

ALASKA LEGISLATURE COMMITTEE FILES 1901-1902 180/2

1458 she ss SB 41 - SB 69 1958

Department Position

The Department of Health and Social Services recommends passage of this bill.

Recommended by:

David Bruce  
David Bruce, Deputy Director  
Division of Public Health

Date:

January 20, 1981

Approved by:

H. D. Beirne  
Helen D. Beirne  
Commissioner

Date:

1 - 21 - 81



# ALASKA STATE HOSPITAL ASSOCIATION INC.

319 Seward Street  
Juneau, Alaska 99801

Phone: (907) 586-1790

October 10, 1980


Dr. John Middaugh, M. D.  
Room 301 MacKay Bldg.  
338 Denali Street  
Anchorage, AK 99501

Dear Dr. Middaugh:

The Alaska State Hospital Association wishes to inform you that on October 6, 1980 our Board of Directors voted to endorse your request to repeal the premarital syphilis serology requirement.

If we can be of help in the future, please let me know.

Sincerely,



Dennis L. DeWitt  
Executive Director

DLD/sam

# Alaska Native Health Board

1689 C STREET, SUITE 230, ANCHORAGE, ALASKA 99501

PHONE (907) 276-8989

Reference #A80-0960

September 24, 1980

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

Dear Governor Hammond:

The Alaska Native Health Board endorses the repeal of the statute requiring premarital syphilis serological blood testing.

By doing so, the Board recognizes the continuing need to actively seek to discover and treat all cases of syphilis but it is believed that premarital testing is not the most effective means. The nearly \$81,000 required for the 9,000 tests given in 1979 could better be used in a more promising, productive manner. This change should not impair the effectiveness of the Venereal Disease Control efforts of the State.

As always, the Board is concerned with the well-being of all Alaskans. It seeks the epitome of service delivery and to eliminate waste. It believes to continue the "routine testing" to be such a waste.

Sincerely,

  
David E. Cates, Ph.D.  
Executive Director

DEC:blg

cc: John Middaugh, M.D.

ALEUTIAN/PHILIP ISLAND ASSOC. INC  
BRISTOL BAY AREA HEALTH CORPORATION  
COOK INLET NATIVE ASSOCIATION  
COPPER RIVER NATIVE ASSOCIATION

KODIAK AREA NATIVE ASSOCIATION  
MAUNULUI ASSOCIATION  
THE NORTH PACIFIC IHLI  
NORTH SLOPE BOROUGH HEALTH CORP.

NORTH STAR HEALTH CORPORATION  
SOUTHEAST ALASKA REGIONAL HEALTH CORP.  
TANANA CHIEFS CONFERENCE  
YUKON-ALASKA NATIVE HEALTH CORPORATION

4107 Laurel Street, Suite #1, Anchorage, AK 99504

October 17, 1980

Honorable Jay Hammond  
Pouch A  
Juneau, Alaska 99801

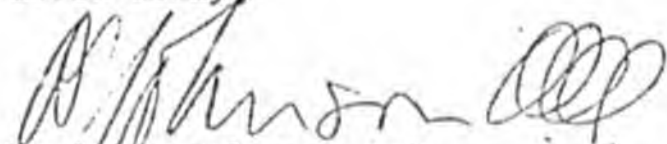
Dear Governor Hammond,

At our regular meeting on October 4, 1980 in Anchorage the Alaska State Medical Association council passed a resolution supporting deletion of the requirement for a premarital serologic test for syphilis. We do not believe that this is warranted on a screening basis, but that it should be done on a case by case basis as decided by the individual person and his or her physician.

We wish to make it clear that in no way do we believe that the requirements for prenatal serologic testing should be disturbed.

We will support legislation to delete mandatory premarital serologic testing.

Yours truly,



David E. Johnson, M.D.

DEJ/tj



*WHEREAS, the control of Public Health in a cost-effective manner is of the highest priority, and*

*WHEREAS, a review of the effectiveness of current statutes requiring premarital syphilis serologies has revealed this requirement to be ineffective in controlling syphilis, and*

*WHEREAS, a substantial saving can be realized through the suspension of premarital blood testing without decreasing the effectiveness of venereal disease control efforts,*

*BE IT SO RESOLVED::*

*That the Alaska Public Health Association endorse the position of the Department of Health and Social Services in presenting legislation to repeal the current requirement for premarital blood testing.*

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill No. 41

Title "An Act relating to marriage and domestic relations"

Requested by Commissioner's Office

Date January 21, 1981

II. FISCAL DETAIL

Agency Affected \_\_\_\_\_

Program Category Affected Division of Public Health

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 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	0	0	0	0	0	0
200 TRAVEL	0	0	0	0	0	0
300 CONTRACTUAL	0	0	0	0	0	0
400 COMMODITIES	0	0	0	0	0	0
500 EQUIPMENT	0	0	0	0	0	0
600 LAND & STRUCTURES	0	0	0	0	0	0
700 GRANTS, CLAIMS, ETC.	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

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)

IV. DATE 1/21/81

PREPARED BY Harry Colvin

AGENCY Public Health

PHONE 465-3140

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

M&B Approved (Signature)

Date 1/21/81

5841

January 12, 1981

President of the Senate  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill repealing the requirement for premarital blood testing.

The Department of Health and Social Services has determined that the premarital screening has contributed little to control infectious and heritable diseases. Although approximately 25,000 serologics were performed during the past five years in Alaska, only two cases of primary syphilis were detected, none in the last two years. We cannot justify the cost and inconvenience to the individuals tested and the cost to the state (approximately \$9 per test), given the statistically insignificant results.

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Passage of this bill would not alter syphilis serology testing programs in high-risk groups or premarital groups to prevent congenital syphilis.

Sincerely,

S/SSH

Jay S. Hammond  
Governor

## ALASKA SYPHILIS SURVEILLANCE

<u>Year</u>	<u>Number Premarital Tests<sup>1</sup></u>	<u>Total Number Tests</u>	<u>Positive Tests</u>	<u>Early &lt;1 yr.<sup>2</sup></u>	<u>Late Latent<sup>3</sup></u>	<u>Cases Found Con- Genital</u>	<u>Other</u>	<u>Total</u>
1975	9,504	136,013	1,199	22	41	1	0	64
1976	9,828	134,028	1,618	56	43	2	3	114
1977	10,376	110,159	1,643	64	50	0	0	114
1978	10,234	95,644	1,232	20	42	1	0	63
1979	10,034	91,642	995	45	21	0	1	66
1980	10,000	N/A	N/A	26	25	0	0	51
Total	59,976	567,486	6,687	233	222	4	4	472

*non-infectious*

1. Determined from total number of Alaskan marriages. The actual number may be 20% greater because the number of health certificates issued is greater.
2. Two cases found from premarital testing effort.
3. Three cases found from premarital testing effort.

ALASKA GONORRHEA SCREENING

<u>Year</u>	<u>Number Females Tested</u>	<u>Positive Tests</u>	<u>Percent</u>
1973	27,370	1,135	4.15
1974	36,620	1,335	3.66
1975	40,340	1,550	3.84
1976	40,386	1,787	4.42
1977	48,500	1,953	4.03
1978	54,518	2,410	4.42
1979	55,388	2,237	4.03
1980	61,303	2,029	3.30

# MEMORANDUM

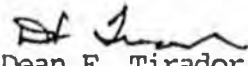
# State of Alaska

TO: Thomas H. Robertson  
Assistant Attorney General  
Attorney General's Office

DATE: January 27, 1981

FILE NO:

TELEPHONE NO:

FROM:   
Dean F. Tirador  
Deputy Commissioner  
Dept. of Health & Social Services

SUBJECT: Request from Senate HESS  
Committee

At the January 26 meeting of Senate HESS Committee, the Department was requested by the Committee to research and prepare a written response to the following questions:

1. Does the Alaska Statutes provide for mandatory prenatal serologies?
2. In event of epidemic or other public health emergency, could the state mandate that a person or a group of persons be compelled to submit to blood testing or other laboratory tests for diagnosis of the suspected disease?

We would appreciate a prompt response since the Committee is awaiting this information.

**the**  
**ANUS**

**PIEMMA**

**by Robert  
Helmer, M.D.**

11

## QUESTIONS AND ANSWERS

1. What is VD?

The letters VD stand for venereal disease which is contracted through sexual contact with the vagina, the penis, the anus, and the mouth. Syphilis and gonorrhoea are the most prevalent and most serious of the venereal diseases although there are others less well known.

2. How is VD contracted?

VD, specifically syphilis and gonorrhoea, is peculiar to humans and is contracted by men and women in sexual encounters with other infected men or women. Any other source of contagion is very rare, and is usually socially devised myth for face-saving purposes only.

3. Why are syphilis and gonorrhoea called "social diseases?"

Syphilis and gonorrhoea have a sociological impact and meaning as well as a medical one. For example, VD and prostitution have been bedfellows since the beginning of time. Even

today, prostitution, both male and female, is the number-one source of VD infection.

4. What is the solution to the epidemic aspects of VD?

More explicit sex education. Removal of the mid-Victorian "shame" aspect of the diseases. Open and frank sex discussions regarding the diseases. Releasing of sources of contacts to control the rapid spread of VD.

5. Who gets VD?

No one is invulnerable. The more sexually promiscuous are more prone to get VD and also to pass the diseases on to unsuspecting partners. Young people and middle aged. Heterosexuals and homosexuals. Drug addicts. People who are careless and ignorant. People all over the world, although the incidence is higher in cities than in rural areas and higher in some countries than in others.

6. Do animals have syphilis?

No. The incidences reported of syphilis among sheep and llamas are of human origin and the disease is not transmitted from an infected animal to another animal.

7. Is penicillin a cure for VD?

Penicillin is a specific for VD when properly administered in sufficiently large doses. It can be a cure, providing the patient follows through with the prescribed medical program.

8. With penicillin a specific, why is there a current VD epidemic?

Because no system of control of VD exists. Control requires a vaccine for syphilis and gonorrhea and a serologic test for gonorrhea, neither of which have yet been discovered.

9. Are current vital statistics factual?

No, the increase in VD is undoubtedly much greater than the available statistics.

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10. Where did syphilis originate?

The origin of syphilis is as controversial today as it was in the first epidemic occurrences of the disease. Some scholars support the theory that the disease was brought by Columbus and his sailors when they returned to the continent of Europe following the first expedition to the new world; others, that the disease existed since beginning of the history of man.

11. What is the cause of syphilis?

The organism of syphilis, the spirochete, *Treponema pallidum*, is a spirillum requiring moisture and tissue for survival. It is peculiar to human beings and is transferred by means of sexual contact.

12. How is syphilis recognized?

In the first stage, by a hard chancre appearing on the penis, the vulva, the anus, or the mouth; in the second stage, by a rash that can appear anywhere on the body and lasts but a few days, usually accompanied by fever and a severe headache; in the third stage, by physical and personality changes such as locomotor ataxia, cardiovascular disturbances, severe headaches, blindness, convulsive rages; and in the final stage, by paresis and death.

13. What should a person suspecting syphilis do?

First and foremost, if a person suspects the presence of syphilis, all sexual contacts should be avoided until a comprehensive medical examination is performed. If the prognosis is positive, all recent sexual contacts up to a period of six months should be notified and urged to seek an examination. Consult a doctor immediately. In the first two stages, a syphilologist (dermatologist), in the later stages, a urologist, an internist, or neurologist depending upon the area of suspicion. In any event a doctor should be consulted because, while the therapy with penicillin is relatively simple, the diagnosis is very complicated. If one cannot afford a private

physician for consultation, a Public Health VD clinic or a special VD clinic supported by private funds are available.

**14. Is syphilis inherited?**

No. Congenital syphilis is the passing of the infection from the syphilitic mother to the fetus in the womb, and the infant is born with syphilis.

**15. If one contracted syphilis as a youth, was treated with penicillin, and is unsure whether the cure was effective or not, what should be done?**

Any person having had syphilis should have periodic examinations and serologic blood tests. One never develops an immunity to syphilis unless one is a congenital syphilitic. Any radical personality changes and symptomatic physical ailments should be checked and the doctor notified of the past history of syphilis. The changes, or the appearance of neurosyphilis, occur anywhere from ten to thirty years after the original infection. The only completely satisfactory diagnosis of neurosyphilis is an examination of the spinal fluid.

**16. What is the cause of gonorrhea?**

Gonorrhea is caused by the gonococcus, a member of the common class of parasitic bacteria that has cohabited with man since the beginning of time. It is transmitted by sexual contact.

**17. What are the symptoms?**

The symptoms can be complicated—especially in women, and homosexuals with anal or pharyngeal gonorrhea. Within twenty-four or forty-eight hours to ten or fifteen days in the male the symptoms can occur, namely discharge of pus, painful urination from the penis and urinary tract. Medical diagnosis is made by examining the discharge under a microscope where the appearance of the typically paired gonococci

inside the pus-cells identify and unusual manifestations, sometimes painful and

**18. If one suspects gonorrhea, what should be done?**  
Seek medical help immediately. Consult a well-meaning friend's physician, a gynecologist, a male urologist, or a dermatologist. Avoid all sexual contacts to see a doctor.

**19. Do animals have gonorrhea?**  
No. The disease is transmitted through sexual contact with the mother at birth. It can be contracted so easily through contacts which carry the disease.

**20. What is the treatment of gonorrhea?**  
A number of antibiotics are available. An increase of antibiotic use is necessary to cure gonorrhea with complete safety.

**21. What are the dangers of gonorrhea?**  
Sterility. In women, gonorrhea can lead to serious complications, such as meningitis, arthritis, and other complications.

**22. Is the disease more common in men than in women?**  
Gonorrhea is more common in men than in women due to the lack of a serologic test for a long time. One peculiarity of

inside the pus-cells identify the disease. In the more difficult and unusual manifestations, diagnosis is often difficult and sometimes painful and not always effective.

**18. If one suspects gonorrhoea, what should one do?**

Seek medical help immediately. Do not try home remedies or well-meaning friend's suggestions. A woman should seek out a gynecologist, a man a urologist. If the pus should first appear in the eyes a dermatologist-syphilologist or an ophthalmologist. Avoid all sexual contacts, and notify any recent sex partners to see a doctor as well.

**19. Do animals have gonorrhoea?**

No. The disease is peculiar to human beings. It can be transmitted through sexual contact and to the infant from the mother at birth. There is no immunity and the disease can be contracted so long as one continues to have sexual contacts which carry the disease.

**20. What is the treatment for gonorrhoea?**

A number of antibiotics can be used successfully. Despite the increase of antibiotic resistant organisms it is still possible to cure gonorrhoea with sufficiently high levels of penicillin.

**21. What are the dangers of gonorrhoea when untreated?**

Sterility. In women if the Fallopian tubes have become seriously infected they have to be removed. Endocarditis, meningitis, arthritis, and septic joints are also serious complications.

**22. Is the disease more peculiar to one sex? One race?**

Gonorrhoea is more difficult to diagnose in women because of the lack of a serological test, and a woman can have the disease for a long time before becoming aware of her infection. One peculiarity is that women using oral contraceptives

are one-half times more likely to get gonorrhoea from a single exposure to an infected partner than a woman who does not use them. The reason given is that the pill must alter the pH of the vagina and predispose the patient to infection.

The suggestion that black races get a more severe or more infectious case of gonorrhoea is purely a myth. Actually the reason for this speculation is based upon bias. Poverty and ignorance of sex hygiene and facts relative to gonorrhoea that cause delay in seeking medical help, make the infection more deeply rooted when medical help is sought, and penicillin less effective.

23. What is required to control gonorrhoea?

A better serological test, a safer and more effective antibiotic, a vaccine and possibly a disinfectant vaginal cream. The finding of a susceptible animal in the chimpanzee for experimentation would alter the entire future in the cure and control of gonorrhoea.

24. What are the dangers of VD in pregnancy?

In syphilis, the infant is protected during the early months in the fetal form from acquiring syphilis from the mother. After the fifth month the danger to the mother and the unborn infant occurs resulting in miscarriage, premature birth and if unattended a congenitally syphilitic offspring.

In gonorrhoea the danger to the infant is at birth where the eyes are most vulnerable.

25. What treatments should the pregnant mother and infant receive?

Dosages of penicillin before and at birth when the serologic tests are positive. The congenitally syphilitic baby properly treated and observed from birth to adolescence can often avoid the disastrous pitfalls of the disease.

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**26. What should a pregnant girl do?**

Obviously have her pregnancy diagnosed as soon as possible and if VD is present follow her obstetrician's care. Pre-natal and post-natal check-ups are stressed for both mother and infant. If the gravid woman cannot afford private medical care she should as soon as she suspects pregnancy apply for free medical assistance at the clinics designated for such care.

**27. Why should one consult a doctor?**

Because the presence of any lesion or discharge—especially in the sex organs—should be diagnosed professionally because the possibility of VD is always present. Until a proper diagnosis is given, one can worry needlessly. If the diagnosis is positive, obviously medical care and attention must be administered.



**VD**

Venereal disease and  
what you should do about it

New and Revised Edition

**ERIC W. JOHNSON**

author of **LOVE AND SEX AND GROWING UP** and **LOVE AND SEX IN PLAIN LANGUAGE**

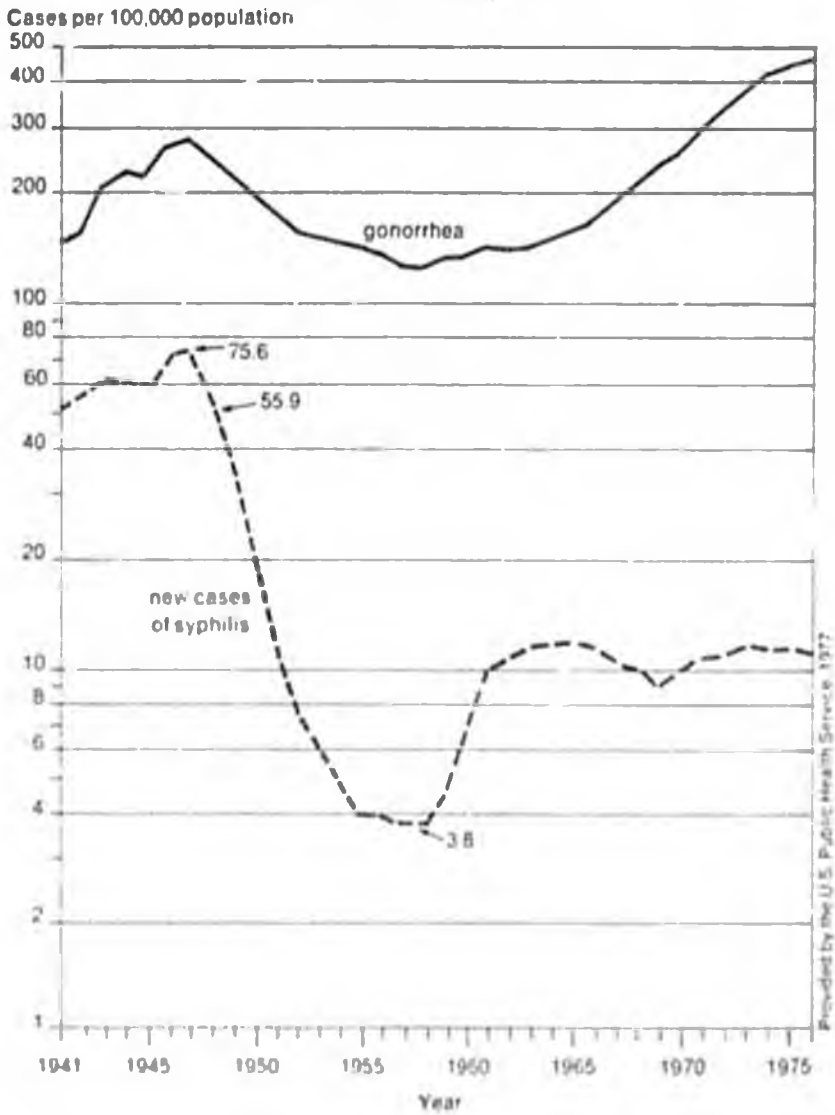
new syphilis infection are Florida (34.3 reported cases per 100,000 population), North Carolina (23.6), and California (23.4). The states with the lowest reported rates of new syphilis cases are South Dakota (0.4), North Dakota (0.5), and Vermont (1.1). The three cities with the highest reported rates of new cases of syphilis in 1976 were Charlotte, North Carolina (136 per 100,000 population), San Francisco (127), and Washington, D.C. (90.4).

The states with the highest figures for reported gonorrhea infection are Alaska (1,215 reported cases per 100,000 population), Georgia (912), and Tennessee (823). The states with the lowest reported gonorrhea rates are New Hampshire (57), North Dakota (127), and Vermont (144). The three cities with the highest reported rates of gonorrhea in 1976 were Atlanta (3,054 per 100,000 population), Baltimore (2,950), and San Francisco (2,515).

Remember that these statistics are based on cases reported to the public health authorities, and only about one-third of all cases of syphilis and gonorrhea are reported. Thus, State A that has a more efficient reporting system than State B may appear to have a higher VD rate than State B even if its actual rate is lower. And areas in which a high percentage of the population goes to public clinics rather than to private doctors may seem to have but not actually have high VD rates.



### Reported cases of syphilis and gonorrhea in the United States, 1941-1976



Reported cases of VD in the United States, 1976

PRIMARY AND SECONDARY SYPHILIS



GONORRHEA



# SB 41 - Repealed Sections

§ 25.05.091

MARITAL AND DOMESTIC RELATIONS

§ 25.05.111

## Article 3. Procedure to Obtain a License.

### Section

91. Application for license  
101. Premarital certificate  
105. Prescribed tests

### Section

111. Issuance of license  
121. Marriage license

**Sec. 25.05.091. Application for license.** One of the contracting parties to a prospective marriage shall, at least three days before the time of issuance, file with the licensing officer written, verbal, or telegraphic application for a license. Before issuance of the license, each contracting party shall file with the same licensing officer a premarital certificate; and shall make a statement under oath that the contemplated marriage meets the requirements of law, giving the names, relationship if any, residence, occupation, and age of each party; naming guardians of any party under the legal age for marriage; and describing any prior marriage or marriages of either party, and the manner of dissolution of them. This statement may be made and executed before a notary public or postmaster who shall certify it to the licensing officer. (§ 21-1-42 ACLA 1949; § 1 ch 58 SLA 1963)

*Repealed* **Sec. 25.05.101. Premarital certificate.** (a) Before a licensing officer issues a marriage license, each party shall file with him a premarital certificate from a licensed physician or osteopathic physician stating

(1) the name and age of the applicant;

(2) that the applicant has been tested, as prescribed in the regulations of the department, for the presence of infectious or heritable disease; and

(3) that the physician or osteopathic physician has received and examined the report or reports of testing and that he has advised the applicant of the medical implications of each abnormal test.

(b) A license may not be issued more than 30 days after laboratory testing. (§ 1 ch 64 SLA 1949; am § 1 ch 63 SLA 1953; § 1 ch 58 SLA 1963; am § 1 ch 103 SLA 1971)

*Repealed* **Sec. 25.05.105. Prescribed tests.** The department shall by regulation under the Administrative Procedure Act (AS 4.62) prescribe the approved tests required for the purposes of this chapter. (§ 2 ch 103 SLA 1971)

**Sec. 25.05.111. Issuance of license.** No marriage license shall be issued unless both of the contracting parties are identified to the satisfaction of the licensing officer. If all requirements have been met, and there is no legal objection to the contemplated marriage, and neither party is under the influence of intoxicating liquor or otherwise incapable of understanding the seriousness of the proceeding, the licensing officer

shall issue a license. (§ 21-1-11 ACLA 1949; am § 1 ch 93 SLA 1955; § 1 ch 58 SLA 1963)

Sec. 25.05.121. Marriage license. The marriage license issued by a licensing officer in this state authorizes the marriage ceremony to be performed anywhere in the state. The license shall be directed "to any person authorized by the laws of this state to solemnize marriage," and shall authorize him to solemnize marriage between the parties identified by the license within three months of the date of the license. If either party is not of legal age for marriage, his or her age and the fact of the consent of his or her parents or guardian shall be stated. If either party has previously been married, the number of previous marriages shall be stated. The registrar may require other matter necessary to identify the parties to be included in the license. The issuance of a license does not remove or dispense with any legal disability, impediment, or prohibition rendering marriage between the parties illegal, and a statement to that effect shall be included in the license. (§ 21-1-15 ACLA 1949; § 1 ch 58 SLA 1963)

Article 4. Medical Reports.

Section	Section
131. Laboratory reports of tests of infectious or heritable disease	141. Laboratory results confidential 151. Test laboratories

*Repealed* Sec. 25.05.131. Laboratory reports of tests of infectious or heritable disease. The person in charge of the laboratory making the test or tests or some other person authorized to make the reports shall make the required report on the premarital certificate setting out the name of the test or tests, dates made, the name and address of the physician or osteopathic physician to whom the report was sent and the name and address of the person whose blood was tested, but not stating the result of the test. (§ 2 ch 64 SLA 1949; am § 2 ch 63 SLA 1953; § 1 ch 58 SLA 1963; am § 3 ch 103 SLA 1971)

*Repealed* Sec. 25.05.141. Laboratory results confidential. A detailed report of the test or tests for infectious or heritable disease on a separate laboratory report form to be furnished by the department, together with the premarital certificate, shall be sent from the laboratory to the physician or osteopathic physician requesting the report. The physician or osteopathic physician shall retain this report as a part of his confidential files. A duplicate shall be sent by the laboratory to the department where it shall be held in absolute confidence and shall not be open for public inspection. The report shall not be produced for evidence in any court. The reports may be used in the epidemiological investigations of infectious or heritable disease by the department. The reports may be used in the compilation of aggregate statistics and

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reports but the identities of the persons involved shall never be disclosed. (§ 5 ch 64 SLA 1949; am § 5 ch 63 SLA 1957; 1 ch 58 SLA 1963; am § 4 ch 103 SLA 1971)

*Repealed*

Sec. 25.05.151. Tests and laboratories. For the purposes of this chapter, tests for infectious or heritable disease is a test or series of tests for the presence of infectious or heritable disease approved by the department, made at a laboratory or clinic approved by the department. The department may make regulations under the Administrative Procedure Act (AS 44.62) governing the approval of laboratories or clinics for tests for infectious or heritable diseases. The laboratories of the department may make required premarital laboratory tests without charge on the request of any licensed physician or osteopathic physician. In submitting the sample to the laboratory the physician or osteopathic physician shall identify it as a premarital test sample. (§ 4 ch 64 SLA 1949; am § 4 ch 63 SLA 1953; § 1 ch 58 SLA 1963; am § 1 ch 124 SLA 1967; am § 5 ch 103 SLA 1971)

#### Article 5. Special Circumstances.

##### Section

- 161. Waiver of waiting period
- 171. Persons capable of consenting to marriage: Minimum ages, and consent of parents or guardian
- 181. Waiver order

Sec. 25.05.161. Waiver of waiting period. If a three-day waiting period would result in undue hardship or delay in an individual case, the licensing officer may waive the three-day requirement. (§ 21-1-11 ACLA 1949; am § 1 ch 93 SLA 1955; § 1 ch 58 SLA 1963)

Sec. 25.05.171. Persons capable of consenting to marriage: Minimum ages, and consent of parents or guardian. (a) A person who has reached the age of 16 but under the age of 18 years shall be issued a marriage license if the written consent of the parents of each person who is underage, or of the parent having actual care, custody and control, or of his or her guardian is filed with the licensing officer issuing the marriage license as provided in § 111 of this chapter.

(b) A superior court judge may grant permission for a person who has reached the age of 14 but under 18 years of age to marry and order the licensing officer to issue the license if he finds, following a hearing at which the parents and children are given the opportunity to appear and be heard,

- (1) that the parents have given their consent; or
- (2) that the parents are
  - (A) arbitrarily and capriciously withholding consent; or
  - (B) absent or otherwise unaccountable; or
  - (C) in disagreement amongst themselves on the question; or

(D) unfit to decide the matter; and  
(3) that the marriage is in the best interest of the minor. (§ 21-1-12 ACLA 1949; am § 1 ch 65 SLA 1951; am § 1 ch 37 SLA 1953; § 1 ch 50 SLA 1963; am § 93 ch 127 SLA 1974; am § 2 ch 28 SLA 1975)

Effect of amendments. — The 1974 amendment deleted "for males and 16 year of age for females" following "18 years of age" in subsection (a).

The 1975 amendment rewrote this section.  
Cited in RLR v. State, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

*Repealed*

Sec. 25.05.181. Waiver order. (a) A licensing officer may, on joint application by both applicants for a marriage license, waive the requirements as to laboratory tests and premarital certificates if he believes that the public health and welfare will not be adversely affected and if

(1) there is no licensed physician or osteopathic physician in the area in which the applicants and the licensing officer reside; or

(2) a delay has been certified by the physician or osteopathic physician taking the blood specimen in a community where no laboratory is located, the certificate stating that the blood specimen was sent to the laboratory at least three days before the certification and that no return has as yet been received from the laboratory; or

(3) the test or tests are contrary to the tenets or practices of the religious creed of which the applicant is an adherent.

(b) The waiver order shall be filed with the marriage license docket in lieu of the premarital certificate. No fee or court costs for the waiver order may be charged. (§ 7 ch 64 SLA 1949; am § 7 ch 63 SLA 1953; § 1 ch 58 SLA 1963; am § 6 ch 103 SLA 1971)

Article 6. Forms, Records and Reports.

Section	Section
191. Marriage license docket	231. Reports of licenses issued
201. Notes on docket	241. Fees
211. Reports by marriage commissioner	251. Vital Statistics Act
221. Forms	

Sec. 25.05.191. Marriage license docket. Each licensing officer shall keep in his office, in a book to be provided to him by the bureau, a marriage license docket, and shall enter a complete record of the applications for and the issuance of all marriage licenses and of all other information he is required by law to obtain. Marriage commissioners shall keep the marriage license docket in duplicate. The marriage license docket shall be open for public inspection or examination during office hours. (§ 1 ch 58 SLA 1963; am § 3 ch 28 SLA 1975)

Effect of amendment. — The 1973 amendment deleted the former fourth sentence.

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*Repealed*

**Sec. 25.05.201.** Notes on docket. When the licensing officer issues a marriage license, he shall indicate on the corresponding marriage license docket sheet that he has on file the premarital certificates of each applicant or a waiver order. He shall enter the dates of the laboratory tests or the waiver order. The licensing officer shall attach the premarital certificates or waiver order to the docket sheet. (§ 1 ch 58 SLA 1963)

**Sec. 25.05.211.** Reports by marriage commissioner. Before the first of each month, each marriage commissioner shall forward to the magistrate acting as recorder for the recording district in which the marriage commissioner has jurisdiction the duplicate copies of all marriage license docket sheets executed during the preceding month, the completed original marriage certificates and duplicate copies for any marriage ceremonies performed by him during the preceding month, and any fees and reports required by rule of the supreme court. (§ 21-1-34 ACLA 1949; am § 3 ch 28 SLA 1960; § 1 ch 58 SLA 1963)

**Sec. 25.05.221.** Forms. (a) Forms for application, statements, consent of parents, affidavits, licenses, and other forms necessary to comply with this chapter shall be prescribed by the registrar and provided at the expense of the state. The registrar shall furnish all necessary forms to each licensing officer. He shall provide him with a suitable book in which to keep the marriage license docket. The forms for the premarital certificate shall be provided and distributed by the department to approved laboratories or clinics inside the state and to proper authorities in an official state or Canadian province public health laboratory. A premarital certificate which has been approved by the proper authority in a state or Canadian province requiring premarital examinations for infectious or heritable disease shall be accepted in Alaska.

(b) The registrar shall supervise the record work and required reporting of the licensing officers. In other respects the licensing officers are under the supervision of the supreme court. (§ 1 ch 58 SLA 1963; am § 7 ch 103 SLA 1971)

**Sec. 25.05.231.** Reports of licenses issued. The registrar may require reports of licenses issued upon forms to be furnished by him. (§ 1 ch 58 SLA 1963)

**Sec. 25.05.241.** Fees. The supreme court shall establish marriage license fees and provide for accounting for and disposing of the fees. (§ 21-1-35 ACLA 1949; am § 4 ch 28 SLA 1960; § 1 ch 58 SLA 1963)

**Sec. 25.05.251.** Vital Statistics Act. Nothing in this chapter repeals or abrogates any part of AS 18.50, the Vital Statistics Act. The records and requirements leading up to and including the issuance of the marriage license are not included in the definition of "vital statistics" under that Act. However, the registrar shall supply the necessary forms and instructions for the record work of the licensing officers. (§ 1 ch 58 SLA 1963)

# FAITH HOSPITAL

Central Alaskan Missions, Inc.

GLENNALLEN, ALASKA

99588

JAMES S. PINNEO, M.D.

February 10, 1981

State of Alaska  
Senate HESS Committee  
Pouch V  
Juneau, Alaska 99801

RE: SB 41 Pre-marital Blood Testing

Dear Sirs,

Please register our opinion concerning this proposed legislation.

Although the general public has the belief, which is fostered by public officials, that the only requirement for the pre-marital certification is a blood test for syphilis, it becomes apparent when it is properly considered, that again the best interest of the patient would be for an evaluation of the presence of the communicable disease. At the present time, when a doctor signs a pre-marital certificate, he is thereby certifying that the patient has no communicable disease. In addition to syphilis, therefore, other venereal diseases must be ruled out. If the patient is a virgin, has never been married, the initial pre-marital examination is the ideal time when the patient comes under the care of the doctor and the proper doctor-patient relationship is established. Therefore, the many concerns of the girl about sexual relations, marriage, ability to have a child, etc. can be considered. Even if the patient is already pregnant, a doctor-patient relationship must be, not only should be, established, so that there is proper care of the unborn child. Therefore pre-marital examination is much more than a simple taking of a blood sample. As to the extent of the examination, again, that should be the prerogative of the doctor and his relationship with the patient.

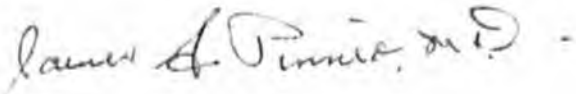
Even though pre marital blood testing may be considered not cost effective, it seems evident that such prompting for a pre-marital couple to seek medical evaluation, would be in the best interests of the couple involved and the entire state of Alaska. Thus the responsibility of marriage is involved, and if there is adequate deterrent for hasty marriages, there would be less divorce. Although this can not be documented, it seems evident that tragic, social problems are existing because of hasty marriages and quick divorces. Not only is birth control advisable, but also control of venereal disease.

Overall then, it seems apparent to us that whoever indoctrinates the people of Alaska for considering the responsibilities of marriage, procreation, and disease, would be beneficial to the establishment of marriage, the family, the home, and a stable society. Whatever not detracts from realization of responsibility, adds to social problems. Therefore, eliminating pre-marital blood tests although not cost effective to many people, and irrelevant, and

State of Alaska  
SB 41  
Page Two

a nasty interference into private lives, it seems evident from all of the points expressed above that it would be wise for the best interest of the Alaskan citizen to maintain the requirement.

Sincerely,

A handwritten signature in cursive script that reads "James S. Pinneo, M.D." followed by a small dash.

James S. Pinneo, M.D.

JSP:ms  
cc

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THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 45  
 Title An Act relating to bonds of contractors for public buildings or works.  
 Requested by \_\_\_\_\_ Date April 14, 1981

II. FISCAL DETAIL

Agency Affected Department of Community and Regional Affairs  
 Program Category Affected Development  
 BRU, Program, or Subprogram(s) Affected Local Government Assistance  
 (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		-0-				
200 TRAVEL		-0-				
300 CONTRACTUAL		-0-				
400 COMMODITIES		-0-				
500 EQUIPMENT		-0-				
600 LAND & STRUCTURES		-0-				
700 GRANTS, CLAIMS, ETC.		-0-				
<b>TOTAL</b>		-0-				

FUNDING (Thousands of Dollars)

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

POSITIONS

FULL TIME		-0-				
PART TIME						
TEMPORARY						

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

No fiscal impact on this agency.

IV. DATE April 14, 1981 PREPARED BY Terry L. Farley  
 AGENCY Department of Community & Regional Affairs  
 PHONE 465-4730  
 Original: Legislative Finance  
 cc: Budget and Management

INTRODUCTION OF BILLS (Senate) (cont'd)

Attorney Fees  
(indigents)

SENATE BILL NO. 44, by the Rules Committee by Request of the Governor. Relates to costs of attorney services provided to indigents charged with violations of municipal ordinances. Amends AS 18.85.100 (Public Defender Agency. Right to representation, services and facilities.) by addition of a new subsection which states: "(c) The attorney services provided under this chapter to an indigent person charged with violation of a municipal ordinance must be provided at the expense of the municipality." Does not provide for an effective date.

Introduced January 13 and referred to Community & Regional Affairs, then to Judiciary.

In his message transmitting the bill to the Senate for its consideration, Governor Hammond stated:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill which changes the present system of payment for costs of attorney services provided to indigents who are charged with violation of a municipal ordinance. The bill provides that municipalities will pay for these costs, and that the state will be relieved of the responsibility for payment.

Contractors  
(bonds)

SENATE BILL NO. 45, by the Rules Committee by Request of the Governor. Raises amount for which bonding is required for the construction, alteration, or repair of a public building or public work of the state or a political subdivision of the state to \$100,000 (existing amount is \$50,000). (Amends AS 36.25.010(a), Contractor's Bonds. Bonds of contractors for public building or works, to so reflect). Does not provide for an effective date.

Introduced January 13 and referred to State Affairs, then to Finance.

In his message transmitting the bill to the Senate for its consideration, Governor Hammond stated:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill amending the bond requirement for contractors for public buildings or works (AS 36.25.010). On February 28, 1980 the Department of Transportation and Public Facilities entered into an agreement with the state Human Rights Commission to insure more Minority Business Enterprise involvement in construction projects for public buildings or works. Under Part II, section 11, of the agreement, the Department of Transportation and Public Facilities was to support legislation which would raise the dollar level of contracts for which bonding is required on state jobs. The bill amends AS 36.25.010(a), requiring bonds for contractors on projects for public buildings or works in excess of \$50,000, by raising the \$50,000 threshold to \$100,000.

Contractors  
(registration)

SENATE BILL NO. 46, by the Rules Committee by Request of the Governor. Amends AS 08.18.011 (Construction Contractors. Registration required) to read: "It is unlawful for a per-

THE LEGISLATURE OF THE STATE OF ALASKA  
 HOUSE OF REPRESENTATIVES  
 TWELFTH  
FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. AB 45  
 Title An Act relating to bonding of contractors for public buildings or works.  
 Requested by Governor Date 12/11/80

II. FISCAL DETAIL  
 Agency Affected Department of Transportation and Public Facilities  
 Program Category Affected All  
 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 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

There is a slight chance that a contractor may default on a larger project under this bill. There is no estimate of the possible cost because this bill should also increase the number of firms that can and will bid on projects which would serve to reduce costs.

IV. DATE December 11, 1980 PREPARED BY J. W. Scribner  
 AGENCY Dept. of Transportation and Public Facilities  
 PHONE 465-3900  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor (First Legislator Named)

January 12, 1981

President of the Senate  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill amending the bond requirement for contractors for public buildings or works (AS 36.25.010). On February 28, 1980 the Department of Transportation and Public Facilities entered into an agreement with the state Human Rights Commission to insure more Minority Business Enterprise involvement in construction projects for public buildings or works. Under Part II, section 11, of the agreement, the Department of Transportation and Public Facilities was to support legislation which would raise the dollar level of contracts for which bonding is required on state jobs. The bill amends AS 36.25.010(a), requiring bonds for contractors on projects for public buildings or works in excess of \$50,000, by raising the \$50,000 threshold to \$100,000.

Sincerely,

S. JSH

Jay S. Hammond  
Governor

March 2, 1981

The Honorable Vic Fisher, Chairman  
State Affairs Committee  
Pouch 8  
State Capitol  
Juneau, Alaska 99811

Dear Senator Fisher:

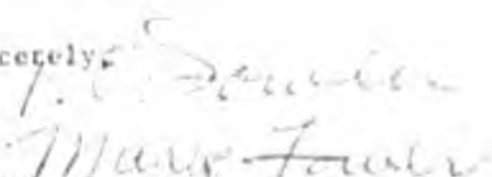
It has been brought to our attention that the governor has introduced Senate Bill 45. The effect of this bill would raise from \$50,000 to \$100,000 the threshold at which a contractor of a public building or work would have to be bonded. It is our understanding that the bill has been referred to your committee.

It is very difficult to understand why the State is interjecting itself into the position of encouraging unqualified individuals into the contracting business, a business that is amongst the highest in failure rate.

Without the sort of screening done by the surety companies, the result can only be a larger burden for us as taxpayers as the unqualified contractor defaults on his obligations to the State.

The Small Business Administration Bond Program has been established on a federal level to help the smaller contractors get into business. The program involves a minimum of screening and financial resources, but it does try to screen out the incompetent. It is our contention that anyone who cannot qualify for the SBA program should not be lured into the construction business by the State waiving prequalifications. Under the circumstances, we urge that Senate Bill 45 should not be recommended for passage.

Sincerely,

  
Philip E. and Margaret M. Fowler  
5052 Mills Drive  
Anchorage, Alaska 99504

cc: The Honorable Arliss Steurgulewski  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

March 2, 1981

The Honorable Vic Fischer, Chairman  
State Affairs Committee  
Pouch 8  
State Capitol  
Juneau, Alaska 99811

*Fischer -  
white one  
only*

Dear Senator Fischer:

I am writing in reference to Senate Bill 45, which I believe has been referred to your committee.

I believe that this bill is not in the best interests of the taxpayers in the State of Alaska.

The very purpose of bonding is to screen out incompetent or financially inadequate contractors. With the availability of the Small Business Administration bonding program, virtually any contractor can qualify for a \$50,000 bond. Raising the threshold to \$100,000 will contribute to unqualified contractors working on State projects. This will be to the detriment of you and me.

I urge your committee to not pass Senate Bill 45.

Sincerely,



Brandon B. Allen  
7015 Weimer #8  
Anchorage, Alaska 99502

BBA/tsh

cc: The Honorable Ed Dankworth  
State Affairs Committee  
Pouch 8  
Juneau, Alaska 99811

March 2, 1981

The Honorable Vic Fischer, Chairman  
State Affairs Committee  
Pouch 8  
State Capitol  
Juneau, Alaska 99811

Dear Senator Fischer:

It has been brought to our attention that the Governor has introduced Senate Bill 45. The effect of this bill would raise from \$50,000 to \$100,000 the threshold at which a contractor of a public building or work would have to be bonded. It is our understanding that the bill has been referred to your committee.

It is very difficult to understand why the state is interjecting itself into the position of encouraging unqualified individuals into the contracting business, a business that is amongst the highest in failure rate.

Without the sort of screening done by the surety companies, the result can only be a larger burden for us as taxpayers as the unqualified contractor defaults on his obligations to the state.

The Small Business Administration Bond Program has been established on a federal level to help the smaller contractors get into business. This program involves a minimum of screening and financial resources, but it does try to screen out the incompetent. It is our contention that anyone who cannot qualify for the SBA program should not be lured into the construction business by the state waiving prequalifications. Under the circumstances, we urge that Senate Bill 45 should not be recommended for passage.

Sincerely,



Charles H. Parkman and L. Jean Parkman  
1004 Southampton  
Anchorage, Alaska 99503

cc: Representative Joe Hayes  
Alaska State Legislature  
Pouch 1  
Juneau, Alaska 99811

RESOLUTION 4-81

*file  
minority  
contracting  
SB 45*

A RESOLUTION OF ALASKA CHAPTER OF THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA URGING THE GOVERNOR AND THE ALASKA STATE LEGISLATURE TO CONTINUE EXISTING CONTRACTOR BOND REQUIREMENTS FOR STATE PROJECTS.

WHEREAS, contractor bonding companies perform complete evaluations of each contractor provided with a performance and payment bond; and

WHEREAS, the limits provided each contractor are established within the financial capability of each contractor so bonded; and

WHEREAS, the bonding requirements established for contractors performing work on State contracts are considered fair and equitable for all parties; and

WHEREAS, there was considerable loss of public monies in 1980 due to inadequately bonded contractors performing work for rural school districts;

NOW, THEREFORE, BE IT RESOLVED BY THE ALASKA CHAPTER OF THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA:

1. That the Governor and the Alaska State Legislature be urged to maintain the current requirements without amendment.

PASSED AND APPROVED: \_\_\_\_\_

\_\_\_\_\_  
President

ATTEST \_\_\_\_\_  
1st Vice President

*Passed and approved February 1981*

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Applied in *Alaska State-Operated School Sys. v. Mueller*, Sup. Ct. Op. No. 1157 (File No. 2138), 536 P.2d 99 (1975).

Cited in *Walker v. Alaska State Mortgage Ass'n*, Sup. Ct. Op. No. 353 (File No. 669), 416 P.2d 245 (1966); *Alaska State Housing Auth. v. Dixon*, Sup. Ct. Op. No. 793 (File No. 1529), 496 P.2d 649 (1972).

Am. Jur. 2d and ALR references. — 63 Am. Jur. 2d, Public Officers and Employees, §§ 5, 38-81, 360-413.

Conclusiveness of governor's decision in removing or suspending officers, 52 ALR 7; 92 ALR 998.

Constitutionality of statute providing for direct appeal or other review of orders and rulings of governor, 66 ALR 586.

Prohibition as means of controlling action of governor, 115 ALR 14.

Legislative power to prescribe qualifications for or conditions of eligibility to constitutional office, 34 ALR2d 155.

**Sec. 39.05.065. Qualifications of members of the Board of Education.** (a) Each member of the Board of Education shall be a citizen of the United States and have been a resident of Alaska for at least three years.

(b) A member of the Board of Education may also be a member of a district school board. (§ 11 ch 96 SLA 1967; am § 19 ch 26 SLA 1980)

Revisor's note. — "District" as used in subsection (b) of this section apparently means a district of the state public school system as set out in AS 14.12.010.

of members of Board of Education, see AS 14.07.085.

Effect of amendment. — The 1980 amendment, added subsection (b).

Cross reference. — As to appointment

**Sec. 39.05.070. Purpose.** It is the purpose of AS 39.05.070 — 39.05.110 to provide procedural uniformity in the exercise of appointive powers conferred by the legislature to eliminate, insofar as possible, recess or interim appointments except in the event of death, resignation, inability to act or other removal from office and the exercise, insofar as possible, of appointive powers only when the legislature is in session. (§ 1 ch 64 SLA 1955)

Section repugnant to tacit confirmation. — The expressed intention of this section is repugnant to tacit

confirmation of appointments. *Munson v. Territory of Alaska*, 16 Alaska 580 (1956).

**Sec. 39.05.080. Procedure for all appointments.** Appointments shall be made in the following manner:

(1) The appointing authority shall, within the convening of the legislature in regular session, present to the legislature for confirmation the names of the following persons: (A) persons appointed to a position or membership who have not previously been confirmed by the legislature or either house of it; (B) persons appointed by him subject to confirmation to fill an existing position or membership vacancy; (C) persons to be appointed subject to confirmation to fill a position or membership the term of which shall expire before July 2, following the session of the legislature. If an appointment is made after the deadline but while the legislature is in session, the appointing

the Department of Education, or from the department to a school district, may transfer all of the cumulative sick leave to the new employer. It is the responsibility of the employee to notify the new employer, within 90 days of commencing work, of the number of days to be transferred.

(c) The department may implement this section by regulation. (§ 1 ch 99 SLA 1974; am § 1 ch 118 SLA 1978)

**Effect of amendment —** The 1978 amendment rewrote this section.

### Sec. 14.14.130. Chief school administrator.

Applied in *Skagway City School Bd. v. Davis*, Sup. Ct. Op. No. 1216 (File No. 2265), 543 P.2d 218 (1975).

**Sec. 14.14.140. Restriction on employment.** (a) While serving on the school board, a member may not be employed by that local school board. Members of the immediate family of a school board member may not be employed by the school board except upon written approval of the commissioner.

(b) Members of the immediate family of a chief school administrator may not be employed by the chief school administrator except upon written approval of the school board.

*repealed* → (c) A school board member may receive compensation for time spent in the performance of his duties as a school board member if the compensation is authorized by resolution adopted by the school board. The restriction in (a) of this section does not apply to this compensation. (§ 1 ch 98 SLA 1966; am § 2 ch 29 SLA 1969; am § 5 ch 24 SLA 1979; am § 2 ch 26 SLA 1980)

**Effect of amendment —** The 1979 amendment, in subsection (a), added the present first sentence, substituted "Members of the immediate family of a school board member" for "School board members, or members of their immediate families" at the beginning of the present second sentence, and inserted "written"

preceding "approval" in the present second sentence, and in subsection (b), substituted "written approval of the school board" for "approval of the commissioner."

The 1980 amendment effective May 9, 1980, and retroactive to July 1, 1978, added subsection (c).

### Secs. 14.14.170—14.14.200.

Repealed by § 6 ch 24 SLA 1979.

**Cross reference.** — As to advisory school boards in regional educational attendance areas, see AS 14.08.115.

**Editor's note.** — The repealed sections derived from § 1, ch 98, SLA 1966; §§ 10, 11, ch 46, SLA 1970; § 12, ch 67, ch 32,

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## FACT SHEET

### PROPOSED 1981 LEGISLATION

The Department of Military Affairs has asked the Governor to introduce one bill in the 1981 Legislation.

The bill has three parts:

The first part proposes that the reimbursement of tuition and fees for members who attend an educational, vocational or training school in Alaska be extended to retired members. This proposal is designed to provide an additional incentive to stay in the Guard until retirement and reward, in a small way, those retired members who would like to continue their education. We anticipate that no more than 15 members would take advantage of this proposal each year. The average reimbursement is \$125.00 per year per person, making the total cost of this proposal between 2 and 3 thousand dollars annually.

The second proposal is designed to protect the families of the lower rank enlisted members from a dramatic financial loss in the event of an extended State Duty period. It also ensures that members called to State Active Duty are covered by the Workman's Compensation Act. The fiscal impact of this proposal would be felt only in the event of a major disaster. The funding would come from the Governor's Emergency Fund.

The third part is identical to a bill submitted by the Governor last year and proposes a restructuring of the reenlistment bonus. A reenlistment bonus in the amount of \$3,000 will be paid for the first 6 year reenlistment only. The payments will be \$1,000 each, payable every two years. At the end of the initial reenlistment, the bonus stops. Payments would be made to the Guard members during their 6th through 12th year of total military service. This period has been determined as the "decision making" time for Guard members as to whether to stay until retirement or quit. We feel that paying this bonus during the decision years is the best possible use of a reenlistment bonus and conforms very closely to the bonus offered by the Federal Government for the active component personnel. Those members currently receiving a reenlistment bonus under AS 26.05.265 would continue to receive those bonus payments.

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST  
 Bill/Resolution No. SB 54  
 Title An Act relating to the Alaska National Guard and Naval Militia  
 Requested by the Department of Military Affairs Date 06 Feb 1981

II. FISCAL DETAIL  
 Agency Affected Department of Military Affairs  
 Program Category Affected Public Protection  
 BRU, Program, or Subprogram(s) Affected Military Preparedness  
 (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	0	5.0	5.0	335.0	202.0	459.0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL						

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

Sections 1 - 3 have no budget impact except in the event of a disaster. This funding is received from the Governor's Emergency Fund.

Section 5 will require expenditures of \$330.0 in FY 84, \$197.0 in FY 85, and \$454.0 in FY 86. Beginning FY 87, the expenditures will decrease each year as current (1980-81) members drawing the old bonus payment will begin to retire or leave the Guard for other reasons. As these older members retire or drop out, the new program will have completed paying 33 1/3% of the new members. Attached to this fiscal note is a break down of the payments to be paid FY 84-87.

Section 6 extends reimbursement of tuition to retired members. About 15 retired members would use this benefit. The average reimbursement is \$125.00 for active members. Shown above as \$5,000 each year.

IV. DATE 06 Feb 1981 PREPARED BY LTC Henry A. Compton  
 AGENCY Department of Military Affairs  
 Original: Legislative Finance PHONE 465-4601 - Juneau  
 cc: Budget and Management 243-0656 - Juneau  
 Prime Sponsor (First Legislator Named)

REENLISTMENT BONUS

ARMY GUARD @ 60% RETENTION

FY 82	304 ETS 182 Reups	Pay in 84 \$182,000.
-------	----------------------	-------------------------

FY 83	175 ETS 105 Reups	Pay in 85 \$105,000.
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AIR GUARD @ 74% RETENTION

FY 82	200 ETS 148 Reups	Pay in 84 \$148,000.
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FY 83	127 ETS 92 Reups	Pay in 85 \$ 92,000.
-------	---------------------	-------------------------

ARMY GUARD @ 60% RETENTION

FY 84	159 ETS 92 Reups	Pay in 86 \$ 92,000.
-------	---------------------	-------------------------

FY 85	175 ETS 105 Reups	Pay in 87 \$105,000.
-------	----------------------	-------------------------

AIR GUARD @ 74% RETENTION

FY 84	42 ETS 32 Reups	Pay in 86 \$ 32,000.
-------	--------------------	-------------------------

FY 85	1 ETS 1 Reup	Pay in 87 \$ 1,000
-------	-----------------	-----------------------

TOTALS PAY IN:

FY 84	\$182,000. <u>148,000.</u>	Army Guard Air Guard
	\$330,000.	

FY 85	\$105,000. <u>92,000.</u>	Army Guard Air Guard
	\$197,000.	

TOTALS PAY IN:

FY 86	\$330,000. <u>124,000.</u>	(2d Pmt from 84) (1st Pmt from 84)
	\$454,000.	

FY 87	\$197,000. <u>106,000.</u>	(2d Pmt from 85) (1st Pmt from 85)
	\$303,000.	

## FACT SHEET

### PROPOSED 1981 LEGISLATION

#### SB 54

The Department of Military Affairs has asked the Governor to introduce one bill in the 1981 Legislation.

The bill has three parts; in nine sections and is now known as SB 54.

The first three sections are designed to protect the families of lower rank enlisted members from a dramatic financial loss in the event of an extended State Duty period. It also ensures that members called to State Active Duty are covered by the Workman's Compensation Act. The fiscal impact of this proposal would be felt only in the event of a major disaster. The funding would come from the Governor's Emergency Fund.

Section 5 is identical to a bill submitted by the Governor last year and proposes a restructuring of the reenlistment bonus. A reenlistment bonus in the amount of \$3,000 will be paid for the first 6 year reenlistment only. The payments will be \$1,000 each, payable every two years. At the end of the initial reenlistment, the bonus stops. Payments would be made to the Guard members during their 6th through 12th year of total military service. This period has been determined as the "decision making" time for Guard members as to whether to stay until retirement or quit. We feel that paying this bonus during the decision years is the best possible use of a reenlistment bonus and conforms very closely to the bonus offered by the Federal Government for the active component personnel. Those members currently receiving a reenlistment bonus under AS 26.05.265 would continue to receive those bonus payments.

Section 6 proposes that the reimbursement of tuition and fees for members who attend an educational, vocational or training school in Alaska be extended to retired members. This proposal is designed to provide an additional incentive to stay in the Guard until retirement and reward, in a small way, those retired members who would like to continue their education. We anticipate that no more than 15 members would take advantage of this proposal each year. The average reimbursement is \$125.00 per year per person, making the total cost of this proposal between 2 and 3 thousand dollars annually.

Sections 7 through 9 are administrative in nature.

Analysis of state funded benefits the Alaska National Guard and Naval Militia now enjoy:

#### RETIREMENT SYSTEM

Current law passed in the last session of the legislature provides for a retirement payment of \$100.00 for every month served in the Alaska National Guard or Naval Militia provided the retiree has a total of 20 years of service a minimum of five of which as a member of the guard

#### TUITION REIMBURSEMENT

The State of Alaska will pay an amount equal to 50% of all tuition and required fees paid by the member to schools in Alaska. The schools include all technical vocational or educational institutions. Eligibility requirements are, that the guard member attend 90% of all scheduled drills and 15 days of annual training each year. This eligibility is certified by the unit commander.

#### REENLISTMENT BONUS

Current statute provides that the state will pay the equivalent of 10 days base pay at the rank held upon satisfactory completion of a members initial enlistment who reenlists or extends that enlistment for any period of time. Average reenlistment bonus payment is approximately \$350.00. Our proposal in SB 54 changes this to a \$3,000 payment for the initial six year reenlistment after the completion of the initial contract.

#### VETERANS BENEFITS

Members of the Alaska National Guard and Naval Militia who have served five or more years with the Alaska National Guard or Naval Militia obtain veterans status for procurement of state loans.

NATIONAL GUARD LOSSES 1980

TOTAL LOSSES            110

DROP OUTS AT ETS        76

Of 76 lost, 52 dropped out during "Decision Making" period, or 68.4% could be saved by a larger reenlistment payment that can be used by the family group. In most cases the family makes the decision to leave or stay in the Guard.

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. AB 54  
 Title An Act relating to the Alaska National Guard and Naval Militia  
 Requested by \_\_\_\_\_ Date 6 Oct 1980

II. FISCAL DETAIL

Agency Affected Department of Military Affairs  
 Program Category Affected Public Protection  
 BRU, Program, or Subprogram(s) Affected Military Preparedness  
 (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	5.0	5.0	335.	202.0	459.0	308.0
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>						

FUNDING (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	No Additional Positions					
FULL TIME						
PART TIME						
TEMPORARY						

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

Section 1 extends reimbursement of tuition to retired members. About 50 retired members would use this benefit. The average reimbursement is \$75.00 for active members. This will cost \$3,770 per year. Shown above as \$5,000 each year.

Sections 2-5 have no budget impact except in the event of a disaster. The per day cost per person would increase from \$45 to \$70.00 depending on the location. This funding is received from the Governor's Emergency Fund.

Section 7 will require expenditures of \$330.0 in FY 84, \$197.0 in FY 85, \$454.0 in FY 86 and \$303.0 in FY 87. Beginning FY 88, the expenditures will decrease each year as current (1980-81) members drawing the old bonus payment will begin to retire and leave the Guard for other reasons. As these older members retire or drop out, the new program will have completed paying 33 1/3% of the new members. Attached to this fiscal note is a break down of the payments to be paid FY 84-87.

IV. DATE 06 Oct 1980 PREPARED BY For [Signature] LTC Hank Compton  
 AGENCY Department of Military Affairs  
 Original: Legislative Finance PHONE 465-4601 - Juneau  
 cc: Budget and Management 243-0656 - Anchorage  
 Prime Sponsor (First Legislator Named)

15

January 12, 1981

President of the Senate  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to pay and benefits for members of the Alaska National Guard and Naval Militia. The bill would increase benefits for education, active service pay, workers' compensation, and the reenlistment bonus.

Section 1 of the bill would authorize a sorely-needed change in the pay for members called to active service in an emergency. Under existing law enlisted members of the National Guard in the lower pay grades and their families would suffer grave hardship if the members were called away from their regular employment to active service at very low pay. The section sets a minimum daily compensation which will help insure that a member's family will have enough money while the member is away on active service. The minimum compensation will increase with an increase in the Consumer Price Index for Anchorage, Alaska.

Sections 2 and 3 of the bill would provide for coverage of members of the National Guard under the Workers' Compensation Act while they are on active service in an emergency.

Section 5 of the bill would amend the provision which establishes the reenlistment bonus to provide for three lump sum payments of \$1,000 instead of the more numerous but smaller payments provided under existing law. Those members of the National Guard who are receiving a bonus under existing law would continue to receive that bonus and would not receive the reenlistment bonus that is proposed in this bill.

51

Section 6 of the bill would extend the education benefits currently available to retired members. Under the current law, only active members may claim this benefit.

Sincerely,

S/JS H

Jay S. Hammond  
Governor

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# COMMITTEE REPORT

## SENATE

1/13/81

FURTHER: Community &  
Regional Affairs

Date: \_\_\_\_\_

Mr. President:

The Committee on HEALTH, EDUCATION  
& SOCIAL SERVICES has had SB 64

labor relations between school boards and other public employers and their employees

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

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

MEMBERS SIGN'NG  
D) PASS

\_\_\_\_\_  
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MEMBERS HAVING  
OTHER RECOMMENDATIONS:

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\_\_\_\_\_

CHAIRMAN

SB 64 feb

MSG 81-00008769 PRTY 1 03/18/81 12:55:03 ORIG: LM00 IN= 0003 OUT= 0041  
FROM: MARY/MATSU TO: JUNEAU INFORMATION  
TARGET: LJM2 SUBJ: P.O.M. PAGE 0001

TO: ALL SENATORS  
FR: MAT-SU SCHOOL DISTRICT CLASSIFIED PERSONNEL ORGANIZATION  
RE: SENATE BILL 64

OUR MEMBERSHIP OF 120 STRONGLY URGE PASSAGE OF SB64. NON-CERTIFIED EMPLOYEES ARE DISCRIMINATED AGAINST WHILE WORKING SIDE BY SIDE WITH CERTIFIED EMPLOYEES WHO ARE AFFORDED BARGAINING RIGHTS. WE TOO ARE A VITAL PART OF THE EDUCATIONAL TEAM, AS WELL AS BEING PUBLIC EMPLOYEES.  
DORIS LEE, BOX 1813, PALMER 99645  
TONY W. JONES, BOX 2666, PALMER 99645  
MARCIA M. HILDRETH, BOX 470, WASILLA 99687  
LAWRENCE KORTE, BOX 592, PALMER, 99645  
DIANE MARBLE, BOX 1151, PALMER 99645  
MARILYN THOM, SR A BOX 6967, PALMER 99645  
ROBERT L WARNER, BOX 287, PALMER 99645  
ROBERT W. RHODES, BOX 2727, PALMER 99645  
STEPHAN ALWARD, SR A BOX 6936, PALMER 99645  
VIRGINIA G. RICKEY, BOX 3, WILLOW 99688

MSG 81-00008769 PRTY 1 03/19/81 12:55:03 ORIG: LM00 IN= 0003 OUT= 0041  
FROM: MARY/MATSU TO: JUNEAU INFORMATION  
TARGET: LJM2 SUBJ: P.O.M. PAGE 0002

CONTINUED FROM FORMER MESSAGE TO ALL SENATORS RE. SB 64

CHERYL L. CLARK, BOX 472, WASILLA 99687  
RICHARD J. JONES, BOX 109, TALLEKETA 99676  
PATI JO NELSON, BOX 892, PALMER 99645  
EDMOND BOY, 10 1/2, PALMER 99645  
CAROL TRAPLEY, ST. RT. A BOX 6126, PALMER 99645  
LYNDEL COLLIER, RD 2493, PALMER 99645  
CHRISTINA FUGLE, BOX 1400, PALMER 99645  
WAYNE C. YOUNG, BOX 1248, WASILLA 99687  
RICHARD E. PARLOW, SR B BOX 7550, A-2 PALMER 99645  
GARY MOORE, SR, RD 2010, WASILLA 99687

Bill No. Senate Bill 64

Date January 19, 1981

Title "An Act relating to labor relations between school boards and other public employers and their employees."

Contact: Judy Knight  
465-2700  
Dale W. Cheek  
465-4870

This legislation would make it mandatory for all school boards to permit their non-certificated employees to enter into collective bargaining and they would be covered by the Public Employment Relations Act (PERA). This bill would cover persons that have been barred from entering into collective bargaining under present law. The Department of Labor acts as the Labor Relations Agency for all public employees except State employees and would have to take on the added duties for these employees to conduct elections, hold hearings and settle grievances throughout the state.

- Section 1. AS 23.40.100(b) makes it mandatory that "no representation" be placed on the initial election ballots, for election ballots, for elections conducted under the Public Employment Relation Act.
- Section 2. AS 23.40.200(c) permits non-certificated employees of school boards to engage in a strike. They will be covered in Class 3.
- Section 3. AS 23.40.250(5) takes away the exemption for non-certificated school board employees.
- AS 23.40.250(6) a school board becomes a public employer under PERA.
- Section 5. AS 23.40.250 defines school board for PERA.
- Section 6. Makes it mandatory for school board to permit their non-certificated employees to enter into collective bargaining covered by the Public Employment Relations Act.
- Section 7. Any collective bargaining agreement already entered into are not covered by these laws.

Collective bargaining in the public sector is a complicated and unique field of labor law. Our experience as the Labor Relations Agency for all public employees, except State of Alaska employees, over the past fiscal year shows that the Wage and Hour Division devoted one half of a position to that function. This involved nine separate community of interests groups in the City of Fairbanks, the North Star Borough, and the City of Kodiak for a total of approximately 400 employees.

We have ascertained that there are 52 school districts within the State of Alaska (including REAA's). We are only able to identify four of those districts who are presently organized or who have a collective bargaining agreement with a union or an association. Those are Fairbanks, Kenai, Juneau, and Anchorage with a total of approximately 1,100 non-certificated employees.

**POSITION PAPER/Department of Labor**

POSITION PAPER CONTINUED:

So the Department of Labor can expect to be acting as the Labor Relations Agency for 48 separate school districts involving 2,400 employees. In the upcoming fiscal year the Wage and Hour Division could be monitoring elections in 48 separate school districts, or holding hearings to settle grievances on unfair labor practice charges throughout the State.

A Fiscal Note has been submitted.

1	POSITION TITLE W/H Investigator II			RANGE/STEP 18 A	BARG. UNIT. GGU	LOCATION Juneau	GOV.	APPROV.	DISAPP.
2	TYPE OF POSITION PFT	STAFF MONTHS 12	RP No.	PCN No.	PRIORITY	FORM 12	PAGE/LINE	LEG.	
3	TYPE OF EXPENDITURE			AMOUNT		JUSTIFICATION:			
	1	2	3						
4	PERSONAL SERVICES:				1. Personal Services: Salary Schedule effective 1/1/81.				
	SALARY	\$2,640	31,680		2. Travel: \$15,000.				
5	BENEFITS	.1721	5,452		3. Contractual Services: \$24,431 includes Legal Services for Hearing Officers, word processing services, Telephone, Postage, and Office Copier Services.				
6	FICA	.0613	1,808		4. Commodities: \$1,800 Supplies for ballots, letters, printed matter.				
7	HEALTH INS.	\$ 127 P/M	1,524		5. Equipment: \$3,000 Desk, Chairs, Filing Cabinet, Recorder, and Calculator.				
8	TOTAL PERSONAL SERVICES		40,464						
9	TRAVEL		15,000						
10	CONTRACTUAL		24,431						
11	COMMODITIES		1,800						
12	EQUIPMENT		3,000						
13	OTHER								
14	TOTAL COST		84,695						
15	CODE	FUNDING SOURCE:							
		FED RCPTS	1002						
		GF MATCH.	1003						
		GEN. FUND	1004	84,695					
		I-A RCPTS.	1005						
		PGM RCPTS	1006						
		OTHER							
21	CONTINUATION								
22	ADDITION		X	FOR B&M USE ONLY					
23	KEY NUMBER		COLUMN NO.						

AGENCY Labor PROGRAM Public Protection

BRU Wage and Hour

COMPONENT Wage and Hour

**13** REQUEST FOR NEW  
POSITION.

Page 1 of 1

REVISED  
DATE \_\_\_\_\_

**FY 82**

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill 64

Title "An Act relating to Labor Relations between school boards and other..."

Requested by Senate Labor and Commerce Committee Date January 19, 1981

II. FISCAL DETAIL

Agency Affected Department of Labor

Program Category Affected Public Protection

BRU, Program, or Subprogram(s) Affected Wage and Hour Administration

(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		40.5	43.7	47.2	51.0	55.1
200 TRAVEL		15.0	16.1	17.2	18.4	19.7
300 CONTRACTUAL		24.4	26.4	28.5	30.8	33.3
400 COMMODITIES		1.8	1.9	2.0	2.2	2.4
500 EQUIPMENT		3.0	Ø	Ø	Ø	Ø
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>		<b>84.7</b>	<b>88.1</b>	<b>94.9</b>	<b>102.4</b>	<b>110.5</b>

FUNDING (Thousands of Dollars)

GENERAL FUND		84.7	88.1	94.9	102.4	110.5
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		1	1	1	1	1
PART TIME						
TEMPORARY						

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

1. Personal Services cost at current salary and benefit cost (1/1/81).
2. Travel Statewide - Wage and Hour Investigator II.
3. Contractual Services, includes Legal Services for Hearing Officers and word processing services.
4. Equipment, Desk, Chairs, filing Cabinet, Recorder, and Calculator.
5. Inflation factor used - 8% for all items.
6. Assumes effective date of July 1, 1981.
7. Assumes that the 48 potential school districts would enter into collective bargaining elections on a gradual basis - i.e. initial elections would be spread over a two-year period.

IV. DATE January 19, 1981 PREPARED BY Nico Bus, Finance Officer  
AGENCY Labor

Original: Legislative Finance PHONE 465-2720  
cc: Budget and Management  
Prime Sponsor (First Legislator Named)

# STATE OF ALASKA

## DEPARTMENT OF LABOR

OFFICE OF THE COMMISSIONER

JAY S. HAMMOND, GOVERNOR

BOX 1149 - JUNEAU 99811

Phone (907) 465-2700

January 30, 1981

The Honorable Charles H. Parr  
Alaska Senate  
Chairman, Health, Education and  
Social Services Committee  
Pouch V  
Juneau, Alaska 99811

Dear Senator Parr:

On January 27, 1981 the Senate Health, Education and Social Services Committee reported out Senate Bill 64, "An Act relating to labor relations between school boards and other public employers and their employees", with a zero fiscal note. The Department had submitted a fiscal note at a previous hearing requesting funding for one position. This legislation will make it mandatory for all school boards to permit their noncertificated employees to enter into collective bargaining and those employees would be covered by the Public Employees Relation Act (PERA). Senate Bill 64 will require the Department of Labor, Wage and Hour Division to assume additional responsibilities without any attendant funding.

Collective bargaining in the public sector is a complicated and unique field of labor law. Our experiences as the labor relations agency for all public employees, except State of Alaska employees, over the past fiscal year shows that the Wage and Hour Division devoted one half of a position to that function. This involved nine separate community of interest groups in the City of Fairbanks, the North Star Borough, and the City of Kodiak for a total of approximately 400 employees.

There are 52 school districts within the State of Alaska (including REAA's). We are able to identify only four of those districts who are presently organized or who have a collective bargaining agreement with a union or an association. Those are Fairbanks, Kenai, Juneau, and Anchorage with a total of approximately 1,100 noncertificated employees. In disputed matters it is necessary that a hearing officer be appointed to hear the matter under the Administrative Procedures Act. It has been our experience in the past that an average of \$6,000 in hearing officer legal fees are expended for each of the contested matters.

Senator Parr

-2-

January 30, 1981

Therefore the Department of Labor can expect to be acting as the labor relations agency for 48 separate school districts involving 2,400 employees. In the upcoming fiscal year, the Wage and Hour Division could be monitoring elections in many of those school districts, or holding hearings to settle grievances on unfair labor practice charges throughout the State.

Identical bills were introduced in the Eleventh Legislature (Senate Bill 213 and House Bill 453). Eleven representatives of units who would be covered by PERA, if those bills became law, testified before a House Committee. The Director of the Wage and Hour Division talked to each of the eleven representatives after the hearing and was advised that if a bill passed into law, all of them intended to file a petition to be recognized as a collective bargaining unit. That information, coupled with other knowledge that we have received, makes it almost a certainty that the Department will be faced with resolving organizational labor disputes for many of these employees in school districts in the ensuing fiscal years.

The Wage and Hour Division of the Department of Labor has the responsibility for the enforcement of AS 23.40. The Division conducts elections, investigations of unfair labor practice charges, holds preliminary hearings, and presents testimony before formal hearings on matters concerning public employees (except State employees) covered by PERA. The Division consists of 19 employees located in three offices at Juneau, Anchorage, and Fairbanks.

In addition to the PERA function, this Division is also charged with enforcement responsibilities in the following areas:

- Wage Claims
- Minimum Wage and Overtime
- Establishment and Enforcement of Prevailing Wage Rates on Public Contracts
- Child Labor Laws
- Private Employment Agencies
- Bonding Requirements for Fish Buyers and Processors
- Return Transportation of Employees
- Enforcement of Contractor Licensing

<u>WAGE CLAIMS</u>	<u>FY 1979</u>	<u>FY 1980</u>
Number of Claimants	817	1,317
Amount Collected	\$444,404	\$568,595
<u>PUBLIC CONTRACTS</u>	<u>FY 1979</u>	<u>FY 1980</u>
Number Public Contracts	428	645
Number Payrolls Audited	5,292	9,062
Number Employees Involved	30,081	51,180
Amount Collected for Workers	\$132,581	\$684,010

<u>FISH BUYERS/PROCESSORS BONDED</u>	<u>FY 1979</u>	<u>FY 1980</u>
	251	460
<u>ENFORCEMENT-CONTRACTOR LICENSING</u>	<u>FY 1979</u>	<u>FY 1980</u>
Number of Investigations	106	158

In the rapidly expanding seafood processing industry, the Wage and Hour Division is dealing with labor law problems involving many more employees each year.

<u>SEAFOOD PROCESSING EMPLOYEES</u>	<u>FY 1979</u>	<u>FY 1980</u>
	5,150	7,511

A large percentage of the increase in activity of this industry has occurred in those plants and vessels located westward of Kodiak. While the Wage and Hour Division did not separate wage, return transportation, minimum wage and overtime, etc., matters for the seafood processing industry prior to FY 1981, the investigators enforcing the Wage and Hour Act in that region report that their activity has increased 28% each quarter since statistics were recorded. The increase in activity in the seafood processing industry for the last three years has made it necessary that the Department hold an increased number of training sessions for employees and informational meetings with representatives of the industry. Prior to FY 1979 no such meetings were held on a regular basis; however, since the fall of 1978 the Department has met with industry representatives eight times in Seattle and has held 18 informational sessions with employees in various locations throughout the State.

The responsibility for enforcing the bonding requirements of AS 16.10.290, fish buyers and processors, was enacted into law in 1977. In FY 1980, 465 requests for certification were processed which involved several hundred pieces of correspondence, many interviews and investigations, as well as handling the claims against those bonds.

In 1980, a flextime overtime amendment to AS 23.10.060 was passed, (Chapter 0031 SLA 80). In the four months since that law became effective the Wage and Hour Division has approved and certified 31 agreements between the employees and employers who choose to take advantage of such work plan.

In FCCS for House Bill 60 (1980) over 400 new public contracts were identified that the Wage and Hour Division must monitor in the upcoming building season, in addition to ongoing projects.

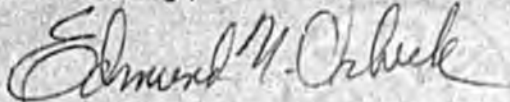
Senator Parr

-4-

January 30, 1981

These additional duties and responsibilities were placed on the Wage and Hour Division without any additional funding. The Department cannot assume the workload inherent in Senate Bill 64 without the funding requested in our fiscal note.

Sincerely,



Edmund N. Orbeck  
Commissioner

cc: Health, Education and Social Services Committee  
The Honorable Bill Ray

SB 64 fb

March 25, 1981

Senator Don Gilman, Chairperson  
Community and Regional Affairs Committee  
Pouch V, State Capitol  
Juneau, Alaska 99811

Dear Senator Gilman;

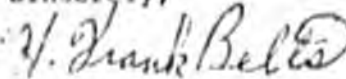
We understand that S.B. 64 will be up for a hearing Thursday, April 2, 1981. We strongly support this legislation and encourage you to pass it out of committee with favorable recommendations.

We have also heard that there is talk of providing an "employer-opt out" provision to the bill. We must go on record as strongly opposing such a provision for the following reasons:

1. Legislation is either worth applying to all concerned or it isn't.
2. School Boards must recognize teachers for collective bargaining purposes and equity demands that they also be mandated to recognize the other school district employees for this purpose. We are talking about school boards and their employees not boroughs and municipalities.
3. Legislation which has been passed over years requiring the levying of taxes would not have been of much benefit if an individual, corporation etc., were allowed to "opt-out". We should all be playing by the same rules.
4. In our specific case if S.B. 64 were passed with a provision that allowed employers to "opt-out" we would be just where we are now without the problem-solving mechanisms provided by the Public Employment Relations Act.

On February 6, 1981 we wrote you and other members of the committee outlining why we felt this legislation was important to uncertificated school district employees. Those needs exist and will continue to exist if the "opt-out" provision is adapted.

Sincerely,



H. Frank Belts  
CPO Representative

cc  
Senator Arlis Sturgowaki  
Senator Mike Colletta  
Senator Robert Ziegler  
Senator Frank Ferguson

Senate HESS

1-19-81

SB 64

1. Bill Ray

2. Dale Chuk - Later

213 HB? SB?  
last session

neutral on this bill

drafting error - no section 4

3. Sherry Shelly - APEA

in favor of bill

4. Carolyn Rogut - NEA

hold for Senator Kelly

S

B

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7

# MEMORANDUM

TO: [ Joseph K. Donohue  
Deputy Commissioner  
Department of Revenue

DATE: January 13, 1981

FILE NO:

FROM: Fred P. Boetsch   
Director  
Enforcement Division

TELEPHONE NO:

SUBJECT: Fiscal Note Regarding  
Royalty Premium Payments

This bill provides for a one time payment to all residents of the state of \$193 which derives from the sale of the state's royalty share of oil held on December 19, 1980. The only requirement is that they have been a resident for a minimum of 30 days and intend to remain a resident of the state as of the date of filing and application. Aside from the difference in residency requirement and the fact that the distribution applies to all residents of the state including minors, the rest of this distribution parallels in many respects the Permanent Fund Dividend Act, AS 43.23. The list of allowable absences is identical.

We anticipate that some 400 thousand applications would be filed under this bill. Phil Wall is preparing a fiscal note on the impact of such a filing on the Administrative Services Division which includes all of the paperwork processing, the computer processing, program development, etc. The Enforcement Division would be charged with conducting investigations of eligibility for applicants under this program.

Based on our experience with the investigations of the Permanent Fund Dividend program, we believe that, for the most part, the eligibility of applicants under this program could be investigated in the same way. The exception would be with respect to residents who only claim 30 day residency. I anticipate that fewer than 3% of the entire number of applicants would fall into this category. We could have a substantial problem with respect to military applicants who may be presently in the state for a brief period of time who could meet the thirty day residency requirement and claim, for purposes of this act, an intention to remain in the state even though they might not subsequently do so upon completion of their tour of duty here. Again, that would be a relatively small percentage of the total number of applicants and we could address a specific program to those applicants should a preliminary investigation indicate a substantial problem.

Accordingly, we believe that the addition of four Tax Collection Specialists supervised by a Tax Examiner III for a period of about 12 months would be adequate to conduct any investigations necessary under this program. In addition to the personal service costs of those individuals, we would need \$20,000 in travel to assist people in rural areas. We would expect an increase in our phone bill due to both answering questions through the zenith phone number with regard to this program and using the telephone by the TCS's as a means of conducting the investigation. I estimate the additional telephone costs would be about \$25,000. We would also have an increase in postage and printing costs for letters to be sent to applicants of about \$2,500. Commodities would cost \$2,000. Additional desks, chairs, typewriters, calculators, etc. would come to about \$5,000. The total cost of the program would be \$201,621 which would be distributed between fiscal years 1981 and 1982 in the following manner assuming an April 1, 1981 start-up date.

Fiscal Year 1981	3 months	\$ 53,247
Fiscal Year 1982	9 months	148,374

THE LEGISLATURE OF THE STATE OF ALASKA  
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 66

Title An Act providing for royalty oil premium payments

Requested by Governor

Date 01/13/81

II. FISCAL DETAIL

Agency Affected Revenue

Program Category Affected \_\_\_\_\_

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 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						

FUNDING <sup>Millions</sup>  
(Thousands of Dollars)

GENERAL FUND	77.0	→	φ			
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

According to the Department of Natural Resources \$77 million is the premium earned by the state in taking its oil in kind and selling at public auction rather than taking in value. The premium was figured by multiplying the average premium -- \$2.57/barrel -- by the number of barrels available per day -- 84,375 b/d -- times 365 days. As the total amount of oil is not decontrolled until October 1981, a certain percentage is deducted to take that into account.

IV. DATE 01/13/81

PREPARED BY Joseph K. Donohue

AGENCY Revenue

PHONE 455-2302

Original: Legislative Finance

cc: Budget and Management

Prime Sponsor (First Legislator Named)

FISCAL NOTE

I. REQUEST

Bill Resolution No. SB 66

Title Providing for Royalty Oil Premium payments to State residents.

Requested by Governor Jay S. Hammond

Date 1/12/81

II. FISCAL DETAIL

Agency Affected \_\_\_\_\_ Revenue \_\_\_\_\_

Program Category Affected \_\_\_\_\_ General Government \_\_\_\_\_

BRU, Program, or Subprogram(s) Affected Administration and Support, Management Services

(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	237.2	→	0			
200 TRAVEL	3.6	→	0			
300 CONTRACTUAL	332.4	→	0			
400 COMMODITIES	9.0	→	0			
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>582.2</b>	<b>→</b>	<b>0</b>			

FUNDING (Thousands of Dollars)

GENERAL FUND	582.2	→	0			
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

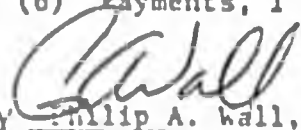
FULL TIME						
PART TIME	26/113mm					
TEMPORARY						

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

The providing of Royalty Oil Premium payments is considered a one-time project which will begin in FY81 and end in FY82. The fiscal detail described, above, should be authorized through 6/30/82. It is assumed that supervisory, space and related needs will be available from existing resources. This funding will allow the design and operations required to print, distribute and process Royalty Premium Payment application forms. 400,000 residents are assumed.

Positions:

Design & Program: (1) Data Capture, 1 1/2 mm; (2) Edit and Error Correction, 1 1/2 mm; (3) Files and Storage, 1 mm; (4) Reports, 1 mm; (5) Enforcement Requirements, 1 mm; (6) Payments, 1 mm; and (7) Attachment Procedures, 1 mm.



IV. DATE January 13, 1981

PREPARED BY Phillip A. Wall, Director

AGENCY Administrative Services, Dept. of Revenue

Original Legislative Finance

PHONE (907) 465-2313

cc: Subject and Management

Prime Sponsor (First Legislator Named)

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SS 66  
 Title Royalty Oil Premium Payment  
 Requested by Governor Date January 13, 1981

II. FISCAL DETAIL

Agency Affected Revenue  
 Program Category Affected Revenue Collections and Management  
 BRU, Program, or Subprogram(s) Affected Enforcement Division

(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	36.7	110.4	0	0	0	0
200 TRAVEL	5.0	15.0	0	0	0	0
300 CONTRACTUAL	6.0	21.5	0	0	0	0
400 COMMODITIES	0.5	1.5	0	0	0	0
500 EQUIPMENT	5.0	0	0	0	0	0
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
<b>TOTAL</b>	<b>53.2</b>	<b>148.4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

FUNDING (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
GENERAL FUND	53.2	148.4	0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
FULL TIME	5	5	0	0	0	0
PART TIME						
TEMPORARY						

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

See memo from Fred Boetsch, Director of Enforcement to Joseph X. Donohue, Deputy Commissioner for Taxation, dated January 13, 1981, attached.

IV. DATE JANUARY 13, 1981 PREPARED BY Fred Boetsch  
 AGENCY Revenue  
 PHONE 465-2366  
 Original: Legislative Finance  
 cc: Budget and Management  
 Prime Sponsor: (First Legislator Named)

3 PPT @ 3, 2, & 2 mm = 8 mm @ 2640 (R18) plus 25%:	26.4
<u>Data Capture:</u> 400,000 applications. 10 PPT. 5 @ 5 mm and 5 @ 4 mm = 45 mm @ 1392 plus 25%:	78.4
<u>Document Processing:</u> (Mail Room, Pre-Edit, Batching and Warrant Control) 11 PPT. 6 @ 5 mm and 5 @ 4 mm = 50 mm @ 1392 plus 25%:	87.1
<u>Inquiry Response:</u> 1 PPT, 5 mm @ 1393 plus 25%:	8.7
<u>Attachment Processing:</u> 1 PPT, 5 mm @ 1393 plus 25%:	8.7
<u>Overtime:</u>	18.9
<u>Shift Differential:</u>	9.0
<u>Travel:</u>	3.6
<u>Contractual:</u>	
<u>Forms:</u> 1. 400,000 base distribution, 1 part @ \$45M	18.0
2. 250,000 supplemental distribution, 1 part @ \$45M	16.0
3. 400,000 warrants @ \$25M	10.0
<u>Postage:</u> 1. Forms distribution, 6500,000 @ .15 each	97.5
2. 400,000 warrant payments @ .15 each	60.0
3. If postage increase to .20 each, .05 additional for 2,050,000 items	52.5
4. Inquiry response, 6,000 letters @ .15 each	1.0
<u>DP Chargeback:</u> Disk storage: 200 million bytes @ \$4/mo/million bytes X 12	4.6
Processing charge @ 4 mos.	40.0
Terminal processing and long line @ 391 X 15 X 4 mos.	23.5
<u>Storage of Forms:</u> @ \$170/Mo X 3 mos.	0.5
<u>Machine Rental:</u> 15 CRT @ 80/mo X 4 mos.	4.8
1 Controller @ 705/mo X 4 mos.	2.8
1 Printer @ 286/mo X 4 mos.	1.2
<u>Commodities:</u>	9.0

OK 6-7

January 12, 1981

President of the Senate  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill to distribute to residents of the state the premium earned from the sale of the state's royalty oil held December 19, 1980. The purposes of this distribution are twofold: one relates to the reasons for having held the royalty oil sale, and the other relates to the delays we have encountered in distributing permanent fund dividends as a result of the pending litigation over that program.

A primary motivation for disposing of the uncommitted royalty oil by cash bid was to insure that the benefits of selling the state's oil would go to the largest possible number of Alaska residents. Had this oil been sold under a negotiated contract, benefits would certainly have accrued to some state residents. However, all residents would not necessarily have been benefited, and certainly not in equal measure. By distributing the premium obtained over current in-value prices directly to the residents of the state, residents will gain an increased awareness that the state's natural resources do in fact belong to them as residents of the state. Although I do not as a rule favor distributing revenues received directly from oil production (as opposed to earnings from the Permanent Fund), in this limited instance I believe distribution is appropriate and in the public interest.

A second purpose of the distribution is to fulfill to some degree the expectations raised by the enactment of the permanent fund dividend program, implementation of which continues to be delayed by litigation. A per capita distribution does not, of course, achieve the important goals that are furthered by a distribution plan tied to length of residency. But because it is important to provide for some immediate distribution, the distribution method in this bill is intended to avoid raising the legal issues raised by the dividend plan.

The bill provides for a single payment of \$193 to each state resident, including those under 18 years of age. The amount of the payment is roughly equal to the \$77 million premium from the oil sale divided by the current estimated state population of 400,000. A residency requirement of 30 days has been included as this is the shortest period we have determined is necessary to assure that all applicants are bona fide residents. The other eligibility requirements, as well as the provision for forfeiture of the payment for fraudulent applications, are patterned after similar provisions in the permanent fund dividend statute.

Establishing an application deadline has been left flexible, to be determined and extended if necessary by the Department of Revenue, to insure that all residents have sufficient time to submit applications.

Sincerely,

S/JSH

Jay S. Hammond  
Governor

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LA51 2273 13.19 JA01 0049 13.19 01/28/81

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POB TO: SEN FISCHER, CHAIRMAN OF SENATE STATE AFFAIRS COMMITTEE ,  
SENATORS BENNETT AND DANKWORTH; CO-CHAIRMAN SENATE FINANCE COMMITTEE

RE: SB 68

SEC. 1, WHAT IS THE INTENT/

AS THE REVENUE INCREASES THE LAW CURRENTLY WOULD REQUIRE A LARGER AMOUNT  
NEXT YEAR

DOES THIS LOCK US INTO A COMMITMENT OF 1.8? \

PH. Moore 0011

January 12, 1981

President of the Senate  
Alaska State Legislature  
Pouch V  
Juneau, AK 99811

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill appropriating \$1.8 billion to the permanent fund.

I believe that it is appropriate that Alaska set aside this portion of its oil wealth so that its earnings can provide an increased income stream for the benefit of all Alaskans. The Legislature determined that dividends should be worth a minimal \$50 each. This contribution will provide sufficient earnings to meet that commitment without having to borrow from the general fund. Should we not make such provision, our legal case may be weakened.

In addition to providing increased dividends for distribution to our citizens, these earnings can also help sustain the cost of government services after our oil reserves diminish. By retaining the value of this finite resource and spending only its earnings we can make certain that Alaskans can benefit from this resource in perpetuity.

Sincerely,

S/SSH

Jay S. Hammond  
Governor

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# STUDENT WORKBOOK AND DEFENSIVE DRIVER'S MANUAL

**DDC**

DEFENSIVE DRIVING COURSE

NAME OF STUDENT \_\_\_\_\_



National  
Safety  
Council

IMPROVEMENT PROGRAM

7th EDITION

# A NEW WAY TO DRIVE

Welcome to the National Safety Council's Defensive Driving Course. You are joining over nine million safety-minded drivers who have already taken this course and learned the principles of accident avoidance driving—literally a new way to drive.

Your instructor has been trained and approved by the National Safety Council. The material that he uses has been developed by the Council on the basis of more than 50 years' experience in traffic accident prevention as well as in areas of our industrial economy ranging from coal mining to truck driving. While most of the material has evolved from experience in the motor transportation industry, additional concepts have come from various areas of industrial safety; for example, the standard accident prevention formula was developed by safety engineers in factories, mines and the construction industry.

Taking the Defensive Driving Course and driving defensively can improve your skill in avoiding accidents. Defensive driving may save you from death or injury in a highway accident or from being the cause of injury or death to some other innocent person. A research study of 8,000 DDC graduates in 26 states indicated that the group had 32.8 per cent fewer accidents the year following the course as compared with the previous year. Individual case histories of many employee groups show similar improvements in accident experience.

After you have satisfactorily completed the course, you will be eligible to join the National Defensive Driving League. An application form for this purpose is included in the Workbook.

## YOU AND THIS WORKBOOK

This Workbook is an essential and integral part of the course. For this reason you must bring your Workbook to each class meeting. You will note that it is divided into three sections. The first section parallels and elaborates the material you will be taught in class. It is necessary to read and study the information for each session as the course proceeds. The second section consists of an outline to enable you to easily take notes on the most important material presented by the instructor in class. The third section, the Defensive Driver's Manual, consists of important tips and other information that could not be accommodated within the limits of an eight-hour classroom course.

The Defensive Driving Workshops in each session are optional suggested activities which groups of students can undertake for their further education and enjoyment. It is hoped that you and your fellow students will decide to undertake some of these or similar projects of your own planning.

Once you have completed the course, keep your Workbook in a handy place so you can review it from time to time, thus keeping the principles of Defensive Driving fresh in your mind. It is also important that you keep your graduation card and certificate in a safe and accessible place because these credentials may be of value to you in various ways in the future.

# ROAD TRAFFIC SIGNS

## THE INTERSTATE STORY

Our national Interstate Highways provide a coast-to-coast, border-to-border, 42,500-mile system of ultra-modern controlled-access highways. Interstate highways are identified by route markers of shield design in red, white and blue. The numbering of routes conforms to a simple plan. Even-numbered routes go east and west.

Odd-numbered routes go north and south. Three-digit numbers with the first figure odd are for spur routes; those with the first figure even are loops through, or belts around, cities. White on green Interstate shields designate a route that serves the business area of a city from interchanges on the Interstate system.



**EAST-WEST**  
Even numbered



**NORTH-SOUTH**  
Odd numbered



**SPUR ROUTE**  
3-digit, odd first

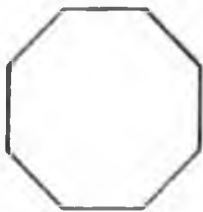


**LOOP or BELT**  
3-digit, even first



**TO BUSINESS AREA**  
White on green

## SHAPES OF SIGNS

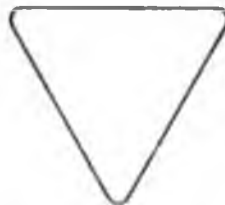


**Octagon** (eight-sided) shape always means stop. When you come to it, you must make a complete stop at a marked stop line before entering the intersection. If there is no stop line, stop before entering the crosswalk on your side of the intersection. If there is no crosswalk, stop before entering the intersection at a point from which you can best see oncoming traffic. After stopping, you must not start again until you yield the right-of-way to pedestrians and closely approaching traffic if it is on an intersecting through highway. If it is a four-way stop, await your turn. In either case, you must wait until a safe interval occurs.

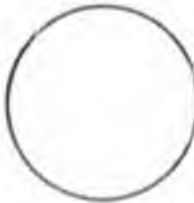


**Diamond** shape is a warning of existing or possible hazards on roadways or adjacent

areas. It is yellow or orange and has black letters or symbols. They tell you what to expect ahead, so be alert.



**Triangle** shape means yield. You must slow down to a speed that is reasonable for existing conditions and stop if necessary for safety. After slowing or stopping, you must yield the right-of-way to other vehicles in the intersection or those approaching closely on another roadway.



**Round** means railroad crossing. It is posted from 400 to 700 ft. in front of the tracks in rural areas. This sign tells you to look, listen and slow down, because you may have to stop. Roll down the car window—if the wind is in the wrong direction, you may not hear the train. If a train is approaching, STOP! Don't try to figure time and distance—you'll never have another chance if you figure incorrectly.



**Pentagon** (five-sided) shape tells you there is a school zone or school crossing ahead.

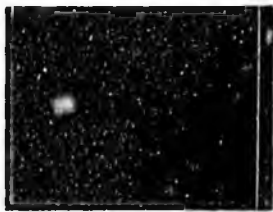


**Horizontal Rectangles** are guide signs. They give you special information, usually a location or direction.

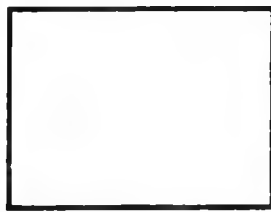


**Vertical Rectangles** are generally used for regulatory signs that tell you the law—what you must do.

## COLORS OF SIGNS



**RED:** Stop, yield, do not enter or wrong way.



**YELLOW:** General warning of what to expect ahead.



**BLUE:** Information about motorist services along the road.



**GREEN:** Guide information such as distance or direction.



**WHITE:** Regulatory.



**BLACK:** One-way traffic and weigh stations.



**ORANGE:** Warning of construction and maintenance.



**BROWN:** Public recreation areas and scenic guidance.

## REGULATORY SIGNS

Obey them as you do traffic laws. They tell you what to do. Remember—red circle with a slash means NO. The symbol tells you what's prohibited.



Octagon always means stop. Make complete stop before entering.



Triangle means yield right-of-way. You must slow down or stop for other traffic.



Red circle with horizontal white bar means "Do Not Enter," such as one-way street.



Used on expressway exit ramps. Faces traffic moving in the wrong direction. It may supplement "Do Not Enter" sign.



**NO** U turn prohibited



**NO** Left turn prohibited



**NO** Truck traffic prohibited



Traffic island, median or obstruction ahead. Drive to side indicated by arrow.

# WARNING SIGNS



School Sign—advance warning of school building, grounds or crossing.



School Sign—similar to advance school sign but located at established school crossings.



Divided highway ends—leaving divided highway onto two-way roadway.



Change from two-way road to divided highway.



Warning of change from divided highway to two-way traffic ahead.



Overpassahead. Numbers indicate safe clearance.



Branching arrow warns driver to be alert for merging traffic.



Traffic signal ahead. Slow down for stop if necessary.



Slippery when wet. Reduce speed.



Advance warning. Traffic controls ahead that may not yet be visible.



Pedestrian crossing, not necessarily at an intersection. Watch both sides of street.



Long or steep downgrade. You may have to shift to a lower gear.



Two lanes of traffic will soon merge. Be prepared to change lanes.



Pavement ahead is unfinished or barricaded. Slow down, leave expressway.



Railroad crossing ahead. Look, listen, slow down, do not pass.



Right turn ahead. Arrow tells you what to expect.



Winding road. Sign will indicate a series of curves ahead.



Reverse turn ahead. Turn right, then left.



Reverse curve ahead. Curve right, then left.



Curve ahead. Arrow shows direction. May also indicate safe speed below.



Crossing sign. Unexpected hazard may cross in front of you. Picture tells you what to watch for.



Crossroad. On through highway, warns of obscured crossroad intersection.



Side road. Traffic may be approaching from right or left.



"T" intersection. Prepare to make right or left turn.



"Y" intersection. Road branches ahead. Be in position for branch you want.

## SERVICE SIGNS

Blue and white signs direct motorist to service facilities. Word messages inform you of service stations, restaurants or motels.

NEXT SERVICES  
33 MILES



## GUIDE SIGNS

Green and white signs give directional and distance information. Diagrams help you understand exit and entrance movements at interchanges.



## SPECIAL SIGNS

Special signs in various colors include orange for construction warnings, brown for scenic guidance and recreation areas and yellow for a "No Passing" pennant shape.



The pennant shape sign is placed on left side of road to supplement rectangular "No Passing" sign on right side.

# Defensive Driving / A Preview

In this course we have only eight sessions in which to raise questions concerning safe driving techniques and to provide answers. We believe that safe driving is a continuous learning process, and we hope that you will find

this course to be a mind-stretching experience—one that will cause you to re-examine your driving behavior and your preconceptions about how to handle driving emergencies you may have never actually experienced.

## SESSION ONE /

### "Preventable or Not?"

Is there such a thing as a perfect trip? What is a preventable accident? Who prevents it? What goes on in traffic court? Are you putting your license on the line every time you get behind the wheel, just because there's some traffic law of which you're not aware?

## SESSION TWO /

### How to Avoid a Collision with the Vehicle Ahead

What does it mean to drive defensively? How does it differ from the way you're driving now? How can pre-planning keep you out of an accident? What are the six ways you can become involved in a collision with another car? How can you stay clear of collisions with the vehicle ahead? What is the two-second rule?

## SESSION THREE /

### How to Avoid a Collision with the Vehicle Behind

How do you cope with a tailgater? If he rams into your vehicle, is he completely at fault? How do you adjust your head restraints? What do you look for and where do you look for it? What are the five elements of defensive driving?

## SESSION FOUR /

### How to Avoid a Collision with an Oncoming Vehicle

Why are head-on crashes the deadliest? What are some of the signs that an oncoming car may be about to cross the center line into your path? What do you do when another car comes straight at you on a straight road? How can you become involved in an accident while making a left turn?

## SESSION FIVE /

### How to Avoid an Intersection Collision

What four steps can keep you out of intersection collisions? Who has the right of way at an intersection that has no traffic control signals? When you approach an intersection, which way do you look first—to the left or to the right? What percentage of accidents happen at intersections?

## SESSION SIX /

### The Art of Passing and Being Passed

How can you get involved in an accident when passing? When being passed? How can you help another driver pass? How long does it take to pass another vehicle at 55 mph? If another vehicle is approaching at 55 mph, how much distance do you need to pass safely? What are the steps to a perfect pass?

## SESSION SEVEN /

### "The Mystery Crash"

What is a "mystery crash"? What causes it? How can you avoid it? How can you best control your vehicle on a curve? What do you do when a tire blows? Why is it dangerous to drive with all the car windows closed? How much can you drink and still drive safely?

## SESSION EIGHT /

### How to Avoid Other Common Types of Collisions

How many vehicle-pedestrian accidents involve drunken pedestrians? What causes you to collide with a fixed object? How far from a railroad crossing should you stop? How can you avoid a collision with a cyclist? Why is backing said to be a "dangerous" maneuver? How do you develop a "Defensive Driving Technique?"

# SESSION ONE / PREVENTABLE OR NOT?

## Traffic Accidents are Everyone's Concern

Traffic accidents affect the well-being and safety of literally every man, woman and child in the United States because everyone at one time or another is a driver, passenger or pedestrian.

Traffic accidents are the leading cause of accidental death, killing nearly 50,000 persons a year, causing two million disabling injuries and economic loss of about \$20 billion dollars. Note from the accompanying table that the number of traffic deaths for one year is almost as many as the number of U. S. military casualties in the entire Viet Nam war. Here are some other traffic accident facts:

- Traffic accidents are the leading cause of death among youths under 25 years of age.
- Traffic accidents are the leading accident killer of U. S. workers.
- Every 12 minutes someone dies in an automobile accident—five die every hour, 129 every day.
- Driver failure is a contributing factor in an estimated 85 per cent of all traffic accidents. Many individuals and organizations are involved in controlling this tremendous human and economic waste, including the federal government, the governor of your state, the mayor of your community, licensing authorities, your police department, traffic courts, traffic engineers, your schools and your national and local safety councils. As a driver, you too are involved both in the problem and in the solution.

U. S. MILITARY CASUALTIES IN PRINCIPAL WARS

War	Deaths			Nonfatal Wounds
	Total	Battle	Others*	
<b>Total</b>	<b>1,155,000†</b>	<b>649,421</b>	<b>506,300†</b>	<b>1,100,000†</b>
Revolutionary War (1775-83)	4,435	4,435	N A	6,188
War of 1812 (1812-15)	7,290	2,200	N A	4,305
Mexican War (1846-48)	13,283	1,733	11,550	4,152
Civil War (1861-65)				
Union Forces	364,511	140,414	224,097	81,881
Confederate Forces	133,621	74,574	59,047	N A
Spanish American War (1898)	2,446	385	2,061	1,642
World War I (1917-18)	118,708	53,513	65,195	24,007
World War II (1941-45)	407,316	292,131	115,185	170,848
Korean War (1950-53)	54,246	33,629	20,617	67,284
Viet Nam War (1961-74)	56,737	46,197	10,540	300,560

Source: Office of Secretary of Defense \*Includes deaths from disease, accidents, etc. †Rounded. ‡Incomplete and rounded. N A, Not available.

## YOU AND THE NATIONAL HIGHWAY SAFETY ACT OF 1966

Since the first American died in an auto accident in 1899, the nation's efforts to control traffic accidents have been on a state by state basis.

The National Highway Safety Act of 1966 grew out of a realization that only through a common approach by all levels of government—federal, state and local—could these control objectives be reached. The Act establishes standards for state safety programs developed jointly by federal and state officials and agencies. The Act covers 18 standards:

Standard No.	Title
1	Periodic Motor Vehicle Inspection
2	Motor Vehicle Registration
3	Motorcycle Safety
4	Driver Education
5	Driver Licensing
6	Codes and Laws
7	Traffic Courts
8	Alcohol in Relation to Highway Safety
9	Identification and Surveillance of Accident Locations
10	Traffic Records
11	Emergency Medical Services
12	Highway Design, Construction and Maintenance
13	Traffic Engineering Services
14	Pedestrian Safety
15	Police Traffic Services
16	Debris Hazard Control and Cleanup
17	Pupil Transportation Safety
18	Accident Investigation and Reporting

The main emphasis is not on standards per se, but on the establishment and attainment of specific goals that will directly affect the crash toll. States and communities are urged to develop priorities within their long-range comprehensive plans and annual work programs.

Individuals and groups who wish to inquire of state and local authorities about the status of official plans and priorities for highway safety and how they can help may write to Governor's Representative for Highway Safety, in care of the Governor's Office, State Capital.

In September of 1966, the National Traffic and Motor Vehicle Safety Act was signed into law. The law directs the issuance of federal motor vehicle safety standards to which motor vehicle manufacturers must conform. The first such standards became effective on all vehicles manufactured on or after January 1, 1968.

## How To Measure Safe Driving

Safe driving can be measured in terms of quantity and quality. A unit of driving is the trip. This is measured in terms of the distance between the point where you get into your car, drive to your destination, secure your car and leave it. The trip can be long or short, but it is the quality of the trip that is important. This, also, can be simply measured. The trip can be perfect or less than perfect. Perfect driving means that you complete every trip without *accidents*, without *traffic violations*, without *vehicle abuse*, without *excessive schedule delays* and without *discourtesy*.

How would you rate the quality of your own driving? Rate yourself on a scale of 1 to 10 (10 is perfect) and then rate what you would regard as the "average" driver in the blanks shown below. The ability to be objective about one's own driving is an essential foundation for building your Defensive Driving Technique.

Ability to:	Your Driving	"Average Driver"
Avoid Accidents	_____	_____
Avoid Traffic Violations	_____	_____
Avoid Vehicle Abuse	_____	_____
Avoid Schedule Delays	_____	_____
Avoid Acts of Discourtesy to Others	_____	_____
<b>Total Score</b>	_____	_____

## Preventability—Possible and Reasonable

Perfect driving involves the ability to operate a motor vehicle in such a manner as to avoid being involved in a *preventable accident*. Most accidents are preventable by one or both of the drivers involved, even though this sometimes involves letting the driver in the wrong have the right-of-way.

The idea that most accidents are preventable makes it important to distinguish between the *possible* and *reasonable precautions* a motorist can take to avoid being involved in a traffic mishap. The most obvious possible precaution would be not to drive at all, but that's not a reasonable solution.

This course is designed to make you aware of the various *reasonable* precautions that relate to driving and to teach you how to apply them.

## Rules of the Road

At the end of this session you will receive a copy of your state motor vehicle rule book. Read it carefully in preparation for a quiz on the material at the end of Session Six.

## Defensive Driving Workshop

Discuss ways by which local officials, guided by the National Highway Safety Act of 1966, can make the streets and highways of your community safer.

