

ALASKA LEGISLATURE COMMITTEE FILES 1981-1982 86/2

1383 HESS HB 501 - HB 621

p5 "UWW"

for much of the live instruction is through cooperative arrangements with community college and university campuses located near the correctional center. These local campuses cannot provide the specialized management, support services, and evaluation required for a cost-effective and efficient correctional education program, but they can provide effective classroom instruction and technical support. This system of networking and brokering is proving a most productive component of the "UWW" program. It has increased the ability of the program to respond quickly to needs and to take advantage of newly available resources, reducing the development and administrative costs of the total program.

The networking, University of Alaska Instructional Telecommunications Consortium, "partnership" relationship with the Division of Adult Corrections, and the opportunities available through contemporary technology, all are making the University Within Walls program a unique and successful service component of the University of Alaska.

Randall Ackley
Center for Educational Rehabilitation Studies
"University Within Walls-Alaska"

The UNIVERSITY WITH WALLS-ALASKA program is a partnership program of the Alaska Division of Adult Corrections and the University of Alaska. It is managed by the Center for Educational Rehabilitation Studies, University of Alaska, Juneau, and was initiated on a state-wide basis in August, 1980. Earlier programs have been in existence since 1973; however, the "Up 'N' Out" programs of 1978-79 and 79-80 have formed the early model for the new state-wide school.

1. **THE PROBLEM:** The U.S. is the most violent society in the world. Crime is the result of psychological aberration, demoralization through social problems, human diversity, and outmoded subcultures. There has been an increase in prison population in Alaska of 100% in five years. They are unemployed, young, undereducated and untrained, minority twice the general population, involved with drugs or alcohol; and the state, like the nation, has a recidivism rate of 70% for repeaters. They enter prison in trouble and leave it worse and more destructive. They may cost the state \$1,000,000 each over twenty years in incarceration costs alone. There is nothing significant being done to break the cycles of incarceration and re-incarceration.
2. **PROPOSED ACTIVITIES:** The project will meld a twelve year old Canadian program of "moral education" with the current phase of the Alaskan "UHW" school and will develop a network of delivery modes and resources through the University Instructional Telecommunication Consortium and a system of Learning Centers. Contemporary technology will be fully utilized to make the program both cost effective and responsive to individual needs and the restrictions of prisons. The program in phase 1 would include three prisons and one jail. Core faculty would be hired as Master Teachers in Alaska Native Studies and History and a Tutor/Counselor would be hired and trained as a first generation "new" resource.
3. **BENEFITS:** A minor "career criminal" costs the state, in direct costs of incarceration, \$1,000,000 in twenty years. All incarcerated offenders cost \$23,000 per year for care and \$125,000 for construction of a bedspace. We plan to save not only victims and property by proving rehabilitation work, but we also plan to save the state money. We predict 100% job placement of graduates, increases of moral/cognitive levels of two phases after four terms, success rate of 60% in the first year and 70% in the second year, improved quality of living for ex-offenders for 75%, reduced recidivism after three years of 10%.
4. **APPLICANT'S CAPACITY AND COMMITMENT:** University of Alaska, Juneau has a eight year history of commitment to prison education. It has committed its money and its regular faculty. It has more than matched grant monies over the past three years. Its "Up 'N' Out" programs had success rates of 90%, graduated eight out of forty students in eighteen months, and had excellent evaluations. Results produced requests from the legislature and Division of Corrections for assumption of a state-wide responsibility in 1980. The budget has grown from \$35,000 state-wide to over \$500,000 in three years. \$400,000 have been provided in state funds. The Center for Educational Rehabilitation Studies has been created to provide management and a cadre for state-wide programs.
5. **PLANS FOR WIDER IMPACT:** The offender population of Alaska is younger and slightly better educated than that of the "lower 48", reflecting the general Alaskan population. The prisons are smaller and there are no "state penitentiaries"; however there is only one American model of prison and visitors are completely at home in the Alaskan version. There is no problem in taking a small working model and generalizing it to larger institutions. Many state prisons are very similar, being rural and medium security correctional centers. However, again, prisons remain prisons with small variation. Dr Ackley, the program director, has been invited to present papers and publish on the current program (Washington, D.C. April; University of Quebec, August; Correctional Education Association, July; University of Victoria, October, ...). The papers and the two books that Dr Ackley is collaborating on (with Dr Duguid of Canada and Sheila Nickerson of Alaska) will disseminate the program. The results will prove hard to ignore.

UNIVERSITY WITHIN WALLS-ALASKA: A PROGRAM OF SOCIAL EDUCATION FOR THE WORLD OF WORK

I. NEED OR PROBLEM: Austin MacCormick, then assistant director of the Federal Bureau of Prisons, called for a basic education program in all state and federal prisons as a prerequisite for rehabilitation, in 1931. Fifty years later, Chief Justice Warren Burger concluded that our prisons were failures and that they must become rehabilitation centers rather than warehouses for discarded humanity. We would like to describe the Alaskan adult offender, provide possible reasons for both criminal behavior and incarceration, and suggest a program that will alleviate some part of the problem:

A. The Alaskan Offender is unemployed (60%) when sentenced; has no vocational training, was involved in an alcohol related crime (85%), is probably white (although 45-50% were minority with 90% of the minority offenders being Eskimo or Native), is a school drop-out, is younger than the offender down "South" (54% under 25 compared to 38% down "South"), is better educated than the offender down "South" (53% finished highschool or obtained a GED certificate compared to 37% down "South"), is male (94%), and are typical "prisoners" with poor self-image and strong egoistic traits, and with strong feelings of alienation, hostility to all institutions, simplistic hedonistic traits, and immature moral reasoning abilities. Young, undereducated and untrained, minority, poor, unemployed, heavily involved in alcohol and/or drugs, male, the disadvantaged of our society. The characteristics of youth and better education are part of Alaskan demographics; Alaskans are younger than the national average and subsequently better educated. Better educated is only comparable. Most are below norms for their educational level; most have dropped out of school (especially Natives); most have reached their GED through the military or during incarceration, either as youths or during their first imprisonment.

B. Reasons for the problem are obvious and not new:

1. Our country has a per capita income of \$10,000 and an official philosophy of equality and freedom. Yet we have unemployment of 60% in the villages where many of these men were born; and the highest unemployment rate nationally is among minority teen-agers. The disparity between the "have's" and "have-not's" is proclaimed on television and everywhere. There seems nothing that can be done to reduce the disparity and it seems to be part of a birth right that we are powerless to do anything about. The disparity and the powerlessness to escape the system produces, in some, anxiety, frustration, and finally demoralization which is demonstrated in alcoholism, drug addiction, and crime.

2. If Feiffer is accurate in his judgment of American education (see cartoon), our schools are intentional failures. If he is wrong, they are unintentional failures. In either case, drop-outs and high school illiterates remain the dominant group among minorities and poor; and these people cannot function without any education. Schools are at best inefficient, at worst total failures creating a group of angry and alienated young people.

3. Human diversity means that we are all different. What may be valued in this generation or in this place may be criminal for another generation or another place. Heroes of one era are criminals of another. Criminals in one socioeconomic group are the business men of another group. Laws ignore this and we find a new group of "deviants" each generation. Violence is necessary for survival at one time and criminal at another. Varying social norms and varying social needs make some people criminals.

4. Confusion, anxiety, feelings of powerlessness are endemic in our society. Moral abilities are immature. Moral dogmatism or moral relativism ignore moral reasoning and people are left either alone or with an unbending set of rules. Indigenous cultures have been destroyed in a generation or two, with unemployment and alcoholism as the heirs. Our young have retreated to simplistic hedonism along with the demoralized poor and minorities or have

sought security in dogmatism, materialism, and egotism. Either "law & order" or crime.

Disparity between "classes", disparity between philosophy and practice, rapid change through technology, abandonment of sectors of the population to unemployment and school drop-out, exploitation and abandonment of minorities, powerlessness of the young of all sectors but total powerlessness of the young of the poor and minorities; all, along with human diversity and a tiny fragment of the mentally ill, produce our prison population, and our general population not always different except in intensity of the problem. When unemployment, alcohol problems, youth, and being Eskimo are combined; the result is almost sure incarceration at some time during any one year of your life.

C. Responses to the "problem" are simple:

1. Develop an egalitarian society with respect for the individual and without a classification at birth.
2. Develop an efficient educational system that works for the poor and for "different" people.
3. Transform prisons into habilitation schools which offer help rather than destruction.

The first does not seem within the purview of our program; the other two are our responses to the problem. Adult offenders have a recidivism rate of 41% overall; repeaters go up to 70%. We cannot change society, in the larger context; but we can provide the means whereby the cycle of incarceration and re-incarceration can be broken to release the person into a world they have never succeeded in. Three programs have been successful in breaking this cycle. Lawrence Kohlberg of Harvard has had success in creating "fair" communities within prisons; the Canadian federal prison system has had success in British Columbia with programs based upon Kohlberg's theories; our earlier programs have had short term successes over the past three years. We believe

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university within walls-alaska p4

that we can meld the three experiences into a new phase of the "University Within Walls" program and that we can improve the program's cost-effectiveness and ability to respond to individual needs through a system of Learning Centers employing multi-resources and utilizing a major networking capability developed as a unique UWW quality.

II. DESCRIPTION OF PROPOSED PROJECT: The program, as indicated above, will be a meld of the three "ancestor" programs, Kohlberg's, the Canadian, and the old Up 'N' Out programs in Alaska with modifications based upon opportunities provided by contemporary technology and required by budget constraints and the need to individualize education for human diversity. The program will consist of three instructional components, a multi-delivery component, and an administrative/evaluative/networking component.

A. UNIVERSITY WITHIN WALLS-ALASKA.

1. Core Program for Social Education, consisting of a humanities program of literature, history, and native studies; an Arts in Prisons program; and supportive education.
2. World of Work program matched with the long-term job market and based upon vocational training, on the job training, cooperative education, college classroom education, and individualized media instruction.
3. Special Programs, which will respond to special needs. Alcohol education, Re-entry, Village Re-entry & Subsistence Life, Native Studies, Assessment, This will include a "Quality of Life" activity which will attempt to ameliorate the "see-saw" effect of custody and treatment of prisons.
4. Learning Centers will provide a multitude of resources through a package of electronic instructional materials, through the University of Alaska Instructional Teleconferencing Consortium (see appendix), and

through conventional instruction. This will provide the program with the capability to utilize both "Extended Classroom" and "Open University" modes through television, audioconferencing state-wide, and through stored instruction.

5. Center for Educational Rehabilitation Studies will remain the program cadre with capabilities for planning, management, and evaluation, and for a major and unique networking program. The program ties in with two university campuses, four community college campuses, two school districts, two Native corporations, several arts councils and arts organizations, the state Department of Education, the state Division of Corrections, the University of Alaska, Juneau as the center, and with nine correctional centers and many other assisting agencies and offices, including the Center for Moral Development at Harvard and the University of Victoria programs in Canada.

B. CORE PROGRAM FOR SOCIAL EDUCATION (FOR THE WORLD OF WORK):

This component is the heart of the program and is a meld of the Canadian and Alaskan programs with a modification to broaden its efficacy. It is based upon Lawrence Kohlberg's theories of moral development. Kohlberg follows Dewey and Piaget and asserts that moral development follows and parallels cognitive development and is dependent upon a rich and moral context. The Canadians have adapted this theory in the development of a University program of literature and history, and supporting courses, with a pedagogy which, simply stated, takes case studies from literature and history for moral analysis. The analysis, and dialogue, provides a stimulating environment for both cognitive and moral development. Attitudes are measured using tests developed by Kohlberg and demonstrated development of moral reasoning has been clearly demonstrated. Actual moral development, rather than the development of moral reasoning, can only be measured in

changes in life style. The Matsqui project (in Canada) clearly demonstrates a drastic change in standard and quality of living and a very low recidivism rate (recidivism is defined in several ways, but the Matsqui project measured it as the contact with the law after release from prison within three years). Another aspect of the Canadian project, and the projects actually carried out by Kohlberg and his colleagues, was the creation of a "fair" or "just" community within the prison. The results of this type of internal community have been excellent, but the potential for this type of community within major prisons is low. The creation of a "fair" community within the school program is possible, with certain limitations, and will be used to maximize the effect of the program.

The major aspect of the Alaskan programs was the role of the offender as a University student and the Arts in the Prisons program. The role has also been a major component of the Canadian programs and is credited as essential for its success. The Arts in Prisons component, which originated as the "Up 'N' Out with the Arts" CETA project, establishes a new role for offenders, as artists, and serves to provide major means for developing self-esteem, self-confidence, a new self-image, and obtaining almost immediate gratification through art sales or audience response. It has been a major factor in the success of the Alaskan program.

The essence of the Core Program will be the Core Faculty, a select group of resource teachers with very special qualifications. To begin, there will be an Associate Professor of History (Dr. Stephen Duguid), an Assistant Professor of Alaska Native Studies (Nora Dauenhauer, Tlingit), an Associate Professor of Literature (Dr. Richard Dauenhauer, Prof. Howard McCord, Carolyn Forche, or Dr. Randall Ackley). The Core Faculty will be

utilized differently than in Canada to increase cost-effectiveness, take advantage of contemporary technology, and standardize the program state-wide. (The Canadian program has autonomous programs at each site with separate faculties although all programs are coordinated through the University of Victoria.) The UHW Core Faculty will be located at Eagle River (near Anchorage) and in Juneau. They will be resource teachers providing lectures as "case studies" once a week. These will be live locally, for a live student group, and videotaped for use at other sites and on-site at a later date to make the lecture more available. The Core Faculty will also be available through audio, teleconferencing, to all participating students. Small group discussion will be lead by tutor/counselors at each Learning Centers, with the local Core Faculty also available as resources. The tutor/counselors will have access to the Core Faculty, of course, and will be trained within the program in the Kohlbergian pedagogy developed in Canada.

The Core curriculum will consist of the basic core of literature and history (adaptations of standard catalogue courses); supporting courses in psychology, science, mathematics, sociology, philosophy as electives taught by adjunct faculty; workshops for skill building; and the Arts activities (all product oriented).

Staff development will be a major activity during the program year.

C. WORLD OF WORK:

This component will be pragmatic, open, and matched with the long and short term job market. Because of the small populations of the Alaskan prisons, every type of delivery will be utilized. There are many prison jobs currently using offenders as workers. These will be utilized as On the Job Training wherever possible. There are prison activities which lend themselves to utilization as vocational training laboratories.

The prison kitchens are being developed as laboratories to train cooks and bakers with a program beginning in April, 1981. Other activities will also lend themselves to this type of training. More formalized training than OJT will be developed as Cooperative Education. Finally actual vocational training in shops and college type education in the classroom will also be further developed to bring ex-offenders into the World of Work. Current programs include Food Service, Computer Operator Trainee, Business, and Social Services. These will be expanded in 1981-83.

D. SPECIAL PROGRAMS:

This component has two major tasks: 1. To develop the context of the "university life" as much as possible within the prison to assist in the development of the role of university student rather than the role of prisoner or criminal. 2. Special support needed for our students.

1. The "University Life" component will bring visiting speakers, artists, lecturers, activities into the prison. It will attempt to develop student organizations and activities. It will develop, as feasible, "university" environment with study areas and libraries, etc.
2. The special support will work with special needs concerning alcohol & drug problems, initial entry and assessment, re-entry into society, programs to return offenders to villages, etc. At this time we are developing packages for alcohol education & information and for re-entry. We are also exploring packages for violence, sex-offenders, parenting & family, entry assessment. A program being developed with an ex-offender on our staff is the Native Studies/Students package and a "Village Re-entry" package. The Village package will be a cooperative program with the Native corporations matching incarcerated Native offenders with jobs in the villages and with prison training

to match the offender and the job. We have such a high rate of incarceration among young Natives that this is a most promising program.

E. CENTER FOR EDUCATIONAL REHABILITATION STUDIES:

The Center was established in July, 1980, to manage the prison programs, in response to legislative interest and the request of the Division of Corrections. It originally provided the cadre for the programs and the planning, managing, monitoring capability. It has further developed with the need for evaluation, networking, fund raising, and applied research being added to its tasks. It began with a director, a secretary/instructor, and a 80% instructor/program development specialist. The secretary/instructor position has been split, with grant funds, to a full-time center administrative secretary and a support services coordinator/counselor. An ex-offender intern has also been added, with CETA funding. It is anticipated that the program development specialist will become an evaluation/administration specialist in 1981-82. The Center will then have a director (who may be increased to the dean/director level with added responsibility), a support services coordinator/counselor, an evaluation/administration specialist/instructor, a center administrative secretary, and an intern. All staff except the intern and secretary teach and/or serve as counselors. The "Goals and Objectives" of the Center are included in the Appendices; however, a comment on both research and networking might be included here. Networking is difficult, time consuming, and very rewarding. The Center has managed to bring in several unique activities through networking and has also been able to maximize services.

Networking includes the University of Alaska Instructional Teleconferencing Consortium (which links all sites with audioconferencing, educational tele-

vision, and workshops on the use of various electronic media, at no cost to the program). It also includes the Apple II Computer Assisted Instruction package created by the Alaska Department of Education. It also includes Tanana Valley Community College, Northwest Community College, Ketchikan Community College, Anchorage Community College, University of Alaska, Fairbanks Continuing Education, and University of Alaska, Juneau; and arts councils in Anchorage, Juneau, and Fairbanks, and arts organizations and groups. It also includes the Juneau School District as partners in creation of the Alcoholism in Alaska: An Inside View package and the Fairbanks School District in working with younger offenders. The State Department of Education is providing funding for the Food Service program and some of funding for a Fisheries Technology component being experimented with as a possible future Marine Technology package in Juneau. This has been, and will continue to be, a major activity of the Center.

Applied Research is mandatory. There is very little research being done in correctional education or even in rehabilitation or habilitation. A "partnership" relationship between the Division of Adult Corrections and a university is recommended as mandatory for further development in this area by the Syracuse report (see appendix); and this is what we are developing. We are fighting a myth that rehabilitation is not possible. The myth is destructive and unfounded. It resembles the old wives' tales about diseases and is as longlasting; however, as the causes of crime and incarceration are known and recognized rather than the symptoms the cures are being developed. We hope to make this a major Center activity working closely with the Canadian projects.

F. CANADIAN PROJECT AND KOHLBERG:

We are establishing a close working relationship with the Canadian

programs after a meeting of the regional Correctional Education Association in Salem, Oregon. Dr Duguid came to Anchorage to speak and our director, Dr Ackley, has been invited to speak with the Canadian group at the University of Quebec in July and at the University of Victorian in October. Dr Ackley will also be collaborating with Dr Duguid on a book on correctional education featuring the Alaskan and Canadian programs.

Dr Elsa Wasserman of Dr Kohlberg's Center for Moral Education at Harvard will be serving as a consultant in Juneau in April, 1981. She and Dr Kohlberg have indicated a willingness to assist in the development and evaluation of the Alaskan program in any way that is feasible. Further plans will be developed during Dr Wasserman's visit to Juneau in April.

G. SCHEDULE FOR PROGRAM ACTIVITIES:

1. Learning Center equipment funded and purchased: April-June, 1981.
2. Planning accomplished: May, August, November, 1980, June or August, 1981.
3. Recruiting of faculty: April-August, 1981.
4. Hiring of new faculty: July-August, 1981.
5. Program development workshop, new program: August, 1981.
6. Staff development workshops: September-October, 1981.

Staff development workshops will be conducted for the first eight weeks of the new academic year. They will include a two week training session in Anchorage, a one week training session in Fairbanks, a one week session in Juneau, and audioconferencing follow-ups on all sessions. The sessions will include training in the Canadian pedagogy conducted by Dr Duguid, training in "rust communities" by Dr Wasserman or a substitute, training in audio-conferencing by the

University Consortium, training in working in prisons by Dr Ravsten and our intern, Harold H. Joe, training in the use of micro-computers by the Department of Education and/or the Teleconferencing Consortium, and training in the philosophy of correctional education and the "UWW" program by Dr Ackley, as well as workshops in Support Services by Ms Grogan and others.

7. Development of Support Services network will be initiated during the planning workshops and staff development workshops; however, a major support services component will be developed. Most correctional education programs lack the "regular" student and other support services readily available for on-campus students, especially resident students. We will be developing and providing a full support component in each center through the Learning Center as funds become available to provide tutor/counselors and to train these faculty members. Support Services will include counselling, advising, job development & placement, financial aid, testing, educational diagnosis, records, library services, media development, student activities & government, and such other activities as are required to bring students into the program, keep them in through completion, and assist them into jobs and "free" life, and finally to help them find a good "quality of living", within the restrictions that seem unalterable, while in prison.
8. Begin new-style classes with Core Faculty & Learning Centers: November, 1981. We have divided the year into five eight-week terms, to increase access for entry and exit and to provide shorter term gratification. Better focus is also possible with the shorter term and with fewer classes at any one time. We would use the first eight-week term as our development & training period, maintaining the status quo during that period. The new program would begin with the second term of the

academic year. Core courses would include American Civilization I, Intermediate Composition with Literature by the Core Faculty; activities in theatre, visual arts, Alaska Native arts, creative writing; support courses in Alcohol, Problem-solving, and Village Re-entry; skills workshops in Mathematics and Reading/Writing; and electives.

9. Learning Centers in operation at least in Eagle River, Fairbanks, and Juneau. If funds available, in Nome and Anchorage jail: November, 1981.

10. Internal evaluation model development: August, 1981.

11. Internal evaluation implementation: November, 1981.

12. World of Work programs: September, 1981.

Continuation of present programs, Food Service, Computer Operator, Business, Auto, with additions of Office Occupations, Marine Technology, and Greenhouse Gardening, if funds become available.

13. Exit evaluation model development: November-December, 1981.

Based upon Matsqui/University of Victoria and Kohlberg models.

14. Exit evaluation implemented: January-June, 1982 (& continuing).

15. Evaluation & Training Workshops: December, 1981.

Follow-up and evaluation by all staff and faculty with recommendations for revisions of working model.

16. First-year Evaluation & Planning Session: July, 1982.

Results of evaluations and monitoring will be considered and budget results for 1982-83 will be available. A work session of all involved staff and supporting organizations will be held to review these results for consideration of modifications of the working model and for corrections of flaws.

G. AGENTS WHO WILL IMPLEMENT include the Center for Educational Rehabilitation Studies, University of Alaska, Juneau, and the Alaska Division of Adult Corrections. The key staff will be:

UWW/CEDRS Director (Dr Randall Ackley): Dr Ackley has over twenty years of higher education experience including twelve years as an administrator and developer and manager of experimental programs. He has eight years experience in Native American higher education and has his doctorate in American Studies (Native American Literature, Philosophy, Ethnohistory). He has also been the director of prison programs since 1977 for the University of Alaska, Juneau. He has both community college and university teaching and administrative experience and is well known for his work with American Indian literature, correctional education, and innovative educational structures (see Vitae attached).

Associate Professor of History/Evaluation Coordinator (Dr Stephen Duguid): Dr Duguid was the director of the Matsqui project with the University of Victoria for six years. He has published widely on the subject of Moral Development and prison educational programs. His work with pedagogy, "just" structures, and evaluation have brought him into prominence in Canada and the U.S. He is at work on a major work on correctional education and works closely with the Canadian government in this area (see Vitae and attached article).

Assistant Professor of Alaska Native Studies (Nora Dauenhauer): Ms Dauenhauer is well known as an authority on Native education and languages. She is a traditional Tlingit and has authored several books on Alaska Native languages with her husband, Dr Dauenhauer.

Associate Professor of Literature (Dr Richard Dauenhauer, Carolyn Forché, Howard McCord, or Dr Randall Ackley): There are four quite different candidates for this position. Dr Dauenhauer is an authority on Native education,

comparative literature, and Native American literature. He has served for several years on the faculty of Alaska Pacific University. Ms Forche is a well known poet, former Guggenheim fellow, with a strong interest in imprisoned people as evidenced by her work in El Salvador. She has worked as a Poet in the Prisons and is on the faculty of the University of Arkansas. Professor McCord is a widely published writer (about twenty books) and teacher. He is a Professor of English at Bowling Green State University and is exceptionally well-read and a brilliant teacher.

Dr Ackley is an Associate Professor of Humanities and the program director. He has twenty years experience teaching literature and has worked in prisons for four years. The faculty member would be selected on the basis of availability, level of funding, and the total program.

Other key faculty are Jane Linden, Artist-in-Residence, Molly Smith, Artist-in-Residence, Sheila Nickerson, Writer-in-Residence, Sue Koester, Instructor/Administration-Evaluation Specialist, Joan Wauters, Instructor/Learning Center Specialist, Rev Grogan, Support Services Specialist.

Several staff will be added over the three year period including the following:

Tutor/Counselors, Alaska Native Artist-in-Residence, Vocational Education Coordinator, Community Programs Specialist, and various adjunct faculty. The larger correctional centers also have staff members directly involved in the program as Educational Associates (Ardell Filip-Fairbanks, Stan Reed-Eagle River, Kathy Boyd-Ridgeview, Maryjo Welch-Juneau, Dave Johnson-Palmer).

H. PARTICIPANTS affected have been participating as feasible with a prison program. Advisory groups have considered all major planning and we have added an ex-offender who is a graduate of the program as an intern. There have been planning workshops involving all affected faculty and staff with

a preliminary meeting at the invitation of the Director of Corrections in March, 1980, an orientation meeting in May, 1980, and planning sessions in August and November, 1980. The final meeting produced a working plan for 1981-86 which was the program proposed in this narrative. All networking groups have been involved as feasible (see November workshop list of participants).

III. STATEMENT OF OUTCOMES:

We can only provide intermediate outcomes rather than final ones because of the nature of the problem. Many of our students will still be in prison when the Fund project is completed; most will not have been out of prison long enough to make conclusions. However, we do have several indicators that will provide intermediate indications of the results of the program:

1. Participation:

a. All institutions participating with full-service programs.

Three 1981-82, eight 1982-83.

b. Participation increased from 15% to 30% by 1981-82.

Increased from 30% to 50% by 1983.

c. Participation by Alaska Natives at same level as population.

d. Success rate of participants 60% 1981-82, 70% 1982-83.

2. Attitudes as measured by Kohlberg tests indicating significant change in 50+% of participants with two terms and 65% with four terms.

3. Skills, cognitive and moral, increased to Kohlberg level 4 for all participants with four terms in program.

4. Job placement at 100% for all program graduates leaving prison.

We will also utilize a form of the University of Victoria evaluation tool (see appendix for report).

Long-range outcomes desired and expected are to prove improved quality/standard of living for 75% of successful participants, reduced recidivism of 10% after three years.

IV. APPLICANT'S CAPACITY & COMMITMENT:

- A. The proposed project staff (see IT and Vitae) are unusually well qualified and would provide the best correctional education staff in the nation. Dr Ackley, Director; Dr Duguid, Assoc. Prof. History; Ms Dauenhauer, Asst. Prof. Native Studies; Dr Dauenhauer, Prof. McCord, Ms Forche, or Dr Ackley, Literature; and other staff specialists all have unique credentials and will serve the program well.
- B. Record of the institution has been remarkable. Initially, Juneau-Douglas Community College, since 1973, strongly supported education at the State Correctional Center/Juneau, which led into the "Up 'N' Out with the Arts program of 1978-80 and the University Within Walls project of 1980-81. Substantial contribution of time of regular faculty and the appointment of a senior administrator to provide direction to the project indicate strong support for the program.
- C. Funding provided by the state has been slow in coming but has increased substantially in the last three years. The Division of Corrections has moved from zero support except for GED tutors to \$280,000 in 1980-81. The University of Alaska has provided a \$110,000 line item to fund the new Center for Educational Rehabilitation Studies. The State Department of Education has provided a Governor's Grant for model programs for \$113,000 and \$45,000 for the initiation of a Food Service Training Program. While funding remains minimal, there are strong indications of support from all parties, Department of Education/Adult Education, the University of Alaska, and the Division of Adult Corrections. Because funding levels are primarily two years in the making, developmental funding is not available at this time. Additional funding will be for program extension throughout the state; and initial developmental funding to provide room for staff training, hiring of a Core Faculty, and time.

as well as to demonstrate that it is possible to break the cycle of incarceration, is an absolute necessity unless we are to sit on "hold" for another program year. It is almost positive that the state will increase funding to pick up the costs as we demonstrate our ability to meet the problem. We have moved from \$35,000 in 1977 from CETA to \$390,000 in state funds in 1980, with a total funding through direct state funds and state administered federal funds of \$519,000 in the current year.

V. PLANS FOR WIDER IMPACT.

The preliminary proposal reviewers expressed some questions concerning the "unique" quality of Alaskan prisons and prisoners. We can demonstrate that Alaskan prisons are smaller than most prisons but that they have the same characteristics as other larger institutions. Through dialogue with correctional educators at regional and national meetings and through extensive readings in the literature, it is clear that prisons are basically the same. Variations are in the minimum security and special prisons with your "basic" prison or jail being an American model. Prisoners in Alaska are younger and slightly better educated than prisoners in the "lower 48". This is a reflection of Alaskan general population demographics but is not significant in program development. It reduces the need for Adult Basic Education programs and increases the demand for postsecondary education; however, the differences are merely in numbers. The Alaskan population would seem easier to work with in an educational program; however, the almost identical percentage of minority prisoners makes it just as difficult as in the "lower 48". The atmosphere in Alaskan prisons is much like that in medium or minimum security prisons down "South". There are few long-term or "lifer" prisoners in Alaska, since the state still sends 200+ prisoners to prisons in the "lower 48" as part of an interstate contract.

These prisoners are those serving the longest sentences and the most violent who required special security conditions not readily available in Alaska. This means that there is no long-term, maximum security prison in Alaska, at present. The atmosphere of that kind of prison is lacking in our nine correctional centers. But two of our prisons are maximum security and many of the prisoners are doing up to ten years. The differences are not significant except in comparison with the major penitentiaries. Our model program would be replicable in any prison or jail; however, it would have problems in a heavy security penitentiary, just as all programs have major problems in that kind of institution. It would be replicable in that kind of institution but with warnings that the success would depend upon minimizing the harshest conditions of that kind of institution.

A brief review of demographics for comparative purposes:

| <u>National</u> | <u>Alaskan</u> | <u>Characteristic</u> |
|---------------------|----------------|--|
| 97% | 94% | male |
| 51% | 50% | white |
| 49% | 50% | minority |
| 7% | 20% | age under 20 |
| 30% | 34% | age 20-25 |
| 37% | 53% | high school graduate or higher including GED |
| 60% income < \$6000 | 60% | unemployed at time of incarceration |

The age differences are indications of the future in all states, as are the educational differences. Decreasing age of offenders and with parallel increases in educational levels are national characteristics, making Alaska an excellent working model for future program development nationally.

(see appendix for further information on demographics)

Further dissemination and impact will be produced by publications.

Dr Ackley has been invited to write a book for librarians with Sheila

Nickerson. He and Dr Duguid are collaborating on a book on correctional education with the programs at both institutions providing the material for the book (Dr Duguid will be the major author). Dr Ackley has been invited to deliver papers at the University of Victoria, the University of Quebec, the American Association of Community and Junior Colleges national conference, the national meeting of the Correctional Education Association, and the conference of the National Council of Instructional Administrators. Some of these papers will be published and disseminated to both correctional professionals and educators nationally. The participation of Dr Elsa Wasserman of the Center for Moral Development will provide some national interest. The Alaskan program and the Canadian program should provide major research materials for the substantiation of Dr Kohlberg's theories with prisoners. Evaluation reports will form the basis for future articles and papers. These will be published in the journal of the Correctional Education Association and other professional journals. It would seem impossible if the presence of a working model with publication of successful results would not bring about change in correctional institutions nation-wide. I would predict that the Alaskan and Canadian programs will serve as national models for the remainder of the century.

POST SCRIPT: 1. The cost of incarceration has not been mentioned in this proposal and it should be. A "career criminal", who never commits a serious crime, will cost the state \$1,000,000 during his/her lifetime in direct incarceration costs alone. This would pay for a state-wide program for a year for 400 full-time students. This does not include costs of courts, police, family welfare, victims, and the loss of a person. Each prisoner in Alaska costs \$23,000 per year for direct costs. Each new bedspace in Alaska costs \$125,000. Breaking one person out of this cycle for only one year would pay for the cost of rehabilitation for

university within walls-alaska p21

four men for a year. If the program could reduce the need for building one additional bedspace, it would pay for thirty men to participate full-time for a year. A single ex-offender who returns to society as a fully employed tax payer will repay the total cost of his/her education in six months. This is in simple terms and excludes the costs in property, the costs in victims, the costs for broken families, the costs of courts, lawyers, police, social agencies. Rehabilitation is one of the most cost-effective activities that can be entered into. It does not take 100% success to pay for itself, it takes only 10% or less. Reducing recidivism by extending the time a person stays out of prison by one year, or reducing recidivism by keeping 10% of the repeaters out of prison by the time they reach thirty-five, would be major successes. We strive for those small successes.

2. The United States is the most violent nation in the world, excluding wars perhaps (and we participate in our share of those). This violence is the result of psychological aberrations, demoralization resulting from social conditions, human diversity, cultures and sub-cultures. The first should be responded to by mental institutions not prisons. The others can be responded to, once the offenders have entered the cycle of incarceration, by major and innovative habilitation programs. Education has always been our major socialization device; it can work under these conditions if we can improve its efficiency, develop it as a broad spectrum activity rather than a screening activity, and take advantage of both research and technology. Our proposed program is built upon three major successful programs and the successes and mistakes of decades of educational experimentation. We are building a good school where it may be needed most and where it can be tried the hardest. It may provide an example of what the public schools could do.

1475501 5-11-81

with Miller + Jack Fuller

U of U control vs. Some other - Tely, Lewis, Kelly, etc
only place in U.S. where working / Fuller

Dr. Ronald Ackley of U of U :

started @ Lemmon Creek

Harvard says a premier National program

4 y / stud. / 12 mo.

50% ^{of all persons} have H.S. diploma - highest in U.S.

- Jerry Healey - DoE ... to do a corr = Dept.

- is there interest ↑ in # of pres. + lengths of terms ?

HB

512

MEMORANDUM

April 29, 1981

TO: Linn Asper
Legal Services

FROM: Mike Belrne
Representative

RE: House Bill 512

I have taken a closer look at HB 512, which you drafted and discovered that Section 2 is not quite what I wanted. I realize that this bill may have some questionable legality, yet I'm only introducing it to make a point.

Therefore, I would like something added to Section 2 which would allow the PTA to initiate dismissal proceedings against an incompetent teacher. As presently worded, the bill only allows them to approve or disapprove such proceedings after they have been started by someone else. Unfortunately, such proceedings are very rarely instituted once the teacher has acquired tenure rights, even though their value or competency as a teacher is questionable.

Should you have any questions, please contact Jens in my office at 3759.

WORK ORDER REQUEST FORM

N2- 1403

KEYWORDS: teachers
education
rights

ASSIGNED TO ASST

REQUEST FOR: BILL RESOLUTION RESEARCH OTHER

SUBJECT PTA Vote Over Teacher Employment

REQUESTED FOR Rep. Weirne BY Weirne EX. 3772

DELIVER TO Representative Weirne TAKEN BY ASST

INSTRUCTIONS, EXPLANATIONS Grant PTA of a sch. of district the right to review and veto the hiring and firing of a teacher.

OBTAIN

SPECIAL DRAFTING INSTRUCTIONS ATTACHED

AUTHORIZED TO CONFER WITH _____

RETURN _____

TO REQUESTER

APPROVED: 4/78 Director, Legal Services

REVIEWED _____

IN 4/5 DUE _____

TYPED - Draft _____ DATE _____

Final _____ DATE _____

PROOFED _____ DELIVERED _____

SPECIAL INSTRUCTIONS TO TYPIST/PROOFREADER

DRAFT

FINAL

- HB 495 (HESS) Beirne - increases the school year to 210 days at minimal cost since "teachers are already paid for a full year's work whether they work a full year or not".
- HB 512 (HESS) Beirne - provides that the PTA shall have the right of review of all employment contracts, dismissals, and non-retention of teachers.
- SB 437 (HESS, Judiciary) Stimson, Fischer, Rodey, Kelly; protects confidential communications between students and teachers.
- SB 463 (HESS, State Affairs, Finance) Ferguson: Establishes the Alaska State Teachers College.

END OF SESSION?!?

Current speculation is that adjournment will not come before the end of May. However, if differences can be resolved and closure given to the Operating and Capital Projects budget, look for the legislators to become extremely anxious about adjournment.

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The efforts of NEA-Alaska members on arbitration, one of our highest priorities for a number of years, have been extremely positive, effective and significant. Previously reluctant legislators have worked closely with those who have been committed to the issue to find a fair and equitable solution to the need for finality in the bargaining law. We are closer but certainly not at a point where we have a solution. Opposition from the State Board of Education after being neutral for a number of years, the traditional opposition from AASB, a vacillating and somewhat inconsistent position by the Anchorage Board of Education, and resistance from some interest groups continue to stand in the way of a final legislative remedy. Interestingly, the Superintendents Association, while philosophically opposed to arbitration, has worked in conferences and committee meetings to help in defining the best kind of arbitration process should a bill be passed. We anticipate and look forward to participation in an interim legislative committee charged with the responsibility to come up with comprehensive reform to the teacher bargaining law.

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At their National annual convention in Dallas on 10 - 12 April, after an evening of entertainment by Johnny Cash, the delegates got down to business and took a strong position in opposition to Reagan's budget cuts which are devastating to education. Their position in opposition is extremely close to the one which NEA had taken when the budget cuts were first announced.

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See the current Alaska Teacher for a more comprehensive report. It was an excellent session and Senator Charlie Parr and Representative Don Clocksin were extremely cooperative in providing forums in the formal HESS Committee hearings for issues which were extremely important to teachers. A lot of individual contacts combined with a variety of hearing circumstances did give us an excellent opportunity to put our issues before the Legislature. To all Associations who were represented at the Fly-In, a very sincere thanks!!!

LOBBYISTS DILEMMA

Where is the commonality in: support for Mini Title IX, need to carry a concealed weapon, 210 day school year, renewable contract marriages, and PTA prerogative in hiring and firing teachers?? Answer: Representative Mike Beirne, R, Anchorage.

NOTES

Senator Mike Colletta, R-Anch., continues to work closely with us on getting an arbitration bill which closes the question of finality. Representative Mike Miller, D-Juneau, testified in behalf of the arbitration bill in House HESS in a very positive and emphatic way and continues to work closely with us on the retirement issues. Senator Vic Fischer, D-Anch., and his staff are also working closely with us on the retirement issues. Rep. Don Cl, D-Anch., and his staff have been extremely cooperative on all teacher issues and do schedule a significant number of them for hearing during Fly-In. Senator Dick Eliason, R-Sitka, continues to be open on issues which are important to NEA-Alaska including the Foundation Funding Program. Senator Tim Kelly, R-Anch., is working closely with us on two major priorities - Arbitration and Mini-Title IX. Senator Arliss Sturgulovski, R-Anch., has been extremely positive on a "need to know" perspective on both sides of the arbitration issue. Senator Pat Rodey, D-Anch., and his staff have been working closely with us on retirement and personnel file issues. Representative Thelma Buchholdt, D-Anch., has been a key person throughout on Title IX and deserves credit from everyone to whom this effort has been a major issue. Senator Charlie Parr, D-Fairbanks, has been a major advocate on the Title IX issue. A lot of credit goes to a lot of people on this issue which

STATE OF ALASKA
THE LEGISLATURE

FOUCH Y. STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 9, 1981

SUBJECT: Delegation of review authority on teacher
employment decisions; local PTA's (Work Order
No. 12-1404)

TO: Representative Michael F. Reirne

FROM: *C.H.A.* Linn H. Asper
Legislative Counsel

You have asked for a bill giving PTA's a veto power over school district teacher employment decisions. I have drafted the bill according to your request, but there are some major problems with this proposal. In the first place, the partial delegation of authority over teacher employment to private organizations may exceed the power of the legislature under the state constitution. It is clear from the constitution that the legislature has power over public education in the state (Article VII, section 1). The delegation of educational functions to local school boards has been upheld by the Alaska Supreme Court, Macauley v. Hildebrand, 491 P.2d 120 (1971). The Court has not, however, considered a delegation of teacher employment authority to a private, unincorporated association such as a PTA. Nor can I find instances in other states where this kind of power has been delegated to a PTA. My opinion is that the Court is likely to strike down the proposed delegation as exceeding Article VII, section 1 of the constitution by distinguishing between delegations to publicly elected school boards and delegations to privately organized PTA's.

A second problem, assuming that the PTA delegation referred to above is valid, concerns the nature of a PTA. A PTA is essentially a club or association with no real form or substance under Alaska law. If this bill is passed situations will arise such as the creation of rival PTA's competing for the power to review teacher employment decisions. Which one would be recognized? Who would do the

Representative Michael F. Beirne
Page 2
April 9, 1981

recognizing? In short order there would be a need for legislation to certify PTA's to exercise statutory veto power, and a corresponding need to require PTA's to follow certain procedures in exercising that power. The PTA's would find themselves regulated by the Department of Education and forced into a certification process to determine which organizations would represent which schools.

In summary, it seems that this power over teacher employment may not be delegable to a PTA, and if it is, there will have to be extensive guidelines established on how the power is exercised and by whom. Please review the bill in light of these comments and let me know how you want to proceed on this matter.

LHA:ljb

Enclosure



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

March 1, 1982

Pouch V
State Capitol
Juneau, Alaska 99811

Agenda

SCSB 119(Fin) Teacher Housing ✓

Witnesses:

Sen. Terry Stimson ✓
Bob Cooksey, NEA ✓ *Bob Mander NEA ✓*
Steve Hole, Dept. of Ed. ✓
Bob Greene ✓ School Boards

HB 353 School Class Size

Witnesses:

Rep. Mike Miller ✓ *Margorie Gorauch - concerned parent.*
Steve Hole, Dept. of Ed. ✓ *Bob Greene, Sch Bd*
Bob Cooksey, NEA ✓

HB 238 Transfer/Reassignment of teachers

Witnesses:

Rep. Pappy Moss(?) ✓
Steve Hole, Dept. of Ed. ✓ *Bob Greene*
Bob Cooksey, NEA ✓

HB 512 PTA approval Hiring/Dismissal of Teachers

Witnesses:

Steve Hole, Dept. of Ed. ✓
Bob Cooksey, NEA ✓

Bob Greene
Sent 1 no
" 2 - yes

Tenure

April 2, 1982

Mr. Mike Beirn
Health, Education and Social Services' Committee
Room 112 Capitol Building
Juneau, Ak. 99811

Dear Rep. Beirn;

The Glennallen P.T.A. at its March 18th meeting considered HB 512 and decided that the concept of having P.T.A. input into the non-retention or dismissal of teachers would probably degenerate into a witch hunt, in the community. However we feel that P.T.A. input into the selection of our teachers would have a positive effect and increase the sense of involvement within the local community.

Sincerely

Margaret Willis
Acting Secretary
Glennallen P.T.A.

*sports - coaches - school loyalty -
Beirne Medal winning coach*

Original sponsor: Beirne
Matlabatta Is.

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

1 IN THE HOUSE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 512 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

30% turnout

4 TWELFTH LEGISLATURE - SECOND SESSION

*Congratulations to The Warriors
young girls Baseball team -*

A BILL

old crumbly - serial -

5 For an Act entitled: "An Act relating to the employment and dismissal of
6 teachers; and providing for an effective date."
7

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

9 * Section 1. AS 14.20.130 is amended by adding a new subsection to read:

10 (b) Before a contract is issued to a teacher who has not been
11 employed in the district during the school year preceding the year for
12 which the contract is to be issued, the employer shall submit the con-
13 tract to the parent-teacher organization, if any, for the location where
14 the teacher is to be employed. The parent-teacher organization may
15 recommend approval or disapproval of the contract within 30 days after
16 the contract is received for review. The employer shall consider a
17 parent-teacher organization recommendation in making a decision on the
18 issuance of the contract. *in addition the employer shall allow the*

19 * Sec. 2. AS 14.20.170 *PTA delegate to participate in future teacher interview* is amended by adding a new subsection to read:

20 (c) A school board shall consider dismissing a teacher if the
21 parent-teacher organization, if any, for the location of the teacher's
22 employment files a request for the dismissal with the school board
23 containing a statement of the reasons for dismissal. If the school
24 board determines that there is cause for dismissal under (a) of this
25 section after considering the parent-teacher organization statement and
26 other relevant information, the teacher shall be dismissed.

27 * Sec. 3. This Act takes effect July 1, 1982.
28
29

Introduced: 5/6/81
Referred: Health, Education &
Social Services

1 IN THE HOUSE

BY BEIRNE

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 512

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

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13 contract to the parent-teacher organization for the location where the
14 teacher is to be employed. The parent-teacher organization may approve
15 or disapprove the contract within 30 days after the contract is received
16 for review. If the parent-teacher organization disapproves the contract
17 within the prescribed time limit, the contract may not be issued by the
18 employer. If the parent-teacher organization approves the contract, or
19 fails to take action within the prescribed time limit, or if there is
20 no parent-teacher organization for the location where the teacher is to
21 be employed, the contract may be issued by the employer.

22 * Sec. 2. AS 14.20.170 is amended by adding a new subsection to read:

23 (c) A school board shall dismiss a teacher if the parent-teacher
24 organization for the location of the teacher's employment files a
25 request for the dismissal with the school board containing a statement
26 of the reasons for dismissal, and the school board determines that the
27 statement establishes cause for dismissal under (a) of this section.

28 * Sec. 3. This Act takes effect July 1, 1981.

1 IN THE HOUSE

2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 512 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

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13 ~~tract~~ ^{of} to the parent-teacher organization, if any, for the location where
14 the teacher is to be employed. ^{In addition, the employer shall allow a PTA to participate} The parent-teacher organization may
15 recommend approval or disapproval of the contract within 30 days after
16 the contract is received for review. The employer shall consider a
17 parent-teacher organization recommendation in making a decision on the
18 issuance of the contract. ^{In addition, the employer shall allow a PTA}
^{delegate the opportunity to participate in all}

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29



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

April 20, 1982

Agenda

| | |
|------------|--|
| CSSSSB 778 | Blind Vendors ✓ |
| HJR 86 | Encourage Passage H.R. 5313 |
| SB 517 | Extend loan repayment of Child Care facilities |
| HB 512 | PTA approval hiring/dismissal teachers |

a Memo from

PELICAN SCHOOL DISTRICT

P.O. BOX 603 • PELICAN, ALASKA 99832

Phone (907) 735-4411

attn Chairman

to House (NESS) Committee

date 3-22-82

subject HB 512 - STA

message

Sirs - I am writing to express opposition to HB 512. Of parents do not like the kind of teachers that are selected they should give the administration of hiring and firing recommendations as taken from the administration you will render the "local" ineffective.

reply no later than

no reply necessary

PLEASE REPLY TO

signed

Joseph J. Allen
Superintendent

reply

date

answered by

GHE 410B

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HB 512
 Title An Act relating to employment and dismissal of teachers
 Requested by House HESS Date 2-26-82

II. FISCAL DETAIL
 Agency Affected Education
 Program Category Affected Elementary and Secondary
 BRU, Program, Or Subprogram(s) Affected _____
 (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 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | -0- | -0- | -0- | -0- | -0- |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |
| POSITIONS | | -0- | -0- | -0- | -0- | -0- |

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

This bill has no fiscal impact on this department.

IV. DATE February 26, 1982 PREPARED BY Steve Holm
 AGENCY Education
 Original: Legislative Finance PHONE 465-2800
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

North Slope Borough School District

P. O. Box 169 • BARROW, ALASKA 99723 • 852-5311

May 13, 1981

Health, Education and Social Services Committee
The Honorable Mike Beirne
Pouch V
State Capitol
Juneau, Alaska 99811

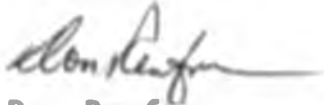
Dear Representative Beirne:

This is in response to House Bill No. 512 entitled "An Act Relating to the Employment, Non-Retention or Dismissal of Teachers." It appears to me that the bill would violate the authority given school boards to operate and control the school in Sec. 14.14.130(c).

Being illeget, notwithstanding, the placing of matters of employing, non-retaining and/or dismissing teachers in hands of non-professionals would be a significant step backwards in public education. There are a multiplicity of areas which must be evaluated in order to determine the competency or incompetency of teachers. In all areas except teacher/Community relationships, the evaluation, to be valid, must be done by persons trained to make that evaluation. If this bill is passed, I envision a contest where a complex array of teaching skills would be overlooked in favor of popularity.

I urge you to let this bill die a natural and just death.

Sincerely



Don Renfro
Superintendent

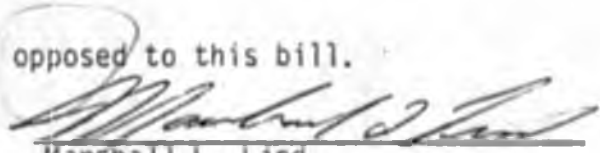
DR:jk

DEPARTMENT OF EDUCATION

POSITION PAPER HB 512

February 26, 1982

The State Board of Education is opposed to this bill.

A handwritten signature in cursive script, appearing to read "Marshall L. Lind", is written over a horizontal line.

Marshall L. Lind
Commissioner

OTHER BILLS OF INTEREST

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27 April 1981

Lobbyists: Carolyn Doggett, Bob Manners, Bob Cooksey, Jim Alter

Your April 7 (Number 5) issue of the Legislative Newsletter contained a composite list of all legislation which may be of interest in addition to the status report of our priority legislation. Rather than repeat the entire list we will only be adding to it in subsequent issues and, of course, reporting on the status of key bills. Hopefully, you have retained a copy of issue Number 5. If not, call the Juneau office and we will forward one to you.

PRIORITY LEGISLATION

ARBITRATION

- CS SB 126 In Senate Community and Regional Affairs; should be passed out on Tuesday 28 April; goes to Rules (Chair: Senator Tim Kelly) for calendaring for floor action.
- CS HB 163 Passed out of House HESS on 21 April, goes to House Judiciary (Chair: Rep. Fred Brown).

RURAL HOUSING

- CS SB 119 Passed out of Senate HESS, goes to Senate Finance (Co-Chairs: Senators Don Bennett and Ed Dankworth).
- CS HB 302 Passed out of House HESS, goes to House Finance (Chair: Rep. Sam Cotten)
- SB 176 Rental subsidy for rural teacher housing; still in Senate HESS.

MINI-TITLE IX

- CS SB 99 Passed Senate on 10 April, 16-2 (Against: Sackett, Ziegler; Absent: Rodey, Fahrenkamp).
- HCS HB 99 Passed House HESS on 16 April, passed 24 April on House Floor by 32-2; Against: Blysm, Randolph Absent: Bairne, Bettisworth, Fanning, Haugen, O'Connell, Chuckwak. Goes back to Senate for concurrence on changes; we don't anticipate any major problems.

RETIREMENT

- HB 121 PRPA, 2 1/2 Multiplier; in House State Affairs, we are working on a committee substitute; the Administration has set some parameters relative to costs which may be a serious problem for teachers.
- HB 35
- SB 60 In Senate Labor and Commerce; PRPA, 2 1/2 multiplier; will also be working on an appropriate committee substitute.
- SB 61 Gives TRS Board authority to adopt regulations; passed Senate HESS, in Judiciary with hearing scheduled for 27 April.
- SB 101 Retirement credit for BIA, Peace Corps; in Senate State Affairs; working on a committee substitute as a housekeeping bill which clears up a lot of issues relative to retirement.
- SB 199

FOUNDATION FUNDING: There is a significant reluctance to increase the Instructional Unit allotment beyond the level set in the last legislative session. Since the program is forward funded by one year the urgency of doing something now is somewhat diminished. Our effort must be to continue the forward funding concept which means that the legislation should deal with the program for FY 83 now. We need to continue to emphasize the importance of supplemental special education funding, some of the capital project requests which provide for renovation and construction, and the need for supplemental funds from Districts with legitimate requests for housing and excessive costs attendant to energy and maintenance. The Endowment Fund concept probably will not move in the current session but we must continue to explore the positive potential in this option and in the Constitutional amendment consideration for a public school fund as put forth by Senator Dick E. Ianson in SJR 1.

OTHER PROFESSIONAL ISSUES

- HB 238 In House HESS, restricts involuntary transfers.
- HB 268 In House HESS, pertains to Health and Safety issues for teachers.
- HB 353 In House HESS, class size.
- SB 90 In Senate Judiciary; hearings on 27 April; pertains to privacy and public information; our concerns attendant to teachers' personnel files are being effectively addressed.
- HB 397 In House HESS, hearings on 7 May; provides for certificated staff in-service programs and staff development.

CALENDAR

| | | | |
|---------|--------|-------------------------------|-----------|
| 15, 16 | May | NEA-Alaska Board of Directors | Fairbanks |
| 16 - 20 | August | Annual Leadership Academy | Anchorage |

PLAN NOW!!

4-2-82

STI Thom - 7885, Ed. done

Kay Bunnell - OddC

INvolvement!

Tennise

SATCH CARLSON

Butler H.S. - 9 yrs.
NO PTA

Chuck O'Connell.

Jean Krause - WRS, Ha 11 yrs.
dead horse

Tom Crandall - Twin Hills

12

current system

4-1-81

June

① Bill to extend school year
to a full 10 mo. or 12 mo.

already paying teachers so no add costs

" have schools " " " "

Revenue during it

Ed. is Flagship of State

What is
Purpose -

Confidential

② Bill to give PTA authority to veto the
hiring of a certain Teacher.

Committee of Commerce

③ 2/ Mayor of Juneau

All why they ask him why no support for Citizen Participation Bill?
why they don't even support it?

H

B

5

3

2

May 12, 1981

Mr. Chairman and members of the committee. My name is Emma Borbridge. I am a resident of Juneau and a grandparent. I appreciate the opportunity to be able to appear before this committee to make a few comments in support of House Bill No. 532. I would also like to take this opportunity to thank Representative Miller and Representative Cloksin for introducing House Bill No. 532 on behalf of grandparents and their visitation rights as contained in HB 532.

The relationship between grandparents and their grandchildren is a very special and unique one. During the early years of childhood, the world has a certain beauty when seen through the eyes of a small child. That beauty is seen and understood better by grandchildren and grandparents who see it together. Children soon become equal with their parents in the adult world. Many people such as me are among the unfortunate who never knew their grandparents. My grandparents died before I was born, but I liked hearing about them from my mother and father. My image of them is very special and heartwarming. In today's world with the divorce rate at an all-time high, young children are often left to be cared for by their grandparents. In providing care for the child, the grandparents once again become involved in the beautiful world of a small child. There is love and affection in a stable environment. One day without warning the parents may decide to exercise ~~of~~ their custodial rights and take the child away from that stable and secure home. In many instances the child is not allowed to visit his or her grandparents. The child is confused and doesn't understand. It is a wrenching experience for the grandparents. It leaves scars. The physical, emotional, mental, religious, and social well-being of a child can best be met if a normal and healthy grandchild-grandparent relationship can be maintained. In view of the high divorce rate in our state there is a greater need for grandparents to be involved in helping to maintain a continued and stable environment during the child's early growth.

There are pressures in our society that threaten the stability and continuity of the family unit. These same pressures damage the relationship of parents and their children. Now, these conditions are interfering with the life-line that the young and the old hold onto. The stability of a child is strengthened when family ties are strong. HB 532 is a positive step in the right direction.

POSITION PAPER

HOUSE BILL NO. 532

"An Act providing for the award of visitation rights to grandparents."

House Bill No. 532 adds to the section on visitation rights in judgments for custody during divorce or legal separation actions by providing that grandparents be allowed visitation rights. The fact that parents choose to divorce each other should not automatically preclude the child from visiting grandparents who love a child and can give him emotional support. Sometimes the conflict between parents serves to cut off a child from his grandparents; this may not be in the best interests of the child.

The Department of Health and Social Services is, therefore, supportive of House Bill No. 532.

RECOMMENDED BY: John R. Pugh
John R. Pugh, Director
Division of Family and
Youth Services

DATE: 5/6/81

APPROVED BY: Helen D. Beirne
Helen D. Beirne
Commissioner

DATE: 5-11-81

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HOUSE BILL NO. 532
 Title "An Act providing for the award of visitation rights to grandparents."
 Requested by Miller and Clocksin Date 4/24/81

II. FISCAL DETAIL

Agency Affected Department of Health and Social Services
 Program Category Affected Social Services
 BRU, Program, or Subprograms Affected Various

(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 81 | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 |
|--------------------------|------------|------------|------------|------------|------------|------------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | -0- | -0- | -0- | -0- | -0- | -0- |

FUNDING (Thousands of Dollars)

| | | | | | | |
|-----------------------------|-----|-----|-----|-----|-----|-----|
| GENERAL FUND | -0- | -0- | -0- | -0- | -0- | -0- |
| FEDERAL FUNDS | -0- | -0- | -0- | -0- | -0- | -0- |
| OTHER (Specify Fund Source) | -0- | -0- | -0- | -0- | -0- | -0- |
| | -0- | -0- | -0- | -0- | -0- | -0- |
| | -0- | -0- | -0- | -0- | -0- | -0- |

POSITIONS

| | | | | | | |
|-----------|-----|-----|-----|-----|-----|-----|
| FULL TIME | -0- | -0- | -0- | -0- | -0- | -0- |
| PART TIME | -0- | -0- | -0- | -0- | -0- | -0- |
| TEMPORARY | -0- | -0- | -0- | -0- | -0- | -0- |

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

House Bill No. 532 has no fiscal impact on the Department of Health and Social Services.

IV. DATE 7/30/81 PREPARED BY John R. Pugh, Director
 AGENCY Division of Family and Youth Services
 PHONE 465-5170
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (Last Legislator Name): M. Hebborn M&B Approval M. Hebborn Date 4/2/81

H B
574

COMMITTEE REPORT

2/5

HOUSE

6/4/81

FURTHER: FIN/ICE

(5)

Date: _____

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had SBIR 574

"An Act relating to the hours of the day during which persons may be present at alcoholic beverages sold or consumed on licensed premises"

under consideration and reports it back as follows:

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

MEMBERS SIGNING
DO PASS

[Signature]

MEMBERS HAVING
RECOMMENDATIONS:

[Signature]

CHAIRMAN

POSITION 1

HOUSE BILL 574

"An Act relating to the hours of the day during which patrons may be present or alcohol sold or consumed on licensed premises'.

The Department of Health and Social Services is highly supportive of a reduction in hours that licensed premises may legally be open.

Presently it is legal for licensed premises to sell alcohol twenty-four hours a day in Nevada and Louisiana. With the exception of these two states Alaska currently has more legal hours of sale than any of the remaining forty-seven states. Further limitation on hours of sale may result in some lowering of per capita consumption, alcohol related human and social costs, and some modification of attitude concerning the wide open acceptability of drinking in Alaska.

The City and Borough of Juneau, by local election, reduced licensed premise sales by fifteen hours per week in September, 1979. According to reports by police and social agencies alcohol related offenses such as OMVI, liquor law violations, minors consuming, disorderly conduct, and assault decreased when the earlier closing hours became effective.

Similar decreases are being reported in Anchorage where licensed premises hours recently were reduced.

The Office of Alcoholism and Drug Abuse would be pleased to provide additional information on this bill.

Recommended by:

Robert L. Cole
Robert L. Cole
Coordinator
Office of Alcoholism/
Drug Abuse

Date:

2/1/80

Approved by:

Heleen D. Bairne
Heleen D. Bairne
Commissioner

Date:

2-1-80

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB 574
Title "An Act relating to the hours which patrons sell alcohol..."
Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Health & Social Services
Program Category Affected Alcoholism/Drug Abuse
BRU, Program, Or Subprogram(s) Affected _____
(Note: If more than one budget component is effected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | -0- | -0- | -0- | -0- | -0- | -0- |

FUNDING (Thousands of Dollars)

| | | | | | | |
|------------------------|-----|-----|-----|-----|-----|-----|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |
| POSITIONS | -0- | -0- | -0- | -0- | -0- | -0- |
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |
| | -0- | -0- | -0- | -0- | -0- | -0- |

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

IV. DATE January 27, 1982 PREPARED BY Robert L. Cole
AGENCY Alcoholism/Drug Abuse
PHONE 586-6201
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named)
33-001 (Rev. 12/81)

Article 8. General Provisions.

Section

420. Definitions

430. Short title

Sec. 42.10.420. Definitions. In this chapter

(1) "commission" means the Alaska Transportation Commission or its designated representative;

(2) "common carrier" includes

(A) a person who undertakes to transport property for the general public by motor vehicle for compensation, over regular or irregular routes, on regular or irregular schedules, including motor vehicle operations of other carriers by rail or water and of express or forwarding companies;

(B) a person who leases, rents, or provides a motor vehicle for the use of another in transporting property, and who provides, procures, or arranges for, directly or indirectly, or by course of dealing, a driver or operator for the motor vehicle or the necessary authority for the use of it on a public highway, except when the motor vehicle is leased to an authorized common carrier or contract carrier or by a construction contractor as defined in (12) of this section to another construction contractor as so defined, under rules and regulations to be prescribed by the commission;

(C) a person engaged in the business of providing, contracting for or undertaking to provide transportation of property for compensation over the public highways as a broker or forwarder;

(3) "contract carrier" includes all motor vehicle operators not included under the term "common carrier" or "private carrier" and includes any person who under special and individual contracts or agreements transports property by motor vehicle for compensation; contract carrier includes a person engaged in the business of providing, contracting for, or undertaking to provide transportation of property for compensation over the public highways as a broker or forwarder;

(4) "exempt carrier" means a person operating a vehicle exempted from certain provisions of this chapter under § 20 of this chapter;

(5) "motor carrier" includes common carrier, contract carrier, private carrier and exempt carrier;

(6) "motor vehicle" means a truck, tractor, wrecker, tow car, hearse, ambulance or other self-propelled or motor-driven vehicle used upon any public highway of this state for the purpose of transporting property;

(7) "private carrier" is:

(A) a person who transports by motor vehicle, with or without compensation, property which is owned or is being bought or sold by him, or property of which he is the seller, purchaser, lessee or bailee, and the transportation is incidental to and in furtherance of some other primary business conducted by the person in good faith;

(B) a person who does not in the course of business

(8) "public highway" means a highway owned or controlled by the state;

(9) "vehicle" means a motor vehicle, public highway, or other means of transportation moved by rails or tractors;

(10) "rate of compensation" means the rate of compensation for its services;

(11) "property" means any property, waste material, or other thing;

(12) "contract carrier" means a carrier as defined in this section who is actively engaged in the business of transporting or removing property in bulk in discrete lots, actively engaged in the business of providing, contracting for, or undertaking to provide transportation of property for compensation under AS 42.10.420, 42.10.430, 42.10.440, 42.10.450, 42.10.460, 42.10.470, 42.10.480, 42.10.490, 42.10.500, 42.10.510, 42.10.520, 42.10.530, 42.10.540, 42.10.550, 42.10.560, 42.10.570, 42.10.580, 42.10.590, 42.10.600, 42.10.610, 42.10.620, 42.10.630, 42.10.640, 42.10.650, 42.10.660, 42.10.670, 42.10.680, 42.10.690, 42.10.700, 42.10.710, 42.10.720, 42.10.730, 42.10.740, 42.10.750, 42.10.760, 42.10.770, 42.10.780, 42.10.790, 42.10.800, 42.10.810, 42.10.820, 42.10.830, 42.10.840, 42.10.850, 42.10.860, 42.10.870, 42.10.880, 42.10.890, 42.10.900, 42.10.910, 42.10.920, 42.10.930, 42.10.940, 42.10.950, 42.10.960, 42.10.970, 42.10.980, 42.10.990.

(13) "contract carrier" means a carrier as defined in this section who is actively engaged in the business of transporting or removing property in bulk in discrete lots, actively engaged in the business of providing, contracting for, or undertaking to provide transportation of property for compensation under AS 42.10.420, 42.10.430, 42.10.440, 42.10.450, 42.10.460, 42.10.470, 42.10.480, 42.10.490, 42.10.500, 42.10.510, 42.10.520, 42.10.530, 42.10.540, 42.10.550, 42.10.560, 42.10.570, 42.10.580, 42.10.590, 42.10.600, 42.10.610, 42.10.620, 42.10.630, 42.10.640, 42.10.650, 42.10.660, 42.10.670, 42.10.680, 42.10.690, 42.10.700, 42.10.710, 42.10.720, 42.10.730, 42.10.740, 42.10.750, 42.10.760, 42.10.770, 42.10.780, 42.10.790, 42.10.800, 42.10.810, 42.10.820, 42.10.830, 42.10.840, 42.10.850, 42.10.860, 42.10.870, 42.10.880, 42.10.890, 42.10.900, 42.10.910, 42.10.920, 42.10.930, 42.10.940, 42.10.950, 42.10.960, 42.10.970, 42.10.980, 42.10.990.

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(19) "contract carrier" means a carrier as defined in this section who is actively engaged in the business of transporting or removing property in bulk in discrete lots, actively engaged in the business of providing, contracting for, or undertaking to provide transportation of property for compensation under AS 42.10.420, 42.10.430, 42.10.440, 42.10.450, 42.10.460, 42.10.470, 42.10.480, 42.10.490, 42.10.500, 42.10.510, 42.10.520, 42.10.530, 42.10.540, 42.10.550, 42.10.560, 42.10.570, 42.10.580, 42.10.590, 42.10.600, 42.10.610, 42.10.620, 42.10.630, 42.10.640, 42.10.650, 42.10.660, 42.10.670, 42.10.680, 42.10.690, 42.10.700, 42.10.710, 42.10.720, 42.10.730, 42.10.740, 42.10.750, 42.10.760, 42.10.770, 42.10.780, 42.10.790, 42.10.800, 42.10.810, 42.10.820, 42.10.830, 42.10.840, 42.10.850, 42.10.860, 42.10.870, 42.10.880, 42.10.890, 42.10.900, 42.10.910, 42.10.920, 42.10.930, 42.10.940, 42.10.950, 42.10.960, 42.10.970, 42.10.980, 42.10.990.

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(21) "contract carrier" means a carrier as defined in this section who is actively engaged in the business of transporting or removing property in bulk in discrete lots, actively engaged in the business of providing, contracting for, or undertaking to provide transportation of property for compensation under AS 42.10.420, 42.10.430, 42.10.440, 42.10.450, 42.10.460, 42.10.470, 42.10.480, 42.10.490, 42.10.500, 42.10.510, 42.10.520, 42.10.530, 42.10.540, 42.10.550, 42.10.560, 42.10.570, 42.10.580, 42.10.590, 42.10.600, 42.10.610, 42.10.620, 42.10.630, 42.10.640, 42.10.650, 42.10.660, 42.10.670, 42.10.680, 42.10.690, 42.10.700, 42.10.710, 42.10.720, 42.10.730, 42.10.740, 42.10.750, 42.10.760, 42.10.770, 42.10.780, 42.10.790, 42.10.800, 42.10.810, 42.10.820, 42.10.830, 42.10.840, 42.10.850, 42.10.860, 42.10.870, 42.10.880, 42.10.890, 42.10.900, 42.10.910, 42.10.920, 42.10.930, 42.10.940, 42.10.950, 42.10.960, 42.10.970, 42.10.980, 42.10.990.

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(23) "contract carrier" means a carrier as defined in this section who is actively engaged in the business of transporting or removing property in bulk in discrete lots, actively engaged in the business of providing, contracting for, or undertaking to provide transportation of property for compensation under AS 42.10.420, 42.10.430, 42.10.440, 42.10.450, 42.10.460, 42.10.470, 42.10.480, 42.10.490, 42.10.500, 42.10.510, 42.10.520, 42.10.530, 42.10.540, 42.10.550, 42.10.560, 42.10.570, 42.10.580, 42.10.590, 42.10.600, 42.10.610, 42.10.620, 42.10.630, 42.10.640, 42.10.650, 42.10.660, 42.10.670, 42.10.680, 42.10.690, 42.10.700, 42.10.710, 42.10.720, 42.10.730, 42.10.740, 42.10.750, 42.10.760, 42.10.770, 42.10.780, 42.10.790, 42.10.800, 42.10.810, 42.10.820, 42.10.830, 42.10.840, 42.10.850, 42.10.860, 42.10.870, 42.10.880, 42.10.890, 42.10.900, 42.10.910, 42.10.920, 42.10.930, 42.10.940, 42.10.950, 42.10.960, 42.10.970, 42.10.980, 42.10.990.

(B) a person who rents, leases, or otherwise provides a motor vehicle for the use of others in transporting passengers or property, but who does not provide, procure, or arrange for, directly, indirectly or by course of dealing, an operator for the vehicle.

(8) "public highway" means every street, road or highway in this state;

(9) "vehicle" includes every device capable of being moved upon a public highway and in, upon or by which a person or property is or may be transported or drawn upon a public highway, excepting a device moved by human or animal power or used exclusively upon stationary rails or tracks;

(10) "rate" includes every rate, toll, fare, rental charge, or other form of compensation demanded, observed, charged or collected by a carrier for its services;

(11) "property" means all commodities, articles and cargo, of whatever nature or value, excluding garbage, refuse, trash or other waste material;

(12) "construction contractor" means a contractor licensed by the state as a general contractor under AS 08.18 to engage in and who is actively and regularly engaged in the business of constructing, repairing or removing any kind of private or public facility or structure and does not include "contract carriers" authorized to transport commodities in bulk in dump-type equipment unless the "contract carrier" is also actively engaged in the business of constructing, repairing or removing private or public facilities or structures as a licensed general contractor under AS 08.18. (S 2 ch 166 SLA 1960; am §§ 1 — 3 ch 121 SLA 1961; am §§ 8, 9 ch 103 SLA 1963; am § 3 ch 139 SLA 1966; am §§ 17 — 19 ch 107 SLA 1970; am § 1 ch 89 SLA 1971; am § 10 ch 120 SLA 1972; am § 3 ch 52 SLA 1973; am § 4 ch 76 SLA 1973)

Effect of amendments. — The 1972 amendment, in paragraph (12), inserted "as a general contractor under AS 08.18," inserted "and regularly," inserted "general" following "licensed," and added "under AS 08.18."

The first 1973 amendment rewrote paragraph (7).

The second 1973 amendment rewrote paragraph (11).

Legislative committee report. — For report on ch. 107, SLA 1970 (HCR 258) 271 on file see 1970 House Journal, p. 902. Also refer to 1970 House Journal, p. 1264 (re HCR 258) 343.

Chapter applicable to carriers within cities. — While certain exceptions to chapter coverage are made in this section, no exemption is made for vehicles operating wholly within an incorporated city. The conclusion follows that all carriers, including those within cities are subject to the provisions of this chapter. 1962 Op. Atty. Gen., No. 12.

Quoted in Alaska Transportation Commission Manual, Sup. Ct. Op. No. 570 (File No. 1964) 438 P.2d 1012 (1964).

ALR reference. — What carriers are within statutory definition of common carriers by motor vehicle, 161 ALR 617.

Sec. 42.10.430. Short title. This chapter may be cited as the Alaska Motor Freight Carrier Act. (S 1 ch 166 SLA 1960)

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SSHB 574
 Title Relating to hours of sale & consumption of alcoholic beverages on licensed premises
 Requested by House Education & Social Services Committee Date _____

II. FISCAL DETAIL

Agency Affected Revenue
 Program Category Affected Consumer Protection
 BRU, Program, or Subprogram(s) Affected Alcoholic Beverage Control Board
 (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 81 | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | -0- | -0- | -0- | -0- | -0- |

FUNDING (Thousands of Dollars)

| | | | | | | |
|-----------------------------|--|-----|-----|-----|-----|-----|
| GENERAL FUND | | -0- | -0- | -0- | -0- | -0- |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Fund Source) | | | | | | |

POSITIONS

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL TIME | | | | | | |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

Enactment of this legislation will not have any impact on this BRU

COMMENT: Page 2, line 4 - Suggest deleting "restaurant or eating place" and inserting "bona fide restaurant." This makes the provision consistent with 1981 legislation enacted in Chapter 28, 1981 SLA (copy attached).

IV. DATE December 21, 1981

PREPARED BY Patrick L. Sharrock
 AGENCY ALCOHOLIC BEVERAGE CONTROL BOARD
 PHONE 277-8638

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

1 the board may issue a license under this title which will be effective
2 for a continuous six-month period. Otherwise, all licenses issued under
3 this title other than a retail stock sale license are effective for the
4 calendar year ending December 31, unless a shorter period is prescribed
5 by the board or by law.

- 6 • Sec. 14. AS 04.16.010(c) is amended to read:

7 (c) A licensee, his agent, or employee may not permit a person to
8 enter and a person may not enter premises licensed under this title
9 between the hours of 5:00 a.m. and 8:00 a.m. each day. This subsection
10 does not apply to common carriers, as defined in AS 42.10.420(2), or to
11 an employee of the licensee who is on the premises to prepare for the
12 next day's business. A person may enter or remain [OR TO PERSONS
13 REMAINING] on the premises of a bona fide restaurant or eating place
14 licensed under this title to consume food or nonalcoholic beverages.

- 15 • Sec. 15. AS 04.16.020(a) is amended to read:

16 (a) A person may not pay or receive from another a salary, per-
17 centage or commission to solicit or encourage a patron of licensee
18 premises to purchase alcoholic or other beverages for [CONSUMPTION BY]
19 a person other than the patron.

- 20 • Sec. 16. AS 04.16.049(a)(2) is amended to read:

21 (2) accompanied by a person over the age of 19 years and
22 with the consent of the person's parent or guardian if the premises are
23 designated by the board [LICENSEE] as a restaurant for the purpose of
24 this section [OR EATING PLACE] and the persons enter and remain only
25 for dining.

- 26 • Sec. 17. AS 04.16.210 is amended to read:

27 Sec. 04.14.210. PENALTY FOR MAKING FALSE STATEMENT. If a false
28 statement is made in an application under AS 04.11.700 - 04.11.200
29 [AS 04.11.200], the applicant is guilty of perjury and, upon conviction,

H B
608

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HB608
Title Establish Uniform Administrative Procedures for Non-Profit Organizations
Requested by House HESS Date _____

II. FISCAL DETAIL

Agency Affected Department of Administration, Division of Finance
Program Category Affected General Government
BRU, Program, Or Subprogram(s) Affected Accounting
(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 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICE | | 83.1 | 89.7 | 96.9 | 104.7 | 113.1 |
| 200 TRAVEL | | 25.0 | 27.0 | 29.2 | 31.5 | 34.0 |
| 300 CONTRACTUAL | | 7.0 | 7.5 | 8.1 | 8.7 | 9.4 |
| 400 COMMODITIES | | 2.0 | 2.2 | 2.3 | 2.5 | 2.7 |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | | | | | |
| TOTAL | | 117.1 | 126.4 | 136.5 | 147.4 | 159.2 |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | | 117.1 | 126.4 | 136.5 | 147.4 | 159.2 |
| FEDERAL FUNDS | | | | | | |
| OTHER (Specify Source) | | | | | | |

POSITIONS

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | | 2.0 | 2.0 | 2.0 | 2.0 | 2.0 |
| PART TIME | | | | | | |
| TEMPORARY | | | | | | |

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

The services of an Internal Auditor II and III will be required to carry out the provisions of HB608. The auditors will be responsible for negotiating indirect cost votes for application to state grants and contracts for approximately 200 non profit organizations and will conduct annual examinations of internal accounting and administrative controls for 40-50 organizations. These will be the ongoing activities required in HB608.

The auditors will also be initially responsible for developing and implementing uniform procedures for grants to contracts with no profit organizations.

IV. DATE 1/27/82 PREPARED BY Robert L. Rehfeld *RLR*
AGENCY Administration
PHONE 465-2277
Original: Legislative Finance
cc: Budget and Management
Prime Sponsor (First Legislator Named) Heekins and Boirne
33-001 (Rev. 12/81)
4/1007507 01/28/82

| | | | | | | | | | |
|---------------|--|--------------------|------------------|-------------------|----------------------------|---|-----------|---------|---------|
| 1 | POSITION TITLE Internal Auditor III | | | RANGE/STEP 19A | BARG. UNIT. Supervisory | LOCATION Juneau | GOV. | APPROV. | DIBAPP. |
| 2 | TYPE OF POSITION PFT | STAFF MONTHS 12 | RP No. | PCN No. | PRIORITY | FORM 12 | PAGE/LINE | LEG. | |
| 3 | TYPE OF EXPENDITURE | | | AMOUNT | | JUSTIFICATION: The Internal Auditor III working under control of the Director, Division of Finance will be responsible for the following activities: 1) develop and effect implementation of uniform procedures for grants to and contracts with non profit organizations 2) conduct annual examinations of non profit organizations to insure the adequacy of internal accounting and administrative controls for the purpose being eligible to receive and expend State funds 3) negotiate indirect cost rates with non profit organizations for application to State grants and contracts. | | | |
| | 1 | 2 | 3 | | | | | | |
| 4 | PERSONAL SERVICES: SALARY 2837 x 12 | | 34,044 | | | | | | |
| 5 | BENEFITS @30.9% | | 10,520 | | | | | | |
| 6 | SBS | | | | | | | | |
| 7 | FIXED BENEFITS | | | | | | | | |
| 8 | TOTAL PERSONAL SERVICES | | 01 44,564 | 44.5 | | | | | |
| 9 | TRAVEL | | 02 | 12.5 | | | | | |
| 10 | CONTRACTUAL | | 03 | 3.5 | | | | | |
| 11 | COMMODITIES | | 04 | 1.0 | | | | | |
| 12 | EQUIPMENT | | 05 | | | | | | |
| 13 | OTHER | | | | | | | | |
| 14 | TOTAL COST | | | 61.5 | | | | | |
| | RECEIPT CODE | FUNDING SOURCE | | | | | | | |
| 15 | | FED RCPTS 1002 | | | | | | | |
| 16 | | GF MATCH 1003 | | | | | | | |
| 17 | | GEN FUND 1004 | | 61.5 | | | | | |
| 18 | | I-A RCPTS 1005 | | | | | | | |
| 19 | | PGM RCPTS 1028 | | | | | | | |
| 20 | | OTHER | | | | | | | |
| 21 | CONTINUATION | | FOR B&M USE ONLY | | | | | | |
| 22 | ADDITION | | | | | | | | |
| 4A KEY NUMBER | | COLUMN NO. | | | | | | | |

AGENCY Administration, Finance PROGRAM Centralized Admin. Services

BRU Accounting

COMPONENT Accounting Services

13 REQUEST FOR NEW POSITION.

Page 1 of 2 REVISED DATE _____

FY 83

| | | | | | | | | | | |
|----|---------------------------------------|--------------------|------------------|------------|---|--------------------|--------------------|------|---------|---------|
| 1 | POSITION TITLE Internal Auditor II | | | | RANGE/STEP 17A | BARG. UNIT. GGU | LOCATION Juneau | GOV. | APPROV. | DIBAPP. |
| 2 | TYPE OF POSITION PFT | STAFF MONTHS 12 | RF No. | PCN No. | PRIORITY | FORM 12 | PAGE/LINE | LEG. | | |
| 3 | TYPE OF EXPENDITURE | | | AMOUNT | JUSTIFICATION: The Internal Auditor II working under supervision of the Internal Auditor III will perform the following activity: 1) conduct annual examinations of non profit organizations to insure the adequacy of internal accounting and administrative controls for the purpose of being eligible to receive and expend State funds. | | | | | |
| | 1 | 2 | 3 | | | | | | | |
| 4 | PERSONAL SERVICES: SALARY | | 2,455 x 12 | 29,450 | | | | | | |
| 5 | BENEFITS | | @30.9% | 9,103 | | | | | | |
| 6 | SBS | | | | | | | | | |
| 7 | FIXED BENEFITS | | | | | | | | | |
| 8 | TOTAL PERSONAL SERVICES | | 01 38,563 | 38.6 | | | | | | |
| 9 | TRAVEL | | 02 | 12.5 | | | | | | |
| 10 | CONTRACTUAL | | 03 | 3.5 | | | | | | |
| 11 | COMMODITIES | | 04 | 1.0 | | | | | | |
| 12 | EQUIPMENT | | 05 | | | | | | | |
| 13 | OTHER | | | | | | | | | |
| 14 | TOTAL COST | | | 55.6 | | | | | | |
| | RECEIPT CODE | FUNDING SOURCE | | | | | | | | |
| 15 | | FED RCPTS 1102 | | | | | | | | |
| 16 | | GF MATCH 1103 | | | | | | | | |
| 17 | | GFN FUND 1104 | | 55.6 | | | | | | |
| 18 | | I-A RCPTS 1105 | | | | | | | | |
| 19 | | PGM RCPTS 1028 | | | | | | | | |
| 20 | | OTHER | | | | | | | | |
| 21 | CONTINUATION | | FOR B&M USE ONLY | | | | | | | |
| 22 | ADDITION | | | | | | | | | |
| | 4A KEY NUMBER | | | COLUMN NO. | | | | | | |

AGENCY Administration, Finance PROGRAM Centralized Admin. Services

RRU Accounting

COMPONENT Accounting Services

13 REQUEST FOR NEW
POSITION

Page 2 of 2 REVISED DATE _____

FY 83



H B

6 11

**FINANCIAL ASSISTANCE PROGRAM
FOR ALASKANS WHO HAVE
EXPERIENCED CATASTROPHIC ILLNESS**

A CATASTROPHIC ILLNESS IS A SINGLE ILLNESS OR INJURY DURING ANY 12 MONTH PERIOD WHICH, AFTER ALL OTHER SOURCES OF PAYMENT HAVE BEEN EXHAUSTED, LEAVES MEDICAL EXPENSES OF OVER \$1,000.



HOW THE CATASTROPHIC ILLNESS PROGRAM WORKS

Alaska Statute 47.25 was amended by the 1976 Legislature by adding section .225 to establish the CATASTROPHIC ILLNESS PROGRAM which became effective July 1976.

The program is administered by the CATASTROPHIC ILLNESS COMMITTEE which is comprised of a medical review officer from the Department of Health and Social Services, a member appointed by the Governor who has suffered a catastrophic illness, and a representative of the Department of Commerce and Economic Development appointed by the Governor.

An application may be filed by a person who has suffered a catastrophic illness or by a parent, spouse, or legal guardian of that person; or by any other interested party with the written consent of the person who has suffered the catastrophic illness.

An applicant MUST BE a resident of the State of Alaska at the time of the application and MUST HAVE BEEN a resident at the time of the catastrophic illness.

The Committee will consider only those applications where the total medical bills related to the catastrophic illness are more than \$1,000 in a period not to exceed 12 months after all sources of third-party payment has been exhausted.

Third party payment means payments of medical expenses related to a catastrophic illness by sources other than the applicant or the Catastrophic Illness Committee, such as state and federal medical assistance programs, private health insurance, employment-related health insurance, military health insurance, workmen's compensation, violent crimes compensation, Indian Health Service of the U. S. Department of Health, Education and Welfare, and awards in legal actions.

Each application will be reviewed by the Committee or its designee for completeness of information, including required documentation of medical expenses, gross income and assets. The application may be returned to the person who is applying for more complete information and any portion of the application may be investigated. The Committee will meet twice a month to determine the eligibility of applicants and the amount of medical assistance to be awarded.

The Committee will use the formula below to determine the applicant's share total medical bills related to a catastrophic illness, based on annual income, number of dependents, amount of assets, and the assumption that the applicant share will be paid to the provider on a payment schedule covering a period at least 3 years.

CATASTROPHIC ILLNESS PROGRAM DETERMINATION FORMULA
AMOUNT TO BE PAID BY APPLICANT*

PART I — INCOME MEASURE

| Annual Gross Income of Family | Number of family members | | | | | | |
|-------------------------------|---|-------|-------|-------|-------|-------|-----------|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 or more |
| \$ - - \$ 5,000 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 |
| \$ 5,001 - \$ 5,500 | 1,375 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 |
| \$ 5,501 - \$ 6,000 | 1,575 | 1,375 | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 |
| \$ 6,001 - \$ 6,500 | 1,950 | 1,575 | 1,375 | 1,000 | 1,000 | 1,000 | 1,000 |
| \$ 6,501 - \$ 7,000 | 2,325 | 1,950 | 1,575 | 1,375 | 1,000 | 1,000 | 1,000 |
| \$ 7,001 - \$ 7,500 | 2,700 | 2,325 | 1,950 | 1,575 | 1,375 | 1,000 | 1,000 |
| \$ 7,501 - \$ 8,000 | 3,150 | 2,700 | 2,325 | 2,000 | 1,600 | 1,000 | 1,000 |
| \$ 8,001 - \$ 8,500 | 3,525 | 3,150 | 2,700 | 2,325 | 2,000 | 1,000 | 1,000 |
| \$ 8,501 - \$ 9,000 | 3,900 | 3,525 | 3,150 | 2,700 | 2,325 | 2,000 | 1,000 |
| \$ 9,001 - \$ 9,500 | 4,275 | 3,900 | 3,525 | 3,150 | 2,700 | 2,325 | 2,000 |
| \$ 9,501 - \$ 10,000 | 4,650 | 4,275 | 3,900 | 3,525 | 3,150 | 2,700 | 2,325 |
| \$ 10,001 - \$ 10,500 | 5,025 | 4,650 | 4,275 | 3,900 | 3,525 | 3,150 | 2,700 |
| \$ 10,501 - \$ 11,000 | 5,400 | 5,025 | 4,650 | 4,275 | 3,900 | 3,525 | 3,150 |
| \$ 11,001 - \$ 11,500 | 5,775 | 5,400 | 5,025 | 4,650 | 4,275 | 3,900 | 3,525 |
| \$ 11,501 - \$ 12,000 | 6,150 | 5,775 | 5,400 | 5,025 | 4,650 | 4,275 | 3,900 |
| \$ 12,001 - \$ 12,500 | 6,525 | 6,150 | 5,775 | 5,400 | 5,025 | 4,650 | 4,275 |
| \$ 12,501 - \$ 13,000 | 6,900 | 6,525 | 6,150 | 5,775 | 5,400 | 5,025 | 4,650 |
| \$ 13,001 - \$ 13,500 | 7,275 | 6,900 | 6,525 | 6,150 | 5,775 | 5,400 | 5,025 |
| \$ 13,501 - \$ 14,000 | 7,650 | 7,275 | 6,900 | 6,525 | 6,150 | 5,775 | 5,400 |
| \$ 14,001 - \$ 14,500 | 8,025 | 7,650 | 7,275 | 6,900 | 6,525 | 6,150 | 5,775 |
| \$ 14,501 - \$ 15,000 | 8,400 | 8,025 | 7,650 | 7,275 | 6,900 | 6,525 | 6,150 |
| \$ 15,001 - \$ 15,500 | 8,775 | 8,400 | 8,025 | 7,650 | 7,275 | 6,900 | 6,525 |
| \$ 15,501 - \$ 16,000 | 9,150 | 8,775 | 8,400 | 8,025 | 7,650 | 7,275 | 6,900 |
| over - \$16,000 | Amount from \$16,000 line plus 75% of income over \$16,000. | | | | | | |

PART II — LIQUID ASSET MEASURE

| Amount of Liquid Assets | Percentage of Liquid Assets to be applied to Medical Expenses |
|-------------------------|---|
| \$ - - \$1,000 | - |
| \$1,001 - \$2,500 | 50% of excess over \$1,000 |
| \$2,501 - \$5,000 | 75% of excess over \$2,500 |
| over - \$5,000 | 100% of excess over \$5,000 |

*It is the joint responsibility of the provider and the applicant to arrange a payment schedule to retire the amount to be paid by applicant.

| | Example 1 | Example 2 | Example 3 |
|---|-----------|-----------|-----------|
| Eligible Medical Expenses** | \$20,000 | \$20,000 | \$20,000 |
| Gross Income | 6,200 | 14,000 | 20,000 |
| Number of Family Members | 4 | 4 | 4 |
| Liquid Assets | 1,500 | 500 | 1,500 |
| Amount to be paid by Applicant: | | | |
| Part I - Income Measure | 1,000 | 6,500 | 16,000 |
| Part II - Liquid Asset Measure | 250 | 750 | 750 |
| Total - Applicant | 1,250 | 7,250 | 16,750 |
| Eligible Medical Expenses** | 20,000 | 20,000 | 20,000 |
| Balance Eligible for Catastrophic Illness Program | \$18,750 | \$14,250 | \$3,250 |

**After deduction for any exclusions and third-party payments.

WHEN APPLYING THE FORMULA TO DETERMINE THE APPLICANT'S SHARE, THE FOLLOWING ASSETS WILL BE EXCLUDED FROM CONSIDERATION:

1. A home providing shelter for the applicant and the land on which it is situated.
2. One non-commercial vehicle.
3. Tools, equipment, vehicles and other assets required in a trade or business.
4. Ordinary household and personal effects.
5. \$1,000 of liquid assets.
6. Income property; however, all income derived from such property shall be taken into consideration in determining the gross income.
7. Inalienable shares in a Native Corporation during the period of inalienability as specified in the Alaska Native Claims Settlement Act.
8. Alaska longevity bonus payments.
9. Any other assets specifically restricted for the use of the recipient by state or federal law.

THE FOLLOWING SERVICES AND CHARGES ARE NOT INCLUDED FOR COVERAGE BY THE CATASTROPHIC ILLNESS PROGRAM.

1. Dentistry and optometry unless prescribed by a licensed dentist or physician as medically necessary as the result of an injury or illness.
 2. Elective medical or surgical procedures.
 3. Drugs and medications not prescribed by a licensed physician.
 4. Services received as a result of a pregnancy or birth without unusual complications.
 5. Private psychological or psychiatric treatment or private alcoholism treatment, unless not available from public agencies or programs.
 6. Chiropractic services.
 7. Services not of a medical nature.
 8. Medical services currently provided to persons in the custody of the Division of Corrections.
 9. Residential care in a skilled nursing home or intermediate care facility for more than 30 days. (The Committee can extend this time limit if it considers extension appropriate.)
-

Alaska Statute 47 was amended by the 1978 Legislature by adding Chapter B which covers the Catastrophic Illness Program. The new chapter sets forth the following additions to the law:

Annually the Committee shall determine in light of appropriated funds and expected need the medical expenses reimbursable under this chapter. These exclusions would be in addition to those listed on page three of this pamphlet.

As frequently as necessary the committee shall adopt, in light of appropriated funds and expected need, a formula to be used in determining the applicant's share of total medical expenses incurred as a result of a catastrophic illness. The formula on page two of this pamphlet will be changed as necessary.

As encouragement for Alaska residents to obtain private medical insurance, the amount of premiums paid for medical insurance up to a limit of \$500.00 will be deducted from the applicant's share if the applicant either has or obtains insurance during the 12-month period beginning with the occurrence of the injury or the onset of the illness for which they are applying for assistance.

If the applicant or a provider receives payment from any other source for medical bills which have been paid by the Catastrophic Illness Committee, the state has the right to be reimbursed for the amount paid by the Committee.

AN APPLICATION WILL NOT BE CONSIDERED BY THE COMMITTEE UNLESS THE APPLICANT SIGNS AN AGREEMENT TO THIS EFFECT.

A PROVIDER WILL NOT BE PAID BY THE COMMITTEE UNDER THIS PROGRAM UNLESS THE PROVIDER SIGNS AN AGREEMENT TO THIS EFFECT.

Application forms can be obtained from the offices of the Division of Public Assistance, at Regional Health Offices of the Division of Public Health and at major licensed hospitals. Application forms and further information may also be obtained along with copies of the regulations, by writing to:

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF PUBLIC ASSISTANCE
CATASTROPHIC ILLNESS COMMITTEE
POUCH 1107 D
JUNEAU, ALASKA 99811



Official Business

Alaska State Legislature

House of Representatives

Committee on

Health, Education & Social Services

Pouch V
State Capitol
Juneau, Alaska 99811

March 3, 1982

Agenda

HB 195 Health Planning

HB 611 Catastrophic Illness

WITNESSES:

HB 195

Dennis DeWitt, AK. State Hospital Assoc.

Flaxbe Lindsey, Div. of State Health Planning

HB 611

Rep. Terry Gardiner

Rod Betit, Div. of Public Assistance

ANALYSIS OF HB 611

"An Act relating to catastrophic illness and providing for an effective date."

Repeals and enacts AS 47.08.010 relating to reimbursement for costs of catastrophic illness under the existing state program. New section would allow a provider of medical care to be reimbursed for unpaid costs incurred in the treatment of a person suffering a catastrophic illness or his parent, spouse or legal guardian, who pays costs incurred in the treatment of a catastrophic illness to be reimbursed under the program. (Currently only providers of medical services may be reimbursed.) Adds to AS 47.08.070 (Standards of Reimbursement): "(b) The amount that the committee reimburses the parent, spouse or legal guardian of that person, for costs of treatment of the catastrophic illness paid by the person, his parent, spouse or legal guardian, shall be determined in accordance with the standards applicable to unpaid costs set out in (a) of this section. Reimbursement under this subsection may not include the portion of the cost of the catastrophic illness determined to be the applicant's share under AS 47.08.060." Provides for an immediate effective date.

CS for HB 611

Refer to Dept. of Health and Social Services position paper.



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y. State Capitol
Juneau, Alaska 99811
(907) 465-3991

March 3, 1982

MEMORANDUM

TO: Representative Michael Beirne

FROM: Jonathan Sherwood
Research Staff

RE: Research Request B2-52
Catastrophic Illness (additional information)

It appears that we can provide you with additional information regarding the incidence of catastrophic illness in Alaska. Unfortunately, this was not possible within the time frames of your original request. I have spoken with H.D. Foster, Patient Accounts Manager of Providence Hospital, who informs me that his office could provide information regarding the number of patients who received more than \$10,000 in care in 1981 and the portion of these without third-party coverage. We are hoping that Providence and other hospitals in the state can provide the total number of their patients who must pay \$10,000 or more in out-of-pocket expenses.

We do not want to ask hospitals to devote the time and energy necessary to compile this information if it will no longer be of use to you, coming as it will, after committee hearings on HB 611. If you would like us to obtain this information, please let me know, and I will immediately begin contacting hospitals around the state.

HB 195

HOUSE BILL NO. 195 by the Rules Committee by request of the Governor, entitled:

"An Act relating to comprehensive health planning."

was read the first time and referred to the Health, Education & Social Services and Judiciary Committees.

Fiscal note on HB 195 appears in House Journal Supplement No. 9.

The Governor's transmittal letter dated February 18, 1981 follows:

Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill amending sections in AS 18.07 which relate to comprehensive health planning and resources development. Without this legislation, state law is inconsistent with P.L. 96-79 which amended the federal Public Health Service Act (PHSA) (P.L. 93-641). As a result, the Department of Health and Social Services will lose federal money under the PHSA for public health programs, planning, and resources development, under the Community Mental Health Centers Act (P.L. 90-61), the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1976 (P.L. 91-618), and the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-185). Although the date by which the state was to have amended state law to comply with federal law was January 1, 1981, recent federal legislation has changed that date to December 31, 1981. I introduced HB 1007 to accomplish this task late in the last legislative session. The legislature did not consider that bill.

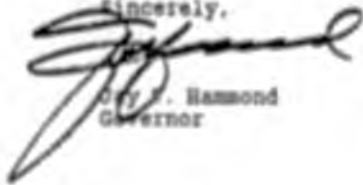
The major amendment in the bill would require a person to obtain a certificate of need before the purchase of major medical equipment for inpatients. Certain exemptions to this requirement would be provided for health maintenance organizations which may be developed in the state. Also, provisions of Titles XV and XVI of the PHSA, as amended by P.L. 96-79 would be incorporated by reference in state law to deal with the functions and responsibilities of the state comprehensive health planning program.

The bill would also clarify the participation of mental health programs, drug and alcohol abuse programs, and rehabilitation programs in the comprehensive health planning process. The bill would also allow the voluntary discontinuance of hospital services which are

HB 193 continued

not needed, and loan programs for the conversion of these services to health services for which there is a need. Technical changes in the composition of the Statewide Health Coordinating Council and Health Systems Agencies, and amendments to their duties, are also proposed in the bill.

Sincerely,



Roy J. Hammond
Governor

HB 194

HOUSE BILL NO. 194 by the Rules Committee by request of the Governor, entitled:

"An Act relating to establishment of the Alaska State Center and a state weather and climate program."

was read the first time and referred to the Health, Education & Social Services and Finance Committee.

Floor note on HB 194 appears in House Journal Supplement III, v.

The Governor's transmittal letter dated February 16, 1961 follows:

Dear Mr. Speaker:

Under the authority of art. III, sec. 10, of the Alaska Constitution, I am transmitting a bill relating to the establishment of a state climate and weather program and a state climate center. This bill was originally introduced in the last legislature as HB 613. This version is virtually identical to the House Resources Committee's (HRC 613).

ANALYSIS FOR HB 195

Relates to comprehensive health planning. Amends sections of AS 18.07 (Comprehensive Health Planning) to comply with amendments to the Public Health Service Act, P.L. 96-70. Amendments relate to certificates of need for the acquisition of major medical equipment and acquisition of an existing Health care facility. Adds new section relating to exemptions from the requirement for a certificate of need for acquisitions of equipment or facility or to provide inpatient institutional health services by health maintenance organizations of a health care facility if certain requirements are met. Amendments made relating to emergency and temporary certificates of need for health maintenance organizations, rehabilitation facilities or ambulatory care facilities. States that the commissioner may not adopt regulations which establish criteria for review of certificates other than those outlined, may not establish criteria for review of applications submitted by health maintenance organizations to provide reasonable and inexpensive services. Commissioner to adopt regulations establishing criteria for review of an application submitted by an osteopathic or allopathic facility. Repeals definitions relating to the Comprehensive Health Planning section (18.07) 111(10), "office means the office of planning and research in the Department of Health and Social Services." "(1)'secretary' means the secretary of the United States Department of Health, Education and Welfare." Does not provide for an effective date.

ANALYSIS OF HB 611

"An Act relating to catastrophic illness and providing for an effective date."

Repeals and enacts AS 47.08.010 relating to reimbursement for costs of catastrophic illness under the existing state program. New section would allow a provider of medical care to be reimbursed for unpaid costs incurred in the treatment of a person suffering a catastrophic illness or his parent, spouse or legal guardian, who pays costs incurred in the treatment of a catastrophic illness to be reimbursed under the program. (Currently only providers of medical services may be reimbursed.) Adds to AS 47.08.070 (Standards of Reimbursement): "(b) The amount that the committee reimburses the parent, spouse or legal guardian of that person, for costs of treatment of the catastrophic illness paid by the person, his parent spouse or legal guardian, shall be determined in accordance with the standards applicable to unpaid costs set out in (a) of this section. Reimbursement under this subsection may not include the portion of the cost of the catastrophic illness determined to be the applicant's share under AS 47.08.060." Provides for an immediate effective date.

CS for HB 611

Refer to Dept. of Health and Social Services position paper.

POSITION PAPER

HOUSE BILL NO. 611

"An Act relating to catastrophic illness assistance; and providing for an effective date."

I. BACKGROUND

The Catastrophic Illness program was established by the 1976 Legislature to provide financial assistance for Alaskans suffering an illness or injury which, after all other sources of third party payment have been exhausted, results in medical expenses of more than \$1,000 during a 12-month period following the illness or injury. In 1978, the Legislature enacted into law most of the regulations that were being used by the Department of Health and Social Services to administer the Catastrophic Illness program.

An administrative problem with the program caused by language in the statutes is the inability of the Department to reimburse a Catastrophic Illness applicant for medical expenses that the applicant has paid in excess of the applicant's share of expenses as determined by the Catastrophic Illness Committee. Under the present statutes, payment is only permitted to be made to the provider of a covered medical service. For example, an applicant has \$5,000 of covered medical expenses and the applicant's share is determined to be \$1,500. If the applicant has already paid \$2,500 toward the total expenses, the Department is prohibited from reimbursing the applicant for the \$1,000 paid to providers beyond the amount of the applicant's share.

II. EFFECT OF HOUSE BILL NO. 611

If enacted, HB 611 would permit the Department to make payment to applicants as well as providers to allow for reimbursement of applicants who have made payments to providers in excess of their applicant's share.

The Department would like to propose the attached committee substitute for HB 611. The substitute bill would accomplish the following:

1. Clarify that the intent of the bill is to make payments to applicants but only for funds they have paid in excess of their share of the medical expenses as determined by the Catastrophic Illness Committee.
2. Raise the liquid asset exemption to \$1,500 for a single individual and \$2,500 for a family from \$1,000. This change will bring the liquid asset limits in the Catastrophic Illness program up to the same level as the limits in the Adult Public Assistance program (Aid to the Aged, Blind, and Disabled).

3. Substitute the Department for the Catastrophic Illness Committee where reference is made to reimbursement as the Committee lacks legal authority and separate administrative capability to handle state funds. Catastrophic Illness program funds are budgeted in the General Relief Medical program of the Division of Public Assistance.

4. Make other technical and grammatical changes.

III. DEPARTMENTAL POSITION

The Department strongly supports the changes made by HR 611. Because of the administrative flexibility that exists in the Catastrophic Illness program, the very minor fiscal impact of the bill can safely be accommodated within the present Catastrophic Illness appropriation of \$1,980,000 for FY 82.

Recommended by:

Roel Belu

Roel Belu, Director
Division of Public
Assistance

Date:

1/22/82

Approved by:

Helen O. Byrne

Helen O. Byrne
Commissioner

Date:

1-27-82

IN THE HOUSE

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 611

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to catastrophic illness assistance;
and providing for an effective date."

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

- Section 1. AS 47.08.010 is repealed and re-enacted to read:

Sec. 47.08.010. REIMBURSEMENT OF COSTS OF CATASTROPHIC ILLNESS.

(a) A provider of medical care shall be reimbursed under the provisions of this chapter for unpaid costs incurred in the treatment of an applicant.

(b) An applicant shall be reimbursed under the provisions of this chapter for costs paid by the applicant for the treatment of a catastrophic illness that exceed the applicant's share under AS 47.08.060

- Sec. 2. AS 47.08.060(c)(5) is amended to read:

(5) \$1,500 ~~(\$1,000)~~ of liquid assets for a single individual and \$2,250 liquid assets for a family;

- Sec. 3. AS 47.08.070 is amended to read:

Sec. 47.08.070. STANDARDS FOR REIMBURSEMENT [TO PROVIDERS]. (a) The amount that the department [COMMITTEE] reimburses providers for medical services rendered to a person who has suffered a catastrophic illness may not be greater than 100 percent of the total unpaid bills related to the catastrophic illness and shall be determined by the following standards:

(1) Only unpaid medical expenses for periods not to exceed 12 months, and related to a catastrophic illness, may be considered. The initial 12-month period begins with the date of the first charges incurred because of the illness.

illness and is applying for assistance under this chapter or is the subject of an application for assistance under this chapter;

(2) "applicant's share" means the amount of the total medical expenses [EXPENSES] related to the catastrophic illness which the committee determines the applicant can reasonably be expected to pay based on income, assets, and number of dependents under AS 47.08.060;

(3) "catastrophic illness" means illness or injury which, after all other sources of third party payment have been exhausted, results in medical expenses of over \$1,000 during a period not to exceed 12 months[, AFTER ALL OTHER SOURCES OF THIRD-PARTY PAYMENT HAVE BEEN EXHAUSTED];

(4) "committee" means the Catastrophic Illness Committee, created under AS 47.08.020;

(5) "department" means the Department of Health and Social Services;

(6) [(5)] "elective medical or surgical procedures" means treatment which is not essential to the life or health of a person;

(7) [(6)] "family" means two or more persons related by blood or marriage or adoption living as one economic unit;

(8) [(7)] "liquid assets" means assets which can be readily converted to cash;

(9) [(8)] "medical expense" means any financial obligation incurred in the course of treatment of illness or injury as prescribed by a physician, including bills for ancillary services, patient transportation, transportation of a medical or family escort when reasonably necessary, or living expenses while receiving outpatient treatment in a community to which the applicant is not reasonably able to commute from his permanent place of abode;

(10) [(9)] "nonliquid assets" means all assets which are not liquid assets;

(11) [(10)] "permanent place of abode" means a dwelling, or a dwelling unit in a multiple dwelling, including lots and outbuildings or an appropriate portion of these, which are necessary to convenient use of the dwelling unit;

(12) [(11)] "provider" means a licensed physician, pharmacist, dentist, or other health professional, [SERVICE WORKER OR] a licensed hospital, clinic, skilled nursing home, intermediate care facility or health maintenance organization which has provided services not excluded by AS 47.08.050 to an applicant as a result of a catastrophic illness;

(13) [(12)] "third-party payments" means payments of medical expenses related to a catastrophic illness by sources other than the applicant or the department [COMMITTEE], including but not limited to state and federal medical assistance programs, private health insurance, employment-related health insurance, military health insurance, workers' compensation, violent crimes compensation, Indian Health Service of the United States Department of Health and Human Services [HEALTH, EDUCATION AND WELFARE], and awards in legal actions.

- Sec. 6 This Act takes effect immediately in accordance with AS 01.10.070(c).

**THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE**

FISCAL NOTE

I. REQUEST

Bill/Resolution No. House Bill 611
 Title "An Act relating to catastrophic illness assistance; ..."
 Requested by House HESS Date Jan. 22, 1982

II. FISCAL DETAIL

Agency Affected Department of Health & Social Services
 Program Category Affected Health
 BRU, Program, Or Subprogram(s) Affected General Relief Medical
 (Note: If more than one budget component is effected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|--------------------------|-------|-------|-------|-------|-------|-------|
| 100 PERSONAL SERVICES | | | | | | |
| 200 TRAVEL | | | | | | |
| 300 CONTRACTUAL | | | | | | |
| 400 COMMODITIES | | | | | | |
| 500 EQUIPMENT | | | | | | |
| 600 LAND & STRUCTURES | | | | | | |
| 700 GRANTS, CLAIMS, ETC. | | 84.0 | 90.7 | 97.9 | 105.7 | 114.2 |
| TOTAL | 90.0 | 84.0 | 90.7 | 97.9 | 105.7 | 114.2 |

FUNDING (Thousands of Dollars)

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|------------------------|-------|-------|-------|-------|-------|-------|
| GENERAL FUND | 20.0 | 84.0 | 90.7 | 97.9 | 105.7 | 114.2 |
| FEDERAL FUNDS | 0 | 0 | 0 | 0 | 0 | 0 |
| OTHER (Specify Source) | | | | | | |

POSITIONS

| | FY 82 | FY 83 | FY 84 | FY 85 | FY 86 | FY 87 |
|-----------|-------|-------|-------|-------|-------|-------|
| FULL TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| PART TIME | 0 | 0 | 0 | 0 | 0 | 0 |
| TEMPORARY | | | | | | |

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

During FY82, the Department will receive approximately 600 applications for Catastrophic illness assistance. Of those applications, approximately 120 will have some medical expenses that have already been paid that are in excess of the applicant's share determined by the Catastrophic Illness Committee. The average amount per case is approximately \$700.

IV. DATE January 22, 1982

PREPARED BY Robert G. Olson
 AGENCY Division of Public Assistance
 PHONE 465-3355

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)
 33-001 (Rev. 12/81)

fcc

3/3/82

W5611

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COMMITTEE REPORT

HOUSE

()

FURTHER:

1/29/82

Date: 1/29/82

Mr. Speaker:

The Committee on HEALTH, EDUCATION & SOCIAL SERVICES has had H.R. 611

"An Act providing for the issuance of certificates of birth for persons born outside the United States and adopted by Alaska residents."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for _____ 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

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

MSG 82-00003893 PRTY 1 01/26/82 18:18:14 ORIG: LA00 IN= 0020 OUT= 0125
FROM: CINDY ANCH. TO: JNU INFO
TARGET: Ljh2 SUBJ: POM PAGE 0003

TO: REPRESENTATIVES BEIRNE, CATO, MALONE, MARTIN, SMITH
FROM: BRENDA ARNEY, 3500 MOUNTAIN VIEW SP 47, ANCH. 99504 (276-2512)

PLEASE SUPPORT HB 621. PLEASE REJECT AMENDMENT THAT LESSENS THE INTENT OF REPRESENTATIVE ABOOD'S BILL. THE SUBSTITUTE BIRTH CERTIFICATE SHOULD BE ISSUED TO FOREIGN BORN ADOPTED CHILDREN SO THEY CAN BE TREATED AS EQUALS. THEY SHOULD NOT HAVE TO EXPLAIN THEMSELVES EVERY TIME THEY CAN'T PRODUCE A BIRTH CERTIFICATE.

MSG 82-00003893 PRTY 1 01/26/82 18:18:14 ORIG: LA00 IN= 0020 OUT= 0125
FROM: CINDY ANCH. TO: JNU INFO
TARGET: Ljh2 SUBJ: POM PAGE 0001

TO: REPRESENTATIVES BEIRNE, CATO, MALONE, MARTIN, SMITH
FROM: DON SLOAN, 6400 REED WAY, ANCH, 99502 (2 8-2530)

AS A PARENT OF A FOREIGN BORN ADOPTED CHILD, WE STRONGLY URGE YOU TO SUPPORT HB 621 WITH ONLY AMENDMENTS APPROVED BY ITS SPONSOR, MITCH ABOOD.

MSG 82-00003866 PRTY 1 01/26/82 17:14:37 ORIG: LA00 IN= 0016 OUT= 0119
FROM: MARCIE, ANC INFO TO: POM, JUNEAU INFO
TARGET: LJH2 SUBJ: P O M PAGE 0005

TO: ALL MEMBERS OF THE LEGISLATURE

FROM: PAUL WILSON, SRA BOX 2348, ANC 99507 (HM 345-4949, WK 344-0501)

I URGE YOUR SUPPORT OF HOUSE BILL 621. MY DAUGHTER AND NEICE WERE BOTH
ADOPTED FROM COSTA RICA. THEY ARE COMING TO SCHOOL AGE AND NEED BIRTH
CERTIFICATES VERY BADLY.

TARGET: LJH2 SUBJ: P O M PAGE 0005

TO: REPRESENTATIVES BEIRNE, MARTIN, CATO, MALONE, SMITH

FROM: LINDA TAYLOR, 2511 WEST 79TH DRIVE, ANC 99502 (243-3631)

PLEASE SUPPORT HOUSE BILL 621 WHICH WILL GRANT BIRTH CERTIFICATES
TO FOREIGN BORN CHILDREN WHO HAVE BEEN ADOPTED BY US CITIZENS. AS
AMERICANS AND ALASKANS WE ARE ENTITLED TO THE SAME SERVICES AND
DOCUMENTS THAT ALASKA GIVES TO ALL HER OTHER RESIDENTS. THANK YOU.