these changes are going to necessitate the establishment of permanent positions in the absence of temporaries to meet your program needs, we strongly suggest that you begin immediately to develop position descriptions and secure necessary budget approval.

The Division of Budget and Management has pledged their assistance in converting funds authorized for temporaries to permanent full-time, part-time and seasonal positions. A "New Position Authorization" (01-021) form issued by Budget and Management will be required for each permanent position established. Procedures for establishing such positions are on page 63 of "A Guide to Revised Program Procedures" issued by the Division of Budget and Management (May, 1979). The fall season is the peak of activity for Budget and Management, yet they have committed themselves to responding on or before November 15, to all requests received prior to October 1.

SW/ljs  
Attachment: Chapter 67, SLA 1979.

02 OCT 18 1979

STATE  
of ALASKA

# MEMORANDUM

TO All Personnel Officers

DATE September 14, 1979

FILE NO

TELEPHONE NO

FROM *SW*  
Sandra Withers, Director  
Division of Personnel and  
Labor Relations  
Department of Administration

SUBJECT Chapter 67 SLA 1979  
Non-Permanent Employees

As recommended and requested by the Personnel Council Committee on implementation of Chapter 67 SLA 1979, will you please provide a listing of all new permanent positions you intend to establish because of the revised statutes addressing non-permanent employees. The Committee is trying to anticipate the demands that will be placed on the Classification and Pay Section and plan for the timely processing of the increased demand.

Please provide on or before September 21, 1979:

- The number of new positions you expect to establish
- The job class of each position
- The duty station for each position

Thank you.

CETA POSITIONS  
BY CONTRACT WITH  
THE MUNICIPALITY OF ANCHORAGE

The following actions are necessary for the establishment and filling of nonpermanent positions established as State positions under CETA funds by contract with the Municipality of Anchorage.

ESTABLISHMENT OF POSITIONS

The employing department shall establish the position(s) in accordance with steps A through C of "Nonpermanent Appointment Procedures". The position shall be identified as a program position funded under C.E.T.A. contract with the Municipality of Anchorage. The ending date of the position shall be consistent with the contract and may be extended as the contract is amended or renewed.

FILLING OF POSITIONS

The filling of these positions will continue to be made from certifications by the Municipality of Anchorage. The necessary steps are:

- A. Request and receive appropriate "C.E.T.A. Certification List" from Municipality of Anchorage,
- B. Make selection from among those certified or request additional certification,
- C. Notify Municipality of selection in the manner they designate,
- D. Prepare State personnel action attaching to it a copy of "C.E.T.A. Certification List" used and a State employment application by the individual selected,
- E. Proceed with steps E and F of "Nonpermanent Appointment Procedures".

## CETA POSITIONS BY CONTRACT

### WITH DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS

The following actions are necessary for the establishment and filling of nonpermanent positions established as a condition of a contract with the Department of Community and Regional Affairs, CETA Division.

#### ESTABLISHMENT OF POSITIONS

The employing department shall establish the position(s) in accordance with steps A through C of "Nonpermanent Appointment Procedures." The position shall be identified as a program position funded under CETA contract with the Department of Community and Regional Affairs. The ending date of the position shall be consistent with the contract and may be changed as the contract is amended or renewed.

#### FILLING OF POSITION

The filling of these positions will be made from referrals by the local Employment Service office, Alaska Department of Labor. The necessary steps are:

- A Place job order with the local Employment Service office. When placing the order inform the referral office that the position is a nonpermanent CETA-funded position and the State job classification.
- B The Employment Service will refer applicants that appear to meet CETA program eligibility requirements and the State's minimum qualifications for the intended job class.
- C The employing department will make a tentative selection from among those referred after determining that the individual selected meets the minimum qualifications for the job class. In addition, the employing department will complete the following forms for the selected individual.

CETA Eligibility Determination/Enrollment (21-45-344)

CETA Application (21-45-306)

State of Alaska Employment Application (02-250)

- D The employing department transmits the CETA Eligibility Determination and Application forms to the nearest CETA regional office for review and certification. The employing department will not appoint the individual until notified by the CETA Division that the individual has been certified as eligible.

- E Notice of eligibility certification is received from the CETA Division and the employing department appoints the individual and notifies the Employment Service office.
- F Prepare personnel action and attach to it the employee's State Employment Application and evidence that the individual was referred by the Employment Service.
- G Proceed with steps E and F of "Nonpermanent Appointment Procedures".

SB

361

(7)

# COMMITTEE REPORT

## HOUSE

2/7/80

FURTHER:

Date: 2-26-80

Mr. Speaker:

The Committee on STATE AFFAIRS has had SB 361 am

"An Act authorizing the sale of state flags which have flown over the state capitol."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)  same title
- replace with CS for \_\_\_\_\_  new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

[Signature]

[Signature]

Terry Harshbarger

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[Signature]

CHAIRMAN

Alaska State Legislature



SENATOR MIKE COLLETTA

SENATE MAJORITY LEADER

Senate

MEMORANDUM

February 19, 1980

TO: Representative Mike Miller  
Chairman  
House State Affairs Committee

FROM: Senator Mike Colletta *Mike Colletta*

RE: Sb <sup>361</sup>~~316~~ "State Flags"

Enclosed for your review, please find information regarding Senate Bill 361, "An Act authorizing the sale of state flags which have flown over the state capitol", which your committee will be hearing this week.

Please note that several requests for flags have already been received.

ENCLOSURES

flag  
FEB 19 1980

JERRY W. TOKAR

200 W. NORTHERN LIGHTS BLVD. • ANCHORAGE, ALASKA 99503

February 14, 1980

Senator Mike Colletta  
Alaska Senate  
State Capitol  
Juneau, AK 99811

Subject: Alaska State Flags

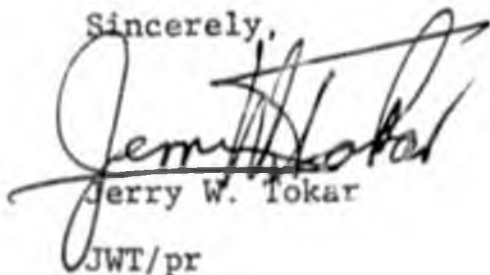
Dear Senator Colletta:

I read with interest the article that the Anchorage Times carried pertaining to your sponsoring a bill that would make available Alaska state flags that had flown over the capitol.

I am most interested in acquiring one of those flags. Would you please advise me if and when it would be possible for me to do this. Your help in the matter would be greatly appreciated.

Looking forward to hearing from you in the very near future.

Sincerely,

  
Jerry W. Tokar

JWT/pr

February 19, 1980

Jerry W. Tokar  
206 W. Northern Lights Blvd.  
Anchorage, AK 99503

Dear Jerry:

Thank you for your note indicating your support for Senate Bill 361, "An Act authorizing the sale of state flags which have flown over the state capitol". Senate Bill 361 is now in House State Affairs Committee and will be heard this week. I am enclosing a copy of the bill for your review.

I have also taken the liberty of forwarding a copy of your letter to Commissioner Robert Ward, Department of Transportation and Public Facilities requesting he contact you when the legislation has passed and the flags are available.

Again, thank you for your comments. Should you have questions or comments regarding this or other matters before the legislature, please do not hesitate to contact me.

Sincerely,

Mike Colletta  
Senate Majority Leader

MC/pb

cc: Commissioner Ward

February 18, 1980

J. Paul Holley, Jr.  
S.R.A., Box 30 Y  
Anchorage, Alaska 99507

Dear Paul,

Thank you for your letter and further information regarding Senate Bill 361. I have taken the liberty of forwarding to Commissioner Robert Ward, Department of Transportation and Public Facilities, your request for the first flag, as well as the certificate provided to you by Senator Stevens' Office.

As Senate Bill 361 will be heard this week in the House State Affairs Committee, I have also forwarded your information to the Chairman, Representative Mike Miller.

I enjoyed hearing from you and offer best wishes and many successful years in your new business association.

Sincerely,

Mike Colletta  
Senate Majority Leader

MC/ins

cc: Representative Mike Miller  
Commissioner Robert Ward



NORTHERN TECHNICAL SERVICES  
900 WEST FIFTH AVENUE, SUITE 240 • ANCHORAGE, ALASKA 99501  
(907) 276-4302

February 7, 1980

Honorable Mike Colletta  
Senate Floor Leader  
Alaska State Legislature  
Mailstop Number 3100  
Juneau, Alaska 99811

Dear Mike:

As you can see on the enclosed copy of my letter to Senator Mulcahy, I am delighted about Senate Bill No. 361 which you kindly sponsored.

You know, one of the pleasures of living here in Alaska has been the opportunity to participate in civic and other affairs just to be part of things, or be able to add anything at all to the state or to the community in which we live. That's why the Governor's Round Table and now the "Flag Bill" have been personally rewarding to me.

If at all possible, I would like very much to have the first flag that is offered and, in conclusion, have enclosed information. Ted Stevens kindly sent along with my U. S. flag, including the certification that it was flown over the capitol by George M. White, FAIA, Architect of the Capitol.

My best regards.

NORTHERN TECHNICAL SERVICES

  
J. Paul Holley, Jr.  
Senior Associate

JPH/jh

Enclosure



NORTHERN TECHNICAL SERVICES  
900 WEST FIFTH AVENUE, SUITE 240 • ANCHORAGE, ALASKA 99501  
(907) 276-4302

February 8, 1980

Honorable Bob Mulcahy, Chairman  
Senate State Affairs Committee  
Alaska State Legislature  
Mailstop Number 3100  
Juneau, Alaska 99811

Dear Senator:

I wanted to personally thank you not only for your support of Senate Bill No. 361 (Colletta) but, in addition, your expeditious handling of this legislation. I should also like to thank Vice Chairman Kelly and Committee Members Bradley, Rodey, and Ziegler.

It is a personal thrill for me to watch my idea spawn and glow, and then turn into a reality. I am sure the public response will be great, as I know many Alaskans would welcome the opportunity to demonstrate their love of state by display of our grand flag--a flag flown over our capitol.

Sincerely,

NORTHERN TECHNICAL SERVICES



J. Paul Holley, Jr.  
Senior Associate

JPH/jh

cc: Senator Colletta  
Senator Kelly  
Senator Bradley  
Senator Rodey  
Senator Ziegler

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JAKE GARN, UTAH  
MARRISON SCHMITT, N. MEX.

## United States Senate

COMMITTEE ON APPROPRIATIONS  
WASHINGTON, D.C. 20510

October 1, 1979

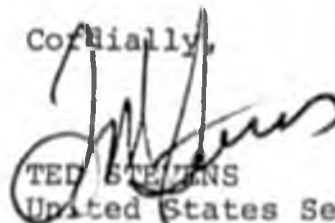
Mr. J. Paul Holley, Jr.  
State Route A  
Box 30Y  
Anchorage, Alaska 99507

Dear Paul:

Attached is the flag which was raised over the United States Capitol, per your request. I apologize for the delay in getting it to you, but we had a mix-up in the mails.

With best wishes,

Cordially,



TED STEVENS  
United States Senator

Attachment



# THE FLAG OF THE UNITED STATES OF AMERICA

This is to certify that the accompanying flag was  
flown over the United States Capitol on July 12, 1979,  
at the request of the Honorable Ted Stevens,  
United States Senator.

This flag was flown for Mr. J. Paul Holley, Jr. of  
Anchorage, Alaska.

*George M. White*  
George M. White, FAIA  
Architect of the Capitol

## OUR FIRST AMERICAN FLAGS

In the first years of the Revolutionary War, Americans fought under many flags. One of them, the Grand Union Flag, or Continental Colors, flew over George Washington's headquarters near Boston. It was the first American flag to be officially recognized by another country.

On November 16, 1776, the American warship, Andrew Doria, saluted a Dutch fort in the West Indies and was saluted in return. This brought a measure of international recognition to the United Colonies.

A flag with thirteen stars and thirteen stripes received its first salute from another country on February 14, 1778, when French vessels in Quiberon Bay, France, saluted John Paul Jones and his ship "The Ranger".

No one knows who designed the first stars and stripes, or who made the first one. Soon after the flag was adopted, Congressman Francis Hopkinson claimed that he had designed it. Some historians believe that Betsy Ross, a Philadelphia seamstress, made the first U. S. flag.

On June 14, 1777, in order to establish an official flag for the new nation, the Continental Congress passed the first Flag Act: "Resolved, That the flag of the thirteen United States be thirteen stripes alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation."

"We Flag The Nation"

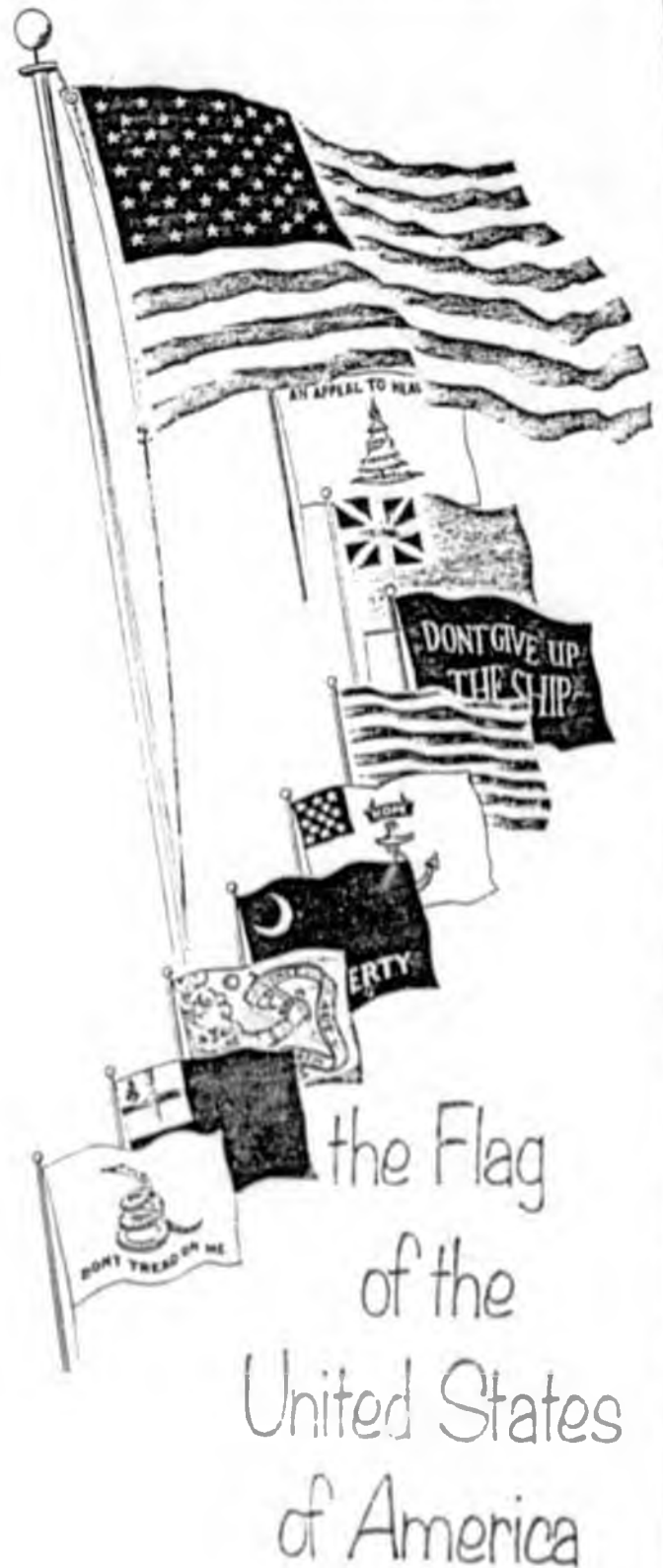


U. S. Flags • Church Flags • Flag Accessories • Yacht, Ship and Boat Flags • Golf Flags • Automobile and Danger Flags • Detco Process, centers, special designs • Decorations, Pennant strings, bunting • City, Red Cross, Community Chest, and Confederate Flags • Advertising and House Flags, Pennants • State Flags • Service Club, Fireman's, Fraternal Order Flags and Banners • Military Flags and Guidons • Bugle Banners • Patriotic Organizations, Auxiliary, Junior Flags and Bugle Banners • School and Band Parade Flags and Banners.

ASK ABOUT DETRA'S award winning, 16 mm, color, sound movie, "OUR U. S. FLAG" —available for schools, clubs.



3008 77



J. PAUL HOLLEY, JR.  
STAR ROUTE A  
BOX 30Y  
ANCHORAGE, ALASKA 99507

July 5, 1979

The Honorable Ted Stevens  
United States Senate  
Room 260  
Russell Senate Office Building  
Washington, D.C. 20510

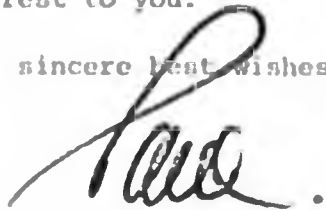
Dear Ted:

I have been instructed to write your Washington office to purchase one of our American flags that has flown over the Capitol. Enclosed please find my personal check in the amount of \$6.65 for a 3' x 5' nylon flag.

What a great idea this is. As I find it so difficult to purchase an Alaskan State flag, even though residing in the state, I am going to pass along a copy of this letter to Mike Colletta, and suggest the concept is certainly grand enough to investigate for our home state.

Also enclosed is a recent article about the newly formed "Governor's Round Table" which I am sure will be of great interest to you.

My sincere best wishes,



J. Paul Holley, Jr.

cc: Senator Colletta

J. PAUL HOLLEY, JR.



HOFFMAN CONSTRUCTION COMPANY  
3201 C STREET ANCHORAGE, ALASKA 99503  
907-276-1826



JAY S. HAMMOND  
GOVERNOR



State  
Flag

FEB 12 1980

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

February 12, 1980

The Honorable Mike Colletta  
Majority Leader  
Alaska State Senate  
Pouch V  
Juneau, Alaska 99811

Dear Mike:

Thank you for your letter of February 5, 1980  
regarding the possibility of placing a flag  
pole on the Capitol Building.

Upon receipt of your letter I contacted Commissioner  
Ward and asked him to investigate this matter  
to see if a flag pole could be placed on the  
Capitol Building. As soon as Commissioner Ward  
completes his review of this situation, either  
he or I will contact you directly.

Sincerely,

A large, stylized handwritten signature of Jay S. Hammond, written in black ink.

Jay S. Hammond  
Governor

February 5, 1980

The Honorable Jay S. Hammond  
Governor  
State of Alaska  
Pouch A  
Juneau, Alaska 99811

Dear Governor Hammond,

As the sponsor of Senate Bill No. 361, "An Act authorizing the sale of state flags which have flown over the state capitol", it has come to my attention that there is no flag pole on our Capitol Building.

Upon checking with the Department of Transportation, I was informed that several years ago, probably when the building roof was repaired, the decision was made, for convenience sake, to utilize the flag poles in the Court Building Plaza.

I would appreciate your reviewing this matter. In light of the enclosed bill, if there is no imperative reason such as hazard or increased cost, perhaps this policy could be changed.

Sincerely,

Mike Colletta  
Senate Majority Leader

Enclosure

MC/ns

FEB 5 1980

STATE OF ALASKA  
THE LEGISLATURE

POUCHY STATECAF OL  
JUNEAU ALASKA 99 811  
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 5, 1980

SUBJECT: Sale of state flags which have flown over  
the state capitol. (SB 361)

TO: Senator Mike Colletta

FROM: John B. Chenoweth  
Legislative Counsel

It is, perhaps, a symptom of the times in which we live -- or maybe just an oversight on the part of the current administration -- that, in response to a bill you introduced by which the commissioner of transportation and public facilities "shall make available to members of the public official state flags which he certifies have flown over the state capitol (emphasis added)," the fiscal note prepared by that department for that bill assumes "[utilization of] existing flagpoles in Court Building Plaza." See Senate Journal Supplement Number 5, February 4, 1980.

You may wish to ask that the record, as evidenced by the fiscal note, be corrected.

JBC:ljb

MIKE:

Flags that have flown over the U.S. Capitol make a good gift...  
 \$4.86 for a 3-ft.-by-5-ft. cotton or \$6.51 for the same size in nylon.  
 Order them directly from your congressman...make the check out to him.  
 Or you can get them through your senator...\$5.35 for a 3-by-5-ft. cotton,  
 \$6.65 for nylon, with your check payable to the Keeper of Stationery.  
 No one can explain the price difference. Larger sizes are available.

*703 STATE ST. WASH DC 20510*  
*CON-260 JACK WIPPLINGER W4*  
*1/16 TO LETTER 2-16-79*

*SVB 1-1-79*



Robert J. Faso  
 2100 Campbell Place  
 Anchorage Alaska 99507

Dear Senator Colletta:

I cut out the enclosed article which I read recently & I like your idea.

I'd like my name put on a list of interested flag purchasers.

FEB 13 1977

**Flag sale, pay advice passed**

Associated Press

Juneau — The Senate has approved a bill to allow the sale of state flags that have flown at the Capitol Building and a resolution urging President Carter to restore the 25 percent cost-of-living allowance for federal employees.

Sen. Mike Colletta, R-Anchorage and sponsor of the flag bill, said flags should be available at cost to persons who want to buy them. He said the flags would sell for about \$15 to \$18. The bill was approved unanimously and sent to the House.



COLLETTA

Also sent to the House a resolution which asks for restoration of the 25 percent cost-of-living adjustment for federal employees in Alaska.

Carter announced this year that it was being reduced to 22.5 percent for employees in Juneau and 20 percent in Anchorage.

Thank You,

Robert J. Faso

SB

470

COMMITTEE REPORT

HOUSE

(7)

FURTHER:

5/12/80

Date: MAY 16, 1980

Mr. Speaker:

The Committee on STATE AFFAIRS has had CSSB 470

"An Act relating to the inherent risks of skiing; and providing for an effective date."

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for CSSB 470  same title  
 new title
- and recommends \_\_\_\_\_
- AND attaches a "Letter of Intent"  New Fiscal Note
- reports it back without recommendation
- referred to the \_\_\_\_\_ Committee

MEMBERS SIGNING  
DO PASS

John D. Fuller

George W. ...

...

...

...

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MEMBERS HAVING  
OTHER RECOMMENDATIONS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

John D. Fuller

CHAIRMAN



APR 29 1980

SB-470



P.O. BOX 249

GIRDWOOD, ALASKA 99587

April 26, 1980

Dear Senator:

Your help is needed to pass an important piece of legislation for the ski industry - S.B. 470.

In operating a ski area, we have a tremendous responsibility to provide safe uphill transportation and maintained slopes. We are regulated by very specific state and federal safety codes, and we have annual inspections by our insurance company; and state; and the U. S. Forest Service to insure we are in complete compliance with all regulations. We perform extensive avalanche control work at great expense to the area to insure the safety of the slopes. In addition, we provide well-trained personnel and directional signs for skiers.

At the same time we feel there has to be a certain assumption of risk by the skier and that the skier must be aware that there is an inherent risk in this sport, as in other sports and daily activities, that are beyond the control of ski area operations. We need protection from ambulance chasers trying to make a fast buck off the ski area. In the end this will increase the cost of the sport for everyone.

S.B. 470 which is now being reworded slightly is short and to the point. Longer versions have been passed by other states but these have gone into details that are already included in the National Tramway Safety Code. Similar legislation was introduced several years ago but did not get out of committee before the legislature adjourned. This year, we hope we will be able to get something signed into law this session.

The various other organizations involved in the sport of skiing that support this type of legislation 100 percent are the United States Ski Association - Alaska Division, National Ski Patrol System, National Ski Areas Association, U. S. Forest Service, and my fellow ski area operators in the State of Alaska. The sport of skiing is

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(907) 763 2222



S. B. 470  
April 26, 1980  
Page 2

very popular in the State and creates a good tax base and a substantial amount of employment.

When this bill comes to the floor of the Senate, I would very much appreciate your strong support. Please feel free to contact me for more information. I have attached copies of some letters of support I have received for such legislation.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Chris von Imhof". The signature is written in dark ink and is positioned above the typed name and title.

Chris von Imhof  
Executive Vice President and  
General Manager

CVI/bbp  
Attachments 4

MR. CHAIRMAN, AND MEMBERS OF THE HOUSE JUDICIARY COMMITTEE: MY NAME IS BOB JANES, AND I AM TESTIFYING TODAY ON BEHALF OF THE NATIONAL SKI PATROL SYSTEM IN ALASKA, IN SUPPORT OF HOUSE BILL NO. 860.

THE ALASKA DIVISION OF THE NATIONAL SKI PATROL SYSTEM (NSPS) IS AN ORGANIZATION WITH MORE THAN 300 VOLUNTEER SKI PATROLLERS, IN 13 DIFFERENT PATROLS THROUGHOUT THE STATE. WE HAVE TWO BASIC MISSIONS: (1) TO PROVIDE EMERGENCY CARE AND RESCUE TO SKIERS INJURED IN THE SPORT, OR CAUGHT IN SNOW AVALANCHES; AND (2) TO EDUCATE SKIERS IN THE PREVENTION OF SKI RELATED ACCIDENTS.

WE AGREE WITH THE CONCEPT OF H.B. NO. 860 WHICH ADDRESSES THE RISKS INHERENT IN THE SPORT OF SKIING. SKI AREA OPERATORS IN THE STATE DEFINITELY NEED PROTECTION FROM UNJUSTIFIED LIABILITY INSURANCE CLAIMS ASSOCIATED WITH THE NATURAL RISKS OF THE SPORT. AT THE SAME TIME, WE ARE CONCERNED THAT SKIERS MUST ALSO BE ADEQUATELY PROTECTED AGAINST ANY FORM OF NEGLIGENCE CAUSED BY SKI AREA OPERATORS.

WE BELIEVE WITH A FEW MODIFICATIONS, THE PROPOSED STATUTE CAN ACHIEVE EQUITABLE PROTECTION FOR BOTH SKI AREA OPERATORS AND THE USING PUBLIC.

RA  
SUGGESTED REVISIONS TO SEC. 09.10.320 ARE:

1. (C). EXPAND ON SNOW OR ICE CONDITIONS TO CLARIFY THAT VARIATIONS MAY OCCUR BECAUSE OF WEATHER FACTORS AND/OR HILL GROOMING PRACTICES.
2. (D). ELIMINATE THE WORD "STUMPS". THESE ARE PROBABLY MAN-INDUCED OBSTACLES THAT SHOULD BE EITHER ELIMINATED, REDUCED, OR MARKED AS HAZARDS BY THE SKI AREA OPERATOR. ~~XXXXXXXXXXXX~~

(MORE)

---

Testimony presented by Bob Janes, Regional Director, Alaska Division, National Ski Patrol System, Inc.

3. (F). THE INTENT OF THIS PROVISION IS PROBABLY TO RECOGNIZE THAT ANY SKIER IS RESPONSIBLE FOR HIS OR HER OWN RECKLESSNESS; HOWEVER, THERE ARE RECOGNIZED DANGEROUS LOCATIONS ON SLOPES THAT SKI AREA OPERATORS SHOULD BE RESPONSIBLE TO SIGN FOR CAUTIONARY PURPOSES. THESE INCLUDE WHERE PRIMARY TRAILS MERGE, CONGESTED AREAS NEAR BASE FACILITIES, ETC. THE DETAILS COULD BE SPECIFIED IN AN APPROVED SNOW SAFETY PLAN FOR THE AREA.

4. ADD AN ITEM PERTAINING TO SNOW AVALANCHES, WITH WORDING SUCH AS "SNOW AVALANCHES WHERE CONTROL MEASURES HAVE BEEN TAKEN IN ACCORDANCE WITH AN APPROVED SNOW SAFETY PLAN FOR THE AREA".

LASTLY, WE SUGGEST ADDING A NEW SECTION, AS FOLLOWS: SEC. 09.10.330 SNOW SAFETY PLAN. "FOR THE PROTECTION OF SKIERS, A SKI AREA OPERATOR SHALL ADOPT A SNOW SAFETY PLAN THAT CONSIDERS THOSE RISKS AND HAZARDS WHICH ARE NOT AN INTEGRAL PART OF THE SPORT OF SKIING FOR THAT PARTICULAR AREA. THE PLAN WILL SPECIFY PREVENTION AND/OR CORRECTIVE MEASURES TO DEAL WITH SUCH RISKS AND HAZARDS".

WITH THE ABOVE SUGGESTED CHANGES IN MIND, WE URGE EARLY PASSAGE OF THIS IMPORTANT PROPOSED LEGISLATION.

*R.C. Jones*

.....

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



UNITED STATES POSTAL SERVICE  
POST OFFICE BOX 100  
ANCHORAGE, ALASKA 99501

April 22, 1961

Alaska State Legislator  
Juneau, Alaska

Dear Alaska State Legislator:

I am writing this letter and basing my request for action both as President of the Alaska Division, U.S. Ski Association and having been on the National Board of Directors of the U.S. Ski Association for the past two years.

Ski areas across the United States are forced with skyrocketing insurance costs which contributes to price increase in lift tickets. Both locally and nationally the ski clubs and associations have seen a need for years for some type of protective legislation to help stem the rise of unwarranted and ridiculous liability suits against ski areas. There is inherent risk in skiing and is it not time we all recognize this?

While I support in concept SB 470 and HB 650, I must add there should also be a requirement on ski areas to maintain their equipment and train their personnel to operate said equipment in a safe and sane manner.

As I said, I could support this type of legislation limiting ski area responsibility if areas were also required to have approved "Snow Safety Plans" in operation; speaking to avalanche control, personnel training, emergency evacuation, and other common sense type of safety precautions. The ski areas should also be required to operate their lifts in compliance with the National Lift and Tramway Code as regulated by the American National Standards Institute.

In conclusion, I urge consideration for legislation speaking to the inherent risk of skiing.

Sincerely,

*Sam Hayes*

Sam Hayes, President  
U.S. Ski Association - Alaska Division

SH/66

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

SB 470  
skiing

MAY 15 1980



# YAKUTAT CITY SCHOOL DISTRICT

BOX 227  
YAKUTAT, ALASKA 99689

JOHN NOVAK, SUPERINTENDENT  
LIZ BOARIO, ELEMENTARY PRINCIPAL

(907) 784-3318  
(907) 784-3394

May 14, 1980

Senator Mike Colletta  
Alaska State Senate  
Pouch V  
Juneau, Alaska 99811

Dear Senator Colletta:

I would like to express my strong support of CS SB 470 relating to the inherent risks of skiing.

I believe that this is an enlightened piece of legislation and deserves prompt passage. As a skier, I believe it will keep the costs of the sport down to a manageable level.

I certainly think arguments in opposition to this bill are capricious. The thing that makes skiing fun is its risks. I would hate to feel that only the insurance companies are taking risks when I go skiing.

Sincerely yours,

John S. Novak

cc: Representative Dick Eliason

# Alaska RESORT



P.O. BOX 249

GIRDWOOD, ALASKA 99587

March 16, 1980

Representative Charles Parr  
Chairman, House Judiciary Committee  
Pouch V  
Juneau, Alaska 99811

Dear Representative Parr:

Your help is needed to pass an important piece of legislation for the ski industry - H.B. 860 (attached). I have outlined the problem faced by the ski industry in a letter dated January 27 (attached) to Senator Mike Colletta and Representatives Joyce Munson and Ray Metcalf who represent our district. Also, for your information I have attached copies of similar legislation passed by the states of Washington, Oregon, Utah, and Colorado.

In operating a ski area, we have a tremendous responsibility to provide safe uphill transportation and maintained slopes. We are regulated by very specific state and federal safety codes, and we have annual inspections by our insurance company; the State; and the U. S. Forest Service to insure we are in complete compliance with all regulations. We perform extensive avalanche control work at great expense to the area to insure the safety of the slopes. In addition we provide well-trained personnel and directional signs for skiers.

At the same time we feel there has to be a certain assumption of risk by the skier and that the skier must be aware that there is an inherent risk in this sport, as in other sports and daily activities, that are beyond the control of ski area operators. We need protection from ambulance chasers trying to make a fast buck off the ski area. In the end this will increase the cost of the sport for everyone.

The attached draft bill is short and to the point. Longer versions have been passed by other states but these have gone into details that are already included in the National Tramway Safety Code. Similar legislation had been introduced several years ago but did not get out of committee before the legislature adjourned. This year I hope will be different and that we can get something on the books. If at all possible could you please schedule this particular bill on your calendar for a committee hearing. Please feel free to contact me for more information or if you would like me to testify.

ALASKA'S LARGEST YEAR-ROUND RESORT & SKI FACILITY

(907) 783-2222



Representative Charles Parr

-2-

March 16, 1980

The various other organizations involved in the sport of skiing that support this type of legislation 100 percent are the United States Ski Association - Alaska Division, National Ski Patrol System, National Ski Areas Association, U. S. Forest Service, and my fellow ski area operators in the State of Alaska. The sport of skiing is very popular in the State and creates a good tax base and a substantial amount of employment.

We would appreciate your strong support in passing this legislation out of committee so it can come up before the House.

Sincerely yours,

A handwritten signature in dark ink that reads "Chris von Imhof". The signature is written in a cursive style with a large, prominent "C" at the beginning.

Chris von Imhof  
Executive Vice President and  
General Manager

CVI/bbp  
Attachments

Copy to Nels Anderson  
Thelma Buchholdt  
Ramona Barnes  
Terry Martin  
Patrick O'Connell  
Randy Phillips  
Mike Colletta

Alaska State Legislature



SENATOR MIKE COLLETTA

SENATE MAJORITY LEADER

Senate

RECEIVED

FEB 27

February 21, 1980

ALASKA STATE LEGISLATURE, INC.

Chris von Imhof  
Vice President  
Alyeska Resort  
P. O. Box 249  
Girdwood, Alaska 99587

Dear Chris,

Per your request, I have introduced Senate Bill 470, "An Act relating to the inherent risks of skiing", which is enclosed for your review. Also enclosed is House Bill 860 that was introduced in the House concurrently by Representative Joyce Munson.

Please note that SB 470 has been referred to the Senate State Affairs Committee and Finance Committee. I would suggest that you provide Senator Mulcahy and Senator Sackett, Chairmen of the respective committees, with any back up information and testimony you may have gathered. For your convenience, also enclosed is a Committee Assignment List.

House Bill 860 has been referred to the House Judiciary Committee, therefore, Representative Charles Parr should also receive information regarding this issue.

If you have any questions or comments regarding this or other legislative matters, please feel free to contact me.

Best wishes,

*Mike Colletta*

Mike Colletta  
Senate Majority Leader

MC/ms

Enclosures

P.S. Chris: SB 302

avalanche will pass the  
Senate within 10 days, and  
there is no problem with it on  
the house side  
thanks



P.O. BOX 249

GIRLWOOD, ALASKA 99587

January 27, 1980

Senator Mike Colletta,  
Representative Joyce Munson, and  
Representative Ray Metcalfe  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Mike, Joyce, and Ray:

I would like to review with you a problem faced by our ski area - rising liability insurance premiums.

Insurance premiums for ski areas nationwide have skyrocketed. Alyeska now pays nearly \$85,000 in liability premiums alone. The primary reason for increasing insurance rates is expensive settlements of nuisance claims against ski areas for injuries incurred by skiers through no fault of the area.

The ski industry is heavily regulated with regard to the safety of uphill transportation. All lifts must be built and operated according to the National Tramway Safety Code. Ours are no exception. We try to provide safe skiing by doing extensive avalanche control work, marking off unsafe areas, and placing signs to inform skiers of what to expect. Yet, we find ourselves more and more having to defend against claims by skiers who have collided with one another, hit ruts, skied out of control, or run into trees, etc. These types of accidents are impossible for the resort to control.

Many states have now put legislation on the books establishing a certain assumption of risk by the skier himself. I would like to ask your help in passing similar legislation for the State of Alaska.

Enclosed are copies of legislation enacted by Utah, Washington, Oregon, and Colorado. The Utah bill is the one I like best for our purposes. I wonder if I might impose on you to review these bills or have one of your assistants review them with the idea of drafting up a similar bill for Alaska. I can assure you that my colleagues at Arctic Valley and Eagle Crest would heartily concur. The United States Ski Association (USSA) and the National Ski Areas

ALASKA'S LARGEST YEAR ROUND RESORT & SKI FACILITY

(907) 763-2222



Senator Mike Colletta,  
Representative Joyce Munson, and  
Representative Ray Metcalfe

-2-

January 27, 1980

Association and other ski-related organizations support such legislation. They realize that if ski areas do not get some type of protection, the cost of skiing will keep in step with rising insurance costs and soon the sport will be prohibitively expensive for most people.

I want to make it clear that we do not wish to avoid any responsibilities that are rightfully ours in running a safe skiing operation. But at the same time, it is essential that a definition of assumption of risk by skiers be put forth that will be upheld in nuisance claims.

Please let me know if you need any further information. One of our insurance brokers from Seattle and I would be willing to come to Juneau to meet with you and discuss details of the subject.

Best regards,

A handwritten signature in cursive script, appearing to read "Chris von Imhof".

Chris von Imhof  
Vice President and General Manager

CVI/bbp  
Attachments 4

RECEIVED

MAR 15

# Pettit-Morry Co.

Insurance Brokers

P.O. Box C 19107, Seattle Washington 98109  
Telephone (206) 284-2700 • Cable Address PETCO SEATTLE  
Office • 200 First Avenue West • Telephone 32-0374

ALYESKA RESORT, INC.

March 13, 1980

Mr. Chris Von Imhoff  
Vice President and General Manager  
Alyeska Resort  
P. O. Box 249  
Girdwood, Alaska 99587

Chris:

We have studied the proposed Alaska Skier Responsibility Legislation. Our comments in support of passage follow.

Enclosed please find:

1. Claims by season by type.
2. Loss ratios by season (triangulation).
3. Status of skier responsibility legislation by state.

Skier Responsibility Legislation is needed because of the increasing tendency for people to make claim for damages sustained whether or not negligence is involved. The impact is particularly felt in this sport because injuries are frequent. Frequency of injury combined with a suit conscious society creates for the ski area, and their insurers, a major problem and increases the cost of skiing to the public. The average size ski resort currently can expect approximately five claims a year. This contrasts with a historic average of 2.2 claims per year. The problem facing ski area management, and insurers, is the increase in frequency caused by suit consciousness on the part of the public while most of the claims involve incidents generally understood to be of a non-liability nature. These claims must be investigated and defended.

In order to reverse the trend of increasing incidents on which files must be opened, the ski industry and insurers providing coverage have taken a hard line with respect to recovery. To achieve the desired result, ski area management is required to investigate as many as 30% of the injuries occurring at their ski area. The combination of costs of investigation and defense causes insurance premiums to increase. These costs ultimately are passed on to the public.

The enclosed triangulation indicates loss ratios for the first \$500,000 of liability coverage by ski season. The numbers indicated 179%, 89% and so on are a reflection of the unprofitability of liability insurance for ski areas. I should comment that the 61%, 37% and 7% shown for most recent years will expand to approximately 70% as maturity through aging occurs and unreported claims develop.

The problem outlined above is well understood by all facets of the ski industry. These include the National Ski Areas Association (the management group, the National Ski Patrol System, the United States Ski Association (skiing public), and the Professional Ski Instructors of America. All of the above organizations have endorsed Skier Responsibility Legislation. They believe that skier legislation, properly written, will provide two major benefits.

1. Provide an educational platform that will inform the skiing public.
2. Substantially reduce non-liability claims. The above organizations are concerned with the problem because in final form, the cost of skiing (lift tickets) must be increased to cover escalating claims costs.

Sixty percent of total claim dollars spent result from investigation, litigation and other expense items. The ratio of expense to paid claims is unusually high because of this situation. The sure way to reduce non-negligence suits is to educate the skier by legislatively barring recovery for those actions only he or she can control and which are beyond the control of a ski resort. The proposed Alaska Skier Responsibility Legislation should be helpful in this regard without jeopardizing the public's right to recover in a real liability matter.

Sincerely,



Carl H. Neu, Jr.

CHN/lt

Enclosures

With the exception of section 3, which I have vetoed, the remainder of Substitute House Bill No. 821 is approved."

**CHAPTER 138**  
[House Bill No. 797]  
**HABITUAL TRAFFIC OFFENDERS**

AN ACT Relating to habitual traffic offenders; amending section 11, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.090; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 11, chapter 284, Laws of 1971 ex. sess. and RCW 46.65.090 are each amended to read as follows:

It shall be unlawful for any person to operate a motor vehicle in this state while the order of revocation remains in effect. Any person found to be an habitual offender under the provisions of this chapter who is hereafter convicted of operating a motor vehicle in this state while the order of the court prohibiting such operation is in effect shall be guilty of a gross misdemeanor, the punishment for which shall be confinement in the county jail for not more than one year.

For the purpose of enforcing this section, in any case in which the accused is charged with driving a motor vehicle while his license, permit, or privilege to drive is suspended or revoked or is charged with driving without a license, the court before hearing such charge shall determine whether such person has been adjudged an habitual offender and by reason of such judgment is barred from operating a motor vehicle on the highways of this state. If the court determines the accused has been so adjudged (~~it shall transfer the case to the court of record making such determination~~), the court shall have jurisdiction for trial of the charge.

**NEW SECTION.** Sec. 2. This 1977 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 22, 1977.

Passed the Senate May 23, 1977.

Approved by the Governor June 1, 1977.

Filed in Office of Secretary of State June 1, 1977.

**CHAPTER 139**  
[Substitute Senate Bill No. 2973]  
**SKIING AND SKI AREAS—SAFETY AND LIABILITY**

AN ACT Relating to skiing and commercial ski activity; adding a new chapter to Title 70 RCW; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

**NEW SECTION.** Section 1. (1) The operator of any ski area shall maintain a sign system.

All signs for instruction of the public shall be bold in design with wording short, simple, and to the point. All such signs shall be prominently placed.

Entrances to all machinery, operators', and attendants' rooms shall be posted to the effect that unauthorized persons are not permitted therein.

The sign "Men Working on Lift" or a similar warning sign shall be hung on the main disconnect switch and at control points for starting the auxiliary or prime mover when men are working on the passenger tramway.

(2) The interior of each reversible aerial tramway and gondola lift shall be prominently posted to show:

(a) The maximum capacity of each reversible aerial tramway and gondola lift in pounds and number of passengers (which shall also be posted at each loading area); and

(b) Instructions for procedure in emergencies.

(3) The following signs shall be posted at all aerial lifts except gondola lifts:

(a) "Prepare to Unload" (not less than fifty feet ahead of unloading area);

(b) "Keep Ski Tips Up" (ahead of any point where skis may come in contact with a platform or the snow surface);

(c) "Unload Here";

(d) "Safety Gate" (if applicable);

(e) "Remove Pole Straps from Wrists" (at loading area); and

(f) Sign visible at all points of downhill loading, listing downhill capacity of lift.

(4) The following signs shall be posted at all surface lifts:

(a) "Prepare to Unload" (not less than fifty feet ahead of unloading area);

(b) "Stay in Track";

(c) "Unload Here";

(d) "Safety Gate"; and

(e) "Remove Pole Straps from Wrists" (at loading area).

(5) The following signs shall be posted at all tows:

(a) "No Loose Scarves

No Loose Clothing

No Long Hair Exposed"

(at loading area);

(b) "Stay in Track";

(c) "Unload Here"; and

(d) "Safety Gate".

(6) All signs required for normal daytime operation shall be in place, and those pertaining to the tramway, lift, or tow operations shall be adequately lighted for night skiing.

(7) If a particular trail or slope has been closed to the public by an operator, the operator shall place a notice thereof at the top of the trail or slope involved, and no person shall ski on a slope or trail which has been designated "Closed".

(8) An operator shall place a notice at the embarking terminal or terminals of a lift or tow which has been closed that the lift or tow has been closed and that a person embarking on such a lift or tow shall be considered to be a trespasser.

(9) An operator shall prominently place a notice containing the substance of section 3 of this act in such places as are necessary to notify the public.

(10) Any snow making machines or equipment shall be clearly visible and clearly marked.

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(8) Subsections (6) and (7) of this section notwithstanding, any person on foot or on any type of sliding device shall be responsible for any collision whether the collision is with another person or with an object.

(9) A person embarking on a lift or tow without authority shall be considered to be a trespasser.

**NEW SECTION. Sec. 3.** Any person who is involved in a skiing accident and who departs from the scene of the accident without leaving personal identification or otherwise clearly identifying himself or herself before notifying the proper authorities or obtaining assistance, knowing that any other person involved in the accident is in need of medical or other assistance, shall be guilty of a misdemeanor.

**NEW SECTION. Sec. 4. (1)** Every tramway, ski lift, or commercial skimobile operator shall maintain liability insurance of not less than one hundred thousand dollars per person per accident and of not less than two hundred thousand dollars per accident.

(2) Every operator of a rope tow, wire rope tow, j-bar, t-bar, or similar device shall maintain liability insurance of not less than twenty-five thousand dollars per person per accident and of not less than fifty thousand dollars per accident.

(3) This section shall not apply to operators of tramways that are not open to the general public and that are operated without charge, except that this section shall apply to operators of tramways that are operated by schools, ski clubs, or similar organizations.

**NEW SECTION. Sec. 5.** Sections 1 through 4 of this act shall constitute a new chapter in Title 70 RCW.

Passed the Senate May 23, 1977;  
Passed the House May 20, 1977.  
Approved by the Governor June 1, 1977.  
Filed in Office of Secretary of State June 1, 1977.

**CHAPTER 140**

[Engrossed Substitute Senate Bill No. 3098]

**INSURANCE—DRIVING RECORD ABSTRACTS—LAW ENFORCEMENT OFFICERS OR FIRE FIGHTERS**

AN ACT Relating to insurance; amending section 27, chapter 21, Laws of 1961 ex. sess. as last amended by section 1, chapter 37, Laws of 1973 1st ex. sess. and RCW 46.52.130, and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 27, chapter 21, Laws of 1961 ex. sess. as last amended by section 1, chapter 37, Laws of 1973 1st ex. sess. and RCW 46.52.130 are each amended to read as follows:

The director shall upon request furnish any insurance company or its agent, having or considering the issuance of a policy of insurance and any employer or prospective employer of persons who drive commercial motor vehicles or school buses a certified abstract of the driving record of any person, covering a period of not more than three years last past, whenever possible, which abstract shall include an enumeration of motor vehicle accidents in which such person has been involved.

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