

ALASKA LEGISLATURE COMMITTEE FILES 1983 - 1984 8672

2563 HLC HB 141 - HB 211

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

January 30, 1984

SUBJECT: Iditarod Appropriation
(HB 142)

TO: Representative Ron Larson

FROM: *LHA* Linn H. Asper
Legislative Counsel

It has come to my attention that the Department of Commerce and Economic Development (DC & ED) has taken the position that it is not the appropriate department to administer the grant to the Iditarod Trail Committee contained in HB 142. My information is that DC & ED feels that it cannot receive the appropriation because it does not have the power to make grants. However, in its present format HB 142 does not establish a grant program to be operated by the department. Instead it is a grant from the legislature to a named non-municipal grant recipient. Under AS 37.05.316 such grants must be administered by a department. Thus, DC & ED is not being required to make the grant, only to administer it. This administration function is a common one, exercised by DC & ED and other departments all the time.

Another related question is whether this grant might be more appropriately administered by another department, in terms of the subject matter of the grant. I considered this question when I prepared the bill for you and decided that the Iditarod Race was a promotional event more akin to the tourism function of the DC & ED than the resources responsibilities of the Department of Natural Resources, the only other likely candidate for the administration job. Since an amendment to change the administering department would require the bill to go back to the House of Representatives for a title change, and since the DC & ED has the power to administer the grant and seems to be the logical choice to do so, I believe the bill should remain in its present form.

LHA:obj

HB

142



GREATER WASILLA
CHAMBER OF COMMERCE

DRAWER 1300
WASILLA, ALASKA 99687
(907) 376-2121

FEB 14 1983

February 3, 1983

State Representative Larson
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear State Representative Larson:

The Greater Wasilla Chamber of Commerce would like to extend our support in establishing a permanent headquarters for the Iditarod Association in the Wasilla area.

This annual event has always created great enthusiasm and involvement not only for the entire State of Alaska, but the many tourists that come each year.

The establishment of a permanent headquarters facility would provide an attractive, functional addition to our community for the benefit of the growing tourism that provides financial support in our valley.

Your help and support of this proposal would also be greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Rob Robinson" followed by a flourish.

Rob Robinson
President

rr/hh

IDITAROD REVISED BUDGET

- HB 141 - An Act making a special appropriation to the Department of Commerce & Economic Development for payment as a grant for the Iditarod Trail Committee, Inc., for construction of a permanent Iditarod sled dog race headquarters; and providing for an effective date. - \$422,800

Land (26,000)

The Iditarod Trail Commission are optimistic that the land will be donated

Tables, benches, landscaping, artwork, etc. (7,800)

It is expected that many of these will be either donated or worked on by volunteers

Revised appropriation - \$389,000

- HB 142 - An Act making a special appropriation to the Department of Commerce & Economic Development for payments as a grant for the Iditarod Trail Committee, Inc., for expenses of conducting the 1984 Iditarod sled dog race; and providing for an effective date. - \$113,050

Eliminate need of Maule M-6 (48,000)

Revised appropriation \$ 65,050

IDITAROD TRAIL COMMITTEE, INC.

POUCH X

WASILLA, AK. 99687

GRANT PROPOSAL



IDITAROD TRAIL COMMITTEE, INC

January 19, 1983

Ronald L. Larson
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Ak. 99811

Dear Mr. Larson:

Iditarod '83 will start our second decade of the longest sled dog race in the world. And, quite frankly, we are proud of our contribution to promoting Alaska and long distance sled dog racing. Our emphasis has always been on strict rules regarding treatment of dogs on the trail and sportsmanship among the mushers. ITC has always wanted to reflect the most positive image possible on both the Iditarod and the State of Alaska.

This race we are expecting a record breaking number of mushers to sign up. In addition to the teams, we have hundreds of volunteers working hundreds of hours seeing to the details of the race from Anchorage to Nome. Our volunteers give of their time and many put expensive equipment, such as HAM radios and airplanes, on the line for us. People from every walk of life, lawyers, veterinarians, pilots, trappers, engineers clerks, subsistence dwellers, all join together in a special camaraderie.

Our news media coverage is international. The race has been filmed and reported by the British, Spaniards, Canadians, Germans, and we are working with STV in Japan on the possibility of filming Iditarod '83. CBS and ABC have covered the race. The thirty minute ABC 20/20 show last spring on the race and Susan Butcher has prompted inquiries from all over the lower 48.

The January issue of GEO Magazine has an article on Iditarod. National Geographic will follow with a story in their March issue. And once again, CBS has international rights to live coverage of Iditarod '83.

Iditarod Sled Dog Race has become a year 'round business. Although we have tremendous sponsors for the race, we must turn to the State again and hope you merit our contributions to tourism and State exposure worthy of support of our two proposals.

The first proposal deals with the race itself. These requests are ones we feel will enhance the quality, safety, and organization of the Iditarod.

Our second proposal is for a much needed permanent headquarters. This building would include our offices, a sales outlet, and a museum.

old on shaft

IDITAROD '84

MEDICAL CARE AND DRUG TESTING PROGRAM FOR DOGS

Our veterinarians try to be at every checkpoint to check and administer any needed care to the dogs. The vets have the final say on a dog continuing in the Race. They also have medical supplies available to treat minor irritations and injuries. And, as our rules state, any dog that expires on the trail must have an autopsy.

Because of the rich purse and intense competition among mushers, ITC makes it a priority to keep drugs from being used on a dog. The vets have a right to randomly check dogs during the race for drugs. Then all dogs are checked at the end of the race. These samples are sent to Cornell University in New York for analysis.

For medical supplies, autopsies, drug testing supplies, sample shipping cost, and analysis.

Cost.....\$9,850.00

IDITAROD AIR FORCE

Our trail Air Force is composed of volunteers who are willing to fly their planes along the trail to move dog food, vets, hams, dropped dogs, race officials, and any other person or object needing to go from checkpoint to checkpoint. Because of the financial restrictions on the Iditarod, we have never been able to provide the full protection the private pilot needs. Airplanes and parts have become so expensive, we can no longer recruit pilots and expect them to "outofpocket" any damage to their plane while flying for the Iditarod.

Full coverage aviation insurance for Iditarod Air Force during March.....\$5,050.00

AIRCRAFT

Each year our trail manager must start earlier flying up the trail. Checkpoints and checkers must be secured. Trail breaking, marking, and maintenance must be coordinated. All of this is done before the race.

During the race, it is becoming essential ITC have a plane at our disposal. Each year brings different emergencies. We must get our Race Marshal to a checkpoint, or a doctor in to treat an injured musher, or a vet to an injured dog. To ensure the safety of our mushers and their teams, the enforcements of our rules, and a organized operation, we are requesting funding for a Maule M-6 airplane.

Cost.....\$48,000.00

RADIOS

For better communications so we are able to respond to problems and emergencies, we need high frequency portable radios. These radios may be used by our pilots or ground crews.

Four (4) HF Radios.....\$4,750.00

SNOWMACHINES

Of course there are times when all air support is grounded by weather. But our race continues. To enable our officials and trail breaking crews to operate we need double track machines. If we have an emergency somewhere a plane cannot land, we need the machines to get to the location. And, just to have the ability to maintain surveillance between checkpoints, the machines would be invaluable.

Two Alpine double track snowmachines.....\$10,400.00

Each year we offer a \$101,000.00 purse to the top twenty mushers. This distinguished the Iditarod as not only the longest sled dog race in the world, but also the richest. This purse also ensures the Iditarod a place in the major athletic events in the world. The purse gives mushers the incentive to train for the race. Consequently we have mushers and teams that are physically and mentally prepared to challenge the Iditarod Trail.

Money for purse.....\$35,000.00

TOTAL OF PROPOSAL #1

\$113,050.00

PERMANENT IDITAROD HEADQUARTERS

Each year interest in the Iditarod Sled Dog Race grows.

According to surveys done with our out of state visitors, the Iditarod fulfills the image and fantasy of Alaska. News media from the world over come to report the "Last Great Race." Because of the coverage, more and more tourists want to visit Iditarod Headquarters and see first hand operation of the race.

After ten years we have collected invaluable paraphernalia connected with each race. These items are a part of our history, but are perilously close to being lost because we have no place to store them. The impression each visitor or reporter leaves our headquarters with reflects on the Iditarod and our great state.

At present we are located above Teeland's Country Store in Wasilla. As our volume of traffic increases, not only is it disruptive to Teelands, but our own space is grossly strained. We have no place to store our race records or paraphernalia. Nor do we have the space to accommodate volunteers working on the race and visitors at the same time.

Because of the problems listed above, the Iditarod Sled Dog Race is requesting funding for a permanent headquarters in Wasilla. We want our building to be in the true spirit of Alaskan history and dog mushing, so our decor would be styled on a log cabin -- Roadhouse theme. To complement our building, we need an acre of land that can be landscaped to encourage visitors to stop and enjoy.

In our headquarters we need office space, storage area, conference room, retail sales outlet and a museum. Maximum exposure for our building is a must to ensure us the tourist and drop in trade we

will count on to cover operation and maintenance.

Our request is for: a 3350 sq. ft. building at \$100 per foot building .

Cost.....\$335,000.00

One acre land located on Parks Highway in or about Wasilla.

Cost\$ 26,000.00

Office equipment, furnishings, display cases, cash register, shelves, hangers, and protective equipment for museum.

Cost.....\$ 44,000.00

Landscaping, artwork, outside tables and benches and plaques.

Cost.....\$ 17,800

TOTAL REQUEST.....\$422,800.00

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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 1, 1983

The Honorable Joe L. Hayes
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

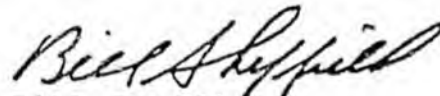
Dear Mr. Speaker:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill repealing the existing law requiring train crews of certain minimum sizes. The existing law requires that passenger and freight trains have crews of no less than five persons, that a light engine without cars have a crew of at least three persons, and that a switch engine have a crew of at least three persons.

The repeal may allow railroads within the state to determine crew size based on economic and operational concerns. However, this repeal does not relieve a railroad of its existing obligation to operate with customary due care and high regard for the safety of its passengers, freight, and employees. The repeal is not intended to make any pronouncement on what is or is not an appropriate subject for collective bargaining.

I urge you to approve this bill.

Sincerely,



Bill Sheffield
Governor

LEGISLATURE OF THE STATE OF ALASKA
 TWELFTH LEGISLATURE
FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HOUSE BILL NO. 154
 Title "An Act relating to train crew size."
 Requested by Rules - Committee _____ Date 1/27/83

II. FISCAL DETAIL
 Agency Affected Labor
 Program Category Affected Social Services
 BRU, Program, or Subprogram(s) Affected Commissioner's Office
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

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

FUNDING (Thousands of Dollars)

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

POSITIONS

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

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

A. Fiscal Impact.

IV. DATE January 27, 1983 PREPARED BY *Judy Knight*
 AGENCY Labor
 PHONE 465-2700
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)



united transportation union

March 15, 1982

To:

This letter should provide you with some information on Senate Bill Number 849, "an act relating to train crews", a bill to which our membership is definitely opposed. I have put this brief together to explain how this bill affects us here in Skagway.

This is a critical issue to us in Skagway, and we would certainly appreciate any assistance which you could give us in the matter. We are at your disposal for further information and dialogue at any time.

Thank you very much.

I remain,

Corrigan L. Gates
Legislative Representative
United Transportation Union
Local 1787



united transportation union

March 15, 1982

U.T.U. Brief on Senate Bill Number AS 23.10.420(a)

Background Information

The White Pass & Yukon Route Railroad, a Canadian-owned corporation with home offices in White Horse, Yukon Territory, is the last operating common carrier three-foot wide narrow gauge railroad in North America. Built at the height of the Klondike Gold Rush in 1898, it runs 110 miles from tidewater at Skagway, Alaska, to Whitehorse in the Yukon Territory. Since 1970, American crews (who used to operate all trains on the railroad) run the 41 miles to Lake Bennett, B.C., the division point, and Canadian crews take the trains the balance of the distance to Whitehorse.

Though "modern" in some respects, such as diesel locomotives and a containerized freight handling system, the WP&YR contends with some of the worst terrain and climate conditions in the world. The Canadian side from Bennett to Whitehorse is flat with only a few grades; the U.S. division is the "trickiest part of the road".

Alaskan crews must drag their trains up 21 miles of 3.9% grade to reach the summit, and then contend with another pass and two short (but equally steep) grades before reaching Bennett. The return to Skagway presents the problem of controlling 60-car trains of lead-zinc ore concentrates on the steepest railroad grade in America.

The railroad is interspaced with high wooden trestles and cliff-like retaining walls which perch the track a thousand feet above the canyon floor for miles. Blizzards have dumped over four hundred inches on the summit of White Pass, and though there are "good" years, the railroad has been blockaded sometimes for weeks on end. The worst storm shut down the road for 21 days.

The geography and weather create more than just management problems; they compound the dangers of railroading to the highest extent. Even on a well-maintained railroad, pursuing safe operational standards is critical. Here it is very literally a matter of life and death. Avalanches and rock slides periodically wipe cars over the side, and derailments (which occur very frequently) could mean disaster at many locations. Such a disaster would even be environmental in its scope, since the prospect of tons of lead and zinc dumped into the Skagway River would certainly affect life in the water, and down to the sea.

Train crews have learned to take safety as more than just the title page in the rule book. After all, we're the ones out there in the middle of it. Five-man crews on the WP&YR exist primarily for safety, in spite of management's stand on this bill. Here are a few examples:

1. Ice building up between the wheels and the brake shoes can cause winter brake failures. The Company has refused to upgrade their equipment, and this leaves the crew to deal with problems out on the road.
2. Bridges and trestles on the road are not equipped with walkways. A train which is stretched across a bridge leaves no walking (or climbing) room at the edge. Therefore, a brakeman cannot walk from one end of the train to the other, and a second brakeman is needed to walk the other end in emergencies. This can be critical.
3. In winter months it often takes the combined strength of two men to set a good safe handbrake on a car, and the same force of two men to "knock-down" or remove the brake. On older cars with faulty handbrakes this applies all year, even with brake clubs.
4. The "sophisticated communications systems" (two-way radios) in use are continually in for repair and are prone to failure. The crews do not rely on them because of this safety hazard, and hand signals are regularly used in switching moves.
5. The primary job of the crew while underway is to watch for any hint of trouble on or around the train. The railroad is twisted like a piece of spaghetti with 16 to 24^o curves, and there are documented cases of the fireman, riding on the left-hand side of the locomotive, spotting danger which was out of the engineer's line of sight and stopping the train. Similarly, brakemen ride at both ends and watch over the train for hotboxes, loads shifting or breaking loose, broken axles or wheels, downed brake rigging, derailed cars, broken rails, fires, washouts, etc. Thus, the manning positions at the head-end with the engineer and fireman watching the track from the lead unit, a brakeman riding the "rear" or trailing unit watching over the train behind, and a conductor and rear-brakeman overseeing the train ahead of the caboose (and the track behind for signs of dragging brake rigging or derailed equipment) have been established for the safe opera-

tion of the train while underway. Dozens of documented cases exist of crew men at their positions spotting trouble which would have gone unseen by other crew members, and thus saving the Company thousands of dollars in repairs and wreck clean-up operations.

6. Most important to the crew members in the light of safety on the road is the grim fact that besides dealing with faulty locomotives, antiquated equipment, and track and bridge maintenance which barely meets the job at hand, employees have to deal with snowslides and cliffs over which a train's plunge would mean certain injury or death. The specter of a passenger train loaded with 400 tourists going through a rotten trestle, or derailling high above "Dead Horse Gulch", or being hit by a rock slide (on top of the 1900-era wood-roofed parlor cars with their old oil stoves) brings shudders to the men who actually are on board as well as to management. Crew members to deal with such accidents are essential. Even more frightening in the winter season are the snowslides. There has been an increase in winter passenger traffic over the last few years, and thus the crew is faced with the added burden of protecting travelers as well as themselves.

1. White Pass and Yukon Ltd. of Vancouver is owned by Federal Industries, Ltd. of Winnipeg. The Canadian management is on an over-all cost-cutting spree at this time, and are trying to tighten up their operation. Part of this has included the postponement of track repairs--a major rail replacement program was knocked out to save money--and an attitude of "beat it 'til it dies" toward their locomotives, some of which are now 28 years old and in critical need of replacement or complete long-term overhaul. Because traffic is so heavy at this time, the Company can't take their engines out of service much more than stop-gap, repairs on the worst problems. Engine failures or malfunctions are a common occurrence on the railroad. It is also worth noting that the average train length in 1969 was 30 cars, operated by five men. Today the same five men have to run trains that can be 100 cars long out of White Pass. This is actually more work for each man involved, with more weight to contend with, more cars to watch (and to talk when checking the train, or in emergencies), and definitely more hazardous.

2. Remarkable but true in light of the terrain and operational hazards on the WP&YR is the fact that White Pass does not legally have to comply with Federal laws concerning safety and operation. The reason: White Pass is "narrow gauge" instead of "standard gauge" (4' 8½" wide track), and as such the Company can usually sneak by under requirements and regulations which would close down a standard gauge road "outside". This appears to be an oversight by the Federal Railroad Administration, but is understandable since the little known and obscure White Pass is the last narrow gauge common carrier left in the U.S. Also, it is generally viewed as a Canadian company. The 21 miles within Alaska under jurisdiction of American law, usually slide by unnoticed.
3. Much of the freight equipment, passenger equipment and airbrake equipment is antiquated and of museum vintage. Crews must deal with this as well as other problems, adding to operational hazards.
4. Because of all the previous factors, it is little wonder that the White Pass accident and safety record is atrocious. Summer travel has increased each year, and with it the number of accident reports. Employees must be extra alert at all times to prevent injury or death from faulty equipment, dangerous operational procedures, or management decisions affecting train movement. White Pass enjoys saying that they have "never lost a passenger's life" in their 80-year history. The men who ride the trains can only count the number of dead employees over the years, and knock on wood. The Company is playing Russian Roulette with human lives, and their own odds get worse by reducing the number of men on board a train who are available to deal with the expected--and unexpected--hazards of mountain railroad-ing under the most extreme conditions.

Statement of Position by the United Transportation Union

We of the United Transportation Union, Local 1787 in Skagway, are adamantly opposed to Senate Bill 949, a bill which will aid a non-resident Canadian corporation by eliminating Alaskan jobs on U.S. soil. This is by itself a dangerous international precedent, worthy of close attention--particularly in light of the proposed Alcan gasoline project.

Few people even know that there is a railroad in Southeast Alaska. Instead of repealing the present law, we propose a rider should be added that would exempt state owned Railroads.

March 15, 1982

Lastly, very few individuals are aware of the delicate balance that exists in Skagway between labor and management. We feel that the introduction of this bill is an attempt by the Company to further drain our union treasury attending a battery of hearings in Juneau. The last time we had to testify it involved long hours and much expense-- something which the Company can easily afford.

Given this situation, our membership has nothing except the present State law to protect us from the whims of a foreign corporation. Our only defense at present lies in "An Act relating to train crews" as set forth in State law. It would thus seem beyond comprehension for our own lawmakers-- our own elected representatives--to vote to repeal the only security which we in Skagway have in these difficult days.

Corrigan L. Gates
Legislative Representative
United Transportation Union
Local 1787
Skagway, Alaska 99840

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VOCATIONAL

12 AAC 60.090
12 AAC 60.950

PROPOSED REGULATIONS
BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL
ASSOCIATE EXAMINERS

12 AAC 60.090(a) and (b) are repealed.

12 AAC 60 is amended by adding a new article to read:

ARTICLE 6. GENERAL PROVISIONS

Section

950. Definitions

12 AAC 60.950. DEFINITIONS. In this chapter and AS 08.86:

(1) "accreditation" means:

(A) an accredited school is one which is accredited by any regional accrediting agency recognized by the American Association of Collegiate Registrars and Admissions Offices.

(B) an accredited doctoral program is one which has been approved by the American Psychological Association or which is clearly equivalent to the standard used by the American Psychological Association. The burden of establishing equivalent standards rests with the applicant.

(2) "reasonable cause or excusable neglect" means:

(A) chronic illness;

(B) retirement;

(C) military service; and

(D) hardships as individually determined by the board.

(3) "technical meeting" means a professional meeting incorporating formal written or oral presentations of psychology related research, theory or applied topics.

(4) "appropriate supervision" as used in AS 08.86.180(b)(1) means supervision by a licensed psychologist consistent with accepted professional priorities in psychology and with the supervising licensed being responsible for insuring the extent, kind, and quality of the psychological services performed are consistent with the training and experience of the supervised person.

(5) "professional incompetence" as used in AS 08.86.204(7)(A) means lacking sufficient knowledge,

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VOCATIONAL

12 AAC 60.950

skills, or professional judgement in that field of practice in which the psychologist or psychological associate concerned engages, to a degree likely to endanger the mental health or well-being of his or her patients. (Eff. / / ,
Reg.)

Authority: AS 08.86.080

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PROFESSIONAL AND
VOCATIONAL REGULATIONS

12 AAC 60.185
12 AAC 60.260

12 AAC 60 is amended by adding a new section to read:

12 AAC 60.185. ETHICS AND STANDARDS. (a) The ethics to be adhered to by licensed psychologists and licensed psychological associates shall be the "Ethical Principles of Psychologists," (1981 revision), of the American Psychological Association.

(b) The standards to be adhered to by licensed psychologists and licensed psychological associates rendering psychological services in the state shall be the "Standards for Providers of Psychological Services," (January 1977 edition), of the American Psychological Association. (Eff. / / , Reg.)

Authority: AS 08.86.080

12 AAC 60 is amended by adding a new article to read:

ARTICLE 6. CONTINUING EDUCATION

Section

- 250. Statement of purpose of continuing education
- 260. Hours of continuing education required
- 270. Computation of continuing education
- 280. Computation of academic continuing education hours
- 290. Accepted subjects
- 300. Approved nonacademic continuing education programs
- 310. Individual study
- 320. Instructor or discussion leader
- 330. Publications and presentations
- 340. Reinstatement
- 350. Report of continuing education

12 AAC 60.250. STATEMENT OF PURPOSE OF CONTINUING EDUCATION. The purpose of continuing psychology education is to insure that the renewal of licenses is contingent upon proof of continued competency and assure the consumer of an optimum quality of psychological health care by requiring licensed psychologists and psychological associates to pursue education designed to enhance and advance their professional skills and knowledge. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.260. HOURS OF CONTINUING EDUCATION REQUIRED. (a) An applicant for renewal of a license as a psychologist, or a psychological associate, originally issued before July 1, 1981, shall obtain 40 credit hours of documented continuing education before the June 30, 1985 application for renewal.

(b) Each psychologist or psychological associate seeking renewal of his or her license on or after July 1, 1985, must obtain an average of 20 credit hours per year of

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VOCATIONAL REGULATIONS

12 AAC 60.270
12 AAC 60.300

documented continuing education during the previous licensing period. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.270. COMPUTATION OF CONTINUING EDUCATION HOURS. (a) For the purposes of 12 AAC 60.250--12 AAC 60.310, 50 minutes of instruction constitutes one hour.

(b) Credit is given only for full hours of instruction received and not for a fraction of an hour.

(c) Credit is given only for class attendance hours and not for hours devoted to class preparation. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.280. COMPUTATION OF ACADEMIC CONTINUING EDUCATION HOURS. (a) One quarter hour academic credit from a college or university constitutes 10 hours of continuing education.

(b) One semester hour academic credit from a college or university constitutes 15 hours of continuing education. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.290. ACCEPTED SUBJECTS. (a) In order to be accepted by the board, the subject of a continuing education program must contribute directly to the professional competency of a person licensed to practice as a psychologist or a psychological associate and be directly related to the concepts of psychological principles, ethics or practices as defined in AS 08.86.230(2). (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(5)

12 AAC 60.300. ACCEPTED NONACADEMIC CONTINUING EDUCATION PROGRAMS. (a) The following programs are accepted by the board if they meet the requirements of 12 AAC 60.290:

(1) professional development programs of the American Psychological Association and its state societies including workshops, seminars, symposia, or a presentation of a technical paper;

(2) college or university short courses not carrying academic credit; and

(3) other professional continuing education programs if information is supplied to the board as follows:

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PROFESSIONAL AND
VOCATIONAL REGULATIONS

12 AAC 60.310
12 AAC 60.330

(A) name and address of person or organization sponsoring the course;

(B) instructor's name;

(C) title of course; and

(D) the number of full fifty minute hours of actual instruction; and

(E) the location and dates the course was conducted. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.310. INDIVIDUAL STUDY. (a) The number of hours of continuing education credit awarded for completion of a formal correspondence program, videotape program, audio-cassette program, or other individual study program which requires registration and provides evidence of satisfactory completion will be determined by the board on an individual basis.

(b) Continuing education credit awarded under this section may not exceed one half of the total continuing education hours required in any licensing renewal period. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.320. INSTRUCTOR OR DISCUSSION LEADER. (a) One hour of continuing education credit is awarded for each hour completed as an instructor or discussion leader of educational programs meeting the requirements of 12 AAC 60.250-.310. Credit is awarded only for the initial course of instruction of the subject matter unless there have been substantially new developments in the subject since the prior presentation.

(b) Credit awarded under (a) of this section may not exceed one-third of the hours in any licensing period. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.330. PUBLICATIONS AND PRESENTATIONS. (a) Twenty (20) credit hours of continuing education will be awarded for each

(1) authorship of a publication in a professional psychology journal, providing the publication relates directly to the concepts of psychological principles, ethics or practices, and is published or accepted for publication during the four year reporting period immediately preceding the license renewal; and

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VOCATIONAL REGULATIONS

12 AAC 60.340
12 AAC 60.350

(2) written or oral presentation at a meeting of the American Psychological Association, a technical meeting of a State psychology society, or meeting of a professional psychology-oriented organization, providing the presentation relates directly to the concepts of psychological principles, ethics or practices, and the presentation occurred during the four-year reporting period immediately preceding the license renewal; or

(3) authorship of a professional psychology book or monograph published or accepted for publication during the four year reporting period immediately preceding the license renewal. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.340. REINSTATEMENT. (a) The license of any licensee which is not renewed by reason of failure to comply with the continuing education requirements of 12 AAC 60.250-.380, will be reinstated or restored to full status by submission to the board of proof of the completion of all continuing education credit hours required.

(b) A licensee unable to obtain the required continuing education hours for renewal of his or her license, due to reasonable cause or excusable neglect, must request exemption status in writing to the board accompanied by a statement explaining reasonable cause or excusable neglect. The board will prescribe an alternative method of compliance to the continuing education requirements as deemed appropriate to the individual situation. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.350. REPORT OF CONTINUING EDUCATION. (a) An applicant for renewal of a license to practice psychology shall submit, on a form provided by the department, a sworn statement of the continuing education in which he or she participated or pursued. The statement must indicate:

- (1) the sponsoring organization;
- (2) the location of the course or correspondent;
- (3) the title or description of course or both;
- (4) the principal instructor;
- (5) the dates of attendance or period of correspondence;
- (6) the titles, issues and dates of publications or presentations; and

(7) the number of continuing education hours claimed.

(b) Falsification of any written evidence submitted to the board pursuant to this section shall be deemed to be unprofessional conduct and constitute grounds for licensure reprimand, revocation or suspension. (Eff / / , Reg.)

Authority: AS 08.86.070(a)(6)

STATE OF ALASKA

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

JAY S. HAMMOND, GOVERNOR

POUCH D
JUNEAU, ALASKA 99811
PHONE: (907) 465-2534

September 24, 1982

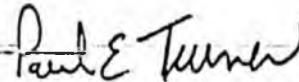
Mr. Harry D. Treager, Director
Division of Occupational Licensing
Department of Commerce and
Economic Development
Pouch D
Juneau, Alaska 99811

Dear Mr. Treager:

In compliance with AS 37 and AS 08 and on behalf of the Board of Psychologist and Psychological Associate Examiner, I am submitting the enclosed Annual Report concerning the board's activities and accomplishments for Fiscal Year 1982.

Should there be any questions concerning this report, please feel free to contact me. Thank you.

Sincerely,



Paul E. Turner, Ph.D., Secretary
Board of Psychologist and Psychological
Associate Examiners

DRR/wfs 4/1

Enclosure

RECEIVED
DIVISION OF OCCUPATIONAL LICENSING
JUNEAU, ALASKA
SEP 24 1982

NARRATIVE STATEMENT

The board undertook several major projects during FY '82 including (1) Sunset Audit, (2) Continued Education Regulations, (3) Examination Revision, and (4) Enforcement of the Practice Act.

Summary of the activity of the Board of Psychologist and Psychological Associate Examiners for FY '82: The level of board activity during FY '82 has been maintained at a relatively high level of productivity commensurate with the work completed during FY '81.

A substantive portion of the board's time has been spent dealing with issues related to the Sunset review. This process began in the summer of 1981 and continued through the end of May, 1982. The board responded to an audit by the Budget and Audit Committee of the Legislature in writing. The board has testified at legislative hearings regarding the Sunset of the board. Further, the board has written several responses to the Sunset hearings subsequent to the division's opposition to the board and the Governor's veto. Throughout this legislative process, the board has attempted to introduce several statutory changes, although these have been unsupported by the Division of Occupational Licensing.

A great deal of effort has been devoted to drafting continuing education regulations which has been the subject of over a year's effort toward establishing criteria that are equitable, effective, and relevant to Alaskans across the wide range of community settings in which Psychologists and Associates often find themselves. The continuing education regulations have been through one public teleconference hearing and are in a draft that is presently acceptable for a final period of written comment and testimony from the public.

Investigative activities of the board seem to have declined during this past year. Unfortunately, an investigator was present at only one meeting during the past fiscal year. At its March meeting, the chief investigator met with the board to review the current status of cases pending.

Licensing activities seem to have increased during this past year in that nine Psychologists and five Psychological Associates have sat for the two examinations held in October and April during the past fiscal year. As a consequence, eight new Psychologists and three associates have been licensed to practice. The trend toward an increased number of Associates is seen as evidence that master level individuals are being encouraged to enter the field, and secondly, the public is benefiting by a wider spectrum of individuals who are licensed to practice. At the present time, there are 81 active Psychology licenses and 10 Psychological Associate licenses.

The State portion of the examination has been significantly revised. For the April examination, the board eliminated a large portion of the exam which now focuses on law and ethics alone. This has allowed the board to devote a great deal of time to establishing a item pool for this area and to establish criteria on scoring sheets for this examination. Further, this has resulted in a more efficient and accurate means of quickly reporting scores back to individuals who are taking the examination.

The Attorney General's opinion on the conduct and record of board meetings, to assure compliance with AS 44.62.310 and AS 44.62.312, has maintained improved conduct of board meetings and increased documentation of board activity. Further, the division has markedly improved its recordkeeping in the transcription of minutes of board meetings. All aspects of board meetings are presently taped.

Public activity and information has been a major target area for the board during FY '82. Public hearings have been held relative to propagation of continuing education regulations. The board has made continual progress in the provision of information to a variety of groups and individual private parties relative to psychology licensing. Members of the board have provided information to the Alaska Social Workers Association, the Alaska Psychological Association, Alaska School Psychologists Association, Alaska Mental Health Association, Alaska Mental Health Director's Association, and Governor's Advisory Council for Mental Health. All board meetings have been advertised across the State.

Dr. Jim Greenough was appointed to the board during this last fiscal year.

The Licensing Examiner I for the Board of Psychologist and Psychological Associate Examiners was Evelyn Boone. The License Examiner II (supervisor) for the Division of Occupational Licensing was Mrs. Jane English. The Director for the Division of Occupational Licensing for the past fiscal year has been Mr. Harry Treager.

EXAMINATIONS

The board held two examinations during the period of October 8-9, 1981 and April 8-9, 1982. The Licensing Examiner administered the first examination, and the Division of Occupational Licensing arranged for Anchorage personnel to administer the second examination. Three candidates took the exam in October, and three individuals successfully passed the examination. There were ten candidates who took the exam in April and six individuals completed the exam.

The Board of Psychologist and Psychological Associate Examiners had a goal of four meetings, but was only able to meet three times, due to budget constraints.

<u>Date</u>	<u>Location</u>
August, 1981	Sitka
November, 1981	Fairbanks
March, 1982	Juneau

Associated with the volume of work that comes up in the interim between meetings, conference calls are utilized as a means to expedite important board business. Conference calls were held on the following dates:

October 9, 1981
April 1, 1982

STATISTICAL DATA

<u>Licenses Issued</u>	<u>FY '80</u>	<u>FY '81</u>	<u>FY '82</u>
Examination	12	3	7
Endorsement	3	2	0
Psychological Associate (Exam)	3	3	2
Temporary Permits	1	1	2

Expenditures for Fiscal Years '80, '81, '82TRAVEL

	<u>FY '80</u>	<u>FY '81</u>	<u>FY '82</u>
In-State transportation (Examiner)	\$ 960.51	\$ 1,352.00	\$ 732.00
In-State per diem (Examiner)	509.85	864.35	629.00
In-State transportation (Board)	1,430.00	2,094.85	4,800.00
In-State per diem (Board)	1,020.00	2,064.00	3,570.00
Subtotal - Travel	<u>\$3,920.36</u>	<u>\$ 6,375.20</u>	<u>\$ 9,731.00</u>

CONTRACTUAL SERVICES

Postage & Mailing	\$ 22.97	\$ 1.75	\$ -0-
Long Distance telephone	724.97	532.74	434.91
Photo Processing	137.47	219.70	267.00
Printing & Binding	98.00	--	110.00
Advertising	269.53	677.97	1,079.40
Professional Services	692.50	319.00	725.00
Membership Dues/Fees	169.00	350.00	345.50
Subtotal	<u>\$2,114.00</u>	<u>\$ 2,101.16</u>	<u>\$ 2,961.81</u>

SUPPLIES AND MATERIALS

Office/Library Supplies	\$ 91.00	\$ --	\$ --
GRAND TOTAL	\$6,125.36	\$ 8,476.36	12,692.81
Monies received for Fiscal Year	\$ 765.00	\$11,344.75	\$ 9,545.00

REVIEW OF PRIOR YEAR OBJECTIVES

Objective 1. The board has revised the scoring sheets and scoring system for the examination, reducing the response time for scoring the examinations, improving objectivity of scoring, and improving the accuracy of the compilation of test scores. In April, 1982, the board developed an items pool for the State examination. This State examination consists of an essay in law and ethics relative to the practices of psychology within the State of Alaska. An expanded item pool has been developed for this examination.

Objective 2: A third draft of continuing education regulations has been completed. A teleconference was held on these regulations in Sitka. No hearings have been scheduled since the last meeting in March as the division has reported that a teleconference network cannot be obtained until the end of the legislative session.

Objective 3: The board has been actively involved in the Sunset audit. The chairperson, Dr. Delys-Baglien, responded to the Office of Budget and Audit's report during the summer of 1981. The Division of Budget and Audit's report was not completed until December of 1981. Hearings were held on March 9 by a joint House and Senate subcommittee. SB 823 was introduced to both the House and Senate and successfully passed despite the division's opposition to the continuation of the board. Three members of the board testified at the March 9 hearing and a written response to the division's opposition to the board was made.

Objective 4: No member of the board was able to attend the regional AASBP meeting at the Western Psychological Association, nor was any member of the board able to attend the National AASBP meeting at the American Psychological Association. Board members received the AASBP newsletter to keep them up to date as to relevant issues for licensing. Board members also received a journal, Professional Practice of Psychology. The Secretary and Chairperson of the board have been actively involved with the division via telephone and correspondence to deal with intermittent board business.

Objective 5: An extensive effort to keep the public informed of board activities and to increase the public's knowledge of the practice of psychology has been made. Board members have responded to individual questions, complaints, and concerns related to the practice of psychology in the State. The board has held a public hearing on continuing education regulations. Individual members of the board have provided information to the public and have attended meetings of the Alaska Social Workers Association, Alaska Mental Health Association, Alaska Mental Health Director's Association, Governor's Advisory Council for Mental Health, Alaska Association for Mental Health, the Alaska Psychological Association, and Alaska School Psychologists Association.

Objective 6: The board had recommended several changes in the licensing statutes during the past year, however, the division and the Governor would not introduce any new legislation for the board. Legislation was introduced in SB 823 to delete specialty licensing, to delete the psychotherapy labels, and to redefine approved program. The Governor vetoed this legislation.

Objective 7: Two examinations were completed during FY '82 with the use of the professional Examination Service and a State developed examination. Seven individuals passed the psychology aspect of this examination and two individuals passed the psychological associate aspect of this examination.

Objective 8: There were 14 psychologist applications reviewed during FY '82 and 4 psychological associate applications reviewed. There has been an increase in the number of applicants for the psychologist and the associate levels.

Objective 9: Because of budget restraints, the board was able to meet only three times during this last fiscal year; meetings were held in Sitka, Fairbanks, and Juneau.

Objective 10: The board has attempted to increase public related input in board activities by meeting across the State in diverse sites. Public input has been solicited through related activities described in Objective 5.

Objective 11: The board has experienced a decrease in investigatory activity as no investigator was present at board meetings until March of 1982. At that time, investigations for the past fiscal year were reviewed. Also at that time, the board passed a resolution requesting an investigator at every meeting in order to maintain a high degree of activity associated with enforcing the practice act.

FY '83 GOALS AND OBJECTIVES

Goals

It is the purpose of the board to ensure the public of quality, psychological care; to admit only qualified individuals in independent and associate psychological practice; to actively enforce a psychology practice act; to promote high standards of professional psychological practice; and to ensure the public of continuing competency of licensed psychologists and associates.

Objective 1. In order to ensure the continuing quality of psychological care to the public, it is in the public interest to support legislation to continue the board.

Objective 2. Complete public comment for the continuing competency regulations and to adopt continuing competency regulations by the end of FY '83.

Objective 3. To increase board knowledge of pertinent issues related to psychology licensing by (a) ensuring that all members receive the journal, Professional Practice of Psychology; (b) all members receive the AASBP Newsletter; and (c) send a representative to the national or regional AASBP meeting. A budget allocation of \$1,000 is required for this last objective (c).

Objective 4. To increase the public's awareness of board activities ensure the public's knowledge of the purpose of the board, and to educate the public regarding the practice of psychology. This objective will also include advertising in local and State media as well as having a public input period on each agenda.

Objective 5. Consideration of changes to be introduced to this Legislature including deletion of specialty, licensing deletion of the psychotherapy labels, and redefinition of an improved program.

Objective 6. Conduct two examinations during FY '83, with travel costs for the examination of \$300.00, per diem cost for examination of \$160.00 for a budget total of approximately \$920.00.

Objective 7. Review applications for licensure for psychology and psychological associate practice in an attempt to increase the number of practitioners at the psychologist and associate levels.

Objective 8. Meet four times during FY '82 throughout the State with the estimated travel cost per meeting of \$2,040.00 and the estimated per diem per meeting of \$960.00. This makes a total cost of \$12,000.00 during this next fiscal year for meetings.

Objective 9. Increase board activity in investigatory matters regarding the practice act of psychology.

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: House Bill No. 181 Date on Bill: 2/09/83
 Title: Continuing the existence of the Board of Psychologist and Psych Association Exam.
 Sponsor: _____
 Requestor: Commissioner's Office

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86		
Capital			-0-	-0-	-0-	-0-		
Operating			-0-	-0-	-0-	-0-		
Total			-0-	-0-	-0-	-0-		

b. Revenues:

Revenue								
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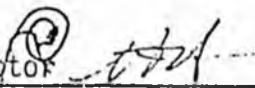
2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

No cost is foreseen to the Department of Health and Social Services as a result of this legislation.

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor. It not represent the policy of the Sheffield Administration or the final estimate of fiscal impact.

Prepared By: Thomas R. Branton, Deputy Director 
 Division: Mental Health and DD Phone: 465-3370
 Date: 2/17/83

Approved by Commissioner: _____ Date: _____
 Department: _____

5. Distribution:

- Original to Legislative Finance
- Copy to OMB
- Copy to Sponsor
- Copy to Requestor

2/8/83

POSITION PAPER

HOUSE BILL NO. 181

"An Act relating to regulation of the practice of psychology and continuing the existence of the Board of Psychologist and Psychological Associate Examiners; and providing for an effective date."

Discussion:

The Division of Mental Health and Developmental Disabilities supports the continuation of the Board of Psychologist and Psychological Associate Examiners. We believe a board composed of licensed psychologists is important to insure that persons applying for licenses have the proper qualifications and experience necessary to provide a high quality of service. Also, the board plays an important role in developing standards of service for licensed psychologists and psychological associates.

The utilization of boards such as this is common practice in the area of licensing and overseeing service delivery, especially in the area of health care. For example, the nursing profession, medical doctors, and other fields of health providers have similar boards composed of their peers.

The continuation of this board will help to insure that Alaska's growing public and private mental health system will provide a high quality of service by competent and qualified mental health professionals. The development and enforcement of standards is considered extremely important in an area such as this and should continue in order to insure the safety of the consumers of mental health care.

Recommendation:

The Department of Health and Social Services supports the passage of this bill.

Recommended by: James S. Eranton for
V. R. Eranton
Deputy Director
Division of Mental
Health and Developmental
Disabilities

Date: 2/17/83

Approved by: Robert London Smith
Robert London Smith, Ph.D.
Commissioner
Department of Health and
Social Services

Date: 2/22/83

COMMENTS ON THE NEED FOR PSYCHOLOGIST LICENSURE

I have prepared the following comments to accompany oral testimony to Committees of both the Alaska State House of Representatives and Senate, on the subject of the need for legislation continuing licensure of psychologists and psychological associates in Alaska. I have been in Alaska since 1964, except for time in the south 48 for graduate school. I have been a practicing psychologist in Alaska for the past nine years. Currently I am Chairman of the Board of Psychologist and Psychological Associate Examiners. I have been a member of the board for the past 18 months.

As a member of the licensing board I am very well acquainted with the fact that licensing must be justified in terms of providing protection to the service consuming public of Alaska. I believe you will agree the following points address that issue very directly.

1. Distinguishing a "Psychologist": A doctoral level psychologist is clearly distinguishable, though the field of counseling contains a wide variety of people offering services. This is true in terms of training, supervised practice, and experience. A licensed Psychologist will have had between four and seven years of postgraduate training, generally including a minimum of 3000 hours of supervised practice, in a training setting. Counselors trained even at the masters degree level generally average between one and two years of training and a few hundred hours of supervision in a training setting. This is major difference. Public protection demands that the distinction be recognized in a manner which will allow prospective clients to choose an adequately trained practitioner

2. Breadth of Training: Doctoral level psychologists have a very broad background of training enabling them to deal with a variety of client presented problems. Because of the years of training described above psychologists generally have time to be trained in many different therapeutic approaches, each of which enhances their ability to help people. Most practicing counselors have time only to learn one or two speciality areas, which they may do very well. The public needs to be able to identify practitioners with a broad training background.

As an example, the training of a doctoral level psychologist will often include supervised training in working with psychotic patients in mental hospitals, working in a mental health center, crisis intervention work, consultation with drug and alcohol treatment programs, schools, and other agencies. A doctoral level psychologist is a well trained generalist first, though s/he may choose to specialize later. This means s/he is equipped to handle almost anyone who may walk through the door, and to know enough to refer appropriately when necessary.

3. Training vs. Work Experience: The argument is sometimes heard that additional years of experience could qualify a less well trained person at the psychologist level. This is not so for several reasons. Training missed initially will never be made up by the addition of years of experience. Only more training is likely to make up for such a deficit, in which case the person will probably earn a doctorate.

There is also a distinct difference between supervised experience in the working world and that obtained in a training setting. Supervision in the working world is often in name only, or little more than that. It is sufficient to ensure that a person works safely. Caseload pressures often prevent sufficient face to face supervision. In addition the supervisors in the work setting may well not be trained supervisors. Supervised experience in a graduate school sponsored training program is geared to provide training rather than to producing work, and the supervisors are generally well trained and enjoy the training setting.

It is difficult to equate supervised experience in a training program vs. in a work setting. The training setting, however, is clearly worth much more.

4. Commonly accepted Definition: Licensure of psychologists at the doctoral level is appropriate because it corresponds most closely to the generally held popular view of what a psychologist is. Though there is some disagreement about the definition, people generally expect that if they go to a licensed psychologist they will find someone trained and experienced as described above. For the state to license people as psychologists at a lesser level would mislead the public. For the state not to license at all would allow proliferation of charlatans and inadequately trained people claiming the title of psychologists, an even more dangerous situation.

5. Non-Restrictive of Other Professionals: Licensing does not prevent unlicensed counselors and others from continuing to provide services to the public. It simply restricts the use of certain meaningful words, such as "psycho", "psychological counseling", "psychological testing", and others to those who can appropriately use them.

By this restriction the public is allowed to recognize those practitioners who meet a commonly accepted definition of what a psychologist is. They are then able to pick practitioners who will be minimally competent to handle a broad range of problems in a professional and safe manner.

Those who are members of a legitimate profession, or who choose to describe what they do in other terms, such as "counseling", will not be prevented from continuing by an appropriate licensing law.

6. Influx of the Poorly Qualified: Without a reasonable licensing law it seems likely that fewer rather than more competent psychologists would come to Alaska. There might well be an influx of marginally qualified people who cannot be licensed elsewhere, but this is hardly

advantageous to Alaskan consumers.

7. Loss of Third-Party-Payments: With no licensing, or meaningless low level licensing, insurance and other third party payments for psychological services would be much reduced in this state. Psychologists have fought hard for third party payments which enable consumers to afford psychotherapy services. Loss of this resource would hurt the consumer and the provider.

8. Other States: States which have sunsetted psychologist licensing have quickly reinstated it when faced with the facts described above.

9. In Support of Ethical Behavior: By generally confining licensure to a well trained and fairly easily defined group of providers there is one additional advantage to the state's consumers. A very important part of training of doctoral level psychologists involves the nature and importance of ethical behavior for the protection of the client. Not only do training programs teach ethics, they also screen for unethical behavior and support a set of standards which enforce ethical behavior. While licensing laws can further require ethical behavior it can only be advantageous to be licensing largely from a group already screened and trained to behave ethically in relation to their clients, peers and payors.

Thank you for this opportunity to comment. I would like to emphasize that I am available for further comment or conversation on this issue. I am in Juneau one day of every week, though I live in Sitka, and so would be able to discuss this matter in person, should you desire.

James W. Greenough, Ph.D.

Sectional Analysis of SB109/HB184

Sec 1. Provides for an extension of the Board of Psychologists & Associated Psychological Examiners for 4 years.

Sec 2. Clarifies the powers of the Board. Present statute is written in vague language. Board does not have powers equal with those of other health regulatory boards.

Proposed wording is taken from the Council on State Governments' publication on occupational licensing / model practice act and is consistent with language adopted by the legislature for other licensing board under Title VIII.

Sec 3. Assures that a person seeking licensure by examination or by acceptance of credentials has graduated from an accredited school with a psychology program meeting the requirements set out by the American Psychology Association's Committee on Education & Credentialing.

The applicant would not be required to be a graduate of an APA approved & accredited program but rather simply be a graduate of one which is similar in content & quality to an approved program. This wording allows the Board to accept

as eligible for licensure many more candidates

Some other professional licensing statutes in Alaska do not allow such discretion but require that applicants be graduated from a school that is approved and accredited by that profession's national association's credentialing & education committee

The Board of Psychologist & Psychological Associate Examiners have chosen this wording because there are only approximately 10 APA approved & accredited programs in psychology in the country & accepting that requirement for eligibility for licensure would seriously restrict the numbers of applicants in Alaska where there is a proven need for qualified mental health practitioners both in rural & urban areas.

Please note: colleges & universities are accredited by the government but specific professional programs (ie. medicine, dentistry, etc.) are accredited / approved by the profession's own education or credentialing committee in order that the minimum competence required to graduate is met or available to be learned by the students.

In this section the board is being allowed to measure programs against the national

association's standards for acceptance.

Sec. 4. Attempts to alleviate a conflict between professions who practice psychotherapy & to prevent ~~arrests~~ & prosecution of those in ^{those} their professions who would otherwise be accused of practicing psychology without a license, namely social workers.

Sec. 5. Exclusionary clause exempting members of other professions from the provisions of this Statute jurisdiction of this board provided that they do not appropriate the titles & practices restricted by Statute ~~to be the province of~~ to those who are psychologists or psychological assistants.

Register

PROFESSIONAL AND
VOCATIONAL

12 AAC 60.090
12 AAC 60.950

PROPOSED REGULATIONS
BOARD OF PSYCHOLOGIST AND PSYCHOLOGICAL
ASSOCIATE EXAMINERS

12 AAC 60.090(a) and (b) are repealed.

12 AAC 60 is amended by adding a new article to read:

ARTICLE 6. GENERAL PROVISIONS

Section
950. Definitions

12 AAC 60.950. DEFINITIONS. In this chapter and AS 08.86:

(1) "accreditation" means:

(A) an accredited school is one which is accredited by any regional accrediting agency recognized by the American Association of Collegiate Registrars and Admissions Offices.

(B) an accredited doctoral program is one which has been approved by the American Psychological Association or which is clearly equivalent to the standard used by the American Psychological Association. The burden of establishing equivalent standards rests with the applicant.

(2) "reasonable cause or excusable neglect" means:

(A) chronic illness;

(B) retirement;

(C) military service; and

(D) hardships as individually determined by the board.

(3) "technical meeting" means a professional meeting incorporating formal written or oral presentations of psychology related research, theory or applied topics.

(4) "appropriate supervision" as used in AS 08.86.180(b)(1) means supervision by a licensed psychologist consistent with accepted professional practices in psychology and with the supervising licensed being responsible for insuring the extent, kind, and quality of the psychological services performed are consistent with the training and experience of the supervised person.

(5) "professional incompetence" as used in AS 08.86.204(7)(A) means lacking sufficient knowledge,

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PROFESSIONAL AND
VOCATIONAL

12 AAC 60.950

skills, or professional judgement in that field of practice in which the psychologist or psychological associate concerned engages, to a degree likely to endanger the mental health or well-being of his or her patients. (Eff. / / , Reg.)

Authority: AS 08.86.080

12 AAC 60 is amended by adding a new section to read:

12 AAC 60.185. ETHICS AND STANDARDS. (a) The ethics to be adhered to by licensed psychologists and licensed psychological associates shall be the "Ethical Principles of Psychologists," (1981 revision), of the American Psychological Association.

(b) The standards to be adhered to by licensed psychologists and licensed psychological associates rendering psychological services in the state shall be the "Standards for Providers of Psychological Services," (January 1977 edition), of the American Psychological Association. (Eff. / / , Reg.)

Authority: AS 08.86.080

12 AAC 60 is amended by adding a new article to read:

ARTICLE 6. CONTINUING EDUCATION

Section

- 250. Statement of purpose of continuing education
- 260. Hours of continuing education required
- 270. Computation of continuing education
- 280. Computation of academic continuing education hours
- 290. Accepted subjects
- 300. Approved nonacademic continuing education programs
- 310. Individual study
- 320. Instructor or discussion leader
- 330. Publications and presentations
- 340. Reinstatement
- 350. Report of continuing education

12 AAC 60.250. STATEMENT OF PURPOSE OF CONTINUING EDUCATION. The purpose of continuing psychology education is to insure that the renewal of licenses is contingent upon proof of continued competency and assure the consumer of an optimum quality of psychological health care by requiring licensed psychologists and psychological associates to pursue education designed to enhance and advance their professional skills and knowledge. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.260. HOURS OF CONTINUING EDUCATION REQUIRED. (a) An applicant for renewal of a license as a psychologist, or a psychological associate, originally issued before July 1, 1981, shall obtain 40 credit hours of documented continuing education before the June 30, 1985 application for renewal.

(b) Each psychologist or psychological associate seeking renewal of his or her license on or after July 1, 1985, must obtain an average of 20 credit hours per year of

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PROFESSIONAL AND
VOCATIONAL REGULATIONS

12 AAC 60.270
12 AAC 60.300

documented continuing education during the previous licensing period. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.270. COMPUTATION OF CONTINUING EDUCATION HOURS. (a) For the purposes of 12 AAC 60.250--12 AAC 60.310, 50 minutes of instruction constitutes one hour.

(b) Credit is given only for full hours of instruction received and not for a fraction of an hour.

(c) Credit is given only for class attendance hours and not for hours devoted to class preparation. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.280. COMPUTATION OF ACADEMIC CONTINUING EDUCATION HOURS. (a) One quarter hour academic credit from a college or university constitutes 10 hours of continuing education.

(b) One semester hour academic credit from a college or university constitutes 15 hours of continuing education. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.290. ACCEPTED SUBJECTS. (a) In order to be accepted by the board, the subject of a continuing education program must contribute directly to the professional competency of a person licensed to practice as a psychologist or a psychological associate and be directly related to the concepts of psychological principles, ethics or practices as defined in AS 08.86.230(2). (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.300. ACCEPTED NONACADEMIC CONTINUING EDUCATION PROGRAMS. (a) The following programs are accepted by the board if they meet the requirements of 12 AAC 60.290:

(1) professional development programs of the American Psychological Association and its state societies including workshops, seminars, symposia, or a presentation of a technical paper;

(2) college or university short courses not carrying academic credit; and

(3) other professional continuing education programs if information is supplied to the board as follows:

(A) name and address of person or organization sponsoring the course;

(B) instructor's name;

(C) title of course; and

(D) the number of full fifty minute hours of actual instruction; and

(E) the location and dates the course was ~~be~~ conducted. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.310. INDIVIDUAL STUDY. (a) The number of hours of continuing education credit awarded for completion of a formal correspondence program, videotape program, audio-cassette program, or other individual study program which requires registration and provides evidence of satisfactory completion will be determined by the board on an individual basis.

(b) Continuing education credit awarded under this section may not exceed one half of the total continuing education hours required in any licensing renewal period. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.320. INSTRUCTOR OR DISCUSSION LEADER. (a) One hour of continuing education credit is awarded for each hour completed as an instructor or discussion leader of educational programs meeting the requirements of 12 AAC 60.250-.310. Credit is awarded only for the initial course of instruction of the subject matter unless there have been substantially new developments in the subject since the prior presentation.

(b) Credit awarded under (a) of this section may not exceed one-third of the hours in any licensing period. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.330. PUBLICATIONS AND PRESENTATIONS. (a) Twenty (20) credit hours of continuing education will be awarded for each

(1) authorship of a publication in a professional psychology journal, providing the publication relates directly to the concepts of psychological principles, ethics or practices, and is published or accepted for publication during the four year reporting period immediately preceding the license renewal; and

(2) written or oral presentation at a meeting of the American Psychological Association, a technical meeting of a State psychology society, or meeting of a professional psychology-oriented organization, providing the presentation relates directly to the concepts of psychological principles, ethics or practices, and the presentation occurred during the four-year reporting period immediately preceding the license renewal; or

(3) authorship of a professional psychology book or monograph published or accepted for publication during the four year reporting period immediately preceding the license renewal. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.340. REINSTATEMENT. (a) The license of any licensee which is not renewed by reason of failure to comply with the continuing education requirements of 12 AAC 60.250-.380, will be reinstated or restored to full status by submission to the board of proof of the completion of all continuing education credit hours required.

(b) A licensee unable to obtain the required continuing education hours for renewal of his or her license, due to reasonable cause or excusable neglect, must request exemption status in writing to the board accompanied by a statement explaining reasonable cause or excusable neglect. The board will prescribe an alternative method of compliance to the continuing education requirements as deemed appropriate to the individual situation. (Eff. / / , Reg.)

Authority: AS 08.86.070(a)(6)

12 AAC 60.350. REPORT OF CONTINUING EDUCATION. (a) An applicant for renewal of a license to practice psychology shall submit, on a form provided by the department, a sworn statement of the continuing education in which he or she participated or pursued. The statement must indicate:

- (1) the sponsoring organization;
- (2) the location of the course or correspondent;
- (3) the title or description of course or both;
- (4) the principal instructor;
- (5) the dates of attendance or period of correspondence;
- (6) the titles, issues and dates of publications or presentations; and

(7) the number of continuing education hours claimed.

(b) Falsification of any written evidence submitted to the board pursuant to this section shall be deemed to be unprofessional conduct and constitute grounds for licensure reprimand, revocation or suspension. (Eff / / , Reg.)

Authority: AS 08.86.070(a)(6)

*Sec. 6. AS 08.86.230(12) is amended to read:

(12) "approved program" means a program which meets the requirements established by the American Psychological Association Education and Credentialing Committee in Psychology for an approved program [.] , or its equivalent as determined by the Board.

*Sec. 7. This Act takes effect immediately in accordance with AS 01.10.070(c).

HB

182

LAW OFFICES OF
REESE, RICE AND VOLLAND
A PROFESSIONAL CORPORATION

JOHN REESE
WILSON A. RICE
PHILIP R. VOLLAND
VIRGINIA BOYD LEMBO

211 H STREET
ANCHORAGE, ALASKA 99501
(907) 276-5231

May 6, 1983

via Express Mail

Ms. Judy G. Knight
Special Assistant to the Commissioner
Department of Labor
State of Alaska
P.O. Box 1149
Juneau, Alaska 99811

Re: CSHB 182

Dear Ms. Knight:

As you know, I currently represent Alaska Alcoholism Rehabilitation Services, the non-profit corporation which owns and operates a long-term residential alcoholism treatment center in Wasilla, Alaska known as Nugen's Ranch. I testified in favor of CSHB 182 before the House Committee on Health, Education and Social Services because Nugen's Ranch, as one of the treatment programs in the state which hopes to implement a work therapy program, will benefit from the legislation. With this letter I hope to clear up a few misconceptions that may have developed as a result of certain comments I made during my testimony.

The residents at Nugen's Ranch are most likely to be individuals who have a life-long history of alcoholism. A good number of these individuals will be skid-row alcoholics and public inebriates who have spent many years on the street drifting from one detoxification facility to another. They have few life management skills and, practically speaking, are unemployable. Their treatment will require institutionalization for as long as two years.

The Ranch hopes to engage these individuals in "work therapy" as part of their treatment. Work therapy is activity of a constructive nature which may be supervised or unsupervised, and which will require the resident to assume certain responsibilities. The work will involve housekeeping chores, agricultural work, and unskilled labor associated with minor renovation and maintenance at the facility.

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May 6, 1983
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You indicated a concern on the part of the Department based on the fact that during my testimony before the HESS Committee I referred to residents at the facility performing certain maintenance tasks that might involve electrical or mechanical skills. My comments were only for the purpose of explaining to committee members that residents would regularly perform work that was non-agricultural in nature. I certainly did not intend to give the impression that Nugen's Ranch planned to displace existing employee positions through work therapy, or that the Ranch planned to have residents engage in work such as might be done by an electrician or mechanic and which would require specialized skills and training. I am sure you realize that it would be foolish for the corporation to do so, and I would never recommend such a course of action. The potential liability of the corporation as a result of any negligent work performed by a resident working beyond his skill level is itself a sufficient deterrent that the Ranch would never consider engaging residents in such activity.

To be more specific, the following tasks are those likely to be performed by residents involved in work therapy. I have listed the activities without regard to whether 29 CFR 529 requires the payment of wages for the activity.

1. Personal housekeeping chores (making beds, cleaning rooms);
2. General housekeeping chores (sweeping floors, trash removal, etc.);
3. Kitchen detail (setting and clearing tables, etc.);
4. Feeding livestock (poultry and swine);
5. Cleaning animal pens and sheds;
6. Planting and cultivating vegetable crops;
7. Planting and tending to bedding plants grown in the greenhouse;
8. Assisting in the slaughtering of livestock and the harvesting of crops;
9. Minor maintenance (e.g., painting);
10. Care of the grounds;
11. Snow removal during winter;
12. General labor, such as erecting fences, tearing down sheds, hauling trash, stacking lumber, cutting firewood, etc.

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In some cases I anticipate that residents will watch qualified personnel perform regular maintenance tasks which require specific training and skills. In all cases, the "work" performed by the resident would not involve activity requiring a special skill, but nonetheless will allow the resident patient to learn some basic aspects of the skill.

For example, the Ranch might have the need to build a small tool shed adjacent to one of the existing buildings. This is work for which the Ranch would use the services of one of its regular maintenance personnel, or contract with someone to do the construction. This work, however, also would present an excellent opportunity to prepare a work therapy program which involves training in some carpentry skills. Residents could be asked to stack and haul lumber while observing how framing is done and receiving instruction in the proper use of power tools. Similarly, the residents could watch how electrical conduit is laid, learn how to lay shingle on a roof, learn how windows and doors are hung, and how steps and railings are made, etc. Throughout all of this "work therapy" the residents may do nothing more than stack lumber and paint the building. Nonetheless, the experience will have taught them some basic lessons of carpentry and electrical work.

I want to make it clear that the work therapy program designed for the Ranch will not displace any employment positions that are filled from the private sector and which are paid at a rate considerably higher than the prevailing minimum wage. If you examine the grant-in-aid documents for Nugen's Ranch available at the State Office of Alcoholism and Drug Abuse, you will see that the Ranch has, and intends to keep, fully paid and qualified maintenance, kitchen, and night attendant positions. Work therapy is designed for the benefit of the patient; it is not a concept which will result in the displacement of regular employees at the Ranch.

I do not believe it is unreasonable for the Ranch to expect that the quality of "work" they will receive from an individual during the initial stages of treatment is work for which something less than the minimum wage is still fair compensation. I am sure you can appreciate that someone who has been unable to work in five or six years because of

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daily intoxication has a productive capacity that is, at best, minimal, even with constant supervision. Although I understand that the Department is concerned because even the most basic entry level positions in the private sector pay at least the minimum wage, I hope that the Department appreciates the fact that residents who will be referred to Nugen's Ranch are individuals who are presently not even counted among the labor force because of their inability to work.

It is the intention of the Ranch to base the wage scale on the disability of the patient worker, as is required by federal regulation. It seems clear to me that the federal regulations concerning patient workers at 29 CFR part 529 contemplate wage scales between 50 percent of the minimum wage and the full minimum wage, or higher, depending on the disabilities of the various clients. I have anticipated that in the process of applying for a certificate under 29 CFR 529 the Ranch would seek approval for a number of classes of wage scales between the minimum permitted under the regulations (50 percent of the minimum wage) and the minimum wage itself. This would enable the Ranch to automatically move a patient worker into a higher paying classification as his treatment progressed. It also seems to me that it is entirely possible in the future for the Ranch to budget itself for certain positions (such as dishwasher or kitchen helper) which would be paid at a prevailing wage rate and which would be filled by patient workers who are no longer under a disability.

The Ranch is not intending, nor does it expect, to pay patient workers less than is required under federal regulations or law. Both the federal regulations and the leading federal court cases in the field make it clear that if a patient worker is not suffering from any disability, he must be paid a wage comparable to the wage paid in the private sector for the equivalent work. I have advised my clients of this fact and they recognize that for any non-disabled patient worker they may be required to pay the patient a wage comparable to that in the private sector. At this time, however, the Ranch does not anticipate treating patients who are not already suffering from a considerable disability.

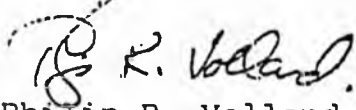
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I hope this letter answers some of your concerns. I hope to be able to work with you and other representatives of the Department in order to ensure that you clearly understand what the Ranch intends to do through the work therapy program, and what is hoped to be accomplished by CSHB 182.

Please call me if you have any questions.

Sincerely,

REESE, RICE AND VOLLAND, P.C.


Philip R. Volland

HB

197

Alaska State Legislature



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Senate

Committee on Resources

May 11, 1983

Memo

To: Senate Resources Committee Members

From: Senate Resources Committee Staff

Subject: Hearing on SB 79, "Right to Know" legislation concerning hazardous and toxic substances in the workplace, May 11, 3:00pm, Beltz Room

Following hearings on the bill in Juneau and Fairbanks the Chairman asked staff to meet with concerned interest groups to try to work out problems which were widely acknowledged in the bill as originally drafted. Among these problems identified included:

- coverage of as many as 40,000 substances to be dealt with by employers.
- inclusion of "household" type substances salt, sand, bug spray and others.
- coverage of transportation industry where many break-in-transit handlings but no substance use were involved.
- Requirement of labeling of substance containers, piping systems.
- Reporting requirements to the State Department of Labor potentially involving extensive paperwork for employers and the state.
- Possible duplication and conflicts with federal OSHA regulations to be promulgated in the near future.

However, most agreed that the basic intent of the legislation to communicate the identity, health hazards and proper handling methods for hazardous and toxic substances to employees by employers was desirable.

Beginning in April a staff redraft of the bill was circulated to an ad hoc group of concerned individuals and interest groups. Following comments on this draft a meeting was held in Juneau May 2 and 3 with representatives from the following groups to try to arrive at consensus legislation:

Committee staff, Sen. Josephson's office, Alaska Environmental Lobby, Alaska Employer's Committee, Alaska General Contractors, Sohio, Arco, Alaska Health Project, Alaska District Council of Laborers, Alaska Department of Labor, Alaska Trucking Association.

The group proceeded under the following assumptions and objectives:

- that it was desirable to pursue legislation this session.
- that federal OSHA regulations would probably be published around July 1 of this year.
- that while federal OSHA regulations would cover several aspects of this legislation most employers in Alaska would not be covered.
- that it was desirable and possible to cover most Alaskan employers in a manner which would not duplicate or conflict with federal OSHA regulations.
- that any legislation pursued this session should represent a basic, simplified employer-to-employee communication system involving a minimum of paperwork or expense.

Provisions of the CS

The group agreed to a draft CS containing the following general provisions:

- The CS tracks the proposed OSHA regulations for the substances covered. Two basic lists of chemicals for which study and exposure limits have been set would be covered plus additional substances which would be covered by OSHA regulation following performance-based testing. The combined lists (large overlap) would cover approximately 600-700 chemical substances to be considered "hazardous" or "toxic" under the bill.
- Employers would be required to post a notice of hazardous and toxic substances in their workplaces with information on health hazards, handling procedures, and other information. Employers would also be required to provide safety training on these substances to new employees and reassignment of employees for substances they would be exposed to.
- The information required to be supplied by employers would be in the same form as required under OSHA regulation. This information would not have to be produced by employers but would come from manufacturers as required by the OSHA regs, would be required on all substances imported into Alaska (to cover middleman wholesalers not covered by federal regs), and would be on file with the state Department of Labor. In fact, information on most, if not all, the substances covered by the bill is currently available.
- No labeling or reporting requirements are included in the CS. Labeling will be required of all manufacturers under OSHA regulations and the reporting requirements were determined not to be critical to the basic communication to employees of substance information.
- Substances while in transit are exempt from the provisions of the bill. Current federal transportation of hazardous substances regulations were determined to be sufficient.
- Household items such as food, drugs, goods used for personal use are exempted as are substances in small quantities not representing a health hazard. Thus, no substances like salt or bug spray off the shelf are included. However, some items like sand (silicates) are on the list when used in concentrations (like sandblasting) which have been shown to represent real health hazards, but not for most common situations.
- Although the technical assistance activities and pre-implementation tasks of the Department of Labor would take effect immediately, employers would not be required to comply before July 1, 1984, to ensure that information is available

DRAFT LETTER OF INTENT, SB 79

The purpose of this legislation is to inform employees of the identity of and the health hazards and proper handling procedures for hazardous and toxic substances in their workplace through a communication and safety education program adopted by employers. While this legislation is designed to cover most employers in the state utilizing substances defined in the bill, it is not the intent to require employers to be responsible for the generation or creation of the information required to be posted or communicated to employees. Rather, the bill is designed under the assumption that federal regulations will be promulgated in the near future by the Occupational Safety and Health Administration (OSHA) which will require manufacturers to develop and distribute information for all the substances covered by the bill. The provision requiring that such information accompany substances imported into the state and the provision requiring the State Department of Labor to keep information on file for all substances covered by the bill are designed to aid employers in readily obtaining the required information.

It is the intent of the Committee that the Department of Labor play an active role in informing employers of the requirements of this bill and aiding them in meeting the requirements. Among the tasks required of and intended that the Department undertake are: the development of a poster outlining the provisions and employee rights under the bill and the printing of sufficient copies for all applicable employers; the compilation of all relevant information on the various substances covered by the bill and formulation of an information retrieval system capable of answering telephone inquiries by employers and employees on various substances and products; the compilation and printing of a list of the various substances identified in the bill as hazardous and toxic for use by employers; the provision of assistance to employers upon request in developing safety education programs; and the surveying of various employers or industries to identify the types of substances used and problems being encountered. In this last task it is intended that such surveys be made in cooperation with business and industry groups or associations.

It is the intent of the Committee that the Department complete the specific tasks identified in section 1 of the bill at least several months in advance of the July 1, 1984 effective date for section 2 of the bill requiring posting and training by employers.

The bill authorizes the Department to identify substances to be covered by the bill. It is the intent of the Committee that this authority be used only on a case-by-case basis pursuant to the Administrative Procedure Act to cover a very few substances which might be of specific concern in the state but for some reason, such as bureaucratic delay, have not yet been identified on the federal level pursuant to OSHA regulation. It is not the intent of the Committee to direct the Department to engage in a major identification, testing or research program which would result in large numbers of additional substances or additional lists of substances beyond those identified in the bill.

HB-14

INACTION ALLOWS PERMIT TO BE PROVIDED
INFORMAL APPEAL - NO EVIDENCE; HEAD
OF AGENCY!

(DISMISAL)

APPEAL PERIOD QUESTION

GEORGE

Sec. 18.60.072. REPORTS TO BE FILED WITH DEPARTMENT. (a) A manufacturer or wholesaler who is subject to the requirements of AS 18.60.051 and 18.60.052, respectively, shall file with the department a report that includes

(1) the information required to be provided to purchasers under AS 18.60.051 or 18.60.052 for each hazardous or toxic substance specified by the department under (d) of this section;

(2) the quantities of hazardous or toxic substances being handled stored, used or produced; and

(3) other information considered appropriate by the department.

(b) An employer who is subject to the requirements of AS 18.60.071 shall file with the department a report that includes

(1) the chemical names and the CAS numbers of hazardous or toxic substances used in the workplace; and

(2) the safety procedures and equipment actually used in the workplace; and

(3) the information required under (a)(2) and (3) of this section.

(c) A manufacturer, wholesaler, or employer shall promptly report to the department any substantive changes in the information to be provided under (a) or (b) of this section.

(d) The department shall adopt regulations specifying the hazardous or toxic substances to be reported under this section.

Clarifying amendments for consideration.

*Section 1

(12) adopt regulations listing "hasardous substance" (AS 18.60.105(11) and "toxic substance" (AS 18.60.105(12) and excluding from that list

*Sec. 3 page 4 - 18.60.072 (c)

(c) The department shall adopt regulations specifying the specific hazardous or toxic substances to be reported on a substance by substance basis under this section.

*Sec. 3 page 6 - 18.60.105

(11) "hazardous substance" means a chemical that is

(A) listed in the United States Department of Transportation Hazardous Materials Table, 49 C.F.R. 172.101;
or

(B) any of the following: ...

(vi) an oxidizer; and

(C) is specifically listed in regualtion adopted by the department under AS 18.60.030(12);

(12) "toxic substance" means a chemical which, upon exposure, may result in the occurance of acute or chronic health effects in employees and is listed in regulation adopted by the department under AS 18.60.030(12);

4/12/83

POSITION PAPER/TESTIMONY/ALASKA EMPLOYERS' COMMITTEE

Bill No.: House Bill 197

Title: "An Act relating to hazardous and toxic substances and providing for an effective date."

Contact: Bill Schneider
276-5354

T. J. Thrasher
276-1149

My name is Bill Schneider and with me today is T. J. Thrasher. We presently serve as Co-Chairmen of the Alaska Employers' Committee (AEC). The Alaska Employers' Committee represents over 5,000 employers, including:

Associated General Contractors, Alaska Trucking Association, Alaska Retail Association, Alaska Seafood Processors, Alaska Loggers Association, Alaska Miners Association, Alaska Support Industry Alliance, Anchorage Laundry and Dry Cleaners Association, Resource Development Council, SQHIO and many individual Alaskan employers.

AEC has directed Ms. Thrasher and myself to be here today and present our Committee views on HB 197. We fully support the goal of this bill, that is, a safe and healthful Alaska workplace.

Unfortunately, this Bill creates many costly hurdles and pitfalls on the path towards worker safety.

More importantly, however, there is a key ingredient missing from this Bill -- common sense.

As someone who has spent over 12 years in the safety profession, I can tell you that the most important tool available in the prevention of accidents, on or off the job, is common sense. Allow me to briefly illustrate the absence of common sense from HB 197.

Most of the goods utilized in Alaska are shipped up from manufacturers in the Lower 48. Several thousand tons of different materials arrive annually by ship, plane and truck.

Under HB 197, over 40,000 of these substances will potentially be classified as toxic or hazardous.

Detailed scientific information must be provided on each of these substances: CAS numbers, chemical names, potential risks, etc.

Our Committee agrees that this information should be provided by the manufacturers as they are the experts on the substances they produce.

But, as we stated before, the manufacturers of almost all of the goods utilized in this state are not here but, rather they are located outside of Alaska and are consequently are not covered by this Bill.

There is an alternative course to follow on this path towards workplace safety. It makes sense and I encourage the Committee to give it serious consideration.

The Federal hazard communication regulations covering toxic and hazardous substances will go into effect this summer, according to Thorne Auchter, Undersecretary of Labor for OSHA.

These regulations will apply to all states and will require manufacturers to provide toxic information on their products.

According to the March 24, 1983 Bureau of National Affairs, Regulatory and Legal Developments, Newsletter the final draft of the federal regulations not only cover the manufacturers but, also the distributors of chemicals.

"All aspects of the supply chain" must be covered to make the rule effective, the agency (OSHA) said in defense of the new scope, which would apply the same duties to importers as it would to chemical manufacturers, and would require distributors to ship labeled containers and "provide downstream purchasers with access to an appropriate material safety data sheet."

Under HB 197, the Alaska employers would shoulder the burden of providing this information. And in most instances, the employer, lacking the expertise and

staff, would have to go back to the manufacturer to acquire this information. In other words, a costly, duplicative route could easily be avoided by adopting the federal regulations into our State codes.

With this in mind the Alaska Employer's Committee urges you to closely scrutinize the proposed federal regulations and if you believe that adjustments are necessary they can be dealt with after the federal regulations have been adopted. The Alaska Employer's Committee stands ready to assist the Committee in any manner appropriate.

Thank you for your time and I am available for any questions that the Committee might have.

ENVIRONMENTAL LOBYIST

We strongly support HB 197, an act relating to hazardous and toxic substances in the workplace. Passage of HB 197 is an important first step in managing hazardous materials and protecting workers in Alaska. We urge House C, Commerce to take action on this important subject.

I have some specific comments pertaining to yesterday's testimony as well as some general comments on the Bill.

1. Amendments for consideration: Sec 3 page 4 18.60.072(c). I see a problem with this amendment because the situation could arise where we would have a RTK Bill regulating no substances at all. There must be some assurance that the adoption of the NIOSH, DOT, and ICRA lists of hazardous materials be performed without having to go through all the chemicals on those lists. We would, of course exclude those substances excluded under section 1 of HB 197. In addition, there should be some time limit put on the department to adopt the regulations.

2. With regard to Mr. Ames' comments on industry already providing enough health and safety information to workers. I congratulate the pulp industry for their work to protect their employees. Many other industries are also making great strides in this area primarily motivated by profit or humanitarian reasons. Many industries have argued that providing health and safety information to workers has saved them money in workmans compensation costs, and reduced the number absentee workers. This reduces the amount of on the job retraining and rehiring, again saving time and money. What Mr. Ames failed to say was that HB 197 is designed for industries who do not provide workers with information about the toxic materials in the workplace. Industries providing this information already would not be burdened by this legislation. There are 84 printshops and 2 newspapers in Anchorage which all require chemistry to function. The solvents and fixatives used by the workers are not-labeled-properly only labeled with the statement Do Not Dispose of In Municipal Sewer Systems. If the manufacturer says the materials present problems to sewer systems what do they do to workers?

3. With regard to Mr. Schneiders comments: I think that the Alaska employees Ass. needs a work session to discuss this Bill.

His argument that the fact that manufacturers are outside of the state of Alaska would have some bearing on HB-197-is-irrelevant. on the employers ability to obtain MSDS information is irrelevant. The only relevance to his comment is that yes indeed the manufacturers have MSDS.

He further argued that the employer would have to provide MSDS sheet information and implied that the employer would have to perform the research and analysis on the materials they use.

No where in HB 197 does it require employers to analyze the chemicals they use. As Mr. Schneider stated manufacturers already compile this information. All the legislation requires is that the employer provide the information that is., obtain MSDS. This procedure is relatively easy to do, by simply writing or calling the manufacturer. General Electric will gladly send all their MSDS forms to anyone who requests such information. The NY Dept of Health will also do this at no cost. Our Poison Control Centers located through out the State of Alaska already have much of this information compiled and ready to send out to anyone who requests the information.

4. Both Mr. Schneider and Mr. Ames testified that HB 197 would require too much paper work. The only paper work as I see it is writing a simple form letter requesting MSDS, ~~xeroxing~~ xeroxing it a few times, and sending it to those parties who have MSDS. Once the employer obtains the information, the only other requirement would be to zerox the MSDS sheets again, and post them in a conspicuous area in the workplace. One MSDS sheet with all the information about the chemicals is probably a whole lot more cost effective than the many pamphlets Mr, Ames hands out to pulp workers, and it might even reduce the amount of paper he finds in the parking lots.

5. Regarding the New OSHA regulations: I too agree that these regulations should be looked at very carefully. I have a chance to review much of the new legislation, and still these regulations are targeted at the manufacturing workplaces disregarding the millions of workers employed in agriculture, construction, transportation, and other service and non-manufacturing occupations. Read QUOTE:

And still the New OSHA standards are weak in the area of MSDS, the language allows for voluntary compliance on the part of both the manufacturer and the worker employer to obtain these safety sheets. *read quote*

Furthermore, decision-makers in Alaska have been stressing the need for reducing federal control over Alaskan activities. Why do we We can have our own RTK law which is better than OSHA and more easily managed. It seems strange that industry is now supporting the Federal RTK legislation when they lobbied heavily against it in the past. As many of us know there was once a Federal RTK law under Ula Bingham and the Carter Administration. Yet this law was one of the first to go under the new Administration. How can we be assured that the FED RTK law will be put into effect? And how can we be certain that future administrations retain it?

6. The HB 197 ^{will} should have some requirements for labeling of substances in the workplace. A color code could be used, or maybe just the most widely used chemicals should be labeled to protect workers

For the past two years, I have been involved professionally with the issue of hazardous and toxic substances. I am presently a member of the State of Alaska Hazardous Waste Advisory Work Group and am Chairman of the Sub-committee on Hazardous Waste to the Environmental Health Advisory Committee of the Anchorage Municipal Health Commission. It has become painfully clear to me that Alaskan work areas are without the proper safety equipment and information to protect workers from exposures to hazardous and toxic substances.

The use of hazardous materials is central to our daily lives if not our existence. Not a day goes by when one does not use a hazardous material or come into contact with items that have been manufactured with one or more of these dangerous substances. Use of hazardous materials can cause severe injury through misuse, lack of proper safety training, and inadequate personal protective equipment. Each year approximately 3000 new chemicals are introduced into the workplace, many of which are used in Alaska.

In examining the current situation of the handling of hazardous and toxic materials in Alaska, several questions emerge. For example, chemicals such as chromic acid, sulphuric acid, and hydrogen peroxide are used in Alaska. Their liquids and vapors are corrosive to human tissue. What personal protective equipment and safety measures should be taken when using these substances?

Toxic materials, such as 2,4-D, amitrole, bromacil, and picloram are herbicides used by the Alaska Railroad, Matanuska and Chugach Electric, the Military, and even homeowners. The misuse of these substances can cause physiological and biological damage. What is the safe exposure level for workers applying these and other dangerous materials?

Acetone, trichloroethylene, perchloroethane and other solvents and degreasers are utilized by industrial and service facilities such as print shops, dry cleaners, and paint manufacturers that are a necessity to all communities. These substances are highly flammable. What method of fire suppression should be used if one or more of these substances ignites in the workplace?

Answers to these questions would be provided by ^{HB 197}~~SB 79~~ and should be made available to all Alaskan workers. ~~This information should be posted in the workplace, and made known to prospective employees before they are hired.~~ ~~Who not~~

~~and other service occupations.~~

As Alaska grows and develops its Coal, NG, Asbestos, Timber, Gold, Zinc, Oil Shale, and other resources, I can only wonder how many more hazardous materials will be brought into the state. Perhaps, if the economy is advantageous, we will develop of large scale petrochemical industry and manufacture our own chemicals. I do not have to repeat the well-documented hazards associated with such an industry.

In Alaska, we have the unique challenge and opportunity to avoid the mistakes with which other communities have encountered themselves in the area of hazardous and toxic materials. While most of the nine states which have just recently adopted their own right-to-know laws have done so out of a reaction to increased cancers and deaths in the workplace, Alaska, relatively speaking, does not have these problems yet, and has the chance to grow and prosper and still provide safe work environments.

The challenge, as I see it, is whether we all can admit that ignorance is no longer an adequate excuse for unhealthy workplaces. We all know of the hazards associated with working with hazardous materials. In knowledge lies the power to make the right decisions. In short, we can no longer drive automobiles, paint houses, manufacture clothing, build roads and dams, and grow crops with out using dangerous substances. So long as we continue to use hazardous materials, we must all vigorously insist that workplaces are safe and that the health of the worker is protected.

Mr. Chairman / We urge House Labor & Commerce to take action on this important subject.

STATE OF ALASKA
FISCAL NOTE

Revision Date April 1, 1983

I. REQUEST

Bill/Resolution No.: House Bill 197
Title: "Hazardous & Toxic Substances"
Sponsor: Labor and Commerce Committee
Requestor: Labor and Commerce Committee

II. FISCAL DETAIL

Agency Affected: Labor
Program Category Affected: Worker Protection
BRU, Program of Subprogram(s) Affected:
Labor Standards and Safety

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES		75.0	79.5	84.3	89.4	94.8
200 TRAVEL		12.5	5.3	5.6	5.9	6.3
300 CONTRACTUAL		29.3	31.1	33.0	35.0	37.1
400 COMMODITIES		1.5	1.1	1.2	1.3	1.4
500 EQUIPMENT		12.7				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING		131.0	117.0	124.1	131.6	139.6
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		131.0	117.0	124.1	131.6	139.6
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME		2	2	2	2	2
PART-TIME						
TEMPORARY						

III. SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL:

Not available.

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: ^{PJC} Robert J. Bacolas, Sr. *R. J. Bacolas*
Division: Labor Standards and Safety

Phone: 465-4870
Date: April 4, 1983

Approved by Commissioner: Jim Robison *Jim Robison*
Department: Labor

Date: April 4, 1983

LEG:A:21

Distribution:

Original to Legislative Finance
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Copy to Sponsor

FISCAL NOTE

THE LEGISLATURE OF THE STATE OF ALASKA

FOURTEENTH LEGISLATURE

TITLE: "An Act relating to hazardous and toxic substances."

AGENCY AFFECTED: Department of Labor

Page 2

Under this bill the Department of Labor will be responsible for collecting and disseminating information regarding hazardous chemicals and/or substances at work or storage sites in Alaska.

An Industrial Hygienist position in Anchorage will be required to review and respond to requests about the effects of hazardous chemicals or substances, recommend remedial action if required, and communicate this information to the requestor. In addition, one clerical position will be required to provide support for the hygienist.

In addition to the Personal Services costs associated with the Industrial Hygienist and the clerical position, there will be a need to increase the Department's current contract for laboratory services (\$5,000), as well as its management services and rent allocation (\$7,479 and \$6,800 respectively). All other costs in Contractual Services are normal operating costs. Additionally, the Industrial Hygienist position will require various scientific measuring and sampling equipment (\$7,600), as well as basic office equipment. The Travel budget for FY 1984 includes \$7,500 for recruiting and relocation expenses for the hygienist position and \$5,000 needed for extensive in-state travel to visit Alaskan work sites.

Assumptions:

- 1) The Department will collect and disseminate information regarding hazardous chemicals and/or substances to the general public, and as a result will also be making increased work-site inspections.
- 2) Inflation rate of 6 percent per annum.
- 3) The equipment costs of \$12,700 and \$7,500 for travel and moving expenses are one-time items.
- 4) Effective date of July 1, 1983.

1.	POSITION TITLE Industrial Hygienist I			RANGE/STEP 19A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPRDV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER HB 197	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.	

3.	CONTINUATION LEVEL	ADDITION	XX
4.	TYPE OF EXPENDITURE:		AMOUNT
	1	2	3
	PERSONAL SERVICES		
5.	Salary	38,135	
6.	Benefits	6,053	
7.	Supplemental Benefits	2,338	
8.	Fixed Benefits	2,880	
9.	TOTAL PERSONAL SERVICES	01	49,406
10.	Travel	02	12,500
11.	Contractual	03	18,423
12.	Commodities	04	500
13.	Equipment	05	10,200
14.	Other		
15.	TOTAL COST		91,029

JUSTIFICATION

The hygienist will ascertain the effects a chemical/substance will produce, recommend remedial action if required and communicate this information to requestor in understandable terminology. As the populace becomes better informed, there will undoubtedly be more requests for this agency to visit work/storage sites to monitor them for potentially hazardous conditions.

Personal services calculations are based on the salary schedule that is currently awaiting approval for FY '84.

Travel funds include \$7,500 in relocation and recruiting expense and \$5,000 for in-state travel because this position is located in Anchorage and significant routine travel expense is anticipated.

Contractual services costs consist of telephone charges, equipment rent, management services support, space rent, and increased laboratory service charges.

The equipment costs are comprised of various scientific equipment (\$7,700), office equipment (\$1,500), and protective equipment (\$1,000).

	RFCEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.	100	General Funds 1004	91,029
19.		I-A Receipts 1005	
20.		Program Receipts 1028	
21.		Other	

FOR B&M USE ONLY
4A KEY NUMBER _____

13 REQUEST FOR NEW POSITION

AGENCY Labor
PROGRAM Workers' Protection
BRU Labor Standards and Safety
COMPONENT Occupational Safety and Health Administration

FY 84

Page 1 of 2
Revised Date _____

1.	POSITION TITLE Clerk Typist III			RANGE/STEP 8A	BARG. UNIT GGU	FORM 12 PAGE/LINE	GOV.	APPROV.	DISAPP.
2.	TYPE OF POSITION PFT	STAFF MONTHS 12	RP NUMBER SB 79	PCN NUMBER	BRU PRIORITY	LOCATION Anchorage	ELECTION DISTRICT	LEG.	

3.	CONTINUATION LEVEL	ADDITION	XXI	JUSTIFICATION
4.	TYPE OF EXPENDITURE		AMOUNT	
	1	2	3	
	PERSONAL SERVICES			
5.	Salary	18,647		
6.	Benefits	2,960		
7.	Supplemental Benefits	1,143		
8.	Fixed Benefits	2,880		
9.	TOTAL PERSONAL SERVICES	01	25,630	
10.	Travel	02	0	
11.	Contractual	03	10,856	
12.	Commodities	04	1,000	
13.	Equipment	05	2,500	
14.	Other			
15.	TOTAL COST		39,986	

	RECEIPT CODE	FUNDING SOURCE	
16.		Federal Receipts 1002	
17.		G.F. Match 1003	
18.	100	General Funds 1004	39,986
19.		I-A Receipts 1005	
20.		Program Receipts 1028	
21.		Other	

FOR B&M USE ONLY
4A KEY NUMBER _____

13 REQUEST FOR
NEW POSITION

AGENCY Labor
PROGRAM Worker Protection
BRU Labor Standards and Safety
COMPONENT Occupational Safety and Health Administration

Page 2 of 2
Revised Date _____

FY 84

"Where Dependability is a Tradition!"

the Alaska Cleaners

TELEPHONE 274-8621

610 WEST FIREWEED LANE

ANCHORAGE, ALASKA 99503

March 14, 1983

Walt Furnace, Chairman
House Labor and Commerce Committee
Pouch V
Juneau, Alaska 99811

Re: HB 197

Reff: Your letter dated 3/9/83

Dear Mr. Furnace:

A sincere thank you for your objective reply. I am chagrined over my failure to note 18.60.072(c) which would require that hearings be held prior to inclusion of specific substances. While it still would allow for "bureaucratic" abuse it never the less is a reasonable control that unfortunately is absent from SB 79.

After rereading HB 197, SB 79 and your letter I would concede that your bill is not particularly unreasonable. SB 79 is definitely unreasonable.

I am however still concerned as to the effective implementation of your bill as it would regulate manufacturers located in other States and with the potential for conflicting regulations from other States and given the small size of our market, We as end users might not be able to comply. If I may quote the Federal Register [Vol. 47, No. 54, 3/19/82, proposed rules, page 12095]:

"The potential for conflicting or cumulatively burdensome state and local laws has been acknowledged by a number of industry representatives, particularly those involved in chemical manufacturing. Since most manufactures transport their products across state lines, the proliferation of state and local standards may create a burden on intersate commerce. Furthermore, the differences among these standards result in varying levels of of protection for employees exposed to the same hazards. A single, comprehensive Federal Standard for hazard communication would eliminate this conflict, decrease the cumulative burden of compliance, and ensure basic protection for all employees."



Walt Furnace

Walt, I am also concerned that you might be misinformed somewhat on the Federal Regulations as you state we would not receive any information regarding hazardous substances under the Federal Regulations. If I may quote from the Federal Register [same numbers as before but page 12101 (Department of Labor, 29 CFR Part 19100)] again:

"Scope of application. The proposed standard applies to employers who have facilities classified in the manufacturing SIC codes 20 through 39, Division D, in the most recent edition of the Standard Industrial Classification Manual; Executive Office of the President-Office of Management and Budget. Employers within these codes who produce chemicals are required to assess their hazards, and TRANSMIT THE INFORMATION to their own employees and TO PURCHASERS OF THEIR PRODUCTS. ALL COVERED EMPLOYERS BOTH MANUFACTURES AND USERS OF CHEMICALS ALIKE, MUST ESTABLISH HAZARD COMMUNICATION PROGRAMS FOR THEIR EMPLOYEES."

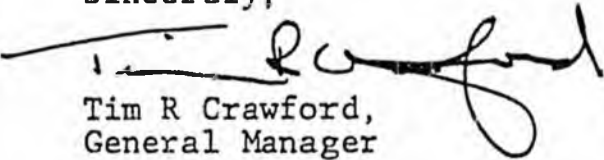
From the same page:

"Although non-manufacturing employers are not covered by the proposal, it is expected that their employees will also benefit from it to a great extent since EMPLOYEES IN THE MANUFACTURING SECTORS WILL BE REQUIRED TO SEND THE HAZARD-RELATED INFORMATION DOWNSTREAM TO THEIR CUSTOMERS."

I have included a copy of a letter from the U.S. Department of Labor to AGC which indicates that they intend to publish the Final Rule about July 1, 1983 (about time also, I would agree).

Again, I thank you for taking some of your valuable time to review my comments.

Sincerely,


Tim R Crawford,
General Manager

Schneider



Reply to the Attention of:

*3/4/83
Received*

March 1, 1983

Ms. Rena King
Association of General Contractors
134 N. Franklin
Juneau, Alaska 99801

Dear Ms. King:

In response to your current inquiries to my staff about the proposed Federal Hazard Communication Standard; Final Rule, 29 CFR 1910.1200, we have contacted the National Office, OSHA, for guidance. The Final Rule is expected to be published about July 1, 1983, provided there are no unexpected delays or court challenges. None are expected at this time.

The Hazard Communication Standard will require chemical manufacturers and importers to assess the hazards of the chemicals which they produce or import and make this information known. All employers in manufacturing (SIC 20-29) will be required to provide information to their employees about the hazardous chemicals. Distributors will be required to properly label containers of the hazardous chemicals.

The standard is under final review in the National Office. Major changes in text are not expected.

We are pleased to be of assistance.

Sincerely,

John A. Granchi
Assistant Regional Administrator
Office of Technical Support

cc: C. A. Mangold

THE ALLIANCE

P.O. Box 100 / Anchorage, Alaska 99510 / (907) 277-0010

March 15, 1983

Representative Walt Furnace
State Capitol
Pouch V
Juneau, AK 99811

Dear Representative Furnace:

The Alaska Support Industry Alliance offers the following observations on Senate Bill 79, commonly referred to as "right to know" or "toxic and hazardous substances in the workplace" legislation.

- . The safety of our employees is a paramount issue with our members.
- . Safety standards and procedures are desirable and are good business practices.
- . The intent of the bill is laudable.
- . The bill is flawed.
- . The bill would essentially replicate standards which are to become effective on July 1, 1983, as promulgated by the U.S. Department of Labor, Division of Occupational Safety and Health, entitled "The Federal Hazard Communication Standard."

Members of the Alaska Support Industry Alliance believe that our employees should receive and use systems, procedures and equipment which maximize safety in the workplace and minimize potential risks to life, limb and health. Many of our members instituted such systems and procedures long ago and, more recently, many more have invested substantially in employee safety and health measures. Needless to say, issues attendant to toxic or hazardous substances have been carefully reviewed by industry. Moreover, federal regulations proposed last year will establish national standards requiring chemical manufacturers and importers to assess the hazards of the chemicals which they produce or import and to make such information known to those who might come in contact with such materials. All manufacturers will be required to inform their employees about hazardous chemicals. In addition, distributors will be required to label containers of the materials. We believe that after a full year of review and comment by industry and employee organizations, federal standards will effectively achieve the safety and health objectives which are envisioned within the scope of SB 79.

Alaska Support Industry Alliance . . . for responsible economic development

Joe Mazins, President
Universal Services, Inc. (INTL)
Milton E. Ford, Vice President
Former Companies of Alaska
Paul Harding, Secretary/Treasurer
Universal Services, Inc. (INTL)

Len Kelley
Greyhound Support Services, Inc.
Bill Woodland
Quality Cleaners
Roger Spencer
Alaska Buswell Electric

Steve Simmons
Drilling Supply and Rental
Val Molyneux
VECO
Ron Jordan
Northern Drilling Services

Ann Curtis
Crowley Maritime
Richard Danley
Arctic Alaska Drilling
Chuck Becker, Executive Director

Representative Walt Furnace

Page 2

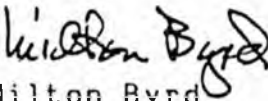
March 15, 1983

Should SB 79 be enacted, we would find two levels of government having laws, regulations, procedures and requirements governing hazardous and toxic substances aimed at industry, resulting in duplication, confusion and high costs for both government and industry. The bureaucracy needed by the state to administer the program of the proposed legislation would be very costly to Alaska. If, in the future, these national standards fail to provide significant protection for employees, adjustments can be made to assure such protection. We believe, therefore, that SB 79 should be tabled at this time.

We respectfully submit that enactment of SB 79 at this time is premature and that the bill simply adds confusion to an already complicated condition.

Very cordially yours,

For THE ALASKA SUPPORT INDUSTRY ALLIANCE


Milton Byrd
President

MB/gj

HB

211

STATE OF ALASKA

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RICK UEHLING, VICE CHAIRMAN
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HUGH MALONE
JOHN RINGSTAD
RON WENDTE



POUCH V
JUNEAU, ALASKA 99811
(907) 465-3892

HOUSE LABOR AND COMMERCE COMMITTEE MEETING SCHEDULE

FOR THE WEEK OF APRIL 11 - APRIL 15

LABOR & COMMERCE

Meets: Behrends Rm 209
M - F 8:45 - 10 am

Monday, April 11

HB 211 An Act relating to contracts for architectural, engineering, and land surveying services; and providing for an effective date.

Tuesday, April 12

** HB 14 An Act relating to processing of permits by state agencies, and to administration of the Alaska coastal management program.

Wednesday, April 13

HB 14 An Act relating to processing of permits by state agencies, and to administration of the Alaska coastal management program.

HB 197 An Act relating to hazardous and toxic substances; and providing for an effective date.

Thursday, April 14

HB 241 An Act relating to the creation of the Alaska Athletic Commission and the regulation of combative sports.
(STATEWIDE TELECONFERENCE FROM 4:00 pm to 6:00 pm)

Friday, April 15

** SSHB 7 An Act relating to motor vehicles; and providing for an effective date.

** Indicates first public hearing of a new bill.

**FAIRBANKS SOCIETY OF
PROFESSIONAL LAND SURVEYORS**

SR 10113
P.O. Box 2592 -
Fairbanks, Alaska 99701

March 24, 1983

Rep. Nillo Koponen
Pouch V
Juneau, AK 99811

MAR 24 1983

Dear Rep. Koponen:

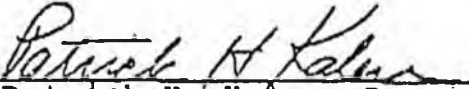
The Fairbanks Chapter of the Alaska Society of Professional Land Surveyors wants to express strong support for HB 211 in its original form. We also wish to express our strong objection and dismay at the Committee Substitute for HB 211 which eliminates Land Surveyors from this bill.

As a profession, we are classified under AS 48 in the same category as Architects and Engineers. We are registered by the same Board of Occupational Licensing and licensed by State of Alaska. Our Professional Certificates are signed by the "Board of Architects, Engineers, and Land Surveyors." Each Professional Land Surveyor receives a Professional License which must renewed annually by the the State of Alaska.

When a Registered Land Surveyor (RLS) signs and places his professional seal on a survey plat, his reputation and that of the entire profession are being offered as surety that the plat is correct and the land survey legal and complete. When a member of the profession is found guilty of unprofessional work, his license and professional status can be stripped by the State Board of Architects, Engineers, and Land Surveyors.

This attempt by the Committee Substitute to remove Professional Land Surveyors from the bill has the effect of removing one-third of the category which the bill addresses. We strongly urge you and others of the Fairbanks delegation, and members of the appropriate legislative committees, to re-instate Land Surveyors as a part of HB 211. It is a good bill, but the Committee Substitute must be rescinded.

Sincerely yours,


Patrick H. Kalen, RLS
Patrick H. Kalen, President
Fairbanks Chapter, ASPLS

COPY: Rep. Bob Bettisworth
Rep. John Ringstad
Rep. Mike Davis
Rep. Mike Miller
Rep. Hugh Malone, RLS
Rep. Furnace, Chair, Labor & Commerce
Speaker Joe Hayes, PE, RLS
Sen. Bettye Fahrenkamp
Sen. Don Bennett