

ALASKA LEGISLATURE COMMITTEE FILES 1983-1984 86 / 2

2268 HHESS HB 492 - HB 504 218

Section

58. Alaska School Activities Association
59. Alaska school activities fund

Section

60. Regulations
70. Withholding state funds

Collateral references. — 68 Am. Jur. 2d Schools, §§ 5-7, 37-55.
78 C.J.S. Schools and School Districts, §§ 83-91.

Modern status of doctrine of sovereign immunity as applied to public schools and institutions of higher learning. 33 ALR3d 703.

Sec. 14.07.010. Department of Education. The Department of Education includes the commissioner of education, the state Board of Education, and the staff necessary to carry out the functions of the department. (§ 1 ch 98 SLA 1966)

NOTES TO DECISIONS

Quoted in *Begich v. Jefferson*, Sup. Ct. Op. No. 481 (File No. 894), 441 P.2d 27 (1968).

Cited in *Tunley v. Municipality of*

Anchorage School Dist., Sup. Ct. Op. No. 2160 (File Nos. 4796, 4797, 4826), 617 P.2d 490 (1980).

Sec. 14.07.020. Duties of the department. The department shall

- (1) exercise general supervision over the public schools of the state except the University of Alaska;
- (2) study the conditions and needs of the public schools of the state and adopt or recommend plans for the improvement of the public schools;
- (3) provide advisory and consultative services to all public school governing bodies and personnel;
- (4) prescribe by regulation a minimum course of study for the public schools;
- (5) establish, in coordination with the Department of Health and Social Services, a program for the continuing education of children who are held in detention facilities in the state during the period of detention;
- (6) accredit those public schools which meet accreditation standards prescribed by regulation by the department; these regulations shall be adopted by the department and presented to the legislature during the first 10 days of any regular session, and become effective 45 days after presentation or at the end of the session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each house;
- (7) prescribe by regulation, after consultation with the Department of Health and Social Services, standards that will assure healthful and safe conditions in the public and private schools of the state; the standards for private schools may not be more stringent than those for public schools;

(8) in cooperation with the Department of Health and Social Services, exercise general supervision over public and private pre-elementary schools and over the educational component of nurseries as defined in AS 47.35.080(4); pre-elementary schools in this paragraph means schools for children ages three through five years when the schools' primary function is educational;

(9) provide accredited elementary and secondary correspondence study programs available to any Alaskan through a centralized office of correspondence study;

(10) accredit private elementary and secondary schools which request accreditation and which meet accreditation standards prescribed by regulation by the department;

(11) review plans for construction of new public elementary and secondary schools and for additions to and major rehabilitation of existing public elementary and secondary schools and, in accordance with regulations adopted by the department, determine and approve the extent of eligibility for state aid of a school construction project begun after July 1, 1978; for the purposes of this paragraph, "plans" include educational specifications, schematic designs, and final contract documents;

(12) provide educational opportunities in the areas of vocational education and training, basic education, and fire-service training to individuals over 16 years of age who are no longer attending school;

(13) administer the grants awarded under AS 14.11.020. (§ 1 ch 93 SLA 1966; am § 2 ch 69 SLA 1971; am § 6 ch 104 SLA 1971; am § 1 ch 190 SLA 1975; am § 6 ch 50 SLA 1977; am §§ 1-3 ch 126 SLA 1978; am § 10 ch 147 SLA 1978; am § 1 ch 36 SLA 1979; am § 24 ch 59 SLA 1982; §§ 1, 2 ch 92 SLA 1982)

Revisor's notes. — A reference to AS 14.11.020 was substituted for a reference to AS 14.07.190 in paragraph (13) by the revisor of statutes under AS 01.05.031 to conform to the renumbering of that section.

Effect of amendments. — The first 1978 amendment deleted "private, and denominational" preceding "schools" near the beginning of paragraph (6), inserted "and private" preceding "schools" in paragraph (7), added the language beginning "the standards for private schools" to the end of paragraph (7), and added paragraph (10)

The second 1978 amendment added paragraph (11).

The 1979 amendment added paragraph (12).

The first 1982 amendment substituted "of" for "and" preceding "new public elementary" in paragraph (11).

The second 1982 amendment substituted "'plans' include" for "a 'plan' includes" in paragraph (11), inserted "and approve" and "the" preceding "purposes of this paragraph" in that same paragraph, and added paragraph (13).

Stated in Tunk
Anchorage School 1

Collateral refer
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buildings. 1 ALR 1
Power of school
physicians, nurses.
12 ALR 922.
Extent of legislat
to attendance and
477; 53 ALR 832.
Kindergartens o

Sec. 14.07.03

- (1) establish.
- area, regional. :
- (2) Repealed
- (3) Repealed
- (4) Repealed
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- school students
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STATE OF ALASKA

DEPARTMENT OF REVENUE

TREASURY DIVISION

BILL SHEFFIELD, GOVERNOR

ELEVENTH FLOOR,
STATE OFFICE BUILDING
POUCH SB
JUNEAU, ALASKA 99811
PHONE:

February 27, 1984

The Honorable Mae Tischer
Chairperson
House Health, Education,
& Social Services Committee
Pouch V
Juneau, AK 99811

Dear Representative Tischer:

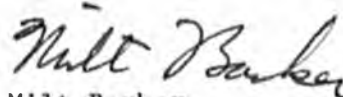
At the request of your staff, I offer the following comments on HB 492 and draft CS HB 492:

1. The substitution of a program which provides state grants for school construction in place of state reimbursement for debt service and delayed reimbursement for cash expenditures has several attractive features:
 - a) such a substitution seems generally propitious at a time of high municipal bonded indebtedness and large amounts of state cash available for expenditure;
 - b) by undoubtedly eliminating most municipal bonding for schools--which currently makes up roughly 50% of all municipal indebtedness--the legislation would free up municipal debt capacity and reduce interest costs for other types of municipal capital projects;
 - c) the state would avoid paying interest at rates higher than it would incur by borrowing itself to pay for school construction;
 - d) provision of grants rather than reimbursement should usually result in state commitment for project funding prior to construction commitments; this would allow for budgeting with greater certainty as to requirements for school construction funding and also the possibility for consideration in the budget process of relative merits and needs for particular projects; a grant program will also reduce municipalities' needs for and costs of interim funding prior to reimbursement.

February 27, 1984
The Honorable Mae Tischer
Page 2

2. The replacement of a 50% cost-sharing program with a 90% program raises anew the problem of state cost sharing at such a high level as to eliminate many municipal incentives to appropriately size and design facilities and control project costs. Of course, this problem is mitigated to a certain extent by the requirement for Department of Education approval of projects and the statutory definition of project costs.
3. The Department of Revenue would like to suggest that interest on the grant account not be dedicated to the account. Even if it would be arguably legal to do so, there seems to be no pressing need which would require the legislature and governor to give up their budgetary discretion with respect to this income.

Sincerely,



Milt Barker
Deputy Commissioner

MB:mw

STATE OF ALASKA
THE LEGISLATURE

POUCH STATE CAPITOL
JUNEAU ALASKA 99801
907-465-2600

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 22, 1984

SUBJECT: Dedication of interest earned on
special fund accounts
(CSHB 492 (HESS))

TO: Representative Mae Tischer
Chairman, Health, Education, and
Social Services Committee

FROM: Keith B. Levy *KBL*
Legislative Counsel

Enclosed is a Committee Substitute for HB 492, relating to state aid for school construction. At your request, I have included in section two of this draft a provision allowing interest earned on the school construction grant account to be deposited directly into the account without an appropriation from the legislature. You should be aware that this provision may be in violation of the prohibition against dedicated funds in the Constitution of the State of Alaska.

Article IX, section 7 of the state constitution provides:

The proceeds of any state tax or license shall not be dedicated to any special purpose, except as provided in section 15 of this article [the Alaska Permanent Fund] or when required by the federal government for state participation in federal programs. This provision shall not prohibit the continuance of any dedication for special purposes existing upon the date of ratification of this section by the people of Alaska.

Thus, the state constitution prohibits the dedication of certain state revenues to any special purpose except for three specific exceptions: the Alaska Permanent Fund, participation in federal programs, and funds grandfathered in at the time the constitution was adopted. It seems clear that the provision in your bill requiring the dedication of

interest income does not fall into any of the exceptions expressly provided for in the dedicated funds clause.

Two questions are presented by your bill with respect to the dedicated funds clause. First, is interest income a "state tax or license" within the meaning of article IX, section 7 of the state constitution such that the dedicated funds clause applies at all? Second, does placing that interest income into the school construction grant account so that it may be used without an appropriation by the legislature amount to a dedication to a special purpose?

The meaning of "state tax or license":

In a recent decision, the Supreme of Alaska had occasion to consider whether certain mandatory tax assessments to be paid directly to private aquaculture associations amounted to a "state tax or license" that would invoke the dedicated funds clause. State v. Alex, 646 P.2d 203 (Alaska 1982). Concluding that the assessment did come within the ambit of the dedicated funds provision, the court cited 1975 Alaska Op. Atty. Gen. No. 9 with approval:

...it is our conclusion that the dedication of any source of public revenue: tax, license, rental, sale, bonus-royalty, royalty, or whatever is limited by the state Constitution to those existing when the Constitution was ratified or required for participation in federal programs. (Emphasis added.)

Alex, supra, at 210. This language indicates that the Supreme Court takes a very broad view of the kinds of revenue that amount to a state tax or license within the meaning of the dedicated funds provision. Accordingly, there is a strong possibility that the Court would consider interest income a state tax or license that may not be dedicated to a special purpose. Since the issue has not been placed squarely before the Court, however, it remains an open question.

The dedication of interest income to a special fund:

Last year, the Attorney General released an opinion providing a thorough discussion of the dedicated funds clause. 1982 Alaska Op. Atty. Gen. (November 30). That opinion specifically discusses the second question raised by your bill: the applicability of the dedicated funds clause to interest income that is returned to a special fund. The

opinion acknowledges that an argument could be made that placing interest generated by a fund back into the fund without an appropriation by the legislature does not violate the purpose of the dedicated funds clause: to allow the legislature to retain control of state revenues. However, the Attorney General reached the following conclusion:

A difficulty that arises from the view that the dedicated funds prohibition is not applicable to interest or investment income on separate funds is that it permits steadily increasing amounts of money to be received and used by state departments and agencies without legislative control through the annual budget process. This is precisely the problem posed by the dedication of revenue sources which the drafters [of the state constitution] sought to avoid. For this reason, while we are not certain about the likely outcome, we doubt that a blanket exception for derivative income would be approved by the courts.

1982 Alaska Op. Atty. Gen., at 16 (November 30). Thus, in light of the significant amounts of interest generated by various state funds and the broad view of the dedicated funds clause taken by the Supreme Court, the dedication of interest income to the school construction grant account is at least open to constitutional attack.

In conclusion, while the applicability of the dedicated funds clause to interest income remains undecided, there are strong indications that such a dedication of funds may be unconstitutional. As an alternative, the legislature might consider including a provision in the annual budget bill appropriating the interest income earned on the school construction grant account into the account. This would not guarantee that the interest would be appropriated to the account in future years, but it would provide that money to the account on an annual basis and thereby circumvent the constitutional problem.

KBL:ojb
J3/117

(e) "costs of school construction" means the cost of acquiring, constructing, enlarging, repairing, remodeling, equipping or furnishing of public elementary and secondary school buildings and includes the sum total of all costs of financing and carrying out the project: these include, but are not limited to, the costs of all necessary studies, surveys, plans and specifications, architectural, engineering or other special services, acquisition of real property, site preparation and development, purchase, construction, reconstruction and improvement of real property and the acquisition of machinery and equipment as may be necessary in connection with the project; an allocable portion of the administrative and operating expenses of the grantee; the cost of financing the project, premiums on insurance and legal fees.

(f) An allocation under (a) of this section for school construction begun after July 1, 1984, shall be reduced by the amount of money used for the construction of residential space, hockey rinks, planetariums, saunas, and other facilities for single purpose sporting or recreational uses that are not suitable for other activities. An allocation under (a) of this section may not be reduced by the amount of money used for construction of a small swimming pool, tank, or water storage facility used for water sports. However, an allocation shall be reduced by the difference between the amount of money used to construct a swimming pool that is competition size or larger and the amount of money that would have been used to construct a small swimming pool, tank or water storage facility, as determined by the commissioner.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU ALASKA 99811
907 465 1800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 3, 1984

SUBJECT: Sectional analysis of HB 492
TO: Representative Walt Furnace
FROM: Keith B. Levy *KBL*
Legislative Counsel

At your request, I have prepared a sectional analysis of HB 492, "An Act relating to state aid for school construction; and providing for an effective date." The central function of the bill is to repeal the existing program of state aid for the retirement of school construction debt and replace it with a grant program.

Sections 1, 3, and 4 simply amend existing sections of law that refer to the existing aid program so that they now refer to the new program.

Section 2 establishes the new program of state grants for school construction (AS 14.11.200). Under the new program, the Department of Education is authorized to grant municipal school districts 90 percent of the cost of school construction projects approved by the department (AS 14.11.200(a)). The bill sets out a list of priorities to be used by the department in determining which projects are eligible for the grants (AS 14.11.200(c)). A school construction grant account is created consisting of funds to make the grants (AS 14.11.200(b)). To be eligible for a grant, a municipality must agree to pay at least 10 percent of the construction costs with cash or bonds issued through the municipal bond bank authority. The project must also be approved by the voters of the municipality (AS 14.11.200(d)). "Cost of a school construction project" is defined as all the costs of planning, financing, and carrying out the project, excluding costs for single purpose sporting facilities.

The way the program is set up, the department would not distribute available funds to all potentially eligible school

Representative Walt Furnace
Page 2
February 3, 1984

construction projects so that some projects would receive less than 90 percent funding. Rather, eligibility will be determined in part by the amount of funds available each year. Consequently, eligible projects will receive 90 percent funding and other projects will receive nothing.

Sections 5 and 6 repeal the existing school construction debt retirement program except that the program remains in effect with respect to a project if construction on the project began before July 1, 1984, or if the bonds for the project are authorized after June 30, 1983, and before July 1, 1984.

Section 7 provides that the Act takes effect July 1, 1984.

KBL:lmb
L3/043

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 492
 Title: relating to state aid for
school construction
 Sponsor: Pestinger/Larson
 Requestor: House HESS
 Date of Request: Feb. 27, 1984

FISCAL DETAIL

Agency Affected: Education
 Program Category Affected: _____
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING						
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

The fiscal impact of the bill is indeterminate as the school construction fund could be funded at any level desired by the Legislature.

ANALYSIS: Attach a separate page for analysis

Prepared By: William D. Thompson, Director Phone: 465-2865
 Division: Management, Law & Finance Date: 2/27/84
 Approved by Commissioner: Harold Reynolds, Jr. Date: 2/27/84
 Agency: Education

Distribution (by Agency preparing fiscal note):

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

12/1/83

H B

496

COMMITTEE REPORT

HOUSE

FURTHER: JUDICIARY

(7)

1/9/84

Date: 2-8-84

Mr. Speaker: HEALTH, EDUCATION AND SOCIAL SERVICES
The Committee on SOCIAL SERVICES has had HB 496
"An Act relating to food banks."

under consideration and reports it back as follows:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for HB 476 (HESS) same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

**MEMBERS SIGNING
DO PASS**

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

**MEMBERS HAVING
OTHER RECOMMENDATIONS:**

[Signature]
CHAIRMAN

COMMITTEE REPORT

HOUSE

FURTHER: JUDICIARY

(7)

Date: April 24, 1984

4/13/84

The Committee on HEALTH, EDUCATION AND SOCIAL SERVICES has had CSSB 384 (HESS)

"An Act relating to food banks."

under consideration and recommends:

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

MEMBERS SIGNING DO PASS

MEMBERS HAVING OTHER RECOMMENDATIONS:

Handwritten signatures of committee members: Malcolm, Kirk, T.H. Martin, Mike Davis, Peter, Sam Pestinger.

Blank lines for members with other recommendations.

Handwritten signature of Malcolm as CHAIRMAN.

First Reading

Gleaners fight hunger, salvage food in 11 states

In produce fields and fruit groves scattered across America, hard-pressed Americans are increasingly using a concept as old as the Bible to fight hunger. It is gleaning, the salvaging of food that otherwise would rot in the fields, whether inadvertently left behind or discarded because of blemishes, bruises, or low prices.

Gleaners are gathering some of that food through privately organized efforts in at least 11 states: Arizona, California, Colorado, Florida, Kansas, Maryland, Michigan, Missouri, Oregon, Texas, and Washington. They help fill what Congress' General Accounting Office calls "an unmet need" for food assistance among those not qualifying for government food programs, and GAO says states can help increase the amount of gleaned food.

California and Oregon, for example, give state tax deductions to farmers for the value of food gleaned from their fields. First passed in 1977, California's A.B. 120 this year was extended through 1984.

"It's an incentive for churches and other groups to go out and get the produce and say to a store or grower that he can get a tax deduction," says California Assemblyman David Kelly, who sponsored the renewal. Stores and growers can claim a charitable deduction — in addition to the business expense — for the value of gleaned or discarded food. A study is underway to determine the amount of lost taxes on such food.

In addition, the Food Marketing Institute says that 34 states have passed "Good Samaritan" laws limiting the liability of food donors. Ohio's is illustrative: "No person who in good faith donates perishable food to an agency is liable in civil damage for injury, death, or loss to persons or property that arises because that perishable food . . . is not fit for human consumption," if the food was

reasonably considered safe at the time it was donated.

Tax deductions and Good Samaritan laws, the GAO said, are "positively affecting the amount of food being donated."

Gleaning takes its cue from Leviticus 19:9-10: "When you harvest the produce of your field, do not completely mow the edge of your field or gather the gleanings of your harvest . . . leave them for the poor." Today food is also gleaned from supermarket waste.

Gleaners are the needy or volunteers gathering food for others. The needy keep what they can use with the excess going to such places as food banks. "It's not a freebie program — you work for what you get," says Judi Amos, of Everett, Wash., who has labored as a gleaner among potatoes and peaches.

"The program's really helped out my budget," adds Rachel Brown, who supports three children on welfare and food stamps. After years of dependence on others, she says with pride, "I'm helping myself and helping others."

—Bill Curry



Los Angeles Times photo by Bob Griener

GLEANING HARVEST — Rachel Brown and her nephew, Anthony Miller, stand next to boxes of pears and vegetables that were her share for a day's work of gleaning in Washington state.

In-state preference laws enacted to govern public contract awards

One sidelight of the recent recession is that several legislatures are worried about state and local government contracts being awarded to out-of-state firms. As a consequence, at least 21 legislatures have enacted in-state preference laws.

The "Buy Minnesota" law passed last May, for example, has received nationwide publicity reflecting the generic pros and cons of implementing such protectionist legislation. (These laws differ from "Buy American" laws requiring the purchase of American-made goods and services over those from foreign countries — which don't

specify whether they must come from in-state firms.)

According to the author of the Minnesota legislation, State Representative Pat Beard, the law was intended to improve in-state employment and thus increase state tax revenues.

Beard found that 13 other states exercise in-state preference laws that include a 2-15 percent break in bidding on public works jobs against out-of-state contractors. States exercising preference are Alaska, Arizona, Arkansas, Hawaii, Louisiana, Maine, Montana, New Mexico, Oklahoma, South Carolina, Washington, West

Virginia, and Wyoming. Among them, the preference law may apply only to state agencies or extend also to municipalities and school districts.

The Minnesota law includes a provision that says any contract awarded by a state agency for engineering services, erection, construction, alteration or repair of any public building or structure, or for any public work improvement, when competitive bidding is not required, must be awarded to a Minnesota resident.

"If competitive bidding is required by law," the statute continues, "the contract must be

813 W. 3rd Ave.

Anchorage, AK 99501

January 25, 1984

Representative Mae Trischer
Alaska State Legislature
Park U
Juneau, AK 99801



Dear Representative Trischer,

I was present on Monday for the teleconference on HB 496 "relating to food banks" and HESS Committee hearing. Time ran out for us to testify and has been rescheduled for Saturday a.m. Unfortunately I have a conflict on Saturday and will not be able to make that teleconference.

I hope HESS will vote passage of this bill for consideration by the House. Those of us involved with food banks and non-profit organizations that depend on donated food feel that this will encourage those in the food industry to continue and increase donations to our organizations.

Because of the safeguards in the bill for inspection by food donor and food bank, I would ask that the bill be amended not to exclude those in the food industry who are manufacturers, packers, processors, bottlers or similar commercial entities from the protection of this bill - and thus encouraging their donations of surplus unmarketable food items.

The inspection of donated items by the donor at the time of the donation, plus inspection by the receiving food bank and its recipient agency provide needed safeguards for the individual receiving the donated food.

To date, similar legislation has been passed in 47 states. Alaska, Vermont, and New Hampshire are the last three to recognize the care given by the food industry and non profit organizations for the safe

redistribution of donated food items.

Again we hope this bill will have speedy progress through committee and House and Senate to the Governor's desk - and with the above mentioned amendment.

Families and organizations that depend on charitable donations of food will be the benefactors of this legislation.

Sincerely,

Mary Jane Lundstrom
 Volunteer and organizing
 Board for the Food Bank of
 Alaska, Anchorage -
 Currently President of Board
 of Directors (incorporated
 Aug. 1979)

BILL SHEFFIELD, GOVERNOR

REPLY TO:

1031 W 4th AVENUE
SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-3550

1st NATIONAL CENTER
100 CUSHMAN ST.
SUITE 400
FAIRBANKS, ALASKA 99701
PHONE: (907) 452-1568

POUCH K - STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3600

465-3603

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

January 26, 1984



The Honorable Mae Tischer
Alaska State House
Pouch V
Juneau, AK 99811

Dear Representative Tischer:

This office has reviewed HB 496 as you requested in your January 24, 1984, letter to the Attorney General. You have asked that this office concentrate on the legal questions raised in 1980 when Governor Hammond vetoed SCS CSHB 686 ams (limiting liability of donors of food). For your information I have included a copy of a letter drafted by the Department of Law which was sent to Governor Hammond regarding the 1980 bill. You will note that the "fatal flaw" was the fact that manufacturers, bottlers, and packers of food were included in the definition of donors thereby excluding them from a well established principle of law that they are liable for damages resulting from a failure to exercise that degree of care required to insure that the product that they produce is fit for use and is free from taint.

HB 496 excludes manufacturers, processors, bottlers or other similar entities from the definition of donor. In that respect this bill is different from the 1980 bill. However, HB 496 does not appear to change the law as it now exists.

Under HB 496 a donor of food will not be subject to civil or criminal liability arising from an injury or death attributable to the condition of the donated food if

1. the donor inspects the food and finds it apparently fit for human consumption;

2. the donor has no actual or constructive knowledge that there is anything wrong with the food or that it is harmful to health; and,

3. the injury or death is not a result of the negligence, recklessness, or intentional misconduct of the donor.

The Honorable Mae Tischer
Representative
Re: HB 496

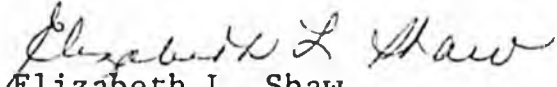
January 26, 1984
Page 2

In essence the donor will be liable if he or she is negligent. Such would be the case without this bill. This office assumes that HB 496 is an attempt to encourage food donations by limiting the liability of food donors. In fact, however, the bill does not limit liability but merely provides that if a food donor is negligent, he or she will be liable. If he or she is not negligent, he or she will not be liable. The same analysis would hold true for the second part of the bill regarding a food bank.

If you have any further questions regarding this bill, please feel free to let me know.

Sincerely yours,

NORMAN C. GORSUCH
ATTORNEY GENERAL

By: 
Elizabeth L. Shaw
Assistant Attorney General

ELS:bap

Enclosure

465-3600

June 30, 1980

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

Re: SCS CSHB 686 am S
(limiting liability of
donors of food)
Our File: J-88-146-80

Dear Governor Hammond:

This office has reviewed SCS CSHB 686 am S, the principal thrust of which relieves a person donating food to a nonprofit organization of any civil or criminal liability flowing from any adulteration or misbranding of the food, unless the alteration is the result of intentional or grossly negligent conduct on the part of the donor.

"Grossly negligent conduct" is defined as "the intentional failure to perform a duty with reckless disregard of consequences that affect the life or property of another." (The legislature forgot the comma after "duty," thus changing the literal meaning, but we assume that we know what was intended.) A donee may ask the commissioner of health and social services to inspect the food to determine if it is adulterated or misbranded.

The commissioner may delegate this inspection duty, and a broad range of other enforcement and inspection duties, to the Department of Environmental Conservation.

This bill is apparently well intentioned; it is designed to encourage the donation of food to nonprofit

organizations for their use or distribution--presumably to needy persons. However, it exacts too great a price from prospective donees as a reward for the eleemosynary conduct.

The bill's failure to distinguish between donors who are manufacturers, packers, or bottlers and those who are not is, we think, a fatal flaw. It is a well-established principle of law that manufacturers, bottlers, and packers are liable for damages resulting from a failure to exercise that degree of care required to insure that the product is fit for use and is free from taint. See 32A C.J.S. Food, sections 59-60. This bill would relieve those manufacturers from liability for negligence for illness caused by unfit food when they give away rather than sell their products. While it is admirable to encourage the donation of food to needy causes, it is unwise to eliminate the ordinary standard of care and its attendant liability. We can, for example, imagine a manufacturer whose warehouse is laden with food of marginal fitness who would like to donate it for a tax deduction. We do not think it proper to eliminate this person's liability for negligence should one of the donees become ill from adulterated or unfit food. Poor people receiving donated food should have no less protection than people who buy food from the donor.

The class of persons who manufacture food should be held to a uniform standard of care regardless of whether the food is sold or given away. To do otherwise would be to encourage socially irresponsible conduct disguised as beneficent bounty. We would suggest that you veto this bill.

Sincerely,

Wilson L. Condon
Attorney General

WLC:ml:MRL

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL



January 26, 1984

The Honorable Mae Tischer
Alaska State House
Pouch V
Juneau, AK 99811

Dear Representative Tischer:

This office has reviewed HB 496 as you requested in your January 24, 1984, letter to the Attorney General. You have asked that this office concentrate on the legal questions raised in 1980 when Governor Hammond vetoed SCS CSHE 686 ams (limiting liability of donors of food). For your information I have included a copy of a letter drafted by the Department of Law which was sent to Governor Hammond regarding the 1980 bill. You will note that the "fatal flaw" was the fact that manufacturers, bottlers, and packers of food were included in the definition of donors thereby excluding them from a well established principle of law that they are liable for damages resulting from a failure to exercise that degree of care required to insure that the product that they produce is fit for use and is free from taint.

HB 496 excludes manufacturers, processors, bottlers or other similar entities from the definition of donor. In that respect this bill is different from the 1980 bill. However, HB 496 does not appear to change the law as it now exists.

Under HB 496 a donor of food will not be subject to civil or criminal liability arising from an injury or death attributable to the condition of the donated food if

1. the donor inspects the food and finds it apparently fit for human consumption;
2. the donor has no actual or constructive knowledge that there is anything wrong with the food or that it is harmful to health; and,
3. the injury or death is not a result of the negligence, recklessness, or intentional misconduct of the donor.

BILL SHEFFIELD, GOVERNOR
SB 384 / HB 496

REPLY TO:

1031 W 4th AVENUE
SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-3550

1st NATIONAL CENTER
100 CUSHMAN ST.
SUITE 400
FAIRBANKS, ALASKA 99701
PHONE: (907) 452-1568

POUCH K - STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3600

465-3603

The Honorable Mae Tischer
Representative
Re: HB 496

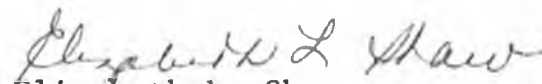
January 26, 1984
Page 2

In essence the donor will be liable if he or she is negligent. Such would be the case without this bill. This office assumes that HB 496 is an attempt to encourage food donations by limiting the liability of food donors. In fact, however, the bill does not limit liability but merely provides that if a food donor is negligent, he or she will be liable. If he or she is not negligent, he or she will not be liable. The same analysis would hold true for the second part of the bill regarding a food bank.

If you have any further questions regarding this bill, please feel free to let me know.

Sincerely yours,

NORMAN C. GORSUCH
ATTORNEY GENERAL

By: 
Elizabeth L. Shaw
Assistant Attorney General

ELS:bap

Enclosure

ALASKA STATE LEGISLATURE

INTERIM OFFICE:
P.O. BOX 81435
FAIRBANKS, ALASKA 99708

IN SESSION:
POUCH V
JUNEAU, ALASKA 99811
(907) 485-4930/4941



CHAIRMAN
1083 INTERIOR DELEGATION

MEMBER
TRANSPORTATION
HEALTH, EDUCATION AND SOCIAL SERVICES
LABOR SUBCOMMITTEE
JOINT OIL AND GAS
RURAL EDUCATION ATTENDANCE AREAS

Representative Mike Davis
House District 19

MEMORANDUM

To: House HESS Committee
From: Rep. Mike Davis
Date: Feb. 4, 1984
Re: HB 496



Dear Rep. Tischer,

Please include the following written testimony in the
HB 496 bill packet for all members of the Hess Committee.

Sincerely,

Rep. Mike Davis

GARY C. NEWMAN
S.R. BOX 51233
FAIRBANKS, ALASKA 99701

January 23, 1984

House HESS Committee

I am in support of House Bill 496, relating to food banks.

This bill would remove the impediment of liability from the donation by food vendors of surplus or waste food. By doing so, it would allow the use of tons of food for human or animal consumption that is presently being destroyed by the vendors.

For one who has had animals such as pigs, chickens and cows, this bill would allow them to have the waste that is presently thrown away by food vendors. At present, the vendors won't give away food which is waste by their standards even for animal use because there is the chance that the food would really be used for human consumption and they are concerned about the liability question, as I stated earlier.

While this issue may affect only a small proportion of our state's population, it would allow the use of tons of resources that are expensively imported into our state for use for something other than landfill.

I do have one suggested change to this bill. I would like to see the definition on page 2 from line 27 to page 3 line 1 deleted or tightened up to not be so inclusive. For example, a meat packer, who might have a substantial amount of waste available for animal or human consumption, will still have a liability problem. If there are concerns related to a particular industry or type of processor, please be more specific in their exclusion.

I urge your support of this bill.



STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: H.B. 496
Title: An Act relating to Food Banks

FISCAL DETAIL

Agency Affected: Environmental Conservation
Program Category Affected: NRMEC

Sponsor: Koponen and M. M. Miller
Requestor: _____
Date of Request: 1/23/84

BRU, Program or Subprogram(s) Affected: _____
Environmental Quality Management

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES		0	0	0		
200 TRAVEL		0	0	0		
300 CONTRACTUAL		0	0	0		
400 SUPPLIES		0	0	0		
500 EQUIPMENT		0	0	0		
600 LAND & STRUCTURES		0	0	0		
700 GRANTS, CLAIMS		0	0	0		
800 MISCELLANEOUS		0	0	0		
TOTAL OPERATING		0	0	0		
CAPITAL		0	0	0		
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0		
FEDERAL FUNDS	0	0	0		
OTHER	0	0	0		
TOTAL	0	0	0		

POSITIONS:

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

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

ANALYSIS: Attach a separate page for analysis

Prepared By: Joe Cladouhos, Director Phone: 465-2640
Division: Environmental Quality Management Date: 1/23/84

Approved by Commissioner: Richard Meyer Date: 1/23/84
Agency: Environmental Conservation

Distribution (by Agency preparing fiscal note):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

12/1/83

Alaska State Legislature

Representative Niilo Koponen

FAIRBANKS
Box 252
Fairbanks, Alaska 99707
479-6782

JUNEAU
Pouch V
Juneau, Alaska 99814
465-4992

MEMORANDUM

TO: Representative Niilo Koponen

FROM: Deborah Niedermeyer, Legislative Aide *DMN*

DATE: 6 February, 1984

RE: Foodstamp Program

The foodstamp program does not adequately cover the needs of Alaska's poor. An income low enough to meet foodstamp eligibility standards only barely meets other basic monthly costs. Applicants with no income at all must wait at least 5 days before receiving assistance. This memorandum details foodstamp waiting periods and eligibility requirements which force many Alaskans to turn to foodbanks for help.

Eligibility

In December, 1983 5% of Alaskans (22,000 people) were using the foodstamp program.

To be eligible for benefits, a person who lives alone must make less than \$659.00 per month. At that income level, a person receives \$10.00 per month in foodstamps. A single person with no income receives the maximum assistance level of \$112.00 in foodstamps per month.

A household of four must make no more than \$1,342 per month to receive receive the minimum of \$30.00 in foodstamp assistance. At zero monthly income, the four person household receives \$374 per month in foodstamps.

Waiting Period

There is a maximum waiting period of 30 days between application for foodstamps and determination of eligibility. The Division of Public Assistance says, however, that due to the caseload, the thirty day legal maximum waiting period is also the minimum. Public Assistance admits that in some cases applicants wait even longer to find out if they will be eligible. Foodstamps must be in the mail to an applicant within 10 days of having been found eligible. Thus, the total waiting period is at least 40 days.

Foodstamp memorandum p.2

Households of any size which demonstrate that the household income for the previous month was less than \$150.00 and that the household has less than \$100.00 in liquid resources, qualify for "expedited determination". A quarter of Alaska's foodstamps applicants do qualify. In this case the foodstamps must be in the mail within 5 days of application. All those who are eligible for expedited determination are supposed to get the service automatically, however the Fairbanks office of the Alaska Legal Services Corporation routinely deals with cases where this has not happened.

<u>State</u>	<u>Provisions for nonprofit organizations</u>
Alabama	not liable
Arizona	not liable
Arkansas	not mentioned
California	liable
Colorado	liable
Florida	not mentioned
Georgia	liable
Hawaii	not liable
Idaho	liable
Illinois	not liable
Indiana	not liable
Iowa	not liable
Kentucky	not liable
Louisiana	
Maine	not liable
Maryland	not mentioned
Michigan	not mentioned
Minnesota	not liable
Missouri	not liable
Montana	not liable
Nebraska	not liable
Nevada	not liable
New Mexico	not liable
New York	not mentioned
North Carolina	liable
Ohio	not mentioned
Oklahoma	not mentioned
Oregon	not liable
Pennsylvania	not liable
Rhode Island	not liable
South Carolina	not liable
South Dakota	not liable
Tennessee	not liable
Texas	not liable

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

BILL SHEFFIELD, GOVERNOR

REPLY TO:

1031 W 4th AVENUE
SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 276-3550

1st NATIONAL CENTER
100 CUSHMAN ST.
SUITE 400
FAIRBANKS, ALASKA 99701
PHONE: (907) 452-1568

POUCH K - STATE CAPITOL
JUNEAU, ALASKA 99811
PHONE: (907) 465-3600

465-3603

February 6, 1984



The Honorable Mae Tischer
Alaska State House
Pouch V
Juneau, AK 99811

Dear Representative Tischer:

On February 2, 1984, I met with Representative Niilo Koponen; Deborah Neidermeyer, Administrative Assistant; and Russ Josephson, Legislative Affairs Attorney. We discussed HB 496. We focused on the concern which this office had that the legislation did not change the law but merely restated law as it stands now.

Although I have not seen the wording of a sponsor substitute for this house bill, I believe that language will be offered which will limit the liability on donors of food. The care standard for food donors will be gross negligence. The care standard for food banks, however, will be negligence.

I would like to note that included among donors are retailers which would include food markets. It is also our understanding that there will be language changes which will allow slaughter houses which are inspected by the state to be included as food donors. Also a change may be made in the wording of proposed AS 17.20.347(1)(B) which will state that certain persons that work in commercial capacities will be excluded from the definition of donor only if their primary activity is being a manufacturer, packer, processor, or bottler. These language changes bring the definition closer and closer to the problem identified in the legislation in 1980 ... that commercial business will be treated the same as non-business donors.

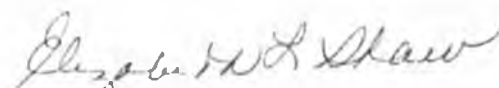
The Honorable Mae Tischer
Representative
Re: HB 496

February 6, 1984
Page 2

If you have any further questions regarding this bill,
please feel free to let me know.

Sincerely yours,

NORMAN C. GORSUCH
ATTORNEY GENERAL

By: 
Elizabeth L. Shaw
Assistant Attorney General

ELS:bap

Enclosure

cc: Honorable Niilo Koponen
Representative

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU ALASKA 99801
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 24, 1984

SUBJECT: Food Banks
Sectional analysis on HB 496

TO: Representative Mae Tischer
Chairman, House HESS Committee

FROM: Russ Josephson
Legislative Counsel



You have requested a sectional analysis of HB 496. This bill contains three sections of new law. The first concerns the immunity of a food donor from civil and criminal liability, the second concerns the immunity of a food bank, and the third is a definitions section. The provisions of this bill are very straightforward. Essentially, immunity will be granted to donors and food banks if they meet requirements listed in the bill.

Liability of Donors. A donor of food to a food bank that will distribute the food for free must meet the following requirements:

1. The donor must inspect the food reasonably when it is donated and must find the food to be apparently fit for consumption at that time.
2. The donor must not have actual or constructive knowledge that the food is adulterated, tainted, or contaminated, or that it would be harmful to the health or well-being of a person eating it. By "constructive knowledge" we mean that the donor should have known those things even if the donor denies actual knowledge is denied.
3. If an injury or death occurs, it must not be the direct result of the negligence, recklessness, or intentional misconduct of the donor.

If any of the requirements listed above is not met, the donor will not be immune from liability.

Liability of Food Banks. To be immune from civil and criminal liability for an injury or death attributable to the condition of food that it bank distributes, a food bank must meet the following requirements:

1. The food bank must make a reasonable inspection of the food it receives and must find the food apparently fit for human consumption at the time of distribution.
2. The food bank must have no actual or constructive knowledge that the food it distributes is adulterated, tainted, or contaminated, or that it would be harmful to the health or well-being of a person eating it.
3. An injury or death that occurs must not be the direct result of the negligence, recklessness, or intentional misconduct of the food bank.

If all of the above requirements are not met, the food bank will not be immune from liability.

This section of the proposed statute also addresses the problems of food that is misbranded, missing the label, or is not readily marketable. (Food may be misbranded in several ways detailed in AS 17.20.040.) This section specifically allows a food bank to distribute food that is misbranded, missing the label, or that is not readily marketable because of its appearance or grade or because it is surplus.

Definitions. "Donor" is defined to include certain persons and entities and to exclude others. The lists in this definition should be read carefully. Essentially, the definition excludes those who commercially produce or prepare food. This prevents the "dumping" of food by those who produce or prepare food that could not be sold commercially. (This was the primary concern of Governor Hammond when he vetoed prior legislation. He did not want the producers or preparers of food to be able to dump the food they could not sell and then be able to take a tax credit for the loss.) As "donor" is defined, individuals, retailers, and others would be able to donate food with immunity from liability if they meet the requirements detailed above. Those excluded from the definition of "donor" would of course be able to

Representative Mae Tischer

Page 3

January 24, 1984

donate food, but they would not enjoy the immunity of those defined as donors.

"Food bank" is defined as an organization recognized as a nonprofit organization that principally operates to collect, inspect, and salvage donated food for free distribution to needy persons. This definition by implication excludes the occasional collector and distributor of food. The idea here was to limit the granting of immunity to those organizations that handle food often enough to inspect food knowledgeably and to have good judgement about the quality of the food being distributed.

RS:ojb
J2/073

of weight, measure, or numerical count; however, under (B) of this paragraph reasonable variations shall be permitted and exemptions for small packages shall be established by regulations adopted by the department;

(3) if a word, statement, or other information required by or under authority of this chapter to appear on the label or labeling is not prominently placed with conspicuousness as compared with other words, statements, designs, or devices, in the labeling and in terms which render it likely to be read and understood by the ordinary individual under customary conditions of the purchase and use;

(4) if it is for use by man and contains a quantity of the narcotic or hypnotic substance alpha-eucaine, barbituric acid, beta-eucaine, bromal, cannabis, carbromal, chloral, coca, cocaine, codeine, heroin, marijuana, morphine, opium, paraldehyde, peyote, or sulphonmethane, or a chemical derivative of any of them, which has been by the commissioner after investigation found to be and by regulations under this chapter designated as habit forming; unless its label bears the name, and quantity or proportion of the substance or derivative and in juxtaposition with it the statement "Warning—May be habit forming";

(5) if it is a drug and is not designated solely by a name recognized in an official compendium unless its label bears (A) the common or usual name of the drug; and (B) in case it is fabricated from two or more ingredients, the common or usual name of each active ingredient, including the kind and quantity or proportion of alcohol, and including, whether active or not, the name and quantity or proportion of bromides, ether, chloroform, acetanilid, acetphenetidin, amidopyrine, antipyrine, atropine, hyoscine, hyoscyamine, arsenic, digitalis glucosines, mercury, quabain, strophanthin, strychnine, thyroid, or derivative or preparation of any of these substances contained in them; however, to the extent that compliance with the requirements of (B) of this paragraph is impracticable, exemptions shall be established by regulations adopted by the department;

(6) unless its labeling bears (A) adequate directions for use; and (B) adequate warnings against use in those pathological conditions or by children where its use may be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in the manner and form necessary for the protection of users; however, where a requirement of (A) of this paragraph as applied to a drug or device is not necessary for the protection of the public health, the department shall adopt regulations exempting the drug or device from these requirements;

(7) if it purports to be a drug the name of which is recognized in an official compendium, unless it is packaged and labeled as prescribed in the compendium; however, the method of packing may be modified with the consent of the commissioner, and when a drug is recognized

Alaska State Legislature

REP. MAE TISCHER
CHAIRMAN



POUCH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3777

House of Representatives
HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

MEMORANDUM

TO: Representative Mae Tischer
FROM: Bill Lovell
DATE: February 8, 1984

RE: Analysis of Proposed CSHB 496 (HESS)

For your convenience I have analyzed the proposed House HESS Committee Substitute for House Bill 496, "[a]n Act relating to food banks."

The proposed Committee Substitute amends AS 17.20 (Alaska Food, Drug and Cosmetic Act) by adding new sections, the effects of which are described below.

Sec. 17.20.345 provides that donors to food banks are not liable for damages resulting from the consumption of goods they donate unless such damages are the result of extreme negligence or misconduct by the donor. This provision subjects food bank donors to a more stringent test than food bank operators when determining negligence or misconduct. In other words, gross negligence or misconduct must be proven before a food bank donor is held liable for damages.

The bill specifically states that nothing in the section prohibits the donation of apparently suitable goods solely because of missing labels; or lower grade or marketability.

Sec. 17.20.346 provides that food banks are not liable for damages resulting from the consumption of goods received from individual donors if such damages are not the result of negligence or misconduct by the operators of the food bank. This provision subjects food bank operators to a less stringent test than donors when determining negligence. In other words, simple negligence must be proven before a food bank operator is held liable for damages.

The bill specifically states that nothing in this section prohibits a food bank from distributing apparently suitable goods solely because of missing labels; or lower grade or marketability.

Sec. 17.20.347 defines "donor," as used in AS 17.20.345 or 17.20.346, as including "a person, farmer, retailer, slaughter-house under state supervision, freight company, distributor, wholesaler, or similar entity." This provision specifically permits operators of state supervised slaughter-houses to donate suitable meats to food banks.

House Bill 496
February 8, 1984
Page 2

The section specifically excludes from the definition of "donor" a "person who acts in a commercial capacity as a manufacturer, packer, processor, bottler, or similar entity, if that activity is the persons primary activity."

This section further provides that "food bank" means "an organization recognized by the state or federal government as a nonprofit organization and that operates principally to collect, inspect, and salvage donated food for free distribution to needy persons."

/wtl

HOUSE HESS COMM: NEPS FISCHER, M.W. MILLER, MARTIN, UENLING, GOLL KOPONEN
DAVIS. ALSO NEPS BETTISWORTH & KINGSTAD
& SENE BENNETT FAHRENKAMP & MOSS

*****THE FOLLOWING MESSAGES ALL GO TO THE ABOVELEGISLATORS*****

FROM: BRUCE ENGERRETSON, 1005 KELLUM, FKS, AK, 99701 452-2329-H
RE: HB 496, FOOD BANKS
MSG: I ENCOURAGE THE PASSAGE OF THIS BILL.

=====EOM

X

FROM: WILLIAM R. TRUAX, P.O. BOX 56337, NORTH POLE 99705-0337
HOME 488-0540

RE: HB 496 FOOD BANK
REGISTER STRONGEST SUPPORT POSSIBLE FOR THIS MEASURE.

*****EOM

FROM: CAROL MILLER, 223 SLATER STREET, FKS, 99701, 452-3993-H

RE: HB 496, FOOD BANK
MSG: I AM ASKING YOU TO SUPPORT THIS BILL AS A GOOD WAY TO FEED
HUNGRY PEOPLE AT LOW COST AND PROTECT THOSE DONATING THE FOOD.

=====EOM

FROM: FRED LANDES, 2601 CUSHMAN, FBKS, AK, 99701, 456-2161-W 479-6478-H

RE: HB 496, FOOD BANKS
MSG: AS OWNER OF THE BOX BOY STORES IN FAIRBANKS I STRONGLY SUPPORT
PASSAGE OF HB 496 WHICH RELIEVES DONATORS OF THE LIABILITY REGARDING
DONATED PRODUCTS TO LOCAL CHARITIES AND FOOD BANKS.

=====EOM

END OF MESSAGES FOR HB496*****

SG 84-00005286 PRY 1 01/20/84 12:43:35 ORIG: LF00 IN# 0002 OUT# 0064
FROM: PAULA/FKS TO: JND IPFU
TARGET: LJKK SUBJ: POB

TO: REPS, BETTISWORTH, RINGSTAD,
& SENS BENNETT, FAHRENKAMP & MOSS

ALSO: HOUSE HESS COMM: REPS TISCHER, M.W. MILLER, MARTIN, UEHLING,
GOLL, KOPONEN, DAVIS

FROM: MAJOR J.C. DOWEN, P.O. BOX 405, FKS, 99707, 452-3113-W 452-4976-H

RE: HB 496 FOOD BANKS

MSG: SALVATION ARMY GOES ON RECORD AS FAVORING THE GOOD SAMARITAN BILL
AND URGES THE PASSING OF THIS BILL.

=====EOM

FILE 84-00005622 PRTY 1 01/20/84 17:23:08 ORIG: LF02 IN= 0007 OUT= 0152
FROM: PAULA/FKS
TARGET: LNK SUBJ: PGM 13 TO: JNU INFO

TO: HOUSE HESS COMM: REPS TISCHER, M.W. MILLER, MARTIN, UERLING, GOLL
KOPONEN, DAVIS

ALSO: REPS BETTISWORTH, RINGSTAD & SENS BENNETT, FAHRENKAMP, & MOSS

FROM: PETE STEPOVICH, DIVIRSIIFIED FREIGHT HANDLERS, 1003 ASPEN

RE: HB 496, FOOD BANKS

MSG: I STRONGLY URGE PASSAGE OF HB 496 RELEASING SOCIALLY MINDED
CONTRIBUTORS OF FOOD PRODUCTS FOR THE NEEDY FROM LEGAL LIABILITIES
ASSOCIATED WITH THEIR GENEROUS ACT. BY DOING SO I BELIEVE IT WILL
INCREASE THE NUMBER OF CONTRIBUTORS OF FOOD AND GREATLY HELP THOSE
THAT NEED PRODUCTS OF THIS NATURE.

====EOM

756 84-00095330 PRT 1 01/20/84 13:24:48 BRIS: LF00 IN= 0004 OUT= 0073
FROM: BARTHE/FBX TO: JUD INFO
TARGET: LNR SUBJ: FOR

TO: HOUSE H.E.S.S. CHTE., CHAIRPERSON REP. TISCHER
REP. MW MILLER, REP. MARTIN, REP. UEHLING, REP. COLL, REP. KOPONEN
REP. DAVIS
FR: MICHAEL DRESSER, 301 15TH AVE., FBX 99701 PH. H)456-8433 W) 456-5327
RE: HB 496 FOOD BANKS

MSG: I TOTALLY SUPPORT THE BILL. IT WOULD LET AN AWFUL LOT OF FOOD GO TO
PEOPLE WHO NEED IT.

9
MSG 84-00005400. PRTY 1 01/20/84 14:21:39 ORIG: LA02 IN= 0019 OUT= 0092
FROM: MARCIE, ANC INFO TO: POM, JUNEAU INFO
TARGET: LJHK SUBJ: P O M

TO: REPRESENTATIVES TISCHER, MW MILLER, MARTIN, UEHLING, GOLL,
KOPONEN, DAVIS

FROM: LAURIE FIELDS, 310 EAST 45TH RD, ANCHORAGE 99503 H 563-1771
W 274-5525

I SUPPORT HOUSE BILL 496. (RE: FOOD BANK)

EOM

MSG 84-00005419 PRTY 1 01/20/84 14:39:23 ORIG: LF00 IN= 0006 OUT= 0096
FROM: PAULA/FKS TO: JNU INFO
TARGET: LJHK SUBJ: POM

TO: HOUSE HESS COMM: REPS TISCHER, M.W. MILLER, MARTIN, UEHLING, GOLL,
KOPONEN, DAVIS

ALSO: REPS BETTISWORTH, RINGSTAD
& SENS BENNETT, FAHRENKAMP, MOSS

FROM: REV. RICHARD HEACOCK, 915 2ND AVE., FBKS, 99701, 452-2956-W

RE: HB 496, FOOD BANKS

MSG: URGE SUPPORT FOR HB 496.

=====EOM

MSG 84-00005391 PRTY 1 01/20/84 14:06:06 ORIG: LA02 IN= 0018 OUT= 0083
FROM: MARCIE, ANC INFO TO: POM, JUNEAU INFO
TARGET: LJHK SUBJ: P O M

TO: ALL MEMBERS OF THE LEGISLATURE

FROM: MARIAN REDWOOD, 4110 TERRACE DR., ANC 99502 H 248-2042 W 276-4776

I SUPPORT HB 496. (RE: FOOD BANKS)

EOM

CATHY ROBERT

MSG 84-00005323 PRTY 1 01/20/84 13:14:26 ORIG: LA02 IN= 0013 OUT= 0070
FROM: MARCIE, ANC INFO TO: POM, JUNEAU INFO
TARGET: LJHK SUBJ: P O M

TO: ALL MEMBERS OF THE HOUSE OF REPRESENTATIVES

FROM: WILLIAM PRESLER, 604 EAST 3RD AVENUE, ANC 99501 W 272-5646
BEANS CAFE

I AM FOR HOUSE BILL 496 IN SUCH THAT DISTRIBUTORS CANNOT BE HELD
RESPONSIBLE FOR FOOD DONATED.

EOM

TE 04 00005309 PNY 1 01/20/84 13:57:53. PRIO: L002 IN= 0017 OUT= 0001
FROM: MARCIE, AND INFO TO: PUB. BUREAU INFO
TARGET: LHK SUBJ: P U R

TO: REPRESENTATIVES FISCHER, MW HILLER, MARTIN, UEHLING, GOLL,
KOPONEN, DAVIS
FROM: SCHAIRER, ROSEMARY, 516 EAST 10TH #1, ANCHORAGE 99501
H 277-4005

PLEASE SUPPORT IN FAVOR OF HOUSE BILL 496. (RE: FOOD BANKS)

EOM

SG 84-0005340 PRTY 1 01/20/84 13:31:50 ORIG: LA02 IN= 0014 OUT= 0074
FROM: GARCIE, AND INFO TO: POM, JUNEAU INFO
TARGET: LJHK SUBJ: P O M

TO: REPRESENTATIVES TISCHER, H.W. MILLER, MARTIN, UENLING,
GOLL, KUPONEN, DAVIS

FROM: ALBERT KOENIG, 831 D STREET, APO 99501
MESSAGE: 272-1641

I SUPPORT HOUSE BILL 496 BECAUSE I WORK ONLY PART TIME AND THE FOOD
FROM THE FOOD BANK HAS HELPED ME.

COM

MSG 04-09095260 PRTY 1 04/20/64 13:48:24 ORIG: LA02 IN= 0015 OUT= 6079
FROM: HANCIE, AND INFO TO: PGM, JUHEAU INFO
TARGET: LINK SUBJ: P O M

TO: REPRESENTATIVES FISCHER, H.W. HILLER, MARTIN, UEHLING, COLL,
KORONEN, DAVIS

FROM: VICKI HEINZ, WASILLA RESIDENT
MAIL: BOX 972271, WASILLA 99687 H 376-7723 W 274-5525

1 SUPPORT HOUSE BILL 496. (RE: FOOD HANKS)

EOM

MSG 84-00005305 PRTY 1 01/20/84 13:02:12 ORIG: LA04 IN 0004 OUT= 0066
FROM: KAREN, ANC LIO TO: POM - JUNEAU INFO
TARGET: LJKH SUBJ: POM

TO: REP. TISCHER, H.W. MILLER, MARTIN, UEHLING, GULL, DAVIS, KAPONEN

FROM: CARL LARSON, 9625 INDEPENDENCE DR., #201, ANCHORAGE 99507
H. 349-4877; W. 276-4776

I SUPPORT HR 496, ALLOWING DISTRIBUTORS TO GIVE FOOD TO FOOD
BANKS WITH NO FEAR OF LAW SUITS.

HSC 04-00005470 PRTY 1 01/20/84 15:52:31 ORIG: LA09 IN= 0003 OUT= 0134
FROM: SHIRLEE AND LIO TO: POHS JUNEAU INFO
TARGET: LHK SPSU: FUB

TO: REPRESENTATIVES FISCHER, M. W. MILLER, MARTIN, UEHLING,
GULL, KOPONEN AND DAVIS

FROM: BARBARA FOREHLICH-SHUPE
5215 EAST 26TH. NO. 11
ANCHORAGE, AK 99508 (H) 333-7179 (W) 276-8511

MARY ANN RODGERS
801 AIRPORT HEIGHTS, SPACE 405
ANCHORAGE, AK 99508 (H) 344-3104 (W) 276-8511

DEBBIE BEAR
7351 CHRISTOPHER CIRCLE
ANCHORAGE, AK 99507 (H) 344-3104(W) 276-8511

IRENE NOLAN
1019 MILA STREET
ANCHORAGE, AK 99504 (H) 337-4630 (W) 276-8511

I SUPPORT HOUSE BILL 496.

1/20/84, SHIRLEE AND LIO, 5470

TO: REPRESENTATIVES FISCHER, M. W. MILLER, MARTIN, UEHLING,
GULL, KOPONEN, AND DAVIS

FROM: WALT SCHMIDT
2210 SENTRY DRIVE, NO. 19-B
ANCHORAGE, AK 99507 (H) 344-0793 (W) 274-5525

I SUPPORT HB 496. AS A JOB COUNSELOR, I USE THE SERVICES OF THE
FOOD BANK AND FAVOR LEGISLATION UNDER WHICH DISTRIBUTER CAN GIVE
FOOD STUFFS WITHOUT FEAR OF LAWSUIT.

SG 84-00005561 PRTY 1 01/20/84 16:27:27 ORIG: LA09 IN= 0094 OUT= 0140
FROM: SHIRLEE AND LIO TO: FORS/BUREAU INFO
TARGET: LHR SUBJ: POM

TO: REPRESENTATIVES TISCHER, M. W. MILLER, MARTIN,
VEILING, GOLL, KOPONEN AND DAVIS

FROM: DORTHEA WILLIAMS
4818 MALIBU
ANCHORAGE, AK 99503 (H/W) 243-6381

I AM IN SUPPORT OF HOUSE BILL 496.

/S/ DORTHEA WILLIAMS
F. I. S. H. ORGANIZATION

GARY C. NEWMAN
S.R. # X 51233
FAIRBANKS ALASKA 99701

January 23, 1984

House HESS Committee

I am in support of House Bill 496, relating to food banks.

This bill would remove the impediment of liability from the donation by food vendors of surplus or waste food. By doing so, it would allow the use of tons of food for human or animal consumption that is presently being destroyed by the vendors.

For one who has had animals such as pigs, chickens and cows, this bill would allow them to have the waste that is presently thrown away by food vendors. At present, the vendors won't give away food which is waste by their standards even for animal use because there is the chance that the food would really be used for human consumption and they are concerned about the liability question, as I stated earlier.

While this issue may affect only a small proportion of our state's population, it would allow the use of tons of resources that are expensively imported into our state for use for something other than landfill.

I urge your support of this bill.

Gary C. Newman

TO: HOUSE HESS COMMITTEE
FROM: REPRESENTATIVE NIILLO KOPONEN
DATE: January 27, 1984

Waste not, want not

How are America's poor to eat when their unemployment pay runs out, or when they can no longer make do on food stamps and welfare? The recession has provided an answer: a jerry-built, but enviably efficient, system of emergency food centres. This network stretches across the nation, using food that would otherwise go to waste, and shunts it quickly and in large quantities from grower or manufacturer to the various centres that feed the hungry. It is a charitable operation which employs only a few hundred people and is completely decentralised. It has grown with such speed that it has already left the agriculture department's much criticised surplus commodity programme, ensnared in red tape, far behind.

The emergency food system has its origins in the soup kitchens of the depression and before, but its growth in the past few years has been startling. Although all involved would like to consider it a temporary institution, there is a growing belief that it is here to stay and, if anything, will grow much larger.

Sixty-one regional food banks are the system's backbone. Each consists of a large warehouse equipped with freezers and usually manned by a small, paid staff supplemented by volunteers. These food banks are connected through Second Harvest, a non-profit-seeking organisation, which acts as a food broker. From its base in Phoenix, Arizona, Second Harvest approaches farmers and food manufacturers for donations and then shunts this food through three regional offices out to its members. The member food banks, either individually or through pools, pay the cost of transport, which is also sometimes donated. Once the food reaches a food bank, it is then given out to hundreds of the bank's members: churches, day centres for infants and the elderly, soup kitchens and various other organisations.

The member groups, which would previously have bought food on the open market, now support their food bank by paying a tax of between five and 12.5 cents a pound for the food they take. In this way the budget of the food bank,

usually running anywhere from \$100,000-250,000 a year, is covered. In some instances food banks are paid for by small donations. In Oklahoma, 600 people send in cheques of from \$5 to \$25 a month to keep the major local food banks going.

The entire system is private and non-profit seeking. To make sure it stays that way for tax purposes, Second Harvest certifies its member banks, inspects their operations, ensures that they charge no



No shortage of takers

more than 12.5 cents a pound in taxes, and satisfies itself that the bank members in turn are charitable organisations as defined under the tax laws.

Second Harvest began as an experimental arm of the now defunct Community Services Administration in the Carter era. Last year it handled 60m lb of food. This year the volume is expected to exceed 100m lb. Much of the food consists of products that would otherwise be thrown out by the manufacturer, not because they are bad, but because they cannot be sold for other reasons:

for example, discolouration or misspelled labels. When a Middle Eastern food broker went out of business, a trailer of macaroni with Arabic labelling was given to a food bank in New Jersey. Second Harvest dispensed 32 train carloads of a cereal which its manufacturer thought too oddly-flavoured to sell. The companies can deduct cost and half the unrealised profit from their taxes when they make such donations.

Some food banks rely heavily on farm surpluses. In northern California, where there are five large food banks, the banks collaborate to find out what crops are in surplus and to carry out exchanges between different areas. The bank in Watsonville, for example, supplies tons of artichokes and lettuce and gets, in exchange, peaches from the bank in Santa Clara and tomatoes from the bank in Sacramento. Farmers give food that would otherwise go to waste. What is left in the fields after harvest is also, in many cases, gathered in by teams of volunteer gleaners who take their pickings to the banks for sorting, cleaning and packing.

A report by a research group in Washington noted a dramatic increase in people coming to programmes served by the food banks. More than half the 181 programmes surveyed said that provision of free meals or food baskets had increased by more than half between February, 1982, and February, 1983. The Community Food Bank of New Jersey in Newark provides a good indication of the trend. Last autumn the bank was handling 10,000 lb of food a month. Now it distributes 200,000 lb a month across the state to 300 different groups which provide food to 30,000 people every day.

Some food banks in the Second Harvest system also distribute federal surplus foods under the government's programme. For the most part these consist of butter, cheese and non-fat dry milk from the government's huge surplus. But some food banks refuse to handle federal foods on the ground that it involves too much paper work. In certain states food banks say they have been deliberately denied federal food shipments, which instead have been handed out through local politicians as patronage.

Alaska State Legislature

Representative Niilo Koponen

FAIRBANKS
Box 252
Fairbanks, Alaska 99707
479-6782

JUNEAU
Pcuch V
Juneau, Alaska 99811
465-4992

MEMORANDUM

TO: Representative Niilo Koponen

FROM: Deborah Niedermeyer, Legislative Aide *DNN*

DATE: 6 February, 1984

RE: Foodstamp Program

The foodstamp program does not adequately cover the needs of Alaska's poor. An income low enough to meet foodstamp eligibility standards only barely meets other basic monthly costs. Applicants with no income at all must wait at least 5 days before receiving assistance. This memorandum details foodstamp waiting periods and eligibility requirements which force many Alaskans to turn to foodbanks for help.

Eligibility

In December, 1983 5% of Alaskans (22,000 people) were using the foodstamp program.

To be eligible for benefits, a person who lives alone must make less than \$659.00 per month. At that income level, a person receives \$10.00 per month in foodstamps. A single person with no income receives the maximum assistance level of \$112.00 in foodstamps per month.

A household of four must make no more than \$1,342 per month to receive receive the minimum of \$30.00 in foodstamp assistance. At zero monthly income, the four person household receives \$374 per month in foodstamps.

Waiting Period

There is a maximum waiting period of 30 days between application for foodstamps and determination of eligibility. The Division of Public Assistance says, however, that due to the caseload, the thirty day legal maximum waiting period is also the minimum. Public Assistance admits that in some cases applicants wait even longer to find out if they will be eligible. Foodstamps must be in the mail to an applicant within 10 days of having been found eligible. Thus, the total waiting period is at least 40 days.

Foodstamp memorandum p.2

Households of any size which demonstrate that the household income for the previous month was less than \$150.00 and that the household has less than \$100.00 in liquid resources, qualify for "expedited determination". A quarter of Alaska's foodstamps applicants do qualify. In this case the foodstamps must be in the mail within 5 days of application. All those who are eligible for expedited determination are supposed to get the service automatically, however the Fairbanks office of the Alaska Legal Services Corporation routinely deals with cases where this has not happened.

Alaska State Legislature



POUGH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3777

REP. MAE TISCHER
CHAIRMAN

House of Representatives
HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

January 24, 1984

The Honorable Norman Gorsuch
Attorney General of the State of Alaska
State Capitol Building
Juneau, Alaska

Dear Mr. Attorney General:

I request that the Department of Law review House Bill 496, "An Act relating to food banks."

While a general overview is appropriate, I specifically request that the department concentrate on the legal questions raised in 1980 when Governor Hammond vetoed a similar bill because of serious legal questions regarding manufacturer liability for contaminated goods transferred directly to a food bank (See attached veto message).

The House Health, Education and Social Services Committee will be taking testimony on the bill on Saturday, January 28, 1984 in Anchorage. I ask that the completed review be available to my office by Friday, January 27, at 12:00.

Please contact me immediately if you need further clarification of my request or if you foresee some problem in meeting my requested deadline.

Thank you for your cooperation in this matter.

Cordially,

A handwritten signature in cursive script that reads "Mae Tischer".

Mae Tischer

MMT:wtl

Attachments

Alaska State Legislature

REP. MAE TISCHER
CHAIRMAN



POUCH V
STATE CAPITAL
JUNEAU, ALASKA 99811
(907) 465-3777

House of Representatives

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

MEMORANDUM

TO: Representative Mae Tischer
FROM: Bill Lovell
DATE: February 8, 1984

RE: Analysis of Proposed CSHB 496 (HESS)

For your convenience I have analyzed the proposed House HESS Committee Substitute for House Bill 496, "[a]n Act relating to food banks."

The proposed Committee Substitute amends AS 17.20 (Alaska Food, Drug and Cosmetic Act) by adding new sections, the effects of which are described below.

Sec. 17.20.345 provides that donors to food banks are not liable for damages resulting from the consumption of goods they donate unless such damages are the result of extreme negligence or misconduct by the donor. This provision subjects food bank donors to a more stringent test than food bank operators when determining negligence or misconduct. In other words, gross negligence or misconduct must be proven before a food bank donor is held liable for damages.

The bill specifically states that nothing in the section prohibits the donation of apparently suitable goods solely because of missing labels; or lower grade or marketability.

Sec. 17.20.346 provides that food banks are not liable for damages resulting from the consumption of goods received from individual donors if such damages are not the result of negligence or misconduct by the operators of the food bank. This provision subjects food bank operators to a less stringent test than donors when determining negligence. In other words, simple negligence must be proven before a food bank operator is held liable for damages.

The bill specifically states that nothing in this section prohibits a food bank from distributing apparently suitable goods solely because of missing labels; or lower grade or marketability.

Sec. 17.20.347 defines "donor," as used in AS 17.20.345 or 17.20.346, as including "a person, farmer, retailer, slaughter-house under state supervision, freight company, distributor, wholesaler, or similar entity." This provision specifically permits operators of state supervised slaughter-houses to donate suitable meats to food banks.

House Bill 496
February 8, 1984
Page 2

The section specifically excludes from the definition of "donor" a "person who acts in a commercial capacity as a manufacturer, packer, processor, bottler, or similar entity, if that activity is the persons primary activity."

This section further provides that "food bank" means "an organization recognized by the state or federal government as a nonprofit organization and that operates principally to collect, inspect, and salvage donated food for free distribution to needy persons."

/wt1

HB

504

Introduced: 1/10/84
Referred: Health, Education & Social
Services, House Special Committee on
State Loans and Finance

BY HAYES, HURLBERT, ADAMS, ABOOD,
BARNES, BUSSELL, CATO, COWDERY, DAVIS,
FULLER, FURNACE, GRUSSENDORF, HERRMANN
KOPONEN, LINDAUER, LISKA, MALONE,
MARTIN, M.W.MILLER, RINGSTAD, SHULTZ,
SZYMANSKI, JEHLING, WARD, ZHAROFF,
FRITZ, BETTISWORTH AND MCBRIDE

1 IN THE HOUSE

2

HOUSE BILL NO. 504

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act establishing the teacher scholarship loan
7 program."

8

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

9

* Section 1. AS 14.43 is amended by adding new sections to read:

10

ARTICLE 7. TEACHER SCHOLARSHIP LOAN PROGRAM.

11

Sec. 14.43.600. FINDINGS AND INTENT. (a) The legislature finds

12

that there is a wide and unacceptable disparity between the ethnic

13

distribution of ^{native} teachers (and the ethnic distribution) of ^{other} students in

14

the state public schools. Particularly in rural areas, many schools

15

have virtually no Native teachers and no non-Native students. The

16

undesirable effects of this disparity include the following:

17

(1) there is a serious weakness in the ability of teaching

18

staffs, particularly in rural schools, to foster a sense of (ethnic)

19

^{native} traditions and cultures in the students;

20

(2) many rural students are forced to exist in two entirely

21

separate situations: the essentially traditional atmosphere of many

22

Native homes, and the essentially modern atmosphere of the classroom;

23

(3) almost no ^{native} students (among the state's ethnic minorities)

24

return to rural schools to teach, continuing the (ethnic) imbalance and

25

exacerbating its effects; and

26

(4) there is an annual turnover of 40 percent among teach-

27

ers in rural educational attendance areas in the state.

28

(b) The legislature further finds that existing programs have

29

failed to increase the proportion of (members of ^{native} ethnic minorities)

1 teaching in rural schools. Therefore, it is the intent of the legis-
2 lature to establish the teacher scholarship loan program to encourage
3 (members of ethnic minorities) to return to rural schools as teachers
4 and relieve the conditions described in this section.

5 Sec. 14.43.610. PROGRAM ESTABLISHED. There is established the
6 teacher scholarship loan program to provide an incentive for graduates
7 (of Alaska high schools who are from ethnic minorities) to pursue teach-
8 ing careers in (Alaska schools). *Native High School*
Elementary & Secondary Schools in the State

9 Sec. 14.43.620. TEACHER SCHOLARSHIP REVOLVING LOAN FUND. There
10 is created a teacher scholarship revolving loan fund. The fund shall
11 be used to make scholarship loans to students selected under AS 14.-
12 43.600 - 14.43.650. All repayments of principal and interest on
13 teacher scholarship loans shall be paid into the teacher scholarship
14 revolving fund and shall be used to make new teacher scholarship
15 loans. If estimated funds available from teacher scholarship loan
16 repayments are inadequate to fully fund estimated teacher scholarship
17 loans for any fiscal year, additional funding from the general fund
18 may be requested and appropriated for that year.

19 Sec. 14.43.630. ADMINISTRATION. The teacher scholarship loan
20 program shall be administered by the student financial aid committee
21 (AS 14.43.095) in accordance with regulations adopted by the
22 committee. The committee shall (*allocate*) (distribute) the (*loan awards*) (funds) available for
23 teacher scholarship loans annually to local school boards giving a
24 preference to school districts with a high percentage of (students in
25 ethnic minorities) (*native students*) and a low percentage of (*native teachers*) (teachers in ethnic
26 minorities) The local school boards shall select the recipients of
27 the teacher scholarship loans.

28 Sec. 14.43.640. CONDITIONS OF LOANS. (Each school district shall
29 award teacher scholarship loans subject to the following conditions:)

50% requirement

1 (A) the conditions provided in AS 14.43.120 apply except
2 that no loans may be made to graduate students. (and the state shall
3 repay a portion of a teacher scholarship loan under AS 14.43.120(j)
4 only if, in addition to the other criteria, the borrower is also
5 employed as a public school teacher in the state during the period for
6 which the loan is forgiven;)

7 (B) if a borrower meets the conditions provided in para-
8 graph (A) of this section and is employed as a public school teacher
9 in the district from which the borrower graduated, the portion of the
10 loan that shall be paid by the state is the following percentages of
11 the total loan received plus interest up to a total of 100 percent of
12 the total loan:

A region of same or similar ethnic origin and language origin

- 13 (A) one year employment, 15 percent;
- 14 (B) two years employment, an additional 15 percent;
- 15 (C) three years employment, an additional 15 percent;
- 16 (D) four years employment, an additional 25 percent;
- 17 (E) over four years employment, an additional 30 per-
- 18 cent; and

19 (3) a loan may not exceed \$10,000 in a school year.

20 Sec. 14.43.650. SELECTION CRITERIA. (a) To be eligible for a
21 teacher scholarship loan, a student must

22 *requirement* (1) be a graduate of, or scheduled for graduation within
23 six months from, a *Alaskan* state public high school, with sufficient credits
24 to be admitted to an accredited college or university;

25 (2) be enrolled in or show evidence of intent to enroll in
26 a degree program directed at a teaching career at the elementary or
27 secondary school level; and

28 (3) meet the conditions set by the student's local school
29 district with respect to the district's requirements for teachers in

1 particular subject areas.

2 (b) Each school district shall award teacher scholarship loans
3 in direct proportion to the distribution of ethnic groups among the
4 students eligible for graduation from the school district each year.

5 (c) A student may not be awarded a scholarship loan under
6 AS 14.43.090 - 14.43.160 and a teacher scholarship loan under AS 14.-
7 43.600 - 14.43.650 for the same school year.

Define ethnic minority

Bethel

✓ Robert Nick
✓ Timothy Miller

Committee:

Hayes ✓

- * Navis
- + Elshling
- * Kopelow
- * Martin
- * Platenger

Locations

Naknek: (3) Dave Hamilton ✓
Harry Masington ✓
Frank Hill ✓

Newhalen: (3) Sue Arce ✓
~~Stumpas~~
John Goffman

Dillingham: (1) Peter Eliock ✓

Kodiak: (2) ~~Robert~~ ✓
~~Robert~~ ✓

Petersburg: (1) Victor Hether ✓

Anchorage: (1)

Juneau:

Dave - Return the District

↳ no issue
school board decide

Dave Hamilton

Anchor - R

Mr Eliock

HOUSE HEALTH, EDUCATION & SOCIAL SERVICES
STANDING COMMITTEE
Kotzebue, Alaska
February 3, 1984
1:05 p.m.

Members Present: Rep. Tischer, Chairman (In Kotzebue)
Rep. Pestinger, Vice-Chair (via teleconference in Juneau)
Rep. Uehling (via teleconference in Juneau)
Rep. Martin (via teleconference in Anchorage)
Rep. Davis (via teleconference in Juneau)
Rep. Goll (via teleconference in Juneau)
Rep. Koponen (via teleconference in Juneau)

Members Absent: None

COMMITTEE CALENDAR

HB 504 "An Act establishing the teacher scholarship loan program."

WITNESS REGISTER

Rep. Hayes
Pouch V
State Capitol Building
Juneau, Alaska 99811
465-1965

Position Statement: Sponsor of HB 504; reviewed reasons for writing the bill.

Russell Jones
Special Assistant to the President
Legislative Affairs
University of Alaska

Position Statement: Generally supported HB 504, saying that the number of Native teachers is far too few, but he had several questions which detracted from his complete support.

Evellyn Conwell
Member
Regional School Board
Kotzebue, Alaska

Position Statement: Supports the intent of HB 504.

Nita Towarok
Teacher
Kotzebue Middle School
Kotzebue, Alaska

Position Statement: Supports HB 504.

Jackie Hill
Supervisor
Northwest Arctic School District
Kotzebue, Alaska

Position Statement: HB 504 is excellent incentive for rural students to get higher education.

Helen Chamberlain
Counselor
Kotzebue Technical Center
Kotzebue, Alaska

Position Statement: Supports intent of bill but had several qualms which abrogated support for the bill as written.

Kerry Romesburg
Executive Director
Postsecondary Education Commission
Pouch F
Juneau, Alaska 99811
465-2854

Position Statement: If a person with a Bachelor's degree returned to school to get an MA in teaching, the MA would be considered an extension of his BA, thus, he could get this loan for that purpose.

Susy Ehrlich
Advisory School Board
Kotzebue, Alaska

Position Statement: Very strongly supports the intent of this bill.

Wesley Goodwin
Student
Kotzebue High School
Kotzebue, Alaska

Position Statement: Strongly supports HB 504.

Calvin Baker
Principal
Kotzebue Middle School
Kotzebue, Alaska

Position Statement: Strongly supports intent of HB 504.

James Elliot

Superintendent
Northwest Arctic School District
Kotzebue, Alaska
Position Statement: Supports intent of HB 504, cited several
short comings.

Marie Schwind
President
Maniilaq Association
Kotzebue, Alaska
442-3311
Position Statement: Maniilaq supports without qualifications the
language and intent of bill.

Nina Bradfield
Director
Instructional Support
Chukchi Community College
Kotzebue, Alaska
442-3400
Position Statement: Applauds intent of HB 504, but did have
concerns.

Jean Robb
NEA Alaska
Box 193
Kotzebue, Alaska
442-3510
Position Statement: Observer.

Rita Ryder
Box 792
Kotzebue, Alaska
442-3400
Position Statement: Fully supports HB 504.

Dennis Trepelman
Former President
Maniilaq Association
President
Kotzebue Village Corporation
Box 279
Kotzebue, Alaska
442-3460
Position Statement: Supports HB 504.

Beverly Grogin
Teacher
Chukchi Community College
Kotzebue, Alaska
442-3400
Position Statement: Getting people to return to rural regions
very important; supports HB 504.

- Number 0089 Rep. Hayes, sponsor of HB 504 comes to the stand. He said there is too much disparity between rural and urban education experience.
- Number 0125 Rep. Hayes continues. In at least 13 districts there are no Native teachers and the annual turnover is 50%.
- Number 0131 Rep. Hayes; \$4 million in 1980 for teacher training.
- Number 0153 He said the intent of HB 504 is to place more Native teachers in rural Alaska. HB 504 makes forgiveness easier and encourages teaching profession, said Rep. Hayes.
- Number 0170 Rep. Hayes continues testimony. It will reduce turnover rate and preserve Native cultural heritage and all Alaskans will benefit.
- Number 0208 Russell Jones, Special Assistant, Legislative Office for University of Alaska comes to the stand to testify on HB 504. He said the number of Native teachers is too low. He questions Page 3, Lines 7 - 11, "forgiveness". Asks if one must return to his exact village, even if recommended for scholarship from another village.
- Number 0248 He asked for age requirements; must be immediate last year's graduate or could it be a 20-25 year old who could become a great teacher?
- Number 0268 Rep. Koponen questions Mr. Jones; suggest any changes to current wording?
- Number 0274 Mr. Jones; broader bill - so candidate must not go back to exact district; but any comparable district, and still get forgiveness.
- Number 0286 Rep. Koponen said language is the problem.
- Number 0293 Rep. Davis agrees with Rep. Koponen and Russell Jones, put in a language requirement.
- Number 0300 Rep. Martin in Anchorage: Agrees with Mr. Jones. When there is an overload of students from one area they should be

eligible to teach in a comparable regional area. We should be more flexible, said Rep. Martin.

- Number 0318 Chairman Tischer suggested members look at map of rural area. School districts are very large. Bill sponsor interested in preserving the ethnic cohesion.
- Number 0340 Evellyn Conwell, Regional School Board Member in Kotzebue welcomes people and said she supports HB 504. Ethnic minorities are needed and is aware of the need for programs like this which compliments the EXCEED Program. As board member, they will make personal commitment to hire more Native teachers, however, only qualified teachers.
- Number 0396 Rep. Martin in Anchorage: What about marriage during college? What about forgiveness when students move to others' home town?
- Number 0417 Nita Towarok, Teacher, Kotzebue Middle School; supports bill, but concerned with language on page 3, line 1; no loans to graduate students. It excludes students who want to return to learn to teach.
- Tape 1, Side B
Recording
Number 0001 Nita Towarok continues testimony.
- Number 0010 Chairman Tischer said regular Alaska Student Loan is not restrictive in this way. They still have that option.
- Number 0036 Nita Towarok said loan should apply to all rural students.
- Number 0048 Rep. Koponen asked about success of the loan program, and how many students are interested in teaching?
- Number 0075 Jackie Hill, Supervisor, Northwest Arctic School District; HB 504 is excellent incentive for rural students to go into education. Asked why it wasn't applicable to private schools?
- Number 0099 Chairman Tischer agreed to make suggestion to sponsor of bill and include all schools.
- Number 0113 Helen Chamberlain, Kotzebue Technical

Center, had the following questions and concerns:

1. restricted to public schools and what about those with GED?
2. concerned about elimination of graduate students.
3. why not be able to apply for both Alaska Student Loan and this at the same time?

Just applying does not ensure the full amount.

- Number 0182 Kerry Romesburg said a person with a Baccalaureat degree could return to get MA in teaching, and that part would be considered as extension of his BA.
- Number 0201 Susy Ehrlich, Local Advisory School Board; very strongly in support for this effort. It will enhance student if we have successful Native role models.
- Ms. Ehrlich: Cultural empathy; when educators from different culture dominate, some of the value of the culture is lost.
- Number 0262 Chairman Tis-her asks Ms. Ehrlich, why haven't we ever seen flood of Native students to return as teachers? They have the original loan.
- Number 0274 Susy Ehrlich said they see no opportunity, it's invisible to them.
- Number 0293 Rep. Koponen asked definition of district to which student must return. Could we broaden the bill to include a language requirement instead of strictly district.
- Number 0310 Rep. Pestinger referred to Page 3; add - "return to region of same or similar ethnic and linguistic origin."
- Number 0322 Calvin Baker, Principal, Kotzebue Middle and High School; strong^{ly} supports for intent of bill. He said when Native teachers are on staff, its much easier to meet the needs of community and students.
- Number 0362 Rep. Goll is now present.

Rep. Goll questions the constitutionality of the bill.

Number 0371 Mr. Baker said the bill is an excellent vehicle for attacking the problem; expressed concern about language of bill.

Number 0414 Rep. Goll asks Mr. Baker; what about expanding existing student loan to have additional incentives and not create a new HB 504.

Tape 2, Side A
Recording
Number 0001 Mr. Baker continues; just expand original bill. Intimated at question not constitutionality of the racial qualifications of HB 504.

Number 0050 Chairman Tischer stated that the Attorney General is drafting a legal statement.

Number 0062 Wesley Goodwin, Student, Kotzebue High School; reassuring to know that people care about students in these regions.

Number 0095 James Elliot, Superintendent, Northwest Arctic School District; supports concept of this bill. We have 8 (of 107) Native teachers in this district, 98% native students and the turnover is 11.6% said Mr. Elliot. We have strong commitment to hire district graduates and glad that HB 504 gives discretion to choose school boards. He cited shortcomings of the bill and the value of Natives teaching Natives.

Number 0200 Mr. Elliot passed copy of marked bill to Chairman Tischer.

Number 0202 Rep. Koponen: How many of Arctic Villages have 4-year high schools?

Mr. Elliot: All, but one.

Number 0220 Rep. Goll asks Mr. Elliot the same questions he asked Mr. Baker. Also, what about modifying existing student loan program?

Number 0266 Marie Schwind, President, Maniilaq Association said she was happy to have Chairman Tischer and staff in Kotzebue. She said Maniilaq Association supports without qualifications the language and intent of HB

504.

Ms. Schwind cited percentages concerning ratio of Native teachers to Native students.

- Number 0357 Nina Bradfield, Director, Instructional Support; applaud intent of HB 504, concerned that this bill may penalize students who fail in college - they both fail in college and have a debt. What about those who can't find work in their home districts? They have a debt and no job.
- Number 0380 Rep. Goll asks Ms. Bradfield the same question about modifying existing bill.
- Number 0387 Ms. Bradfield; would like to modify the bill.
- Number 0410 Camille Z.; supports intent of bill, but does bill exclude non-high school students? She said she graduated long ago, but wants to return.
- Tape 2, Side B
Recording
Number 0001 Rep. Goll said there are other loan programs.
- Number 0065 Rep. Pestinger restated language change suggested before.
- Number 0085 Rita Ryder, Administrative Record Clerk at Chukchi College; fully supports HB 504, it will help bridge cultural gap.
- Number 0126 Dennis Trepelman, former Maniilaq President, President of Kotzebue Village Corporation; encouraged HB 504, percentage of Native teachers far too low. He said the turnover is sometimes higher than 40%.
- Number 0203 Dennis Trepelman continues. He agrees with language on Page 2, Lines 20-26.
- Number 0238 Mr. Trepelman considers requirement of demonstration, first semester of first year. Money is lost often by drop-outs. We should have U of A aware of rural issues, said Mr. Trepelman. He encourages passage of HB 504.
- Number 0275 Dennis Trepelman; NANA scholarships derived from contributions from other business or

corporations. We take and look at all applications, what is written well, and promises to benefit both corporation and village, and them, we view highly.

- Number 0306 Chairman Tischer said some selection criteria leans toward what applicant can do for NANA later? (Yes).
- Number 0327 Beverly Grogin, Chukchi Community College; getting people to return to these regions for all jobs is very important.
- Number 0352 Ms. Grogin; I'd like to see district encouraged to hire Natives if possible or people who love the area.
- Number 0361 Reggie Jewel, Board Director, NANA Regional Corporation; supports HB 504. It is needed and agrees with Camille Z., that this bill should be broadened to include those already out of high school or who have already done some college.
- Number 0391 Reggie Jewel; really need positive role models for Natives, and agrees with Dennis Trepelman's testimony.
- Number 0404 Rep. Koponen: Might not this loan be supplemented by direct scholarship?
- Number 0410 Mr. Jewel; agree with Dennis Trepelman's suggestion that perhaps a student go to school for a year or semester to help weed those who would not make it.
- Tape 3, Side A
Recording
Number 0001 Eric Madsen agrees with Mr. Trepelman's statement and would like the language change as suggested.
- Number 0051 Chairman Tischer; how do you feel about opening bill to extent that it might be short funded?
- Number 0109 Rachel O.: fully supports HB 504. She said, do not exclude private school graduates from this loan, and was concerned that other majors such as administration be included as eligible for this bill.

Number 0169 Chairman Tischer; was your adjustment
difficult?

Number 0182 Rachel O.; yes quite, I almost quit, but I
did adjust.

Number 0189 Chairman Tischer; if the college experience
were the first contact with metropolitan
life, could that have a lot to do with
failure?

 Rachel O.: Yes.

Number 0215 Rep. Koponen: are there incentives built in
programs for areas where problem is just the
opposite?

Number 0250 Sharon Moore, NANA Museum for Arctic:
Supports prior testimony, concerned with
public high school restriction, and on Page
3, Line 9, support change of language.

Number 0301 Chairman Tischer: thanks witnesses of
Kotzebue for testifying and calls for recess
at 3:12 p.m.

HOUSE HEALTH, EDUCATION & SOCIAL SERVICES
STANDING COMMITTEE
Nome, Alaska
February 4, 1984
10:50 a.m.

Members Present: Rep. Tischer, Chairman (In Kotzebue)
Rep. Pestinger, Vice-Chair (via teleconference in Juneau)
Rep. Davis (via teleconference in Juneau)
Rep. Martin (via teleconference in Juneau)
Rep. Goll (via teleconference in Juneau)
Rep. Koponen (via teleconference in Juneau)
Rep. Uehling (via teleconference in Juneau)

Members Absent: None

COMMITTEE CALENDAR

HB 504 "An Act establishing the teacher scholarship loan program."

WITNESS REGISTER

Nancy Mendenhall
Northwest Community college
Pouch 400
Nome, Alaska
443-2201
Position Statement: Supports HB 504.

Ken Kristenson
NEA Alaska
Box 1508
Nome, Alaska
443-2559
Position Statement: Supports HB 504.

Ralph Gabrielli
Northwest Community College
Pouch 400
Nome, Alaska
443-2201
Position Statement: Supports HB 504.

Jenny Alowa

Box 1007
Nome, Alaska
443-5641
Position Statement: Supported HB 504.

Willie Willoya
Nome, Alaska
443-2688
Position Statement: Favored HB 504.

Susie Silook
Box 1902
Nome, Alaska
443-2201
Position Statement: Supported HB 504.

Helga Eakon
Unalakleet, Alaska
Position Statement: Favored HB 504.

Herbert Ivanoff
City Administrator
Unalakleet, Alaska
Position Statement: Favored HB 504.

Alfred White
Principal
Unalakleet High School
Unalakleet, Alaska
Position Statement: Favored HB 504.

PREVIOUS ACTION

HB 504 1/10/84 - First Reading.

Committee Referrals - HESS, Loans and
Finance Committees.

See HESS minutes of February 3, 1984.

ACTION NARRATIVE

TAPE#1, Side A
Recording
Number 0001

Chairman Tischer welcomes all witnesses in
Kotzebue. Members present in Juneau;
Representatives Davis, Martin, Goll, Koponen
and Uehling. Representatives Hayes and
Hurlbert are observing.

Number 0003

Nancy Mendenhall; involved in teaching
education for four years, she said there

were 15 students in the teacher education program, and 8 students in the EXCEED Program.

- Number 0022 Ms. Mendenhall likes the bill; it's well stated. She said they have a very serious problem in their region with the lack of Native children.
- Number 0032 The EXCEED Program is not working as it takes too long, these people need to become full-time student. HB 504 would help correct that problem, said Nancy Mendenhall.
- Number 0064 Ms. Mendenhall: Natives with BA degree are in great demand. This bill will be a great incentive for them to return to their community and that they are very important role models.
- Number 0086 Nancy Mendenhall stated HB 504 is an outstanding bill.
- Number 0092 Rep. Hayes, sponsor of HB 504 comes to the stand. He said the student loan program is aimed at getting students who graduated to return to their villages. Rep. Hayes said there is too much disparity between rural and urban education experience. In at least 13 districts there are no Native teachers and the annual turnover is 50%. The intent of HB 504 is to place more Native teachers in rural Alaska; the bill makes forgiveness easier and encourages teaching profession. It will reduce turnover rate and preserve Native cultural heritage and all Alaskans will benefit, said Rep. Hayes.
- Number 0139 Rep. Hayes further stated that this bill will create a larger pool of qualified Native teachers and a stronger sense of the values of the rural cultures.
- Number 0164 Alfred White, Principle, Unalakleet High School: Thanks for the opportunity to speak, pleased particularly with this bill. But, public school graduates only - not acceptable. He read the testimony to be sent to Juneau, and he recognized the need since 1959. Mr. White stated that private school students are being discriminated against.
- Number 0195 Mr. White continues his testimony. The

success of private schools is widely accepted, and that some areas have only one high school and what if it is private? He encouraged to increase the bill's scope.

Number 0240

Rep. Koponen: Speaker made a good statement, we'll be working with you, Chairman Tischer when you return.

Number 0255

Ken Kristenson, NEA Alaska: There is a great lack of role models for students, and the increasing number of students wish to go on in school. He said, this bill will give us something to show them it's special for them to get educated and return. Ken Kristenson said NEA supports HB 504.

Number 0306

Helga Eakon from Unalakleet: She read a written testimony.

Number 0324

Helga Eakon: Happy to testify in support of HB 504, the findings and intent are accurate. She said, we need teachers who understand our culture.

Number 0350

Group other than Alaska School Board should not choose students, said Ms. Eakon.

Number 0361

Eligibility should not depend upon graduating from public school. This is unconstitutional, said Helga Eakon.

Number 0390

Ike Wowakok: Native pride is a stepping stone to realize we have something unique and important. In our rapidly changing culture, education helps to make adjustments easier. Private school graduates not allowed, is unfair and discriminating.

Number 0441

Rep. Davis: We are going to work on that point in the legislation, that complaint was brought up yesterday, it's a very good observation.

Number 0487

Jenny Alowa: Originally from Sevonga.

Tape 1, Side B
Recording
Number 0001

Jenny Alowa continues testimony. Working toward MA degree, thank you for the chance to speak. Sometimes it takes the top level to change things or motivate. The bill is very positive; it has already made an

impact. Our children do need successful role models. EXCEED teachers are overworked and under paid. They must work too hard too long.

Number 0035

Jenny Alowa: Local school districts very slow in moving people up any career ladder. Curriculum also a problem, it limits people sometimes.

Jenny Alowa: This is a conflict between the various cultures, but our children are very adaptable, and fewer and fewer are being lured to urban areas.

Number 0062

Jenny Alowa: Local Community Colleges have been a great advantage to the villages. So has state wide satellite, Channel 13.

Number 0072

Chairman Tischer: How would it affect your thinking to that offer borrowing \$40,000. You might change your decision and not teach, or you might marry and go without your mate to another area?

Number 0100

Jenny Alowa: This is limiting. If one returns to any area within the state, they should have forgiveness.

Number 0128

Lawrence Olson, Executive Director; fully supports the bill, and restated, should not be restricted to public school graduates. He added, our high school has students from all over Western Alaska, please include private schools.

Number 0170

Ralph Gabrielli, Education Teacher for (4) years, Northwest Community College: Probably 30 students in this area are moving toward AA or BA degrees. These are very fine motivated students who sacrificed greatly for only 9 credits per semester. Thus, it takes 7 years to get BA.

Number 0206

Ralph Gabrielli continues, strongly support HB 504. The money will provide options not currently available.

Number 0217

Mr. Gabrielli: Students who take this loan will be risking a great deal. They may not finish their college, there may be no jobs available.

Number 0234 Mr. Gabrielli continues: Committee should consider forgiveness for returning to any rural area in Alaska.

Number 0248 Ralph Gabrielli: Addressing the spirit behind the bill; in Alaska, 35 Natives who care called Aides, but who take great responsibility for classroom. Perhaps some special legislation could make them full-time teachers, because that is what they are doing now.

Number 0291 Willie Willoya, former school teacher; as this bill stands, I am against it. It's a political football - the administration clause may work against ethnic community.

number 0314 Mr. Willoya: The things not firmly established in bill will work against the Natives in the area.

Number 0345 Mr. Willoya continues testimony. In 5 years, Sec. 14.43.360 will work against villages. I suggest that if legislators really want Native teachers, they establish a two year grant program to any Native who wants it. No politics, no time consuming things besides teaching courses.

Number 0374 Willie Willoya: The people who really want to make it, they can, if they don't have families to feed.

Number 0405 Mr. Willoya refers to Sec. 14.43.650. SELECTION CRITERIA. His concern was, most people don't know until their second year if they want to be a teacher.

Number 0431 You could have A and B students teach C and D students to help pinpoint the best and help them decide if they want to spend a life teaching, said Mr. Willoya.

Number 0484 Mr. Willoya said HB 504 does not define philosophies.

Tape 2, Side A
Recording
Number 0001 Mr. Willoya continues his testimony: If those who will choose students for scholarships.

Number 0012 Chairman Tischer: How did you get MA's?

Mr. Willoya: Kuskokwim Community College and Barrow. I have close to 7 other Masters degree if I want to finish them. Extension programs.

Number 0050 Herbert Ivanhoff, City Administrator, Unalakleet: This bill is long over due. He noted on Page 3, Sec. 14.43.650. SELECTION CRITERIA. Private schools should not be left out.

Number 0072 Mr. Ivanoff: Should be able to teach in a private school, too.

Number 0081 Student should be able to return anywhere in rural Alaska, said Herbert Ivanhoff.

Number 0090 Mr. Ivanoff refers to Sec. 3 and asks for explanation.

Number 0095 Chairman Tischer explained the section.

Number 0116 Susie Silook, Administrative Assistant, Community College: Voices her support. I sympathize with students who try to feed a family and get a degree. Outside teachers cannot always adopt their teaching to Native culture. We need Native teachers who can adapt knowledge to the culture.

Number 0148 Chairman Tischer: Clarified that if one could not get this loan, there is still the Alaska Student Loan.

Helga Eakon: Refers to Sec. 14.43.650. SELECTION CRITERIA: Clarity of first clause - 6 months period, could a several year graduate also seek loan?

Number 0221 Chairman Tischer: Clarification.

Number 0270 Alfred White: Refers to Sec. 14.43.640. CONDITIONS OF LOANS and the next paragraph. He feels that it is too restrictive.

Number 0313 Mr. White: School Board select recipients regarding a quota? Then if there are no qualified candidates, they would still have to pick someone, which would lower the overall quality of students.

Number 0384 Edna Apatiki from Gamble: She is pursuing a teaching certificate and is in support of HB 504.

Number 0481

Chairman Tischer called for a recess until
noon on Sunday, February 5, 1984.

HOUSE HEALTH, EDUCATION & SOCIAL SERVICES
STANDING COMMITTEE
February 6, 1984
2:04 p.m.

Members Present: Rep. Tischer, Chairman
Rep. Pestinger, Vice-Chair
Rep. Uehling
Rep. Koponen
Rep. Goll, late
Rep. Davis, late

Members Absent: Rep. Martin

COMMITTEE CALENDAR

HB 504: "An Act establishing the teacher scholarship
loan program."

WITNESS REGISTER

Jeff Day
Legislative Aide
Rep. Hayes
Pouch V
State Capitol Building
Juneau, Alaska 99811
465-3740

Position Statement: Urged passage of bill and clarified intent
of HB 504.

Kerry Romesburg
Director
Postsecondary Education Commission
Pouch
Department of Education
Juneau, Alaska 99811
465-

Position Statement: Represented the Attorney General's Office.

Rep. Hurlbert
Pouch V
State Capitol Building
Juneau, Alaska 99811
465-3711

Position Statement: Clarified some provisions.

PREVIOUS ACTION

HB 504 1/10/84 - First Reading.