

ALASKA LEGISLATURE COMMITTEE FILES 1983 - 1984 8072

2578 HLC • HB 347 - HB 475 • , 2578

WE PETITION YOU

AS OUR LEGISLATOR TO RECOGNIZE BY LAW, THE NATUROPATHIC PROFESSION. WE FEEL IT IS OUR CONSTITUTIONAL RIGHT TO BE ABLE TO MAKE OUR OWN CHOICE IN SELECTING THE TYPE OF DOCTOR AND THE TYPE OF TREATMENT FOR US OR OUR FAMILY. WE WOULD PREFER TO BE ABLE TO CHOOSE BECAUSE OF AVAILABILITY, FROM ALL OF THE DIFFERENT TYPES OF TREATMENT AND ESPECIALLY AT TIMES, THE NATURAL METHOD OR NATUROPATHIC SYSTEM. WE THE UNDERSIGNED HAVE USED OR WOULD LIKE TO USE NATUROPATHIC SERVICES. WOULD YOU ACT IN OUR BEHALF TO ASSURE US OF OUR CONTINUED FREEDOM OF CHOICE?

NAME	ADDRESS	DATE
✓ JACE HOSMAN	1502 W. 45 th	6/16/81
✓ DONALD L. PRIMSEY	3701 E. Ave. KA Sp. 12-C Anchorage, AK 99503	6/18/81
✓ RUSSELL D. DIXON	2206 W 45	6-16-81
✓ ELIZABETH A. DE LOREA	66th. Del. CHUGIAK AK 99567	6-17-81
✓ KOOLAK P. POLIMBOI	7031 Orlin Road DN.	6-17-81
✓ CAROL D. YACK	2536-Forest PK. Dr.	6/17/81
✓ Frank E. Shuster	SPR Box 1561E Anchorage, Alaska	6/17/81
✓ MIMI KREMIES	1400 Airport Htz. Dr. Anch	6/17/81
✓ Patricia Ann	817 N Flower Ave #1	6/17/81
✓ David Harrison	4510 Spruce St. Anch.	6/17/81
✓ Ann Louland	8050 E. 18 th Ave	6-18-81
✓ Bill Merrill	SPR BOX 1506J 99507	6/18/81
✓ Francis Miller	2834 Kirk Anchorage 99502	6/18/81
✓ Jeffrey Stuart	" " " "	" "
✓ Patricia F. Tolson	Star Bldg. Box 8610 Bird Creek, AK 99540	6/18/81
✓ P. C. DAVIS	SRA - BOX 495 - C. Anch. 99507	6/19/81
✓ Cathy Dunbar	PO Box 1375 Wasilla	6/19/81
✓ Tom Jackson	1000 Church St. Park. AK	6/19/81
✓ Verla Calverton	6371 Old Seward #222 Anch. AK	6/19/81
✓ Peter Cahill	820 W. 9 th St. Anchorage, AK 99502	6/19/81
✓ James Kolodny	7010 Arctic Circle Anchorage 99502	6/19/81
✓ Dennis Wheeler	2949 E. 8 th Anchorage 99507	6/19/81
✓ Malcolm Koppel		
✓ L. B. No. 10	1531 W. 12th Ave. Anch. 99501	6/22/81
✓ Gene Paul	2202 Roosevelt Ave 99503	6/22/81

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NAME	ADDRESS	DATE
Virginia R. Zimmerman	601 7th Bldg "A"	6/23/81
John D. ...	1280 E 17th Ave Apt 137	6/23/81
...	19th + Hillside	6/23/81
Malinda Whitman-Korbin	SRA Box 40523 Palmer	99445 6-23-81
John Waterhoffer	2523 Kona Lane Anch.	99503 6/25/81
Bill P. ...	1412 W 11th #4 Anch. AK	99501 6-25-81
Kenny S. ...	3110 Delta Dr. Anchorage AK	99502 6-25-81
John R. ...	5912 Franklin St Anch. AK	99503 6-26-81
David A. Caldwell	P.O. Box 3298 Palmer AK	99645 - 6-26-81
D. Freeman	SRA 1750-B Anch. AK 99507	6/26/81
Charles Dotti	SRA Box 4332 Anchorage 99502	6/29/81
Charles S. Dixon	2206 W. 45 Anchorage 99503	6/29/81
Ann Cooper	SRA Box 4349 " 99502	6-29-81
Donby Pearce	801 Erickson, Apt. 4 99501	6-29-81
Michelle Keppner	9431 Dundee Cir. 99502	6-30-81
Paula Roth	Box 5252 Star Route 2 99567	6-30-81
Sue ...	Box 5252 Star Route 2 99567	6-30-81
Michael Gaphy	P.O. Box 2407 Anch. 99510	7-1-81
Wm E. Bruner	SR2 Box 5252 Chugiak 99517	
Charles W. ...	SR 5072 Warden AK 99687	7/2/81
Ann ...	SR Box 1733I Anch. AK 99507	7/3/81
Carol Shaw	2101 W 20th ANCH AK 99503	7/3/81
Patricia Hamilton	P.O. Box 155 Chugiak 99567 AK	7/6/81
Susan Baker	4009 Merrill Anchorage 99503 AK	7/6/81
Joe ...	P.O. Box A-1, Chugiak, Alaska 99567	7/6/81

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NAME	ADDRESS	DATE
<i>[Signature]</i>	140 East #101	7/6/81
<i>[Signature]</i>	140 East #101	8-6-81
<i>[Signature]</i>	SRA-6105 A-3 PALMER	7-6-81
<i>[Signature]</i>	3601 Linn	7-8-81
<i>[Signature]</i>	Box 21-3601 Linn	7-8-81
<i>[Signature]</i>	Box 734 Palmer AK 99145	7/8/81
<i>[Signature]</i>	Box 3592 Palmer AK 99145	7/8/81
<i>[Signature]</i>	2917 W 21 st Anchorage	7/10/81
<i>[Signature]</i>	P.O. Box 1471 Palmer AK 99145	7/10/81
<i>[Signature]</i>	S R 1 Box 3889 Birchwood Church	
<i>[Signature]</i>	2601 W 32 nd #2 Anch AK	7/10/81
<i>[Signature]</i>	SRA Box 150-B Church AK 99502	
<i>[Signature]</i>	Box 155 Church 99502 AK	7/13/81
<i>[Signature]</i>	Box 4-1264 Anchorage 99509	7/13/81
<i>[Signature]</i>	2600 Huppulane Anchorage 99507	7/15/81
<i>[Signature]</i>	PL Box 2378 99510	7-15-
<i>[Signature]</i>	1053 W 26 th Ave #4 Anch, AK 503	7/14/81
<i>[Signature]</i>	1303 W 31 st #1 Anch. 99503	7/14/81
<i>[Signature]</i>	10611 ORGAW INCH. AK. 99507	7/14/81
<i>[Signature]</i>	700 Holliston Dr. AK 99501	7/14/81
<i>[Signature]</i>		
<i>[Signature]</i>		
<i>[Signature]</i>	1241 Valley St Anch. 99504	7-15-81
<i>[Signature]</i>	1241 Valley St. Anch. 99504	7-15-81

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NAME	ADDRESS	DATE
Charles H. Schultz	SFA 476 H Bayview	7-16-81
Barbara Solomon	Box 40 Chitina	7-16-81
M. M. (Pena)	3616 Lois Dr.	7-16-81
M. J. Nelson	1321 Franklin St.	7-17-81
Paul D. Poles		
Suzanne Poles		
Karan M. Dunsford	6231 Wooded Circle	7-20-81
Louis	Box Del. Eagle River	7-20-81
Barbara Solomon	SFA 476 H	7-21-81
Christy Best	P.O. BOX 1053 Anch, AK	7/21/81
Richard V. Buzzelli	General Delivery Anchorage AK	7/22/81
Peter P. Poulos	4600 Box 1207 Anch, AK	7/22/81
Carrie Link	332 Northline dot D Anch, AK	7/23/81
Kimberly Anne Caldwell	P.O. Box 2298 Palauka AK 99645	7-23-81
Jimmiel Parkins	6140 Austerin Anch AK 99502	7-23-81
Sharon H. McDonald	4133 W 87th Anch, Ak 99502	7-24-81
W. J. Morris	S.P. 6654 Palauka AK 99645	7-27-81
W. J. Riddle	3935 Vinland #1 Anchorage 7-28-81	7-28-81
W. J. Riddle	3935 Vinland #1 Anchorage 99504	7-28-81
Elaine Carter	1600 Otter St Anchorage - 99501	7/28/81
Miriam Smith	1600 Otter St Anchorage AK 99504	7-28-81
Alba T. Day	325 North Park Anch, Ak 99504	7/28/81
W. J. Riddle		
W. J. Riddle	1722 Arden 99504	7-28-81
Judith Russell	Box 593 Sterling AK	7-30-81

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NAME	ADDRESS	DATE
✓ Anthony F. Quinn	7530 Beluga Cir. Anch. AK	7/30/81
✓ Stephen Anttila	530 E. 46th Pl. Anch. AK	7/30/81
✓ Kathy Pontice	Box 1706	Walden AK 7/30/81
✓ Debra Cote	1500 W. Dimond, sp 1430	Anch. AK 7/31/81
✓ Linda		
✓ Blom Poulsson		
✓ Kaum Arot	801 Airport Hts #115 Anch. AK	8/3/81
✓ R. Lynn Pausler	2208 Roosevelt Dr Anch	8-4-81
✓ Patricia Haines	3701 Church 19-D	8-4-81
✓ Anne Gustafson	3303 Turnagain Rd Anch	8/4/81
✓ Andy Trencher	2907 W. 32nd Anchorage AK	8-4-81
✓ Thomas Campbell	PO Box 511 Litchfield AK	8-5-81
✓ Archie L. Crawford		8/5/81
✓ Allen & Robert Arnold	8147 Zland Circle	8/5/81
✓ Alonah Yewson	SRA Box 116 "m"	8/5/81
✓ Henry Yewson	SRA Box 116 "m"	8/5/81
✓ Ed L. Lewis	4999 7th Avenue D	8/6/81
✓ Jason Leiker	7730 Mason Pl.	8/7/81
✓ Audrey Leiker	7730 Mason Pl.	8/7/81
✓ Wm E. Hales	Box 88 Talkeetna AK	8-7-81
✓ Rep. David Paulsen	685 9th St Anch. AK	8-7-81
✓ Dan Arot	801 Airport Hts #115 Anch. AK	8-10-81

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NAME	ADDRESS	DATE
✓ WAYNE CUTLER	4220 PETERIKIN #2 Anch	8/12/81
✓ Bill Gould	SRA Box 1506J OT	8/13/81
✓ George Reminas	1404 W. 45th St	8/13/81
✓ [unclear]	130 E 8TH ANCH AK	8/14/81
✓ Tom Holbrook	SRA Box 478-P Anch AK	8/14/81
✓ Marie E. Holloway	SRA Box 410-P Anch AK	8/14/81
✓ [unclear]	SRA Box 1436 Anch 00002	8/17/81
✓ Wm. A. Robertson	P.O. Box 10 - 289 99511	8/17/81
✓ Philip Blackwell	S.R. Box 90620 FBKS, AK. 99701	8-18-81
✓ Rosalie Beeks	P.O. Box 3026 Kenai Ak.	8-18-81
✓ Carl Hill Freeman	1410 Medora St Anch AK	8/18/81
✓ Mark Keller	SRA Box 2324 Anch Ak.	8/19/81
✓ [unclear]	4121 Shore Pl #3 Anch Ak	8/19/81
✓ [unclear]	P.O. Box 2638 Anch AK	8/19/81
✓ [unclear]	SRA Box 8705 Indian Ak	8/19/81
✓ [unclear]	S.R. Box 8507 Anchorage Ak	8/19/81
✓ [unclear]	2413 Sprucewood Anchorage Ak.	8/20/81
✓ MARY RIDDERS	SRA Box 1715 Anch - deficiency returned	8/20/81
✓ [unclear]	2702 W. 29th Anchorage, Alaska	8/20/81
✓ [unclear]	P.O. Box 3298 Palau AK	8-20-81
✓ MARVIN C SMITH	2010 CHUCK DR ANCH	8/21/81
✓ [unclear]	2900 Hanover St Anch	8/21/81
✓ [unclear]	21-7106 D. Fir E.A.F.B. Anch	8/21/81
✓ [unclear]	9599 Brayton #489 99507	8/21/81
✓ [unclear]	Stevens Pt Wisconsin	715-34-7516

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NAME	ADDRESS	DATE
<i>[Signature]</i>	8010 Boundary Ave - Anchorage	5/31/81
Mr. David G. Hansen	530 E 46 th Place - Circle	9 Sept 81
Wanda's Sun	2509 CLOVERLANE #5	9 Sept 81
Wanda Shumbar	P.O. Box 1307 WASILLA, AK 99687	9/10/81
DICK DONOHUE	1200 DIAMOND BLVD. #1202 ANCHORAGE	9/11/81
Lillian Fauber	3333 W 81st Ave Anch 99502	9-11-81
Beta Harris	SRA Box 33-B Anch. 99501	9-11-81
Susan Brand	2378 Captain Cook Dr. 99503	9-14-81
Catherine A. Gray	2711 Britany 99504	9-14-81
Frank S. Baird	3110 Delta Dr. 99502	9-15-81
Shirley Collins	1600 Otter Anch AK 99504	9-16-81
John B. [Signature]	1720 W. 11 th Anch. 99501	9-21-81
Joanette A. [Signature]	2701 Fairbanks Anch, 99502	9-21-81
Joseph C. [Signature]	3831 Crosscor Cir Anch AK 99503	9-21-81
Thomas Mary Arman	3302 Lois Dr. Anch AK 99503 277-9826	9-22-81
Karla Wilson	Bx 11-283 Muldoon Anch 99504	28 Sept
Mary E. Cumpston	P.O. Box 10 ¹³⁷¹ Anch 99511	9-23-81
Juan Lawrence	46 th E 27 th Anchorage 99501	9-23-81
Ronald W. [Signature]	State Route Box 20279, Fairbanks, AK 99701	9-24-81
Cole [Signature]	1000 W 32 nd Anch AK 99503	9/26/81
Joseph E. [Signature]	1635 Belina A " 99504	
Laurie Thompson	SRA 1721 H Anchorage AK 99503	9/28/81
Madeline [Signature]	SRA Box 998W Anchorage Alaska 99507	9/30
JOHN A. MEACHER	4455 Juneau St "C-8" Anch. AK. 99503	9-31
Isak W. Dose	4611 FOLKER 36A Anch AK 99501	10/1

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NAME	ADDRESS	DATE
✓ Deborah Brooks	2905 Gurnaan St Anch 99503	10/5/81
✓ Bonnie Schram	SR Box 1703-C Anch 99507	10-5-81
✓ [unclear]	2449 E. 88th Anch 99507	10-5-81
✓ [unclear]	3110 Delta Dr. Anch. 99502	10-5-81
✓ Randall [unclear]	248 Smith Dr. Anchorage, AK 99503	10-5-81
✓ [unclear]	58 Box 2990 Unsilka AK 99687	10/5/81
✓ [unclear]	1918 Central Fairbanks, Alaska 99701	10/16/81
✓ Lucile Clark	2121 Lake George Drive Anch, 99504	10/20/81
✓ Cristina [unclear]	PO. Box 1261 Kenai AK 99611	10/24/81
✓ Rose [unclear]	PO. Box 125 Willow Ak. 99688	10/24/81
✓ Nancy Kline	SEA Box 474-U Anchorage 99507	10/23/81
✓ [unclear]	[unclear]	[unclear]
✓ [unclear]	Box 37 Sutton, AK 99674	10/27/81
✓ [unclear]	Box 37 Sutton AK 99674	10/27/81
✓ [unclear]	Box 2709 PALMER 99645	10/27/81
✓ [unclear]	70 Box 163 Eagle River AK 99577	10-27-81
✓ [unclear]	PO Box 247 Eagle River, Ak. 99577	10/28/81
✓ Karen K Poststone	1509 W 45th #3 99503	10/29/81
✓ Robert Poststone	1509 W 45th #3 99503	10/29/81
✓ [unclear]	Box 10241 (Gerrit) FRZ'S 99701	10-30
✓ [unclear]	9499 [unclear] Dr S. 267 99507	11-3-81
✓ [unclear]	5835 Kenayhill Dr. Anch 99504	11-3-81
✓ [unclear]	P.O. Box 6343 Anchorage 99512	11-3-81
✓ [unclear]	SR Box 6258 HASTEAD CRUGIAK 99567	11-3-81
✓ [unclear]	3925 Parbox St Anch 99504	11-5-81

in penalties under the AECA would be inactive and to allow adequate time to permit the change in pricing for training; other sections would be effective on April 1, 1983.

S. 638

enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That this Act may be cited as the "Special Security Assistance Act of 1983".

TAXY SALES AND RELATED PROGRAMS

1. (a) In addition to amounts otherwise available for the fiscal year 1983 for loan guarantees under section 24(a) of the Arms Export Control Act, \$425,000,000 principal are authorized to be expended during such fiscal year.

(b) In addition to amounts otherwise available for the fiscal year 1983 under the provisions of section 503 of the Arms Export Control Act of 1961, there is authorized to be appropriated \$142,000,000 for such provisions for such fiscal year.

ECONOMIC SUPPORT FUND

2. In addition to amounts otherwise available for the fiscal year 1983 to carry out the provisions of chapter 3 of part II of the Foreign Assistance Act of 1961, there is authorized to be appropriated \$82,000,000 to carry out such provisions for such fiscal year.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

3. In addition to amounts otherwise available for the fiscal year 1983 to carry out the provisions of chapter 3 of part II of the Foreign Assistance Act of 1961, there is authorized to be appropriated \$4,500,000 to carry out such provisions for payment to the International Atomic Energy Agency.

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED SPECIAL SECURITY COOPERATION ACT

I. INTRODUCTION

The proposed Special Security Cooperation Act of 1983 contains freestanding provisions to authorize supplemental international security assistance to meet the needs of Lebanon for fiscal year 1983.

II. PROVISIONS OF THE BILL

101. Military sales and related programs

(a) This section authorizes an increase of \$1,000,000 in the limit established in P.L. 97-377 on the total principal amount of which guarantees may be issued during the fiscal year 1983 under section 24(a) of the Arms Export Control Act.

(b) In addition to amounts otherwise made available for the fiscal year 1983 for loan guarantees under section 24(a) of the Arms Export Control Act, \$100,000,000 of loan principal are authorized to be so guaranteed during such fiscal year.

creases by \$82,000,000 the authorization of appropriations for fiscal year 1983 for this Fund, made by P.L. 97-113. The amounts appropriated in P.L. 97-377 for this Fund for fiscal year 1983 were \$62,500,000 less than the amount authorized by P.L. 97-113.

Section 103. International organizations and programs

This section authorizes an increase in appropriations of \$4,500,000 above the amount made available in P.L. 97-377 for fiscal year 1983 to carry out Chapter 3 of part I of the Foreign Assistance Act of 1961, as amended. These funds will be used for payments to the International Atomic Energy Agency.

S. 639

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SEC. 1. This Act may be cited as the "Lebanon Emergency Assistance Act of 1983".

ECONOMIC SUPPORT FUND

SEC. 2. (a) It is hereby determined that the national interests of the United States would be served by the authorization and appropriation of additional funds for economic assistance for Lebanon in order to promote the economic and political stability of that country and to support the international effort to strengthen a sovereign and independent Lebanon.

(b) Accordingly, in addition to amounts otherwise authorized to be appropriated for fiscal year 1983 to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, there is authorized to be appropriated \$150,000,000 to carry out such provisions.

(c) The amounts appropriated pursuant to this section are authorized to remain available until expended.

MILITARY SALES AND RELATED PROGRAMS

SEC. 3. (a) In order to support the rebuilding of the armed forces of Lebanon, the Congress finds that the national security interests of the United States would be served by the authorization and appropriation of additional funds to provide training for the Lebanese armed forces and to finance procurements by Lebanon of defense articles and defense services for its security requirements.

(b) In addition to amounts otherwise made available for the fiscal year 1983 to carry out the provisions of chapter 5 of part II of the Foreign Assistance Act of 1961, there are authorized to be appropriated for the fiscal year 1983 \$1,000,000 to carry out such provisions.

(c) In addition to amounts otherwise made available for the fiscal year 1983 for loan guarantees under section 24(a) of the Arms Export Control Act, \$100,000,000 of loan principal are authorized to be so guaranteed during such fiscal year.

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED LEBANON EMERGENCY ASSISTANCE ACT OF 1983

I. INTRODUCTION

The proposed Lebanon Emergency Assistance Act of 1983 ("the Bill") contains freestanding provisions in order to authorize supplemental international security assistance for the fiscal year 1983 for Lebanon. The amounts which would be authorized in the Bill represent the total amounts which are proposed to be allocated to Lebanon in fiscal year 1983 from amounts made available pursuant to this Bill and Public Law 97-377 for the Economic Support Fund, the International Military Education and Training program, and the Foreign Military Sales Credit program.

II. PROVISIONS OF THE BILL

Section 1. Short title

This section provides that the Bill may be cited as the "Lebanon Emergency Assistance Act of 1983".

Section 2. Economic support fund

This section consists of three subsections, as follows:

(a) This subsection states the determination of Congress that the national interests of the United States would be served by the authorization and appropriation of additional funds for economic assistance to promote the economic and political stability of Lebanon and to support the international effort to strengthen its sovereignty and independence.

(b) This subsection authorizes the appropriation of \$150,000,000 for economic support pursuant to chapter 4 of Part II of the Foreign Assistance Act, in addition to amounts otherwise authorized for that chapter by Public Law 97-133.

(c) This subsection provides that the amounts appropriated pursuant to this section are authorized to remain available until expended.

Section 3. Military sales and related programs

This section consists of three subsections as follows:

(a) This subsection is a finding by the United States Congress, in support of the rebuilding of the armed forces of Lebanon, that the authorization and appropriation of supplemental funds for military sales and related programs would serve the national security interests of the United States. These additional funds would be used to provide training for the Lebanese armed forces and to finance procurements by Lebanon of defense articles and defense services for its security requirements.

(b) This subsection authorizes the appropriation of an additional \$1,000,000 for the fiscal year 1983 for the International Military Education and Training (IMET) program. This authorization is in addition to the amounts made available for the IMET program by Public Law 97-377.

(c) This subsection authorizes an increase of \$100,000,000 is the limit established in Public Law 97-377 on the total principal amount of loans for which guarantees may be issued during fiscal year 1983 under section 24(a) of the Arms Export Control Act.

By Mr. DOLE (by request):

S. 640. A bill to amend the Internal Revenue Code of 1954 to provide for the inclusion of certain employer contributions to health plans in an employee's gross income; to the Committee on Finance.

S. 641. A bill to provide for voluntary private alternative coverage for medicare beneficiaries, and for other purposes; to the Committee on Finance.

S. 642. A bill to restructure the medicare hospital insurance program; to the Committee on Finance.

S. 643. A bill to make improvements in the medicare and medicaid programs, and for other purposes; to the Committee on Finance.

HEALTH INCENTIVES REFORM LEGISLATION

• Mr. DOLE. Mr. President, I am introducing today, at the request of the administration, the major components of the health incentives reform program. There are five components of the package, one of which—the pro-

2. Economic support fund

The budget for fiscal year 1984 supplemental appropriation of \$142,000,000 for the Economic Support Fund for fiscal year 1983. This section in-

change in penalties under the AECA would be retroactive and to allow adequate time to implement the change in pricing for training. All other sections would be effective on October 1, 1983.

S. 638

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Special Security Cooperation Act of 1983".

MILITARY SALES AND RELATED PROGRAMS

SEC. 101. (a) In addition to amounts otherwise made available for the fiscal year 1983 for loan guarantees under section 24(a) of the Arms Export Control Act, \$425,000,000 of loan principal are authorized to be so guaranteed during such fiscal year.

(b) In addition to amounts otherwise made available for the fiscal year 1983 to carry out the provisions of section 503 of the Foreign Assistance Act of 1961, there is authorized to be appropriated \$142,000,000 to carry out such provisions for such fiscal year.

ECONOMIC SUPPORT FUND

SEC. 102. In addition to amounts otherwise authorized to be appropriated for the fiscal year 1983 to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, there is authorized to be appropriated \$82,060,000 to carry out such provisions for such fiscal year.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 103. In addition to amounts otherwise made available for the fiscal year 1983 to carry out the provisions of chapter 3 of part I of the Foreign Assistance Act of 1961, there is authorized to be appropriated for the fiscal year 1983 \$4,500,000 to carry out such provisions, for payment to the International Atomic Energy Agency.

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED SPECIAL SECURITY COOPERATION ACT OF 1983

I. INTRODUCTION

The proposed Special Security Cooperation Act of 1983 contains freestanding provisions in order to authorize supplemental international security assistance to meet urgent needs for fiscal year 1983.

II. PROVISIONS OF THE BILL

Section 101. Military sales and related programs

This section authorizes an increase of \$425,000,000 in the limit established in P.L. 97-377 on the total principal amount of loans for which guarantees may be issued during fiscal year 1983 under section 24(a) of the AECA.

In addition, this section authorizes an increase in appropriations of \$142,000,000 above the amount made available in P.L. 97-377 for fiscal year 1983 to carry out the military assistance program. Although the President's budget for fiscal year 1984 requested a supplemental appropriation of \$167,000,000 to carry out the military assistance program for fiscal year 1983, section 506(c) already provides authorization to appropriate that part of the budget request (\$25,000,000) which is proposed to be used for reimbursement to the Department of Defense for defense articles, defense services and military education and training previously drawn down pursuant to section 506(a).

Section 102. Economic support fund

The President's budget for fiscal year 1984 requested a supplemental appropriation of \$144,500,000 for the Economic Support Fund for fiscal year 1983. This section in-

creases by \$82,000,000 the authorization of appropriations for fiscal year 1983 for this Fund, made by P.L. 97-113. The amounts appropriated in P.L. 97-377 for this Fund for fiscal year 1983 were \$62,500,000 less than the amount authorized by P.L. 97-113.

Section 103. International organizations and programs

This section authorizes an increase in appropriations of \$4,500,000 above the amount made available in P.L. 97-377 for fiscal year 1983 to carry out Chapter 3 of part I of the Foreign Assistance Act of 1961, as amended. These funds will be used for payments to the International Atomic Energy Agency.

S. 639

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SEC. 1. This Act may be cited as the "Lebanon Emergency Assistance Act of 1983".

ECONOMIC SUPPORT FUND

SEC. 2. (a) It is hereby determined that the national interests of the United States would be served by the authorization and appropriation of additional funds for economic assistance for Lebanon in order to promote the economic and political stability of that country and to support the international effort to strengthen a sovereign and independent Lebanon.

(b) Accordingly, in addition to amounts otherwise authorized to be appropriated for fiscal year 1983 to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, there is authorized to be appropriated \$150,000,000 to carry out such provisions.

(c) The amounts appropriated pursuant to this section are authorized to remain available until expended.

MILITARY SALES AND RELATED PROGRAMS

SEC. 3. (a) In order to support the rebuilding of the armed forces of Lebanon, (the Congress finds that the national security interests of the United States would be served by the authorization and appropriation of additional funds to provide training for the Lebanese armed forces and to finance procurements by Lebanon of defense articles and defense services for its security requirements.

(b) In addition to amounts otherwise made available for the fiscal year 1983 to carry out the provisions of chapter 5 of part II of the Foreign Assistance Act of 1961, there are authorized to be appropriated for the fiscal year 1983 \$1,000,000 to carry out such provisions.

(c) In addition to amounts otherwise made available for the fiscal year 1983 for loan guarantees under section 24(a) of the Arms Export Control Act, \$100,000,000 of loan principal are authorized to be so guaranteed during such fiscal year.

SECTION-BY-SECTION ANALYSIS OF THE PROPOSED LEBANON EMERGENCY ASSISTANCE ACT OF 1983

I. INTRODUCTION

The proposed Lebanon Emergency Assistance Act of 1983 ("the Bill") contains freestanding provisions in order to authorize supplemental international security assistance for the fiscal year 1983 for Lebanon. The amounts which would be authorized in the Bill represent the total amounts which are proposed to be appropriated to Lebanon in fiscal year 1983 from amounts made available pursuant to this Bill and Public Law 97-77 for the Economic Support Fund, the International Military Education and Training program, and the Foreign Military Sales Credit program.

II. PROVISIONS OF THE BILL

Section 1. Short title

This section provides that the Bill may be cited as the "Lebanon Emergency Assistance Act of 1983".

Section 2. Economic support fund

This section consists of three subsections, as follows:

(a) This subsection states the determination of Congress that the national interests of the United States would be served by the authorization and appropriation of additional funds for economic assistance to promote the economic and political stability of Lebanon and to support the international effort to strengthen its sovereignty and independence.

(b) This subsection authorizes the appropriation of \$150,000,000 for economic support pursuant to chapter 4 of Part II of the Foreign Assistance Act, in addition to amounts otherwise authorized for that chapter by Public Law 97-133.

(c) This subsection provides that the amounts appropriated pursuant to this section are authorized to remain available until expended.

Section 3. Military sales and related programs

This section consists of three subsections as follows:

(a) This subsection is a finding by the United States Congress, in support of the rebuilding of the armed forces of Lebanon, that the authorization and appropriation of supplemental funds for military sales and related programs would serve the national security interests of the United States. These additional funds would be used to provide training for the Lebanese armed forces and to finance procurements by Lebanon of defense articles and defense services for its security requirements.

(b) This subsection authorizes the appropriation of an additional \$1,000,000 for the fiscal year 1983 for the International Military Education and Training (IMET) program. This authorization is in addition to the amounts made available for the IMET program by Public Law 97-377.

(c) This subsection authorizes an increase of \$100,000,000 is the limit established in Public Law 97-377 on the total principal amount of loans for which guarantees may be issued during fiscal year 1983 under section 24(a) of the Arms Export Control Act.

By Mr. DOLE (by request):

S. 640. A bill to amend the Internal Revenue Code of 1954 to provide for the inclusion of certain employer contributions to health plans in an employee's gross income; to the Committee on Finance.

S. 641. A bill to provide for voluntary private alternative coverage for medicare beneficiaries, and for other purposes; to the Committee on Finance.

S. 642. A bill to restructure the medicare hospital insurance program; to the Committee on Finance.

S. 643. A bill to make improvements in the medicare and medicaid programs, and for other purposes; to the Committee on Finance.

HEALTH INCENTIVES REFORM LEGISLATION

● Mr. DOLE. Mr. President, I am introducing today, at the request of the administration, the major components of the health incentives reform program. There are five components of the package, one of which—the pro-

posed Medicare Prospective Payment Rates Act—was introduced on February 23, 1983.

The following four bills are those that are being introduced today: First, limitation on exclusion for employer health plan payments; second, the Medicare Voucher Act of 1983; third, the Medicare Catastrophic Hospital Cost Protection Act; and, fourth, the Health Care Financing Amendments of 1983.

NEED FOR ACTION

As many of my colleagues are aware, health care costs continue to escalate at an alarming rate, far exceeding the increase in prices overall.

This year the Federal Government will spend approximately \$57 billion on the Medicare program. At the same time, we expect to spend \$19 billion on services for the poor under the Medicaid program.

Rising health care costs are a problem that affects all of us. As the President pointed out in the letter of transmittal accompanying the health incentives reform program, increasing costs affect the elderly who are covered by Medicare, and face the threat of increasing out of pocket costs. The poor continue to see Medicaid coverage reduced as States and the Federal Government are forced by rising costs to make cutbacks. Workers with employment-based health insurance have received lower cash wages because of the unchecked cost increases for health benefits.

The President's package of health care program reform measures is designed to address each of these areas. The Senator from Kansas is particularly pleased to note the inclusion of the provision limiting the exclusion for employer health plan payments.

Under the proposal contained in the administration's fiscal year 1984 budget, employer contributions to accident or health plans for an employee would be included in the employee's income to the extent they exceed, first, \$175 per month—\$2,100 per year—if the plan covers the employee and his family, or second, \$70 per month—\$840 per year—if the plan covers only the employee. The provision would apply for taxable years beginning after December 31, 1983. The \$175 and \$70 amounts would be indexed to adjust for inflation.

Amounts included in the employee's income under the proposals would also be subject to social security taxes.

There would be a transition rule to exempt premiums paid under collective-bargaining agreements signed before January 31, 1983.

The total exclusion from employees' income for employer paid medical coverage is the second largest statutory fringe benefit in the Tax Code. The largest is the exclusion from income of pension contributions and earnings.

The revenue loss estimate for this total exclusion from income is estimated to be \$18.6 billion in fiscal year

1984 and \$21.3 billion in fiscal year 1984.

The administration's proposal would reduce this revenue loss by \$2.3 billion in fiscal year 1984 and \$4.4 billion in fiscal year 1985. Therefore, even after a cap on the exclusion, the tax benefit for receiving part of your compensation in the form of health care would be very substantial.

Many experts believe that our present tax treatment of employer provided health benefits has been a contributing factor in the trend toward excessive coverage and escalating medical costs.

We will have to decide whether a dollar cap on the exclusion from an employee's income will change consumer behavior in the same way. For example, will it encourage copayments and more attention to health care, or will some people, such as low-income individuals, have insufficient coverage?

Even if we decide to limit employer paid tax free medical insurance, there are still a number of questions to be resolved with respect to a so-called tax cap. These include the level at which the cap is set. For instance, should there be a national cap or one which varies in different areas of the country, thereby recognizing differing costs of care; how often should the limit be updated; and how do we prevent adverse selection—the case where all the healthy choose low option insurance and the sick, high option. Another obvious question is how to deal with self-insured plans which are increasing in number.

It is not likely that we on the Federal level would attempt to establish a minimum benefits package in conjunction with a tax cap. That is clearly the jurisdiction of the State insurance commissioners and in the lands of labor and business.

CONCLUSION

Medicare is a program which has grown at an alarming rate since its creation 17 years ago. The trust fund is rapidly approaching a period of time in which it will no longer have sufficient funds to finance program expenditures. Something must be done to prevent this potential insolvency. The President's proposals are an attempt to address this problem and others. The Senator from Kansas urges his colleagues to give these bills their serious consideration.

Mr. President, I request that a summary of each bill be included in the record following my comments.

There being no objection, the summaries were ordered to be printed in the Record, as follows:

S. 610—LIMITATION ON EXCLUSION FOR EMPLOYER HEALTH PLAN PAYMENTS

GENERAL EXPLANATION

Current law

All employer contributions to health insurance plans for employees are excluded from the employees' income and wages for purposes of income and employment taxes. This tax treatment generally applies to all

insurance coverage, regardless of cost, and to all medical benefits, no matter how extensive. The same rule generally applies to amounts paid by an employer to or on behalf of an employee under a self-insured medical plan.

Reasons for change

Excluding employer contributions to health plans from gross income creates an inequity between individuals covered by employer health plans and those who are not so covered. The latter group must pay for their health care with after tax dollars, while the health care of the former group is provided with before tax dollars. For example, an employee with \$23,000 of total compensation consisting of \$20,000 of cash wages and \$3,000 of health insurance coverage will pay \$804 less in Federal income and Social Security taxes than one with \$23,000 of cash wages.

The preferential treatment of employer paid health benefits encourages employees to receive large amounts of their compensation in that form. This has led to a significant decline in the amount of compensation subject to tax and indirectly has led to higher tax rates on cash wages.

From a health policy viewpoint, many employees have such generous insurance plans that they bear very little, if any, of the cost of doctors' visits or hospital services. They therefore tend to overuse doctor and hospital services and medical tests. The very rapid increase in health care costs in recent years can be attributed at least in part to this tax-induced incentive to demand additional health care with little or no regard to its actual costs.

Proposal

Employer contributions to a health plan would be includible in gross income to the extent that they exceed \$70 per month (\$840 per year) for an individual employee, or \$175 per month (\$2,100 per year) for family coverage.

The proposal will generally be effective January 1, 1984. However, in order to allow renegotiation of existing contracts, the proposal will not be effective with respect to employer contributions to employer health plans, the amounts of which are fixed by a legally binding contract entered into on or before January 31, 1983, until the earlier of January 31, 1986, or the first date after January 31, 1983 on which such amounts cease to be fixed by the contract.

Effects of proposal

The amount of employer contributions is determined in the case of an insured plan, on the basis of the premiums charged for such insurance. The insurance premiums paid by the employer on behalf of employees will be divided by the number of covered employees. If the employer maintains different plans covering different groups of employees, each plan will be treated separately in determining employer costs per employee.

In the case of noninsured plans, the amount of the employer contributions will be based on the costs of providing coverage under the plan. Costs of providing coverage may be determined based on reasonable estimates of such costs.

To the extent that employer contributions exceed the \$70 individual/\$175 family monthly ceilings, the excess would be includible in the income of the covered employee. Even if employer health plan payments exceed the \$70 individual/\$175 family monthly amounts, only the excess will be included in the employee's gross income. For example, if the employer paid \$185 per month for family health coverage for an

employee, \$10 per month would be included in the employee's gross income. Thus, \$10 would be subject to income tax and FICA and FUTA taxes (if applicable). Most current employees will pay no additional tax because those employees have insurance coverage costing less than the applicable ceiling amount.

Revenue estimate

Fiscal year:	Billions
1984.....	\$2.1
1985.....	4.2
1986.....	6.0
1987.....	8.0
1988.....	10.7

LIMITATION ON EXCLUSION FOR EMPLOYER HEALTH PLAN PAYMENTS

TECHNICAL EXPLANATION

Summary of the proposal

Employer contributions to a health plan would be includible in gross income to the extent that they exceed \$70 per month (\$840 per year) for an individual employee, or \$175 per month (\$2100 per year) for family coverage.

Detailed description

Under the proposal, the amount of any excess employer contributions to a health plan with respect to coverage of an employee during the payroll period will be included in the employee's gross income. Employer contributions for a payroll period are excess employer contributions to the extent they exceed the monthly dollar limit for such employee, prorated to reflect the length of the payroll period. For 1984, the monthly dollar limit is \$70 for an employee with individual coverage under the plan and \$175 for an employee with family coverage under the plan. For years after 1984, the monthly dollar limit will be adjusted to reflect changes in the Consumer Price Index. An employee will be treated as having individual coverage unless the employee has a spouse or a dependent who is covered under the plan.

The employer contribution to a health plan with respect to an employee will be the cost of coverage of the employee under the plan reduced by the amount of the employee's contributions for such coverage. The annual cost of coverage with respect to an employee will be the aggregate annual cost of providing coverage for all employees with the same type of coverage (individual or family) under the plan as that of the employee, divided by the number of such employees. The cost of coverage with respect to an employee for a payroll period will be the annual cost of coverage prorated to reflect the length of the payroll period. Any cost of providing coverage under a plan which is allocable to workmen's compensation or to a purpose other than providing medical care is not taken into account in determining the cost of coverage under the plan.

The annual cost of providing coverage under an insured plan (or any insured part of a plan) will be determined based on the net premium charged by the insurer for such coverage. The annual cost of providing coverage under a noninsured plan (or any noninsured part of a plan) will be based on the costs incurred with respect to the plan, including administrative costs. In lieu of using actual administrative costs, an employer may treat 7 percent of the plan's incurred liability for benefit payments as the administrative costs with respect to the plan. A plan will be a noninsured plan to the extent the risk under the plan is not shifted from the employer to an unrelated third party.

The cost of coverage under the plan must be determined in advance of the payroll

period and must be redetermined not less often than once every 12 months. The cost of coverage must be redetermined whenever there are significant changes in the coverage provided under the plan or in the composition of the group of covered employees. The cost of coverage is determined separately for each separate plan of the employer. Coverage of a group of employees is a separate plan if such coverage differs from the coverage of another group of employees. Where the actual cost of coverage cannot be determined in advance, reasonable estimates of the expected cost of coverage are to be used. Where the cost of coverage fluctuates each year depending on the experience of the employer under the plan, an average annual cost of coverage will be used.

If an estimate is determined not to be a reasonable estimate, the employer will be liable for the income taxes (at the maximum rate applicable to individuals) and the employment taxes (both the employer's and the employee's share) that would have been imposed on the additional amount that would have been included in the income of employees as excess employer contributions if the actual cost of coverage had been used to determine the amount of excess employer contributions.

In the case of multiemployer plans to which an employer makes contributions, the multiemployer plan is to be treated as the employer for purposes of determining the cost of coverage and the liability for errors in estimates of the cost of coverage. Each employee's excess employer contributions will be determined based on this cost of coverage. However, for purposes of the employer's obligations to withhold from wages and to pay employment taxes, the amount of excess employer contributions will be considered to be a portion of each contribution made by the employer to the plan. The portion of each contribution to be treated as an excess employer contribution will be based on the ratio of the plan's excess employer contributions per employee per month to the total monthly employer contribution per employee.

Effective date

In general, the proposal would apply to employer contributions made with respect to payroll periods beginning after December 31, 1983. However, the proposal will not apply to employer contributions to employer health plans, the amounts of which are fixed by a legally binding contract entered into on or before January 31, 1983, until the earlier of January 31, 1986, or the first date after January 31, 1983 on which such amounts cease to be fixed by the contract.

S. 641—SUMMARY OF PROPOSED MEDICARE VOUCHER ACT OF 1983

Section 1 would assign the draft bill the short title "Medicare Voucher Act of 1983".

Section 2 would permit the Secretary to contract with health benefits organizations (HBOs) (a broad range of health insurers and health services providers, including health maintenance organizations (HMOs) and competitive medical plans (CMPs)) to provide private alternative coverage for Medicare beneficiaries (other than individuals suffering from end-stage renal disease, or who are working and are 65 years of age or older but under 70) who chose to participate in such a private plan. Section 2 would also enact additional amendments to current provisions of law concerned with Medicare contracts with such organizations to—

Establish a single, coordinated open enrollment period during August and September of each year (but only for that number of new enrollees, in order of applications filed, previously specified by an HBO) and

to enable the Secretary, to the extent feasible, to provide for individuals who move from the area served by one HBO to an area served by another (similar to the system used by the health benefits program for Federal employees);

Preclude new enrollments for individuals receiving only Supplementary Medical Insurance (SMI) benefits;

Preclude new cost-based contracts;

Permit HBOs to offer separate benefit packages for employer-based groups;

Permit HBOs to offer one or more benefit packages as long as each package covered at least those services for which Medicare pays and covered inpatient hospital services for every day of hospitalization, which benefit levels, coinsurance, and deductibles to be set by the HBO;

Eliminate current requirements as to premium levels and benefits, and require only that the average cost-sharing for the portion of benefits for which Medicare pays not exceed the average cost-sharing (including amounts above the Medicare reasonable charge) under Medicare;

Permit HBOs to provide annual rebates of up to \$500 (instead of charging premiums), not consider those rebates as income for purposes of Medicaid, Aid to Families with Dependent Children, Supplemental Security Income, Food Stamps, Low-Income Home Energy Assistance, or low-income housing programs, and treat those rebates as Social Security benefits for purposes of the Federal income tax laws; and

Preempt provisions of State or local law requiring benefits more extensive than those under section 2.

Section 3 would enact conforming amendments that would—

Repeat the requirement for the Secretary to conduct a study of additional benefits that are required under existing law (but not under the provisions of section 2); and

Require payments to HBOs under section 2 to take into account services furnished by physician assistants or nurse practitioners if Medicare would pay for those services when furnished by a physician.

Section 4 would make the provisions of section 2 applicable to services furnished after 1984. Section 4 would also—

Retain the transitional provisions enacted in 1982 when Congress amended the provisions of law providing for payments to HMOs;

Permit any enrollee of an HMO or CMP at the end of 1984 not already covered by those earlier transition provisions to continue his enrollment under the provisions of law then current if either the HMO or CMP had a cost-based contract with the Secretary or if the enrollee was enrolled for Medicare SMI (but not Hospital Insurance (HI) benefits), unless the Secretary found that the new provisions should apply to all members of an HMO or CMP because of administrative costs or other administrative burdens; and

Apply the provisions of section 2 to enrollees who also receive benefits under Medicaid only after the Secretary finds that it is administratively feasible.

S. 642—SUMMARY OF PROPOSED MEDICARE CATASTROPHIC HOSPITAL COST PROTECTION ACT

Section 1 would assign the draft bill the short title "Medicare Catastrophic Hospital Cost Protection Act".

Section 2 would restructure benefits under the Medicare Hospital Insurance program. Under current law, Medicare covers only the first 99 days of a hospitalization during any "spell of illness," plus a lifetime reserve of 60 additional days. An inpatient hospital de-

Oregon Board of Naturopathic Examiners

Procedures for Colleges Applying for Approval under ORS 685.060

Naturopathic colleges seeking approval by the Board of Naturopathic Examiners in order that graduates may be eligible to take the licensing examinations should submit the following information to document compliance with the standards of OAR . Four(4) copies of all materials are required.

- 1) Current institutional catalog, brochures, and other information provided to students and the public.
- 2) Institutional self-evaluation for accreditation, if any.
- 3) Statements or documents described below, corresponding to sections of rule , Standards. Reference may be made to the appropriate sections of 1) and 2) above.
 - 1) Objectives. List the objectives of the college.
 - 2) Organization. Submit copies of Articles of Incorporation, By-laws, and the names of all Directors or Trustees.
 - 3) Administration. Submit resumes of all administrators, organization chart and position descriptions.
 - 4) Financial Condition. Submit current audited financial statement, current budget and projected budget for the next fiscal period.
 - 5) Records and Educational Credentials. Describe record-keeping policies and procedures, submit sample degree and transcript.
 - 6) Catalog. Indicate the location of each required item in the catalog.
 - 7) Admissions. Describe the admissions policies, requirements and procedures. List the names of the Admissions Committee members. Submit a copy of the application form(s) used.
 - 8) Attendance. Describe the college's attendance policy.
 - 9) Curriculum. Submit a synopsis of the curriculum showing the number of clock hours for each course. Submit a course outline for each course.
 - 10) Academic Standards. Describe how students are evaluated and the standards by which they are evaluated. Provide representative tests.

- 11) Faculty. Submit resume for each member of the faculty as described. Provide a narrative description on faculty participation in other areas specified. Submit copies of policies on hiring, compensation, etc. as listed.
- 12) Library. Submit all information as listed in Standards.
- 13) Clinical Training. Provide a narrative description of clinic facilities, major equipment, details of clinic procedures, rules of conduct, resumes of clinic staff, and any other pertinent data on the student's clinical experience.
- 14) Physical Plant. Describe in detail the college's physical plant and equipment.
- 15) Cancellation and Refund Policy. Submit a copy of the college's policy on refund of tuition and fees.

The following information should be made available to the Board's inspection committee during its visit.

- a) Minutes of all board of control meetings
- b) Administrative reports to the board of control
- c) Minutes of faculty meetings
- d) Student personnel records and financial accounts

OREGON ADMINISTRATIVE RULES
CHAPTER 850, DIVISION 10 — BOARD OF NATUROPATHIC EXAMINERS

DIVISION 10

GENERAL

Definitions

850-10-005 As used in rules 850-10-010 to 850-10-200, unless otherwise required by context:

(1) "Board" means Oregon State Board of Naturopathic Examiners.

(2) "Naturopathy" is defined as a system of diagnosing and treating the human body and maintaining or restoring it to a state of normal health, as defined in ORS Chapter 685, and in such other sections thereof as may apply.

(3) "Diagnosis" is a determination of the nature of a disease by the use of all recognized and accepted physical and laboratory examinations, which includes the drawing of blood and taking specimens of body fluids and tissues for microscopic and chemical analysis.

(4) "Prescription": Naturopathic physicians shall be allowed to prescribe and dispense nature's agents, forces, processes, and products.

(5) "Non-poisonous plant substance" is any plant substance, taken in relatively small amounts, which would not, by its action on organs or tissue, seriously impair function or destroy life.

(6) "Plant substance" is any medical material taken or removed from a plant.

(7) "Food" is any organic substance taken into the body which helps maintain life, builds or repairs tissue, and sustains growth. This includes the use of enzymes, minerals, vitamins (either in trace amounts or megadoses) and any food products or extracts either processed, refined, or concentrated.

Stat. Auth.: ORS Ch. 685

Hist: NE 3, f. 8-26-66; NE 4, f. 10-9-67; NE 1-1980, f. & ef. 9-11-80

Requirements for Application

850-10-010 (1) Any applicant for examination shall be a high school graduate or equivalent and a graduate of a naturopathic college that offers a resident four-year course of at least 4,000 hours.

(2) Each applicant shall possess a basic science certificate, obtained from the State Board of Higher Education either by reciprocity or by examination.

(3) Each applicant shall submit satisfactory evidence of his having had, prior to his matriculation into a naturopathic college, at least two years Liberal Arts or Science study in a college or university accredited by either the North-West Association of Secondary and Higher Schools or a like regional association or in a college or university in Oregon approved for granting degrees by the Oregon State Board of Education.

Stat. Auth.: ORS Ch. 685

Hist: NE 2, f. 6-7-59

Basic Science Examination or Reciprocity

850-10-020 (1) Any applicant desiring the dates of or application blanks for the basic science examination or for reciprocity shall address all inquiries to the Secretary, State Board of Higher Education, P.O. Box 3175, Eugene, Oregon.

(2) The Oregon Basic Science Examining Committee reciprocates with a like board from each of the following states: Arizona, Arkansas, Colorado, Iowa, Michigan, Minnesota, Nebraska, Nevada, New Mexico, Oklahoma, South Dakota, Tennessee, Texas, Washington, and Wisconsin.

Stat. Auth.: ORS Ch. 685

Hist: NE 2, f. 6-7-59

Application for Examination; Filing; Additional Papers

850-10-030 (1) Any applicant for licensure by the Board shall file out, without alterations, an application furnished by the Board.

(2) The application shall be filed with the Board at least 10 days prior to the date of the examination.

(3) A photostatic copy of the applicant's Oregon basic science certificate and of his naturopathic diploma shall be attached to his application.

Stat. Auth.: ORS Ch. 685

Hist: NE 2, f. 6-7-59

Examination Dates

850-10-040 Examinations shall be held by the Board in March and in September of each year or at such other times as may be feasible.

Stat. Auth.: ORS Ch. 685

Hist: NE 2, f. 6-7-59

Re-Examination

850-10-050 Any applicant for examination who has failed in one or more subjects shall be permitted, within one year, to submit himself for re-examination in those subjects, without paying an additional fee if he notifies the Board of his intention at least 10 days prior to the examinations.

Stat. Auth.: ORS Ch. 685

Hist: NE 2, f. 6-7-59

Temporary Permits

850-10-060 Temporary permits for the practice of naturopathy shall not be issued by the Board.

Stat. Auth.: ORS Ch. 685

Hist: NE 2, f. 6-7-59

Reciprocity

850-10-070 Reciprocity in naturopathy with another state cannot be considered by the Board.

Stat. Auth.: ORS Ch. 685

Hist: NE 2, f. 6-7-59

Recordation and Display of License

850-10-080 (1) An Oregon licentiate for the practice of naturopathy shall record his license in the office of the county clerk in the county in which he resides.

(2) Each licentiate of the Board shall display in his office, in a conspicuous place, his license and yearly renewal card.

Stat. Auth.: ORS Ch. 685

Hist: NE 2, f. 6-7-59

Expiration and Renewal of Licenses

850-10-090 (1) Unless renewed by proper application to the Secretary of the Board on a form provided by the Board, all licenses to practice naturopathy in Oregon automatically expire on January first of each year.

(2) The renewal application shall be accompanied by a specified yearly fee of \$75, the practitioner's address, and his original license number.

Stat. Auth.: ORS Ch. 685

Hist: NE 2, f. 6-7-59; NE 2-1980, f. & ef. 9-11-80

Mode of Remittance

850-10-100 (1) The remittance of any application fee, license fee, or yearly renewal fee shall be made by postal money order, postal certificates, express money order, bank draft, or certified check.

OREGON ADMINISTRATIVE RULES
CHAPTER 850, DIVISION 10 — BOARD OF NATUROPATHIC EXAMINERS

(2) The Secretary shall be under no obligation to accept personal checks; however, he may accept them subject to collection only.

Stat. Auth.: ORS Ch. 685
Hist: NE 2, f. 6-7-59

Use of Unauthorized Material and Misrepresentations in Obtaining License

850-10-110 (1) Any applicant for a license detected in the act of offering or accepting unauthorized assistance or using unauthorized material while the examinations are in progress shall be excluded from further examination and his or her papers rejected in total.

(2) The Board may refuse to grant a license to any applicant indulging in misrepresentation, fraud, or deception, or to revoke the license granted as a result of these.

(3) The Board shall carefully and rigidly investigate applicants who attempt to obtain naturopathic license by false statements or representations in their applications or otherwise violate these rules.

Stat. Auth.: ORS Ch. 685
Hist: NE 2, f. 6-7-59

Illegal Practice

850-10-120 (1) Any applicant for examination shall be prohibited from and prosecuted for any practice of naturopathy while awaiting examination.

(2) Any person convicted of practicing illegally in Oregon or any person who, without a license, makes a diagnosis shall not be admitted to examination by the Board at any time.

(3) It shall be the duty of all licentiates of the Board, in the interests of both the public and the profession, to inform the Board, in writing, fully signed, of anyone practicing naturopathy in Oregon without a license or otherwise in violations of the law.

(4) For the purpose of this rule, naturopathic treatment shall be considered as practicing naturopathy within the meaning of ORS 685.010(4) even though practicing in the office of a licentiate of the Board.

Stat. Auth.: ORS Ch. 685
Hist: NE 2, f. 6-7-59

Change of Address

850-10-130 It shall be the duty of any licentiate of the Board to keep the Secretary of the Board informed of any change of address.

Stat. Auth.: ORS Ch. 685
Hist: NE 2, f. 6-7-59

Advertising

850-10-140 While constructive educational publicity shall be encouraged, licentiates of the Board shall refrain from using or causing to be used advertising matter which contains misstatements, falsehoods, misrepresentations, distorted, or fabulous statements as to cures.

Stat. Auth.: ORS Ch. 685
Hist: NE 2, f. 6-7-59

Public Health Laws

850-10-150 Naturopathic physicians shall be subject to all state, county, and municipal laws and rules relating to public health concerning the diagnosis and reporting of contagious and infectious diseases, as may be required, to the proper health authorities in the respective counties.

Stat. Auth.: ORS Ch. 685
Hist: NE 2, f. 6-7-59

State Industrial Accident Cases

850-10-160 Naturopathic physicians may accept injured workers who are employed under the provisions of the State Industrial Accident Commission, in conformance with the Workers' Compensation Law and the rules of committee.

Stat. Auth.: ORS Ch. 685
Hist: NE 2, f. 6-7-59

State Welfare Cases

850-10-170 Naturopathic physicians may accept welfare cases under the medical plan adopted by the Welfare Commission, April 26, 1946.

Stat. Auth.: ORS Ch. 685
Hist: NE 2, f. 6-7-59

Standards

850-10-180 It shall be the object of the Board to foster higher professional standards as rapidly as is consistent with the best interests of the profession, and in this, it shall not be swayed or influenced by any school or other interests whatsoever.

Stat. Auth.: ORS Ch. 685
Hist: NE 2, f. 6-7-59

Denial or Revocation of License

850-10-190 The Board may refuse to grant or may revoke a license to practice naturopathy in the State of Oregon for any of the following reasons:

(1) Commitment to a mental institution. A copy of the record of commitment, certified to by the clerk of the court entering the commitment, is conclusive evidence of the commitment.

(2) Habitual intemperance in the use of ardent spirits, narcotics, or stimulants to such an extent as to incapacitate him from the performance of his professional duties.

(3) Unprofessional or dishonorable conduct.

(4) Representing to a patient that manifestly incurable condition of sickness, disease, or injury can be permanently cured.

(5) The obtaining of any fee through fraud or misrepresentation.

(6) The willful betrayal of a professional secret.

(7) The use of any advertising in which untrue, improper, misleading, or deceptive statements are made.

(8) The advertising of techniques or modalities to infer or imply superiority of treatment or diagnosis by the use thereof.

(9) Knowingly permitting or allowing any person to use his certificate in the practice of any system or mode of treating the sick or afflicted.

(10) Advertising either in his own name or under the name of another person or clinic or concern, actual or pretended, in any newspaper, pamphlet, circular, or other written or printed paper or document, professing superiority to or a greater skill than that possessed by fellow naturopathic physicians.

(11) Aiding or abetting the practice of any of the healing arts by an unlicensed person.

(12) The use of his name under the designation, "Doctor", "Dr.", "Naturopathy", "Naturopathic Physician", or any similar designation with preference to the commercial exploitation of any goods, wares, or merchandise.

(13) The advertising or holding oneself out to treat diseases or other abnormal conditions of the human body by any secret formula method, treatment, or procedure.

(14) The guaranteeing of a cure or "results" from any treatment.

Stat. Auth.: ORS Ch. 685
Hist: NE 1, f. 11-12-57; NE 3-1960, f. & ef. 9-11-80

OREGON ADMINISTRATIVE RULES
CHAPTER 850, DIVISION 10 — BOARD OF NATUROPATHIC EXAMINERS

Rules of Administrative Procedure in Contested Cases

850-10-200 [Repealed by NE 5, f. 6-1-73, ef. 6-15-73]

850-10-205 [Renumbered to 850-01-005]

Programs of Continuing Education

850-10-210 (1) The following programs of continuing education in naturopathy are approved by the Naturopathic Board of Examiners as meeting the requirements of ORS 685.102, 685.104, and 685.106:

(a) Programs offered by the Oregon Association of Naturopathic Physicians.

(b) Programs offered by the Northwest Naturopathic Physician's convention.

(c) Programs offered by all colleges of Naturopathic Medicine which are recognized by this Board.

(2) A person who desires to offer a program of continuing education in naturopathy other than the programs set forth in section (1) of this rule shall first comply with the provisions of

ORS 685.106 (2) and (3) and receive approval of the program from the Board of Naturopathic Examiners.

(3) Any programs of continuing education in naturopathy not authorized or approved by the Board prior to their being offered to naturopathic physicians will not be considered as meeting the requirements of ORS 685.102, 685.104, and 685.106.

Stat. Auth.: ORS Ch. 685

Hist: NE 6, f. 6-1-73, ef. 6-15-73; NE 5-1980, f. & ef. 9-11-80

Drug Enforcement Number

850-10-215 Licentiates requesting approval of this Board to the Federal Food and Drug Administration for the issuance of a Drug Enforcement Number, must be residents of Oregon and in full-time practice.

Stat. Auth.: ORS Ch. 685

Hist: NE 6-1980, f. & ef. 9-11-80

OREGON EDUCATIONAL COORDINATING COMMISSION
PROPOSED AMENDMENTS TO OREGON ADMINISTRATIVE RULES
CHAPTER 583, DIVISION 30

NOTE: Matter underlined is new; matter [*italic and bracketed*] is existing language to be omitted.

**STANDARDS AND PROCEDURES FOR
APPROVAL OF DEGREE REQUIREMENTS
IN CERTAIN OREGON PRIVATE AND
ALL OUT-OF-STATE INSTITUTIONS**

Scope and Purpose

583-30-005 (1) ORS 348.83¹ provides that certain Oregon private and all out-of-state institutions of learning shall not confer or offer to confer any degree in recognition of the attainment or proficiency of a person without first having submitted the requirements for the degree to the Oregon Educational Coordinating Commission and having obtained the Commission's approval. This applies to each degree program at each location proposed by an institution.

(2) The purpose of this rule is to provide standards and procedures for submission of requirements and for Commission review and approval of the same, and to assure that institutions covered by this rule meet minimum standards of quality in the operation and conferral of degrees. It is also the purpose of these rules to help prevent deception of the public resulting from the conferring and use of fraudulent or substandard degrees. Regulation of degree requirements as evidence of academic achievement is in the public interest.

Stat. Auth.: ORS Ch. 348

Hlst: ECC 22, f. & ef. 12-22-75; ECC 2-1980, f. & ef. 4-14-80

Exemptions

583-30-010 This rule shall not apply to:

(1) Any school or institution of learning which has been established and conducted within Oregon, and has conferred degrees for a period of 15 years prior to March 4, 1935;

(2) Any school conducted under the public educational system of the State of Oregon;

(3) Any Oregon school which is a member in good standing of the Northwest Association of Schools and Colleges;

[(4) Any school which confers degrees only for proficiency in any system or method of healing;]

[(5) Any school now conferring the degree of doctor of optometry;]

(4) [(6)] Schools of theology operating on a post-baccalaureate degree level.

Stat. Auth.: ORS Ch. 348

Hlst: ECC 22, f. & ef. 12-22-75; ECC 2-1980, f. & ef. 4-14-80

Definitions as Used in OAR 583-30-005 to 583-30-045

583-30-015 (1) "Institution of Learning" or "Institution" means post-secondary educational institutions subject to this rule.

(2) "Degree" means any academic or honorary title of designation mark, appellation, series of letters or words, such as, but not limited to, associate, bachelor, master, doctor, or fellow which signifies, purports, or is generally taken to signify satisfactory completion of the requirements of an academic program of study beyond the secondary school level or a recognized title conferred for meritorious recognition which may be used for any purpose whatsoever. "Degree" does not include certificate, diploma, license, report, document, or title which signifies satisfactory completion of requirements of a non-degree program.

(3) "Confer" includes awarding, granting, bestowing, or giving of a degree.

(4) "Good Standing" means full accreditation with the Northwest Association of Schools and Colleges.

(5) "Commission" means the Oregon Educational Coordinating Commission.

(6) "Out-of-State" or "Foreign" educational institution means either a public or private institution which is not an Oregon school.

(7) "Attainment" or "Proficiency" means the completion and mastery of a program or field of study or competence in the skills generally required in the profession or field of study.

(8) "Advertising" means any form of public notice used in school recruiting and promotional activities, however disseminated including, but not limited to, catalogues and other school publications, signs, mailing pieces, radio or television advertisement, and audiovisual material.

(9) "Oregon School" means any school or institution of learning which initially establishes operations solely in Oregon and continuously maintains its main headquarters in Oregon.

(10) "Part-time faculty" means teaching staff employed by an institution less than full-time throughout the academic year.

(11) "Credit for prior learning" means credit which is awarded for learning which is not sponsored by an institution and occurs prior to matriculation.

Stat. Auth.: ORS Ch. 348

Hlst: ECC 22, f. & ef. 12-22-75; ECC 2-1980, f. & ef. 4-14-80

Exercise of Commission Authority

583-30-020 (1) After initial approval by the Commission for an institution to grant a certain degree (or degrees), periodic reports may be required. Failure to conform to the established standards may result in loss of Commission approval. No institution shall receive approval for a period longer than five years. Prior to the expiration of the five-year period, or any lesser period designated by the Commission at the time of approval, the institution must initiate the reevaluation process by making application to the Commission for renewal of its authority. The Commission upon review and evaluation of the application shall make a final decision of approval or disapproval in not less than two nor more than 11 months.

(2) If any institution of learning fails to maintain the required standards or fails to report significant institutional changes within 90 days of the change including the offering of approved degree programs at new locations either within Oregon or elsewhere, the Commission may revoke its approval subject to rule 583-30-045 of these rules. The Commission may make periodic contact and/or send a representative or qualified examining or evaluation committee to an institution to gather information as authorized under rule 583-30-040. All costs of an evaluation shall be borne by the institution requesting approval.

Stat. Auth.: ORS Ch. 348

Hlst: ECC 22, f. & ef. 12-22-75; ECC 2-1980, f. & ef. 4-14-80

Eligibility to Apply

583-30-025 In order to make application for the review of its degree-granting authority, an institution subject to this rule must have a representative in Oregon residence and a headquarters with a physical location and address in Oregon and identify its agent for the transaction of business with the Commission; or, if a foreign or out-of-state institution, it must designate a responsible agent within the State of Oregon and provide his/her name, address, and telephone number.

Stat. Auth.: ORS Ch. 348

Hlst: ECC 22, f. & ef. 12-22-75; ECC 2-1980, f. & ef. 4-14-80

Application Procedure

583-30-030 Institutions making application shall do so on a form provided by the Commission, which shall be designed to meet the standards in rule 583-30-035.

Stat. Auth.: ORS Ch. 348

Hlst: ECC 22, f. & ef. 12-22-75

Standards

583-30-035 The following standards shall be used by the Commission in determining the completeness of an application and in its review of the degree-granting authority of an institution:

(1) Objectives. The objectives of the institution shall be clearly stated; they should make evident the ends which the institution hopes to achieve; and their implementation should be obvious in the administration of the institution, individual course objectives, and the total program which has been planned for students.

(2) Curriculum and Academic Standards. The institution shall make known the standards of excellence, mastery, and competence for its programs and courses of study and shall validate the effectiveness of its instruction by evaluating the proficiency of its students in their particular field of study before the granting of degrees. Special training for a given profession or vocation shall be sufficient in extent and quality to insure that recipients of the degree can perform acceptably the duties of the particular profession or vocation involved.

(3) Administration. The education and experience of directors, administrators, supervisors, and instructors should be sufficient to insure that the student will receive educational services consistent with institutional objectives. The administration of the institution shall be such that the lines of authority are clearly drawn. The institution shall present with its application a catalog and a brief, narrative explanation of how the administration of the institution is or is to be organized and how the administrative responsibility for each of the following is or is to be managed:

- (a) Faculty and staff recruitment;
- (b) Personnel records management;
- (c) Faculty pay scale and policies;
- (d) Standards and practices relating to evaluation, improvement of instruction, promotion, retention, and tenure;
- (e) Admissions policies including procedures used to solicit students;
- (f) Development and administration of policies governing rejection and retention of students, job placement, and student counseling and advising services;
- (g) Curriculum requirements;
- (h) Tuition and fee policies; and
- (i) Financial management policies.

(4) Faculty. Faculty members of any institution conferring degrees shall be qualified by training and experience to give effective instruction in the particular fields involved. There shall be submitted to the Commission a resume for each faculty member participating in a program in Oregon, including the following information:

- (a) Academic rank or title;
- (b) Degree or degrees held, the institution(s) that conferred the degree(s), the date(s) thereof, and whether earned or honorary;
- (c) The faculty members' assignments by course number and title and the number of students involved in each course;
- (d) Where faculty members have responsibilities for other than teaching, the nature of these responsibilities and the proportion of the faculty member's time required for them;
- (e) Full-time equivalency; and
- (f) The length of time each faculty member has been with the institution. Institutions which primarily employ part-time faculty must show how the following are provided:

- (a) Faculty participation in the development of curriculum to afford continuity and stability in the educational program.
- (b) Opportunity for counseling and informal association between students and faculty.

(5) Student Recruitment, Selection, and Retention. Recruitment and selection policies and practices shall be such as to assure that the personal goals and abilities of prospective

students are compatible with the institution's purpose and academic standards and that student retention practices are consistent with the institution's objectives. The data submitted to the Commission shall include the following:

(a) A statement of the institution's recruitment, selection, and retention policies;

(b) The number of applicants for admission, number admitted, and the number enrolled during the past year, the attrition rate compared to the total school enrollment, and the reasons for student leaving if known; and

(c) The distribution of students in each of the various years in school and in each degree program.

(6) Financial Condition:

(a) The institution shall demonstrate to the satisfaction of the Commission its financial solvency and stability by submitting certified audit reports, the posting of an adequate bond, or other appropriate evidence.

(b) The potential of a proposed program for retaining students over time will be a factor in assessing projected financial stability.

(7) Physical Plant, Materials, and Equipment. Instructional space, equipment, laboratories, recreational facilities, gymnasiums, health centers, and instructional materials shall be adequate to achieve all institutional and program objectives. Institutions without the educational resources of a traditional campus and out-of-state domiciled institutions shall furnish evidence that provisions are made for faculty and student access to all necessary teaching and learning resources.

(8) Library Resources:

(a) The library resources shall be adequate to support the instruction, research, and services pertinent to the institution's goals and courses of study. Evidence for evaluation shall include:

- (A) Financial support;
- (B) Circulation;
- (C) Number of volumes exclusive of documents;
- (D) List of periodicals;
- (E) List of reference books;
- (F) List of instructional media available; and
- (G) List of special collections.

(b) Institutions that do not maintain an on-site library shall furnish evidence that provisions have been made for faculty and student access to adequate library services.

(9) Entrance Requirements. Entrance requirements for post-secondary degree studies shall include graduation from a secondary school or its equivalent or such other requirements as are generally employed by institutions offering similar degrees.

(10) Educational Credentials:

(a) Upon satisfactory completion of educational or training and the payment of all tuition and fees owed by the student to the institution, the student shall be given appropriate educational credentials by the institution indicating that the course or courses of instruction or study have been satisfactorily completed by the student.

(b) In addition, for each student who graduates or withdraws, the institution shall prepare, permanently file, and make available a transcript that specifies all courses completed, provided that all tuition and fees owed by the student to the institution have been paid. Each course entry shall include a title, the number of credits awarded, and a grade. The transcript shall separately identify all credits awarded by transfer and for prior learning experience, correspondence courses, and credit by examination.

(11) Records:

(a) In addition to the transcript requirement provided for under section (10), the institution shall maintain adequate records to document the performance and progress of each student. The records and accounts pertaining to each period of

enrollment of each student shall be kept intact and in good condition by the educational institution for a period of at least three years following the termination of such enrollment period.

(b) The records to be retained shall include, but not necessarily be limited to, any of the following information that does not appear on permanently filed transcripts:

(A) Records and accounts which are evidence of tuition and fees charged to and received from or on behalf of all students.

(B) Records of previous education or training of students at the time of admission and records of credit, if any, granted by the institution at the time of admission.

(C) Records of the student's grades and progress.

(D) Individual instructor's class records.

(E) Records of interruption for unsatisfactory progress or conduct.

(F) Records of refunds of tuition, fees, and other charges made to the student.

(c) Institutions shall maintain and have available for inspection for a period of three years following their use complete records and copies of all advertising, sales, and enrollment materials used by or on behalf of the institution.

(d) If any educational institution proposes to discontinue its operation, the chief administrative officer of the institution shall file with the Oregon Educational Coordinating Commission the original or legible true copy of all such information as is customarily required by colleges when considering students for transfer or advanced study, including but not necessarily limited to, all records required in section (10) and subsection (a) of this section. In the event it appears to the Commission that any such records of an educational institution discontinuing its operations are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the Commission, the Commission may seek a court order to protect and, if necessary, take possession of the records. The Commission shall select at appropriate permanent location for such records.

(12) Advertising:

(a) The institution and its agents shall not utilize advertising of any type which is false or misleading, either by actual statement, omission, or insinuation.

(b) References to accreditation will be limited to accreditation currently held by the school through nationally recognized accrediting agencies as listed by the United States Department of Education.

(c) When an institution advertises that it is accredited it must identify the accrediting agency.

(d) An institution shall have records available to document any statements made through its advertising including salary and placement claims.

(e) An institution shall not advertise that it is in any way licensed, endorsed, recommended, approved, or accredited by the Oregon Educational Coordinating Commission.

(f) The institution shall provide students and other interested parties with a brochure or catalog. The brochure or catalog must be revised and published at least every two years.

The following may be included in the brochure or catalog: "This institution has met the requirements of the Oregon Educational Coordinating Commission to grant degrees."

If any of the following items of information are not included in the catalog or brochure, it shall refer to other specific documents containing the omitted information:

(A) Name and address of the school;

(B) Date of publication;

(C) Admission requirements and procedures;

(D) A statement of tuition and other student charges related to enrollment such as deposits, fees, books and supplies, tools and equipment, and other charges for which a student may be responsible. This information may be presented as an addendum or insert to the main publication;

(E) A description of the extent and nature of part-time or full-time job placement assistance, if any, available to students or graduates;

(F) Specifics describing the availability of student housing, counseling and other student services, if any;

(G) A school calendar including beginning and ending dates of classes and programs, holidays, and other dates of importance;

(H) A statement of the objectives of the institution;

(I) A list of all institutional administrators and faculty members, including their titles and academic qualifications;

(J) A statement of institutional policy relative to standards of progress required of the student. This policy shall describe the grading system of the school, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory grades or progress, a description of the probationary period, if any, and conditions for re-entrance for those students dismissed for unsatisfactory progress. A statement shall be made regarding progress records kept by the institution and furnished to the student;

(K) A statement of institutional cancellation and refund policy;

(L) A description of the available space, facilities and equipment;

(M) A description of the objectives, requirements, and length of each program offered.

(N) For each program or field of study that prepares students for a licensed or certified occupation, a statement that indicates whether or not the appropriate agency or association recognizes the program for purposes of licensing or certification in that occupation. For all such programs, this information must be provided at the beginning of each program description in the catalog, brochure, and supplementary publications.

(O) Policy and procedures relative to the granting of credit for prior learning if offered.

(P) A statement explaining the arrangements, or lack thereof, for transfer of the institution's credits to other institutions.

(Q) A description of the types of financial assistance available to students enrolled in the institution.

(R) Any other material facts concerning the school and the instruction which are reasonably likely to affect the decision of the potential student;

(13) Credit for Prior Learning:

(a) Institutions awarding credit for prior learning shall have clearly state policies relating to administrative responsibility, student eligibility, means of assessment, recording of results and transcripts, storage of documentation, student fees and maximum number of credits allowable.

(b) Credit for prior learning normally should be awarded in subject matter fields in which the institution offers comparable courses or curriculum and has available faculty expertise or where nationally validated examinations or other procedures for establishing credit equivalency can be relied upon. However, credit may be accepted when appropriately evaluated through contractual or other means.

(c) Systematic and rigorous procedures for assessing prior learning shall be used. They shall insure that learning is carefully articulated, documented, and measured in the context of the role of the institution and the educational objective of the student. Requirements must be specific that each student must demonstrate the learning achieved before credit is awarded.

(14) Requirements for all Associate, Baccalaureate and graduate degrees shall provide for an appropriate balance of credits between those earned in the major discipline and in general education. These requirements shall be in keeping with those generally employed by institutions offering similar degrees.

(15) Cancellation and Refund Policy. The institution shall maintain a fair and equitable policy in reference to refund of the unused portion of tuition fees and other charges in the event the student fails to enter the course, or withdraws at any time prior to completion of the course. Such a policy shall be in keeping with generally accepted practices of institutions of higher education.

(16) Other Information. The applicant shall provide any other information about the institution and its programs required by the Commission.

Stat. Auth.: ORS Ch. 348

Hist: ECC 22, f. & cf. 12-22-75; ECC 2-1980, f. & cf. 4-14-80

Review Procedures

583-30-040 (1) The Commission may send a representative or an examining or evaluation committee to inspect any institution of learning subject to ORS 348.835. The examining committee shall be comprised minimally of a Commission staff reviewer, or a designee; an institutional representative of a college accredited by the Northwest Association of Schools and Colleges; and a third party drawn from the general professional field of the institution undergoing review. In those instances in which a representative of the Commission or an examining committee has been assigned to inspect an institution, the representative's or committee's report shall be submitted as part of the documentation necessary for Commission action.

(2) In lieu of a review in accordance with part of the standards used by the Commission as listed in OAR 583-30-035, the Commission may acknowledge the adequacy of accreditation by an association recognized by the United States Department of Education.

(3) Final action for approval by the Commission will be held open to the public and the applicant institution shall be invited to attend.

Stat. Auth.: ORS Ch. 348

Hist: ECC 22, f. & cf. 12-22-75; ECC 26, f. & cf. 6-8-77; ECC 2-1980, f. & cf. 4-14-80

Revocation of Approval

583-30-045 Approval obtained under ORS 348.835 may be revoked for proper cause by the Commission at its discretion, after a hearing. Such hearing shall be held only after the institution of learning involved has been given 20 days' notice in writing of the time and place of such hearing.

Stat. Auth.: ORS Ch. 348

Hist: ECC 22, f. & cf. 12-22-75

H B

389

AMENDMENT

HB 389 (regulation of real estate brokers and salesmen)

ON page 2, at line 18:

INSERT a new *Sec 3 to read:

*Sec. 3. As 08.88.081 is amended to read;
sec. 08.88.081. COMMISSION REGULATIONS
The comin shall adopt regulations pertaining to the responsibilities of persons licensed under this chapter and the grounds for revoking or suspending a license. The comin shall also adopt regulations to carry out the other purposes of this chapter.

Remember secs. of bill accordingly

(an alternative which would mean more change in the bill would be to correct the OP1 + III + new language as subsec (a) (b) + (c))

AMENDED

1 IN THE HOUSE

BY FURNACE

2

HOUSE BILL NO. 389

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the regulation of real estate
7 brokers and salesmen."

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

9 * Section 1. AS 08.88.071(a)(3) is amended to read: *oh*

10 (3) after hearing, have the authority to reprimand a li-
11 icensee or suspend or revoke the license of a licensee who

12 (A) with respect to a real estate transaction

13 (i) made a substantial misrepresentation;

14 (ii) made a false promise likely to influence,
15 persuade, or induce;

16 (iii) in the case of a real estate broker, pursued
17 a flagrant course of misrepresentation or made a false
18 promise through an agent, associate real estate broker, or
19 real estate salesman;

20 (iv) has engaged in conduct that is fraudulent or
21 dishonest;

22 (v) violates AS 08.88.391;

23 (B) procures a license by deceiving the commission, or
24 aids another to do so;

25 (C) has engaged in conduct in which the commission had
26 no knowledge at the time the licensee was licensed demonstrating
27 the licensee's unfitness to engage in the business for which the
28 licensee is licensed;

29 (D) knowingly authorizes, directs, connives at or aids

1 in publishing, distributing, or circulating a material false
2 statement or misrepresentation concerning the licensee's business
3 or concerning real estate for sale in the licensee's business in
4 this or any other state;

5 (E) if a real estate broker, wilfully violates AS 08.-
6 88.171(d) or 08.88.291;

7 (F) if an associate real estate broker, claims to be a
8 real estate broker, or, if a real estate salesman, claims to be a
9 real estate broker or associate real estate broker;

10 (G) if a real estate broker, employs an unlicensed
11 associate real estate broker or real estate salesman;

12 (H) if an associate real estate broker or real estate
13 salesman, fails immediately to turn money collected in a real
14 estate transaction over to the employing real estate broker;

15 * Sec. 2. AS 08.88.071(a)(3) is amended by adding a new subparagraph to
16 read:

17 (I) violates a provision of this chapter;

18 * Sec. 3. AS 08.88.091 is amended by adding a new subsection to read:

19 (b) The commission may charge a fee for informational material
20 published under this section to a person or organization that obtains
21 more than five copies of the publication. The charge may not exceed
22 the cost of publishing the copies and no charge may be required for
23 the first five copies obtained.

24 * Sec. 4. AS 08.88.161 is amended by adding a new paragraph to read:

25 (9) for compensation, manage commercial or residential ~~real~~
26 ~~estate, homeowners' association, condominium association, or similar organization.~~

27 * Sec. 5. AS 08.88.251(a) is amended to read:

28 (a) A licensee with active status [PERSON LICENSED BY THE COM-
29 MISSION] may obtain [BECOME] inactive status by completing [RETURNING

1 TO THE COMMISSION THE PERSON'S LICENSE CERTIFICATE AND] a form pro-
2 vided by the commission and submitting the form with the required fee
3 to the commission. In the form, the licensee [PERSON] shall state the
4 date on which the licensee [PERSON] intends to become inactive. The
5 licensee's [PERSON'S] inactive status begins on the date stated. [THE
6 COMMISSION SHALL ISSUE THE PERSON AN INACTIVE LICENSE CERTIFICATE.]

7 * Sec. 6. AS 08.88.251(c) is amended to read:

8 (c) A licensee with [PERSON WHO IS] inactive status may obtain
9 [BECOME] active status by applying for [AN] active status with the
10 commission [LICENSE] and paying the required fees. In the application
11 form the licensee [PERSON] shall state the date on which the licensee
12 [PERSON] intends to become active. The licensee's [PERSON'S] active
13 status begins on the date stated. [THE COMMISSION SHALL SEND THE
14 PERSON A LICENSE CERTIFICATE.] A licensee [PERSON] is entitled to
15 change from an inactive to an active status without examination if the
16 licensee [PERSON] has not been inactive more than three years. If the
17 licensee [PERSON] has been inactive more than three years, the li-
18 icensee [PERSON] is required to take an examination.

19 * Sec. 7. AS 08.88.291 is amended to read:

20 Sec. 08.88.291. LOCATION. A licensed real estate broker shall
21 register with [INFORM] the commission [OF] the broker's principal
22 office and [OF] any branch offices the broker maintains by completing
23 and submitting a form provided by the commission [HAS]. The broker
24 and each person with a license issued under this chapter who [THE
25 ASSOCIATE REAL ESTATE BROKERS AND REAL ESTATE SALESMEN] the broker
26 employs may do business only from [IN OR OUT OF] the broker's princi-
27 pal or branch [OFFICE AND THE BROKER'S BRANCH] offices. Failure of a
28 real estate broker to maintain a place of business or inform the
29 commission of its location and the names and addresses of all li-

1 censees employed by [UNDER] the broker [BROKER'S JURISDICTION] at the
2 location are grounds for the suspension or revocation of the broker's
3 license.

4 * Sec. 8. AS 08.88.331 is amended to read:

5 Sec. 08.88.331. MAKING OF TRANSACTIONS. A real estate salesman
6 or associate real estate broker may make a real estate transaction
7 only through the real estate broker who employs the real estate sales-
8 man or associate real estate broker. All money collected on behalf of
9 the broker shall immediately be turned over to the broker or the
10 broker's agent. All transactions in real estate by a real estate
11 salesman or associate real estate broker shall be processed through
12 the real estate salesman's or the associate real estate broker's
13 employing real estate broker's office and shall be supervised by the
14 real estate broker, whether the transactions are for the real estate
15 salesman's or associate real estate broker's own use or the use of a
16 client.

17 * Sec. 9. AS 08.88.351 is amended by adding a new subsection to read:

18 (b) The records required under this section of transactions that
19 are for the broker or an employee of the broker shall be similar to
20 and as complete as records of transactions for clients.

21 * Sec. 10. AS 08.88.421 is amended by adding new paragraphs to read:

22 (11) the developer of commercial or residential ^{condominium} ~~real estate~~
23 when acting as manager of the ^{A condominium} ~~real estate~~; ASSOCIATION

24 (12) a member of the board of directors of a homeowner's
25 association, condominium association, or similar organization when
26 managing the real estate in the course of performing duties as a
27 member of the board of directors.

28 * Sec. 11. AS 08.88.455(a) is amended to read:

29 (a) A licensed real estate broker, [OR] associate broker, or

\$125.00

1 salesman when obtaining or renewing a real estate license, in lieu of
2 obtaining a corporate surety bond, shall pay to the commission in
3 addition to the license fee, a bond fee not to exceed \$125 [, AND A
4 LICENSED SALESMAN, WHEN OBTAINING OR RENEWING A LICENSE, IN LIEU OF
5 OBTAINING A CORPORATE SURETY BOND, SHALL PAY TO THE COMMISSION IN
6 ADDITION TO THE LICENSE FEE, A BOND FEE NOT TO EXCEED \$40]. After the
7 fund reaches \$250,000 the commission shall by regulation adjust the
8 bond fees so that, taking into account anticipated expenditures for
9 claims against the fund and real estate educational purposes, the fund
10 is maintained at a level not less than \$250,000.

11 * Sec. 12. AS 08.88.460 is amended by adding a new subsection to read:

12 (c) A claimant under this section shall pay a filing fee of \$100
13 to the commission at the time the claim is filed. The filing fee
14 shall be refunded if the commission makes an award to claimant
15 from the real estate surety fund.

16 * Sec. 13. AS 08.88.261 is repealed.

1 IN THE HOUSE

BY FURNACE

2

HOUSE BILL NO. 389

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the regulation of real estate
7 brokers and salesmen."

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

9 * Section 1. AS 08.88.071(a)(3) is amended to read:

10 (3) after hearing, have the authority to reprimand a li-
11 icensee or suspend or revoke the license of a licensee who

12 (A) with respect to a real estate transaction

13 (i) made a substantial misrepresentation;

14 (ii) made a false promise likely to influence,
15 persuade, or induce;

16 (iii) in the case of a real estate broker, pursued
17 a flagrant course of misrepresentation or made a false
18 promise through an agent, associate real estate broker, or
19 real estate salesman;

20 (iv) has engaged in conduct that is fraudulent or
21 dishonest;

22 (v) violates AS 08.88.391;

23 (B) procures a license by deceiving the commission, or
24 aids another to do so;

25 (C) has engaged in conduct in which the commission had
26 no knowledge at the time the licensee was licensed demonstrating
27 the licensee's unfitness to engage in the business for which the
28 licensee is licensed;

29 (D) knowingly authorizes, directs, connives at or aids

1 in publishing, distributing, or circulating a material false
2 statement or misrepresentation concerning the licensee's business
3 or concerning real estate for sale in the licensee's business in
4 this or any other state;

5 (E) if a real estate broker, wilfully violates AS 08.-
6 88.171(d) or 08.88.291;

7 (F) if an associate real estate broker, claims to be a
8 real estate broker, or, if a real estate salesman, claims to be a
9 real estate broker or associate real estate broker;

10 (G) if a real estate broker, employs an unlicensed
11 associate real estate broker or real estate salesman;

12 (H) if an associate real estate broker or real estate
13 salesman, fails immediately to turn money collected in a real
14 estate transaction over to the employing real estate broker;

15 * Sec. 2. AS 08.88.071(a)(3) is amended by adding a new subparagraph to
16 read:

17 (I) violates a provision of this chapter;

18 * Sec. 3. AS 08.88.091 is amended by adding a new subsection to read:

19 (b) The commission may charge a fee for informational material
20 published under this section to a person or organization that obtains
21 more than five copies of the publication. The charge may not exceed
22 the cost of publishing the copies and no charge may be required for
23 the first five copies obtained.

24 * Sec. 4. AS 08.88.161 is amended by adding a new paragraph to read:

25 (9) for compensation, manage commercial or residential real
26 estate.

27 * Sec. 5. AS 08.88.251(a) is amended to read:

28 (a) A licensee with active status [PERSON LICENSED BY THE COM-
29 MISSION] may obtain [BECOME] inactive status by completing [RETURNING

1 TO THE COMMISSION ~~THE~~ PERSON'S LICENSE CERTIFICATE AND] a form pro-
2 vided by the commission and submitting the form with the required fee
3 to the commission. In the form, the licensee [PERSON] shall state the
4 date on which the licensee [PERSON] intends to become inactive. The
5 licensee's [PERSON'S] inactive status begins on the date stated. [THE
6 COMMISSION SHALL ISSUE THE PERSON AN INACTIVE LICENSE CERTIFICATE.]

7 * Sec. 6. AS 08.88.251(c) is amended to read:

8 (c) A licensee with [PERSON WHO IS] inactive status may obtain
9 [BECOME] active status by applying for [AN] active status with the
10 commission [LICENSE] and paying the required fees. In the application
11 form the licensee [PERSON] shall state the date on which the licensee
12 [PERSON] intends to become active. The licensee's [PERSON'S] active
13 status begins on the date stated. [THE COMMISSION SHALL SEND THE
14 PERSON A LICENSE CERTIFICATE.] A licensee [PERSON] is entitled to
15 change from an inactive to an active status without examination if the
16 licensee [PERSON] has not been inactive more than three years. If the
17 licensee [PERSON] has been inactive more than three years, the li-
18 icensee [PERSON] is required to take an examination.

19 * Sec. 7. AS 08.88.291 is amended to read:

20 Sec. 08.88.291. LOCATION. A licensed real estate broker shall
21 register with [INFORM] the commission [OF] the broker's principal
22 office and [OF] any branch offices the broker maintains by completing
23 and submitting a form provided by the commission [HAS]. The broker
24 and each person with a license issued under this chapter who [THE
25 ASSOCIATE REAL ESTATE BROKERS AND REAL ESTATE SALESMEN] the broker
26 employs may do business only from [IN OR OUT OF] the broker's princi-
27 pal or branch [OFFICE AND THE BROKER'S BRANCH] offices. Failure of a
28 real estate broker to maintain a place of business or inform the
29 commission of its location and the names and addresses of all li-

PL Edw
UP

1 censees employed by [UNDER] the broker [BROKER'S JURISDICTION] at the
2 location are grounds for the suspension or revocation of the broker's
3 license.

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5 Sec. 08.88.331. MAKING OF TRANSACTIONS. A real estate salesman
6 or associate real estate broker may make a real estate transaction
7 only through the real estate broker who employs the real estate sales-
8 man or associate real estate broker. All money collected on behalf of
9 the broker shall immediately be turned over to the broker or the
10 broker's agent. All transactions in real estate by a real estate
11 salesman or associate real estate broker shall be processed through
12 the real estate salesman's or the associate real estate broker's
13 employing real estate broker's office and shall be supervised by the
14 real estate broker, whether the transactions are for the real estate
15 salesman's or associate real estate broker's own use or the use of a
16 client.

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18 (b) The records required under this section of transactions that
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20 and as complete as records of transactions for clients.

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22 (11) the developer of commercial or residential real estate
23 when acting as manager of the real estate;

24 (12) a member of the board of directors of a homeowner's
25 association, condominium association, or similar organization when
26 managing the real estate in the course of performing duties as a
27 member of the board of directors.

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29 (a) A licensed real estate broker, [OR] associate broker, or

1 salesman when obtaining or renewing a real estate license, in lieu of
2 obtaining a corporate surety bond, shall pay to the commission in
3 addition to the license fee, a bond fee not to exceed \$125 [, AND A
4 LICENSED SALESMAN, WHEN OBTAINING OR RENEWING A LICENSE, IN LIEU OF
5 OBTAINING A CORPORATE SURETY BOND, SHALL PAY TO THE COMMISSION IN
6 ADDITION TO THE LICENSE FEE, A BOND FEE NOT TO EXCEED \$40] After the
7 fund reaches \$250,000 the commission shall by regulation adjust the
8 bond fees so that, taking into account anticipated expenditures for
9 claims against the fund and real estate educational purposes, the fund
10 is maintained at a level not less than (\$250,000.)

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12 (c) A claimant under this section shall pay a filing fee of \$100
13 to the commission at the time the claim is filed. The filing fee
14 shall be refunded if the commission makes an award to the claimant
15 from the real estate surety fund.

16 * Sec. 13. AS 08.88.261 is repealed.

125.00 BROKER
125.00 SALESMAN

New § 3 of bill + amendment
add to OP 1: "The comin shall
also adopt ways to carry out the
purposes of this chapter."

Collateral references. — 12 Am. Jur. & Brokers, §§ 18-22. 58 Am. Jur. 2d, Occupations, Trades and Professions, § 1722. C.J.S., Brokers, §§ 6-24.

Sec. 08.88.161. License required. Unless licensed as a real estate broker, associate real estate broker, or real estate salesman, a natural person, foreign or domestic corporation, or partnership, or limited partnership, or other entity may not

- 1) sell, exchange, rent, lease, auction, or purchase real estate;
 - 2) list real estate for sale, exchange, rent, lease, auction, or purchase;
 - 3) collect rent for the use of real estate;
 - 4) as a business, buy, sell, or deal in
 - A) options in real estate; or
 - B) options in improvements to real estate;
 - 5) assist in or direct the procuring of prospective buyers or the negotiation of a transaction which results or is calculated to result in the sale, exchange, rent, lease, auction, or purchase of real estate;
 - 6) hold out to the public as being engaged in the business of doing any of the things listed in this section;
 - 7) attempt or offer to do any of the things listed in this section.
- (5) Repealed by § 4, ch. 28, SLA 1982. (§ 1 ch 95 SLA 1964; am § 321 ch 108 SLA 1970; am § 324 ch 28 SLA 1974)

Cross references. — As to activities in and of housing for minority groups, see AS 240.215. Editor's notes. — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 58, SLA 1982.

Sec. 08.88.171. Entitlement to license. (a) A person is entitled to a real estate broker license if the person is a resident of the state, if the person passes the real estate brokers examination, if the person applies for a license within six months after the person has taken the real estate brokers examination, if the person has had at least 24 months of active and continuous experience as a licensed real estate salesman, if the person is not under indictment for, or seven years have elapsed since the person has completed a sentence imposed upon conviction of, forgery, theft, extortion, conspiracy to defraud creditors, or any other felony involving moral turpitude, and if the person is an owner of a real estate business or employed as a real estate broker by a corporation or partnership, and if that corporation or partnership does not have an existing licensed broker. Unless the broker fails to pay the biennial renewal fee or unless the broker's license is suspended or revoked under AS 08.88.071(a)(3), the real estate broker's license continues in

Supplement

Title 9
Code of Civil Procedure

Sec. 08.88.431. Definitions. In AS 08.88.011 — 08.88.500

- (1) "real estate" means an interest or estate in land, corporeal or incorporeal;
- (2) "commission" means the Real Estate Commission;
- (3) Repealed by § 42 ch 167 SLA 1980.
- (4) "lease" includes a lease that is a part of another transaction.
- (5) "resident manager" means a person who resides on real property and manages it for the benefit of another person. (§ 1 ch 95 SLA 1964; am § 58 ch 218 SLA 1976; am §§ 32, 2 ch 167 SLA 1980)

Effect of amendments. — The 1980 amendment repealed paragraph (3), and added paragraph (5).

Article 4. General Provisions.

Section

- 421. Exceptions
- 431. Definitions

Sec. 08.88.421. Exceptions. AS 08.88.011 — 08.88.500 do not apply to

(1) a person who is not licensed under AS 08.88.011 — 08.88.500 who makes a real estate transaction with respect to real estate he owns or on his own behalf, unless the transaction involves land defined in AS 34.55.044(6) which is not in Alaska;

(2) an attorney in fact under a power of attorney authorizing the consummation of a specific real estate transaction; an attorney in fact may not act as such for more than two transactions in a calendar year;

(3) a lawyer performing his duties as a lawyer;

(4) a public official in the conduct of his official duties;

(5) a person acting as receiver, trustee, administrator, executor, or guardian;

(6) a person acting under court order;

(7) a person acting under the authority of a will or trust instrument;

(8) a person dealing in mineral rights transactions;

(9) each of the following:

(A) a domestic or foreign corporation, or a general or limited partnership; or

(B) a partner or regular employee of a domestic or foreign corporation or a general or limited partnership, when performing an act described in AS 08.88.161 in the regular course, or as an incident to, the management, sale or other disposition of real estate owned by the corporation or partnership; the exemption provided in this subparagraph does not apply to a person who performs an act described in AS 08.88.161 either as a vocation or for compensation if the amount of the compensation is dependent upon or directly related to the value of the real estate with respect to which the act is performed.

(10) a resident manager of rented real estate if his duties are limited to the negotiation of leases and rental agreements and the collection of rent for the use of the real estate and if he is

(A) employed by the owner of the real estate; or

(B) employed by, or engaged under contract with, a licensed real estate broker. (§ 1 ch 95 SLA 1964; am § 1 ch 38 SLA 1969; am § 19 ch 28 SLA 1974; am §§ 29—31 ch. 167 SLA 1980)

Effect of amendments. — The 1980 amendment substituted "who is not licensed under AS 08.88.011 — 08.88.500 who makes" for "making" near the beginning of paragraph (1), added "which is not in Alaska" at the end of paragraph (1); in paragraph (9), restructured the paragraph into present subparagraphs (A) and (B), added the introductory phrase, "each of the following", inserted "or a" preceding "general" in subparagraph (A), substituted a semicolon for a comma following "limited partnership" at the end

of subparagraph (A), substituted "a domestic or foreign corporation or a general or limited partnership" for "one of these," and "an act" for "acts", deleted "however" following "the corporation or partnership", inserted "exemption provided in this subparagraph does not apply to a", and substituted "who performs an act described in AS 08.88.161 either" for "may not perform these acts", all near the middle of subparagraph (B), and substituted "act is" for "acts are" at the end of subparagraph (B); and added paragraph (10).

Amendments for HB-389

Page 2 Line 26 Add ", or a condominium Association, community Association, or any other type organization which manages commercial or residential real estate."

Page 4 Line 23 Add " or condominium Association, community Association or similar organization."

STATE OF ALASKA
FISCAL NOTE

Revision Date _____, 1983

I. REQUEST

Bill/Resolution No.: HB 389
 Title: Regs. of real estate brokers & salesmen
 Sponsor: Furnace
 Requestor: House Labor & Commerce

II. FISCAL DETAIL

Agency Affected: Commerce & Econ. Develop.
 Program Category Affected: Public Protection
 BRU, Program of Subprogram(s) Affected: Real Estate Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL						
REVENUE (to surety fund)	0	123.8	123.8	123.8	123.8	123.8

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

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

IV. ANALYSIS: Attach a separate page for any Analysis

Prepared By: James L. Magowan, Executive Director Phone: 272-5508
 Division: Real Estate Commission Date: _____
 Approved by Commissioner: Richard A. Lyon Date: 5/10/83
 Department: Commerce & Economic Development

Distribution:

- Original to Legislative Finance
- Copy to Office of Management and Budget (for Legislature introduced bills)
- Copy to Department (for Governor introduced bills)
- Copy to Sponsor
- Copy to Requestor (if different from Sponsor)

3/8/83

FISCAL NOTE ANALYSIS OF HB 389

The surety fund is a self-sustaining fund not supported by general revenues. Fees are set by regulation, up to a maximum statutory limit, to cover expenditures and appropriations from the fund. The fund is currently showing a slight negative balance between revenue and expenditures.

Licenses issued and renewed remains the same as currently is the case.

This bill raises the maximum surety payment by salesmen to \$125.00 which is what brokers currently pay.

These fees are for surety fund and educational programs only. The actual fees will be set by regulation to cover the expenditures of the fund. It is estimated that the actual fee will be \$100.00. The estimated increase in revenue is \$123,250 per year. In the event that heavy losses due to claims should deplete the fund, the fees could be adjusted to bring in (at current licensee numbers) 337,500 per year - an increase of 191,250 over current revenues.

CALCULATIONS OF REVENUES

Based on 2500 salesmen and 700 broker renewals plus 2000 new salesman licenses and 200 new broker licenses per biennium.

Current Revenues (\$40 per salesman, \$125 per broker)

Salesman Renewals	\$100,000
Broker Renewals	87,500
New Salesmen	80,000
New Brokers	25,000
	<hr/>
	\$292,500/biennium
	\$146,250/annualized

Projected Revenues @\$100 uniform fee
\$540,000/biennium
\$270,000 annualized
\$123,750 annualized increase

Projected Revenues @\$125 (the maximum) uniform fee
\$675,000/biennium
\$337,500 annualized
\$191,250 annualized increase

H B

426

MEMORANDUM

State of Alaska

TO: Kenneth C. Moore
Director, Division of Insurance

DATE: May 26, 1983

FILE NO:

TELEPHONE NO:

FROM: Jim Jordan
Insurance Market Analyst

SUBJECT: HB 426 - comments

In the most part, the bill as introduced is substantially the same as my original draft. Some re-ordering was done but does not change the substance. However, I would recommend that four changes be made. Two of the changes, if not made, would make no difference in the meaning but are suggested to add more clarity. However, the other two suggested changes need to be made.

Suggested Amendments

1. p. 1., line 10; immediately following the word "A" add the word "group". (Not critical but would add more clarity.)

2. p. 1., line 14; following the word "unions" add the following words ", or by one or more employers and labor unions".

(This is a necessary change to recognize the combination of employers and labor unions which represent the employees of that employer(s).)

3. p. 1., line 18; between the words "insurability" and "imposed" insert the words "as may be".

(This is not critical but it adds more clarity. Without the amendment, it might appear that an insurer must apply evidence of insurability standards. Many group life contracts are issued without any requirements that evidence of insurability or good health be provided for each group member. It is a basic tenet of group insurance that with a large enough group of insureds a sufficient spread of risk is realized, thus obviating the necessity of individually, medically underwriting each person. I don't believe we want to impose this on the public or insurers when it is an actuarially sound principal.)

4. p. 1., line 28; change the cite "AS 21.48.070" to the correct cite "AS 21.48.170".

(This is a necessary change. The citation in HB 426 is incorrect.)

HB 426 leaves in the specific criteria for debtor groups (AS 21.48.060) and for credit union groups (AS 21.48.070). The original draft did the same thing. This was done because of the unique nature of these types of groups and their specific relationship to AS 21.57. This is particularly the case for debtor groups.

I am attaching a marked up copy of HB 426, which includes the suggested amendments, as well as copies of my memoranda of November 26, 1982 to you and of May 18, 1983 to Jeff Day, and of my original draft.

1 IN THE HOUSE

BY HAYES

2 HOUSE BILL NO. 426

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to group life insurance; and provid-
7 ing for an effective date."

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

9 * Section 1. AS 21.48.010(a) is amended to read:

10 (a) ^{group} A ~~A~~ [NO] life insurance policy may not be delivered in this
11 state insuring the lives of more than one individual unless

12 (1) the policyholder was formed for purposes other than
13 obtaining insurance, or is a trust established by one or more
14 employers or labor unions; *or by one or more employers and labor unions*

15 (2) the policy covers at least two individuals at the date
16 of issue;

17 (3) an individual eligible for coverage is subject to
18 uniformly applied standards of insurability; *as may be* imposed by the insurer;

19 (4) amounts of group life insurance are determined based on
20 some plan that will preclude individual selection; and

21 (5) the group life insurance contract is in compliance with
22 the other applicable provisions of this chapter [DELIVERED TO ONE OF
23 THE GROUPS AS PROVIDED FOR IN SECS. 20 - 60 OF THIS CHAPTER, AND
24 UNLESS IN COMPLIANCE WITH THE OTHER APPLICABLE PROVISIONS OF THIS
25 CHAPTER].

26 * Sec. 2. AS 21.48.010 is amended by adding new subsections to read:

27 (c) Insurance under a group life insurance policy may be
28 extended to insure dependents. Notwithstanding AS 21.48.070¹⁷⁰, only one
29 certificate need be issued for delivery to an insured person if a

1 statement concerning a dependent's coverage is included in the certif-
2 icate.

3 (d) In this section, "dependents" means the spouse and dependent
4 children of an employee or member of the group.

5 * Sec. 3. AS 21.48.020 - 21.48.050 and AS 21.48.090 are repealed.

6 * Sec. 4. This Act takes effect immediately in accordance with AS 01.-
7 10.070(c).

MEMORANDUM

State of Alaska

TO: Kenneth C. Moore, Director

DATE: November 26, 1982

FILE NO:

TELEPHONE NO:

FROM: Jim Jordan 

SUBJECT: Group Life Insurance
Proposed Legislated Changes

Attached, please find the draft of the Act which amends AS 21.48, Group Life Insurance.

The proposed amendments to AS 21.48 accomplish the following:

- 1) The definition regarding who constitutes a duly formed group for the purposes of group life insurance is liberalized;
- 2) The ceiling on amounts of group life insurance for dependents is removed;
- 3) The group definitions applicable to group disability insurance contracts are indirectly liberalized pursuant to AS 21.54.060(4);
- 4) The provisions requiring some premium contribution by an employer/policyholder are eliminated; and
- 5) AS 21.48.060, debtor groups, and AS 21.48.070, credit union groups, remain intact and unchanged due to their unique character and relationship to credit life and credit disability (AS 21.57).

Of course, the underlying intent of the proposal is to provide for expanded availability of group life insurance. Conceivably, a broader based portion of our population will have expanded means of acquiring life insurance coverage on an economical basis.

In my opinion, this proposal will not require increased appropriations for administration. In fact it may result in increased premium tax revenue. Master group contracts heretofore delivered in other states, covering Alaskan residents, in order to circumvent unfavorable provisions in our law, may, in the future, be issued in this state. By so doing, taxable, Alaska premiums could increase.

It should be noted that some unfavorable federal income tax implications could arise in the area of dependent group life. For amounts of dependent group life insurance provided by an employer in excess of \$2,000, the premiums paid by the employer for such coverage would be taxed as income to the employee.

Opposition, if any, to this proposal would most likely come from the life insurance agent specializing in the sale of individual life insurance products. This opposition would be primarily "protectionist" in nature and easily countered.

Let me know if you would like to discuss this proposal in greater detail.

ages 5 years and older. These amounts were established by law in 1966 and certainly inflationary pressures alone would dictate the maximum amounts of coverage be increased. The proposed language would remove all maximums. Group insurance is primarily an employee benefit and may be subject to collective bargaining. It was felt that the insurance laws should not impose any artificial barriers in the negotiation or determination of employee benefits. Again, an employer may provide amounts of dependents group life insurance greater than that allowed by Alaska law by joining a multiple employer trust located in state allowing higher amounts. (We know this has been done.) Many states exist which have no such maximum for dependents group life insurance. One of the reasons for limiting the amount of dependent group life to \$2,000 is due to federal income tax implications. In the situation where an employer pays the entire premium for dependents group life insurance, the IRS has ruled that so long as the coverage amount is incidental, no additional taxable income is incurred by the employee. The amount determined by the IRS as being incidental is up to a maximum of \$2,000. (The same holds true for the amounts of group life insurance provided to employees except that no federal income tax liability accrues until the amounts of coverage exceeds \$50,000.)

In general, AS 21.48 requires that the premium can not be entirely paid by employee contributions. The proposed language removes this requirement. This change was included for several reasons. First, an employer can in effect make this meaningless by contributing only 1¢ toward the premium cost for each employee. Second, some employee benefit programs contain a basic amount of group life insurance paid for entirely by the employer and an optional amount paid for entirely the employee. Current construction of AS 21.48 forces such coverages to be underwritten by one insurer in one master group contract. This may impede competition to a certain degree, particularly for larger employers. An example of this could be the State of Alaska plan for its employees where the various segments of the benefit package go out to competitive bid. One insurer may submit the lowest bid for the optional group life but may not be the lowest bidder on the basic group life. Therefore, the state could not award the contract for the optional group life to that insurer who is the lowest bidder and award a separate contract to another insurer who was the lowest bidder on the basic group life. Third, again,, an employer may circumvent this situation by joining an association or multiple employer trust situated in another state. Last, AS 21.54 imposes no such requirement for group accident and health coverages.

It is felt that the proposed changes would help facilitate the extension of life insurance protection to a broader section of our population with no material loss in regulatory protection. Typically, group insurance is less costly than individual insurance contracts due to the administrative economies realized. Therefore, this proposal should help to provide a broader base of coverage at a cost more beneficial to the Alaskan resident.

Also, for your information, the proposed language is patterned after Colorado's group life law.

Please let me know if I may be of any further assistance.

Sincerely,

James J. Jordan
Insurance Market Analyst

JJJ/gw

H B

457

MAY 4, 1984

TO: JOHN

FROM: KEN

RE: HB 457 " MAKING AN APPROPRIATION TO THE IDITAROD
TRAIL COMMITTEE.

HB 457 WAS FIRST INTRODUCED AS AN APPROPRIATION TO THE
IDITAROD TRAIL COMMITTEE AS A GRANT FOR THE 1984 RACE. BY
REQUEST OF THE SPONSORS, THE AMOUNT OF THE GRANT HAS
BEEN INCREASED FROM 65 THOUSAND TO 72 THOUSAND AND THE
DIRECTED TOWARD NEXT YEARS IDITAROD. THE TRAIL
COMMITTEE HAS SUPPLIED A BRIEFING PAPER EXPLAINING HOW THE
MONEY WOULD BE USED.



IDITAROD TRAIL COMMITTEE, INC.

May 1, 1984

Mr. Kan Johnson
Administrative Assistant, Rep. John Cowdery
House Labor & Commerce Committee
Pouch V
Juneau, Alaska 99811

Dear Mr. Johnson,

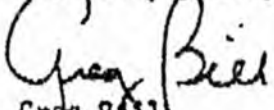
Enclosed is a complete breakdown of our request for funding for the 1985 Iditarod Trail Sled Dog Race, classified under HB 457.

We appreciate the State's assistance in the past, as without it I don't believe Iditarod could have grown to be the international spectacle it has become.

A fact that should interest you is that data was gathered during this year's Race for a professional research firm which has volunteered its services to prepare an economic impact study for us. Rough estimates indicate that we generate around \$3,000,000 in additional revenue for the State, a lot of that benefitting the communities we pass through. A final accurate report should be completed by early next year.

Your assistance in the passage of HB 457 is greatly appreciated.

Sincerely yours,


Greg Bill
Executive Director

GB/jp
Enclosure

1985 Iditarod Sled Dog Race Request

1. Trail

Each year ITC breaks and marks the Iditarod Trail from Settler's Bay to Shageluk or Ruby. We must find volunteers to complete, at cost, this project. Many different groups use the trail when it is opened. We need monies for machine rentals, expenses, gas, food, labor, and markings.

\$14,000

2. Dog Care and Treatment

Last year over one thousand (1000) dogs left Fourth Avenue in Anchorage. About 700 arrived in Nome. All up the trail we have Veterinarians stationed to care for the dogs. Each Veterinarian has medication and equipment to treat emergencies and to perform autopsies if necessary. They also help the mushers keep their teams in top health. Veterinarians also check for illegal drugs, sending the samples to Cornell University for analysis. For Veterinarian expenses (food, lodging, transportation), medical supplies, autopsies, and sample analysis.

\$13,000

3. Iditarod Air Force

Each year Aviation Insurance cost raises. The Iditarod Trail Committee must be protected, so we take out this Insurance for a month and a half. We purchase gas and oil for our planes up the trail. This does not money in the local economy. We request funding for pilot expenses (food, lodging) gas, oil, and Aviation Insurance.

\$20,000

4. Liability Insurance

We must have protection for spectators, municipalities, Bureau of Land Management, our volunteers, and Iditarod Trail Committee. Our dog truck is also insured.

\$ 8,000

5. Brochures and Press Packets

Because of increasing race exposure, we are getting more requests, year round, for information on Iditarod. We would like to put together an "Amateur's Guide to Iditarod". This would include the whus, whens, and how comes of the Iditarod Sled Dog Race. For the press packets we try to provide them with interesting information and facts about the race. We also inform the uninformed the trials and tribulations of traveling up the trail.

\$ 5,000

6. Race Personnel Identification

With all the spectators and press following the race, it is hard to identify our race personnel. Not only is it confusing for misiners, but many times we end up with unauthorized charges on our accounts.

\$ 2,000

7. Office Equipment and Expenses

The cost of operating our office year round is expensive. We would like to include general office supplies in this request.

Also included is one (1) word processor and one (1) electric typewriter.

\$10,000

TOTAL REQUEST

\$72,000

HB

475

CURRENT LINE

Vol. 4, No. 5

MATANUSKA ELECTRIC ASSOCIATION, INC.

Palmer, Alaska

January 20, 1983

FROM THE BOARD ROOM

In its regular meeting of January 11, 1983 the Board of Directors took the following action:

*approved a contract with D. A. Vaughn Company, Real Estate Investors of Eagle River to market the unused Eagle River building and land.

*approved the Association's new Equity Management Plan which will see capital credits retirement checks mailed this year for the first time in MEA history.

*agreed to meet January 25 in a special meeting to consider the rate design and Annual meeting items. The APUC has given the Association a February 15 deadline for action on rate design.

*appointed the 1983 nominating committee. Committee members are: Don Savage, 376-4719; Linda Olson, 745-3355; Dorothy Jones, 733-2395, E. L. "Turk" Mayfield, 495-6413; Dale Briggs, 694-2311; Lorry Pollock, 745-4036; and Mac Stevens, 733-2281.

*approved the write-offs of uncollectable accounts for December making the total for 1982 \$68,448.79.

*declined to approve the removal of Director Sandvik from the Board of Directors as requested by Director Staudenmaier.

*set the next regular meeting of the Board as Tuesday, February 22, 1983 at 7:00 p.m.

PERSONNEL POINTERS

"Your Indirect Paycheck" for 1983

This information is intended to give you an idea of what MEA pays its nonunion personnel in addition to your salary. This "indirect paycheck" very often goes unnoticed and as a result, unused. They represent a real part of your total compensation which you should be aware of.

For purposes of conceptualizing these programs, an exempt employee was imagined who has worked four years at MEA, and makes \$30,000 per year. All variations were excluded, such as overtime, salary increases, program changes, price increases or decreases, etc. Exact percentages and figures will vary. If you would like to know what your figures would be, Personnel would be happy to compute them for you.

<u>PROGRAM</u>	<u>RATES ON \$30,000 SALARY</u>	<u>ANNUAL \$ AMOUNT IN ADDITION TO AN EMPLOYEE'S BASE SALARY OF \$30,000</u>
1. <u>NRECA Retirement</u> Pays 2% X salary X # of years worked	16.8%	\$ 5,040
2. <u>Required Employer Costs</u>		
A. <u>FICA: Social Security</u> costs 6.7% of wages up to \$35,700	6.7%	\$ 2,010
B. <u>FUTA: Federal Unemploy- ment insurance costs .7%</u> of wages up to \$6,000 = \$42.00 ÷ \$30,000 =	.14%	\$ 42
C. <u>Alaska Unemployment</u> <u>Insurance costs 1.66% on</u> wages up to \$20,000 = 335 ÷ \$30,000 =	1.12%	\$ 335
D. <u>Workmen's Comp Insurance</u> for exempt employees costs .69% of 1st \$400 of weekly wages: \$400 X 52 X .0069 = 144 ÷ \$30,000 =	.48%	\$ 144

3. <u>Alaska Public Utility Insurance Trust</u> Group health plans includes health, vision, dental & dependents life insurance	7.32%	\$ 2,197
4. <u>NRECA Long Term Disability</u> Pays 50% of your salary while disabled	1.31%	\$ 393
5. <u>NRECA Savings Plan</u> MEA required payments	1.00%	\$ 300
6. <u>NRECA Life and AD&D</u> Pays 2X salary	.82%	\$ 246
7. <u>MEA Self-Insured Short-Term Disability</u> Pays \$75 per week for 13 weeks. Present cost unknown but would have averaged in the past about .14% for this employee.	.14%	\$ 42
8. <u>Miscellaneous Benefits</u> Employee training, physical exams, jury duty, etc. are estimated to be at least 1%	<u>1.00%</u>	<u>\$ 300</u>
TOTALS	36.83%	\$11,049

$\$11,049 \div \$30,000 = 36.83\%$ means MEA pays 36% in addition to this employee's wage.

Annual Leave While payments for time away from work won't increase the amount paid to this employee, such payments significantly increase overall costs. If this employee was a temporary employee, not eligible for leave, this benefit could be valued as follows:

MEA 4 year leave accrual rate = 24 days X 8 hours = 192 hours per year. $\$30,000 \div 2080 = 14.42$ hours X 192 = $\$2,769.21 \div \$30,000 = 9.23\%$

PERSONNEL POINTERS (continued from page 3)

This means annual leave could be valued by this employee at \$2,769 per year and constitutes approximately 9.23% of his/her compensation.

Similarly, Holiday Pay could be viewed as follows:

MEA holidays = 11 days per year X 8 = 88 hours per year X \$14.42 hourly rate = \$1,269 per year ÷ \$30,000 = 4.22%. Holiday pay could be considered to constitute 4% of this employee's pay and be worth \$1,269 annually.

If you add these percentages to the above figures, (36.83% + 9.33% + 4.22% = 50.38), an employee could consider receiving the equivalent to one-half of his or her salary in the form of employee benefits. The costs for this example would be approximately \$15,087.

For a \$20,000 per year employee MEA pays an additional \$9,042 per year, or 41.3%. When leave is considered the amount is \$11,734 or 54.76%.

For a \$40,000 per year employee MEA pays an additional \$13,537 or 33.85%. With leave considered, the additional amount is \$18,921 or 47.31%.

For a \$50,000 per year employee MEA would pay \$15,645 or 31.27%. When leave is added the amount would be \$22,375 or 44.73%.

These figures, when averaged, equal 35.81% or \$12,318, without leave or holidays. With leave and holidays added the averages are 49.29% or \$17,029.

The buying power of these group benefits significantly increases their value as well. We attempted to price a comparative private group health plan and were given such widely varying rates, (from \$400 up per month) that comparisons were impossible. There appears to be no private dental plans available anywhere. Most of these figures are not subject to taxes, thus increasing the value of them substantially.

MEA is pleased to be able to contribute these benefits in appreciation for the skilled and dedicated service received from our all employees. If you have any questions on what these figures mean or how you can obtain the maximum benefit from the varied coverage provided for you, please contact the Personnel Office.

COMMENDATIONS

Please join us in applauding these employees for doing an outstanding job. Their efforts have earned glowing words of praise from our members. We need to give as much attention to compliments as we do to complaints.

<u>Employee</u>	<u>Member Compliments</u>
Bill West, Eng. Tech II	"An A+ in public relations and professional expertise"
Ernie Jameson, General Foreman	"Mr. Jameson was very courteous and helpful"
Larry McDuffey, Foreman Larry Corcoran, Lineman Dennis Illies, Apprentice	"...could not believe how nice everyone had been to him..."
Terry Smith, ROW Agent II	"...thoroughly impressed with the professionalism Terry used in solving the problem."

New employees

Please join us in welcoming these new employees:

John Parker, Manager of Administration will start February 9, 1983.

Joan Bennett and Donna Mathena, Work Experience trainees, who started first week of January.

Adam Heller, Brian Shandler and Sherry Thom, high school trainees in Operations, who started January 17, 1983.

Also new in Operations: three temporary journeymen linemen; Bill J. Parker, Tony Tessaro, and John Donovan. Our new apprentice lineman Mike Hodsdon took Mike Thrasher's spot; he's now a journeyman. New apprentice Lee Stevens fill Larry Schnell's spot. Larry is now attending apprenticeship school.

Retirement Planning Seminar I'm sorry to report that the seminar we had planned for Saturday, January 22nd had to be cancelled. We could not recruit enough participation to cover the fixed expenses. We do hope to reschedule this seminar and we are considering inviting employees from a couple of other organizations so that participation will be higher. Thank you for your interest. Personnel will contact employees again when we have a new date.

To ALL HEA Personnel

A thank you is not enough but ---- thanks
to everyone for all your help and support.
You're a great bunch of people!!!

3:11

- - -

FIRST AID TO BURN VICTIMS

The care of a burn victim depends on the percentage of burned body surface involved. In no instance should grease (butter, lard, vaseline, mineral oil, or other ointments) be applied to a burn. For first and second degree burns:

1. Immerse the burned part in cold water for two to five minutes.
2. Cover the burn with a sterile dressing or clean sheet.
3. Use cool, wet applications for relief of pain.
4. Transport the patient to a hospital.

If the victim has third degree burns, cover the burned area with a sterile dressing or a clean sheet. Use cool wet applications for relief of pain and be prepared to treat the victim for shock. Cover the victim with a blanket and elevate his feet. Get the victim to a hospital as soon as possible.

Joanie's Feline Orphanage Going Out of Business!

Due to overcrowded conditions at home I MUST sever my affectionate association with four of my cuttiest friends: FREE TO GOOD HOMES Momma cat, now neutered; Punkin, intact female 8 month old kitten. She's grey and gold like a crazy quilt, nut great personality. Also intact female, very pretty Siamese looking, about 6 months old, affectionate and gentle Crystal. Photos are available in the hall outside Personnel. I dread the worst fate for them so if you would ask around, i'd appreciate it. Or better yet, take one yourself, they make wonderful pets.



"...and right now I'm 'specially thankful we've got an automatic 10-cycle all-electric dish-washer."

INTRO TO ELECTRIC UTILITY CIRCUITS

Jim Hall is presently teaching a class on Intro to Electric Utility Circuits each Wednesday from 4-6 p.m. until mid-March. Anyone wishing to attend this class should contact Jim at X66.

NANCY DOLLARD'S CHEESE FILLED CORN BREAD

1 pkg. dry yeast
1/4 cup lukewarm water
1 teaspoon honey
1 egg lightly beaten
3/4 cup margarine
2 cups flour
1/4 teaspoon salt

Filling

2 pkgs. (8 ounces each) cream cheese
1/2 cup honey
1/2 teaspoon vanilla
1 teaspoon fresh lemon juice

Mix yeast, water and honey. Let stand for 10 minutes. Add egg. Cut margarine into flour and salt and mix well. Add yeast mixture and blend completely. Divide into 2 balls and roll each into 8 x 10 inch rectangles.

Filling

Combine cream cheese, honey, vanilla and lemon juice. Spread half of filling on each rectangle and fold by taking each long side toward the middle, making sure the sides overlap a little. Fold the ends up about 1/2". Bake immediately at 375° for 25 minutes. Serve warm. Makes 10 - 15 servings.

(Nancy was a temporary employee in Consumer Accounts and mailed us this recipe.)

CAR OPERATING COST

Americans spent an average \$2,790 last year to operate a car, equal to 34.5 cents a mile for an estimated 8,081 miles traveled, a Hertz Corp. study shows.

December 7, 1982

To: Robert L. Husted, President
Matanuska Electric Association, Inc.

From: 
Elden Sandvik, Chairman
Board Compensation Committee

Subject: Committee Recommendations

The following are our recommendations regarding MEA's compensation programs and practices.

- 1) Discontinue the practice of offering exempt employees paid time off in return for overtime hours worked (comp time). We recommend that compensatory time for exempt employees be eliminated and that the General Manager establish appropriate means of alternate compensation for unique circumstances.
- 2) In order to protect the tax exempt status of the Deferred Compensation program, it needs to be limited to department managers and the General Manager. This change should be made effective on January 1, 1983. Those employees who are in the program as of that date will have "grandfather rights" in the plan. Also effective January 1, 1983, MEA should not prepay an employee's yearly deferred compensation contribution. It should now be paid on a quarterly basis. MEA should continue to pass on its reduced benefit costs to deferred compensation participants using NRECA formulas.
- 3) The present savings program is structured such that all employees are enrolled in it. We recommend the installation of a participation requirement of a minimum of one (1) percent for the savings plan. This change permits MEA to switch from paying the entire cost at the start of the year to paying throughout the year and should result in a cost savings of approximately \$11,550 (per TB&A report). This \$11,550 should be applied to offset benefit cost increases resulting from our following recommendations.
- 4) MEA presently has duplicate employee coverage in life insurance and accidental death and dismemberment programs. Employees presently have two times annual salary in life and accidental death program from NRECA. They also have \$2,000 in life insurance and \$4,000 in accidental death from Alaska Public Utilities Insurance Trust (APUIT). The APUIT programs are comparatively expensive when compared to their small benefit. APUIT also offers an accident and sickness program which pays \$75.00 per week for thirteen weeks in the event of a non-work related injury or sickness. The monthly cost per employee is \$5.30 for the above benefits.

It is our recommendation to drop the above APUIT programs and apply the funds to improvements in APUIT's dental coverages as follows:

- | | | |
|----|---|---------------|
| A) | Increase the annual maximum dental benefit from \$1,500 to \$2,000; | |
| | cost \$1.07/employee/month. | \$1.07 |
| B) | Increase dental coverage from 80% to 90%; | 4.54 |
| | cost \$4.54/employee/month. | <u>\$5.61</u> |

This represents an increase of \$.31 per month per employee (\$5.61 - 5.30 = \$.31).

It should be noted that the Board of Trustees of APUIT recently increased the vision benefit schedule by ten percent at a cost of \$.50 per month per employee.

It is our recommendation that we self-insure the accident and sickness program until an alternate program can be developed. MEA's leave policy presently provides coverage for a portion of this area and NRECA's long-term disability program provides coverage after thirteen weeks. It is our recommendation that we self-insure to the \$75.00 level that APUIT provided and utilize the same requirements. It is anticipated that a program can be developed which provides coverages for emergency leave situations for a reasonable cost.

- 5) MEA incurs an extensive financial unfunded liability when an employee does not utilize their vacation accruals. It is our recommendation we require employees to take at least ten working days off per year and provide a maximum accrual of 60 days.
- 6) We recommend improving the NRECA Retirement Program in order to increase the rewards for long service to the Association. The improvements are:
 - 1) Add a cost-of-living allowance which maintains an employee's retirement income at a uniform level regardless of inflation.
 - 2) Add a thirty year and out or retirement at 62 feature. This means someone starting to work at MEA at age 20 could retire at age 50 or anyone can retire at age 62.

This program can be made effective on January 1, 1984, and increase costs by about \$10,000 or about .5% of payroll. This increase can be offset by the next recommendation.

- 7) In an effort to save money, the presently distressed Social Security System is now using a strict definition of total disability. A person now has to be unable to do any type of work to be totally disabled. In the past they have used a more liberal definition. MEA's present NRECA Long-Term Disability program pays 50% of an employee's salary. Social Security payments, if any, are added to that 50%. It appears that many of our employees would now be unable to rely on any income from Social Security if they were totally disabled for more than thirteen weeks.

It is our recommendation that MEA select NRECA's LTD program which increases the percentage paid to employees from 50% to 66 2/3%. Social Security payments, if any, would be subtracted from NRECA payments. The most an employee could make while disabled would be 66 2/3% of prior salary to a maximum of \$4,500 per month. By selecting the increased rate, many future employees should receive a greater benefit than is now provided.

In those cases when an employee receives money from Social Security, NRECA saves that amount. That potential savings is passed on to MEA in a reduction in LTD rates of about 1.36%. That savings can be applied to the improvements in the retirement plan and other cost increases resulting from our recommendations. Therefore, it can be noted that the overall savings between items six and seven is .86% (.5% - 1.36% = .86%). We recommend this change be made as soon as NRECA programs permit.

- 8) We recommend MEA adopt the attached October-November 1982 salary survey and the resultant 1983 salary plan. We recommended that the overall organizational comp-ratio for MEA not exceed an average of .98. This does not mean employees will be restricted to this level, but that the General Manager is responsible for assuring that the average comp-ratio for the overall organization does not exceed .98. Fiscal considerations and member realities require MEA to take a conservative approach to its compensation programs. The .98 comp-ratio will also help establish a level of competence required in the activities of the Association employees. This area can be monitored by the Board, as a monthly report will be provided to the Board of Directors.
- 9) We recommend continuing to use the performance guide presently in use, copy attached for your information. This guide sets possible percentages given to employees who achieve various levels of performance. Increases in these figures cannot be supported by the CPI. Decreases at this time would cause MEA wages to fall behind the prevailing market.
- 10) We recommend discontinuing immediately lump sum payments for COLA, performance increases, and salary increases. We further recommend no change in policy regarding leave cash-in and commendation awards providing such commendation awards are only considered for extremely unique situations.
- 11) We also recommend that staff be directed to prepare the necessary policy revisions to implement the above changes as may be approved by the Board of Directors.

cc: Committee Members - Harvey Bowers
Tamie Miller



1982 Salary Survey
October/November 1982
Completed by
MEA Personnel Office

1. Position descriptions were summarized and approved by employees and supervisors.
2. Thirteen comparable firms were contacted to gain assistance and position questionnaires mailed out.
3. Follow-up included individual meetings and phone calls.
4. Position matches were mutually determined with the comparable firms. Actual salaries were then obtained and averaged to establish the new mid-point for each grade level.

Organizations Surveyed

- | | |
|---|---|
| 1. Copper Valley Electric | 8. Municipality of Fairbanks
(ML&P) |
| 2. Golden Valley Electric | 9. Mat-Su Borough |
| 3. Kodiak Electric | 10. Mat-Su School District |
| 4. Homer Electric | 11. State of Alaska |
| 5. Matanuska Telephone | 12. Alascom |
| 6. Chugach Electric
(no data returned) | 13. Retherford & Associates
(now International
Engineering) |
| 7. Municipality of Anchorage
(ML&P) | |

In the following report each organization is referred to by an alphabetical letter to protect the salary confidentiality of the survey participants.

1982 Salary Survey

Establishing Grade I

<u>Benchmark Positions</u>	<u>Actual Salaries Reported Matching Our Position</u>	
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General Accounting Clerk	\$20,700	Employer A
	22,464	Employer C
	23,192	Employer I

General Office Clerk II	\$25,750	Employer D
	22,464	Employer I
	18,832	Employer L

Average of above \$22,233

Present mid-point \$22,300

Recommend increasing Grade I as follows:

1.	\$22,300	new mid-point
	22,300	old mid-point
	<hr/>	
	\$ 000	grade increase

2. Plus 4% of the 1982 rates to allow for 1983 wage increases.

1983 Recommended Grade I:

Minimum: \$19,700 Mid-point: \$23,100 Maximum: \$26,700

1982 Salary Survey

Establishing Grade II

Benchmark Positions	Actual Salaries Reported Matching Our Position	
Billing Clerk	\$28,059	Employer D
Cashier	\$20,700 28,059	Employer A Employer D
Engineering Clerk	\$24,900 24,252 22,283	Employer A Employer B Employer L
General Office Clerk III	\$22,464	Employer I
Purchasing Assistant	\$26,208	Employer I
Receptionist/PBX Operator	\$17,184 27,653	Employer A Employer D
Word Processing Operator	\$23,425	

Average of above \$24,107

Present mid-point \$23,600

Recommend increasing Grade II as follows:

1.	\$24,100	new mid-point
	23,600	old mid-point
	<hr/>	
	\$ 500	grade increase

2. Plus 4% of the 1982 rates to allow for 1983 wage increases.

1983 Recommended Grade II:

Minimum: \$21,320 Mid-point: \$25,000 Maximum: \$28,800

982 Salary Survey

Establishing Grade III

Benchmark Positions	Actual Salaries Reported Matching Our Position	
---------------------	---	--

Accounts Payable Clerk	\$24,900	Employer A
	27,643	Employer D
	27,144	Employer I
	23,100	Employer L

Payroll Clerk	\$33,100	Employer A
	26,208	Employer I
	23,100	Employer L

Average of above \$26,456

Present mid-point \$25,800

Recommend increasing Grade III as follows:

1.	\$26,400	new mid-point
	25,800	old mid-point
	<hr/>	
	\$ 600	grade increase

2. Plus 4% of the 1982 rates to allow for 1983 wage increases.

1983 Recommended Grade III:

Minimum: \$23,500 Mid-point: \$27,400 Maximum: \$31,500

1982 Salary Survey

Establishing Grade IV

<u>Benchmark Positions</u>	<u>Actual Salaries Reported Matching Our Position</u>	
Engineering Tech II	\$30,784	Employer I
	32,460	Employer M
Draftsman	\$34,529	Employer B
	32,073	Employer D
	30,000	Employer I
	28,080	Employer M

Average of above \$31,320

Present mid-point \$29,600

Recommend increasing Grade IV as follows:

1. \$31,300 new mid-point
 29,600 old mid-point

 \$ 1,700 grade increase

2. Plus 4% of the 1982 rates to allow for 1983 wage increases.

1983 Recommended Grade IV:

Minimum: \$27,600 Mid-point: \$32,500 Maximum: \$36,800

1982 Salary Survey

Establishing Grade A

<u>Benchmark Positions</u>	<u>Actual Salaries Reported Matching Our Position</u>	
Consumer Service Supervisor	\$28,828	Employer B
	28,205	Employer C
Credit Officer	\$25,875	Employer B
	33,500	Employer I
Personnel Assistant	\$33,900	Employer B
	22,000	Employer I

Average of above \$28,718

Present mid-point \$33,900

Recommend increasing Grade A as follows:

No change indicated.

1983 Recommended Grade A:

Minimum: \$27,100 Mid-point: \$33,900 Maximum: \$40,700

1982 Salary Survey

Establishing Grade B

<u>Benchmark Positions</u>	<u>Actual Salaries Reported Matching Our Positions</u>	
Field Engineer	\$38,584	Employer I
General Accounting Supervisor	\$41,000	Employer A
	31,512	Employer B
	47,822	Employer D
	36,500	Employer I

Average of above \$39,083

Present mid-point \$38,500

Recommend increasing Grade B as follows:

1. \$39,000 new mid-point
 38,500 old mid-point

 \$ 500 grade increase

2. Plus 4% of the 1982 rates to allow for 1983 wage increases.

1983 Recommended Grade B:

Minimum: \$32,500 Mid-point: \$40,500 Maximum: \$48,500

1982 Salary Survey

Establishing Grade C

Benchmark Positions	Actual Salaries Reported Matching Our Position	
Chief, Accounting Services	\$39,300	Employer B
Chief, Computer Services	\$50,000	Employer I
Construction Engineer	\$50,833	Employer I
Personnel Officer	\$42,800	Employer I
Purchasing Agent	\$46,100	Employer A
	44,886	Employer E
	43,200	Employer L
Right of Way Agent III	\$38,600	Employer A
	38,000	Employer I
	42,000	Employer L
Warehouse Superintendent	\$49,727	Employer D
	49,900	Employer L

Average of above \$44,695

Present mid-point \$44,200

Recommend increasing Grade C as follows:

- | | |
|----------|----------------|
| \$44,700 | new mid-point |
| 44,200 | old mid-point |
| <hr/> | |
| \$ 500 | grade increase |

- Plus 4% of the 1982 rates to allow for 1983 wage increases.

1983 Recommended Grade C:

Minimum: \$37,300 Mid-point: \$46,400 Maximum: \$55,600

1982 Salary Survey

Establishing Grade D

<u>Benchmark Positions</u>	<u>Actual Salaries Reported</u>	<u>Matching Our Position</u>
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Distribution Engineer	\$54,270	Employer B
	46,846	Employer D
	55,000	Employer I
	55,600	Employer L

General Foreman	\$67,170	Employer B
	53,726	Employer D
	53,803	Employer E
	54,000	Employer I
	53,400	Employer L

Average of above \$54,868

Present mid-point \$52,300

Recommend increasing Grade D as follows:

1.	\$54,800	new mid-point
	52,300	old mid-point
	<hr/>	
	\$ 2,500	grade increase

2. Plus 4% of the 1982 rates to allow for 1983 wage increase.

1983 Recommended Grade D:

Minimum: \$46,000 Mid-point: \$56,900 Maximum: \$67,900

1982 Salary Survey

Establishing Grade E

<u>Benchmark Positions</u>	<u>Actual Salaries Reported Matching Our Position</u>	
Manager of Administration	\$62,500	Employer A
	59,460	Employer B
	62,500	Employer I
Manager of Electric Operations	\$70,380	Employer B
	59,898	Employer E
Manager of Engineering	\$58,000	Employer A
	67,140	Employer B
	61,000	Employer I
	65,700	Employer L

Average of above \$62,953

Present mid-point \$61,500

Recommend increasing Grade E as follows:

1. \$62,900 new mid-point
 61,500 old mid-point

 \$ 1,400 grade increase

2. Plus 4% of the 1982 rates to allow for 1983 wage increases.

1983 Recommended Grade E:

Minimum: \$52,600 Mid-point: \$65,400 Maximum: \$78,200

MATANUSKA ELECTRIC ASSOCIATION, INC.

SALARY PLAN

Exempt Positions

Effective: 1/1/83

	MEA GRADE	EVALUATION POINTS	SALARY RANGE (\$000's)		
			MINIMUM	MID-POINT	MAXIMUM
MANAGEMENT					
General Manager	N/A	N/A	Determined by Contract		
Manager of Administration	E	900+	\$52,600	\$65,400	\$78,200
Manager of Electric Operations					
Manager of Engineering Services					
ADMINISTRATIVE - PROFESSIONAL - SUPERVISORY - TECHNICAL					
Distribution Engineer	D	700-899	46,000	56,900	67,800
Manager, District Office					
Manager, Member & Public Relations					
General Foreman					
Real Estate & Properties Officer					
Substation/Transmission Engineer					
Chief of Accounting Services	C	550-699	37,300	46,400	55,600
Chief of Computer Services					
Construction Engineer					
District Engineer					
Engineering Office Coordinator					
Executive Secretary					
Personnel Officer					
Purchasing Agent					
Right of Way Agent III					
Right-of-Way Clearing & Maintenance Officer					
Staff Engineer					
Warehouse Superintendent					
Consumer Accounts Supervisor	B	450-549	32,500	40,560	48,500
Field Engineer					
General Accounting Supervisor					
Consumer Service Supervisor	A	300-449	27,100	33,900	40,700
Credit Officer					
Personnel Assistant					
Right of Way Agent II					

APPROVED BY MEA BOARD OF DIRECTORS,

Robert L. Husted

Robert L. Husted, President

DATE OF APPROVAL: December 7, 1982

DATE EFFECTIVE: January 1, 1983

MATANUSKA ELECTRIC ASSOCIATION, INC.

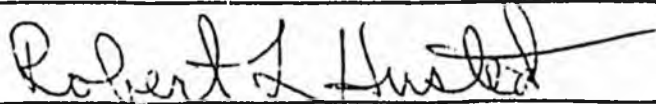
SALARY PLAN

Non-Exempt Positions

Effective: 1/1/83

	MEA GRADE	EVALUATION POINTS	SALARY RANGE (\$000's)		
			MINIMUM	MID-POINT	MAXIMUM
Engineering Tech II Draftsman	IV	710+	\$27,600	\$32,500	\$36,800
Accounts Payable Clerk Computer Specialist Distribution Engineering Clerk Payroll Clerk Plant Accountant Senior Billing Clerk Staff Accountant Work Order Clerk	III	560-709	23,500	27,700	31,500
Billing Clerk Cashier Computer Service Clerk Consumer Accounts Clerk Consumer Services Clerk District Services Clerk Engineering Clerk Engineering Technician I General Office Clerk IV General Office Clerk III Member Relations Assistant Operations Clerk Purchasing Assistant Receptionist/PBX Operator Word Processing Operator	II	460-559	21,320	25,000	28,800
Data Entry Clerk General Accounting Clerk II General Office Clerk II General Office Clerk I Service Records Clerk	I	410-459	19,700	23,100	26,700
Trainee (Minimum Wage)	T	\$3.85 hr. +			

APPROVED BY MEA BOARD OF DIRECTORS,


Robert L. Husted, President

DATE OF APPROVAL: December 7, 1982

DATE EFFECTIVE: January 1, 1983

SALARIES OF
STATE OFFICIALS
and
EXEMPT POSITIONS

July 1983

GOVERNOR/LT. GOVERNOR'S OFFICE

<u>CLASS. CODE</u>	<u>TITLE</u>	<u>RANGE</u>	<u>STEP</u>	<u>SALARY</u>
	GOVERNOR.....	30	F	\$81,648
	LT. GOVERNOR.....	28	F	76,188
1016	Legislative Assistant.....	26	A	59,532
1017	Special Assistant I.....	19	A	38,316
1018	" " II.....	22	A	46,800
1019	" " III.....	24	A	53,568
1158	Executive Resident Manager.....	16	A	31,032
1008	Election Supervisor I.....	21	A	43,788
1009	" " II.....	24	A	53,568
1010	" Deputy Director.....	24	A	53,568

LEGISLATURE

	LEGISLATORS.....	22	A	46,800
	Ombudsman.....	28	E	73,620

COURT SYSTEM

	Supreme Court Justices.....	30	F	81,648
	Superior Court Judges.....	28	E	73,620
	District Court Judges.....	26	C	63,636

COMMISSIONERS

	COMMISSIONERS (Cabinet Level)..	28	E	73,620
	Deputy Commissioners.....	28	A	63,636
1980	Assistant Commissioners.....	27	A	61,548
1917	Special Asst. to Commissioner I	21	A	43,788
1918	" " " " II	23	A	50,040
	Public Utility Commissioners...	26	C	63,636
	Transportation Commissioners...	26	C	63,636

DIRECTORS

	Division Directors.....	26	A	59,532
2202	Office Director.....	26	A	59,532
2203	Asst. Office Director.....	24	A	53,568
2170	Dep. Director-Housing Assistance	22	A	46,800

45 SENIOR BASE SALARIES 60,662.50
 45 CONGRESS MEN SALARIES 69,800.00

EXECUTIVE DIRECTORS *

1012	Public Offices Commission.....	22	A	46,800
1013	" " " " Asst.	18	A	35,760
1943	Public Broadcast Commission.....	26	A	59,532
1998	Older Alaskans Commission.....	24	A	53,568
1999	Council on Domestic Violence....	24	A	53,568
2327	Real Estate Commission.....	18	A	35,760
2348	Public Utilities Commission.....	26	A	59,532
3509	Historical Commission.....	26	A	59,532
3510	Arts Council.....	23	A	50,040

MISCELLANEOUS

1151	Secretary I.....	10	A	21,084
1152	" II.....	11	A	22,452
1155	Executive Secretary I.....	12	A	23,796
1154	" " II.....	14	A	27,024
1156	" " III.....	16	A	31,032
1157	" " IV.....	18	A	35,760
1981	Pioneer Home Manager.....	20	A	40,932
4204	Human Rights Field Rep. I.....	13	A	25,332
4206	" " " " II.....	16	A	31,032
4207	" " " " III.....	18	A	35,760
4208	" " " " IV.....	20	A	40,932
4209	" " " " V.....	21	A	43,788
4205	" " Technician.....	12	A	23,796
6199	Chief - Subsistence.....	24	A	53,568
7110	Associate Attorney I.....	17	A	33,252
7111	" " II.....	19	A	38,316
7795	Training Coordinator (Police Standards Council.....	19	A	38,316
8665	Deputy Pipeline Coordinator.....	25	A	57,384

* Exec. Directors for:

- Alaska Housing Finance
- " Industrial Authority
- " Resources Corp.

Their salaries are set by their Board of Directors. Not locked into state system.

MATANUSKA ELECTRIC ASSOCIATION, INC.
Palmer, Alaska

COMPOSITION OF TOTAL PAYROLL
1984 BUDGET

UNION PAYROLL:
(55 Positions)

Direct Wages	\$ 2,588,922
Annual Leave Accrual	<u>201,159</u>
Sub - Total	2,790,081
Other Fringe Benefits	
Employer's Payroll Tax Expense (FICA, ESC, FUTA)	164,397
Workmen's Compensation Insurance	47,895
IBEW Benefits (Health & Welfare, Training, Pension)	<u>452,285</u>
Total	\$ <u><u>3,454,658</u></u>

NON-UNION PAYROLL:
(131 Positions)

Direct Wages	\$ 4,095,047
Annual Leave Accrual	<u>318,185</u>
Sub-Total	4,413,232
Other Fringe Benefits-	
Employer's Payroll Tax Expense (FICA, ESC, FUTA)	260,036
Workmen's Compensation Insurance	75,758
Health Insurance & NRECA Benefits (Pension, Life Insurance, LTD, Savings)	<u>921,396</u>
Total	\$ <u><u>5,670,412</u></u> *
Grand Total	\$ <u><u>9,125,070</u></u> *

MATANUSKA ELECTRIC ASSOCIATION, INC.
Palmer, Alaska

COMPOSITION OF TOTAL PAYROLL
1983 BUDGET

UNION PAYROLL:

Direct Wages	\$ 2,052,134
Annual Leave Accrual	<u>181,940</u>
Subtotal	2,240,074
Other Fringe Benefits -	
Employer's Payroll Tax Expense (FICA, ESC, FUTA)	127,399
Workmen's Compensation Insurance	62,155
IBEW Benefits (Health & Welfare, Training, Pension)	<u>369,023</u>
Total	<u>\$ 2,798,651</u>

NON-UNION PAYROLL:

Direct Wages	2,721,767
Annual Leave Accrual	<u>240,604</u>
Subtotal	\$ 2,962,371
Other Fringe Benefits -	
Employer's Payroll Tax Expense (FICA, ESC, FUTA)	168,477
Workmen's Compensation Insurance	82,197
Health Insurance & NRECA Benefits (Pension, Life Insurance, LTD, Savings)	<u>667,375</u>
Total	<u>\$ 3,880,420</u>

*667,375
309,222
1,998,332*

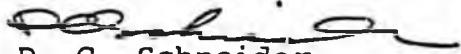
*1984 - 9,125,070
1983 - 6,679,071 1983 6,679,071
2,445,999 Diff 1984*

*3880420
3740000
140420*



November 24, 1982

To: James F. Palin
General Manager

From: 
D. C. Schneider
Personnel Officer

Subject: Monthly Report - Personnel Office

November's activity centered around our annual salary survey and trying to encourage targeted survey participants to promptly furnish requested data. For a wide spectrum of excuses about half of the participants have not promptly furnished requested material. The survey will be finalized at the end of November.

Other activities in November included:

1. An NRECA employee benefit workshop, which covered recent changes and practices in NRECA programs;
2. Planning activities for the holiday season, such as the Christmas party and a community service activity;
3. Preliminary preparation of a training program for the contract dispatchers.

In addition, work was done on benefit programs, policies and job descriptions.

Total Employees as of October 31:		Total Employees anticipated on November 30:	
Non-union	68	Non-union	68
Union	30	Union	30
	<hr/>		<hr/>
	98		98
On Leave	1	On Leave	1
	<hr/>		<hr/>
	99		99
Temporary		Temporary	
Non-union	7	Non-union	7
Union	9	Union	4
	<hr/>		<hr/>
	115		110

MATANUSKA ELECTRIC ASSOCIATION, INC.

Palmer, Alaska

GENERAL MANAGER

1984 BUDGET

<u>DESCRIPTION</u>	<u>AMOUNT</u>
NRECA/CFC Annual Meeting San Francisco, Ca.	\$ 300
NRECA/CFC Region IX (District 9) Annual Meetings- San Diego, Ca.	300
ARECA Annual Meeting-Anchorage	300
ARECA Interim Meeting-Juneau	1,000
REA Visits, Washington, D.C. (4 Trips)	800
Legislative Session-Juneau (2)	1,200
In-State Meetings (Other than above)	2,000
Miscellaneous Itemized Business Expenses	2,000
Contingency	<u>3,000</u>
TOTAL	\$ <u><u>10,900</u></u>