

ALASKA LEGISLATURE COMMITTEE FILES 1987-1988 8672
5262 SHES SB 123 - SB 193 83

UNIVERSITY OF ALASKA

Table I.

Total Costs of WAMI Physicians in Alaska

I. ACTUAL (only students entering before 1980 can be included)

Total State Appropriation	Total Number of Students	Total Number Practicing in AK	Cost per Physician
4,014,122	42	24 Alaskans	167,255
4,014,122	42	47 Alaskans and other WAMIs	85,407

II. PROJECTED (students currently enrolled)

Total State Appropriation (FY87 to 90)	Total Number of Students	Total Number Projected to practice in Alaska	Cost per Physician
7,230,256	47	27 Alaskans	267,777
7,230,256	47	52 Alaskans and other WAMIs	139,043

1. What is

Ray

47 Physicians - 35 WAMI Grad
??? Alaskans.

Total Cost to State →

5 students next year

~~200,000~~
200,000

→ Anch - Prov. Hospital Internship

→ Why not - U of W - satellite ~~center~~ center
Sen Kertulla
1st yr.

→ Loan - St. Life Insurance -
Academic vs Clinical → ✓

Hershey Medical Center -
21,000,000 Wash. State Budget.

→ Corrections - H + SS -

Clerkships ↻

180,000,000 - # of Med Students

~~CHE~~

→ How / when

NICHE - Law

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version: SB123
Publish Date: 2/12/87

Revision Date: _____
Title: Re: Agreements for Medical
Education

Agency Affected: Education
BRU: Postsecondary Commission

Sponsor: Josephson and Faiks
Requestor: Senate HESS

Components: General Admin.

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	N.A.	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	N.A.	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	N.A.	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Language is merely permissive. No staff or funding is required.

Prepared by: Kerry D. Romesburg  Phone: 465-2854
Division: _____ Date: _____

Approved by Commissioner: _____ Date: _____
Agency: _____

Distribution (by preparer):

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

Introduced: 2/12/87
Referred: Health, Education and Social
Services

5-0630A

1 IN THE SENATE

BY JOSEPHSON AND FAIKS

2 SENATE BILL NO. 123

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to agreements for the provision of
7 medical education; and providing for an effective
8 date."

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

10 * Section 1. AS 14.42.030 is amended by adding a new subsection to
11 read:

12 (d) The commission may enter into agreements with government or
13 postsecondary education officials of this state or other states to
14 provide postsecondary educational services and programs to Alaska
15 residents pursuing a medical education. An agreement with another
16 state must be limited to services and programs that are unavailable in
17 Alaska.

18 * Sec. 2. This Act takes effect immediately under AS 01.10.070(c).
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SB

124



**STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS**

DEPARTMENT Health and Social Services	DIVISION Family and Youth Services	BILL NUMBER SB 124	SPONSOR Josephson
DEPARTMENT POSITION Support in Concept			
PREPARED BY Yvonne M. Chase, Director	DATE 4/8/87	COMMISSIONER'S SIGNATURE <i>Megha M. Munson</i>	DATE 4/15/87

SUMMARY

OTHER AGENCIES AFFECTED BY BILL State Retirement and Benefits	CONSTITUENT GROUP(S) AFFECTED BY BILL Employers
ORGANIZATIONAL SUPPORT FOR BILL	ORGANIZATIONAL OP. OSITION TO BILL

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

To provide support to infants and working parents by mandating that employers allow parents reasonable leave from work at the time a child is born or adopted or placed into foster care.

ANALYSIS OF BILL/PROGRAM EFFECTS

Maternity leave for working parents is a need for the majority of families in Alaska and the U.S. In 46% of households in Alaska containing two parents, both work outside the home. 11% of Alaska's families are headed by a single parent and 60% of single mothers with children under age six are in the labor force. Research indicates that adjustment or bonding to newborns is seriously impaired if parents are not allowed to spend adequate time with the newborn. Positive adjustment of the family to any new family member is more likely if parents are provided an opportunity to bond with the child immediately after the placement.

AMENDMENTS PROPOSED

Due to the wide range of foster care situations and the number of placements which realistically may be made into a single foster home within a year, it is recommended that leave for placements into foster homes be either restricted in length of time or that leave be restricted to foster placements that are intended to be permanent at the time the placement is made. Generally, the recruitment of foster homes for preschool age children is focused on families in which one parent does not work outside the home since the adjustment of young children who have been removed involuntary from the parental home requires more support and attention than could generally be provided in a home in which both parents work.

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

Opinion

Parental leave policy may cost jobs

By Gary Jenkins

Advocates of the parental leave concept would have us believe that it is as innately American as apple pie and baseball. After all, everybody recognizes the benefits of post-natal bonding. And requiring businesses to give employees four months of leave to care for newborns seems, at first glance, natural and desirable.

But take a second look. Parental leave is not without cost to employees as well as employers. If we're smart, we'll take a lesson from Europe. There, mandated parental leave has led to decreased economic growth, as well as a decline in full-time job opportunities for women.

Bills requiring employers to grant parental leave are now before the Alaska legislature and Congress. In Juneau, Rep. Kay Brown (D-Anchorage) has introduced H.B. 224. This bill would require all businesses with 15 or more employees to grant up to 18 weeks of leave to men and women for care of newborn (and adopted) infants and guarantee their job (or an equivalent) upon return. It is patterned after a bill introduced in Congress by Rep. Pat Schroeder (D-Colorado).

While everybody is in favor of strengthening the family unit, the passage of restrictive legislation that would weaken the economy of our state and the nation is not the answer. The National Federation of Independent Business, the nation's largest small-business organization, has taken the lead in opposing the parental leave bills because they would hit small-business owners particularly hard.

Why care about the impact on small business? Because 70 to 80 percent of all new jobs created in the nation today come from the small-business sector, not the Fortune 500, which actually lost three million jobs between 1980-1983. At a time when the President and Congress have widely acknowledged that our nation is on the brink of losing its competitiveness, placing such burdens as mandated parental leave on our most productive economic resource is unwise.

There is no such thing as a free lunch, and there is no such

thing as a free benefit.

The major European countries — France, Germany, England, Holland — all require paid, or partially paid, leave for mothers for 12 to 36 weeks. Between 1969-1984, according to Europe's Organization of Economic Cooperation and Development (OECD), employment in these countries grew less than 10 percent (Germany and England actually lost jobs). By comparison, employment in the United States grew by 36 percent.

While mandated benefits reduce job growth overall, mandated maternal leave especially reduced full-time employment opportunities for women. A comparison of the major European countries plus Sweden and Japan (which also mandate maternal leave) shows that between 1973 and 1983, growth of full-time employment of women has been flat. However, in the United States, which has no such requirement, the number of women workers has grown by more than 36 percent in the same period.

During this period, these European countries have experienced major growth in part-time employment for women. Employers — reluctant to incur the costs of providing maternal leave — chose to hire women as part-time workers (who are exempt from the benefit).

Part-time employment, of course, eliminates the possibility of any serious career advancement. Therefore, relegating women to part-time employment would mean a return to the days when females were economically dependent upon males and worked primarily for "pin money."

U.S. Rep. Schroeder has stated that parental leave should be seen as a "minimum labor standard" rather than a fringe benefit — not unlike child labor laws or wage and hour laws.

Should mandated employee benefits such as parental leave and medical leave become "family rights," they will pre-empt the economic discretion of the individual employer.

At the 1986 White House Conference on Small Business attended by 2,000 business owners from across the country, dele-

gates named mandated benefits as the top issue facing them nationwide. Small businesses — because of their small work force and fluctuating work loads — need to be able to negotiate individually with employees over hours, wages and benefits.

Health insurance is the most common type of fringe benefit provided to employees in small businesses. Yet over one-third of small-business employers do not provide coverage, largely because of work-force composition or cost. Clearly, mandating benefits, such as parental leave or health insurance, is likely to result in the elimination of jobs altogether.

Mandated parental leave would be a particularly onerous requirement for small business because small companies cannot operate efficiently while tolerating vacancies among very limited numbers of employees.

Large companies, with hundreds or thousands of employees, are often able to transfer workers or shift work loads to cover absent employees. In fact, because of this ability, many large companies already offer maternal leave to their employees.

Smaller companies cannot afford the cost of training new workers to fill temporary vacancies or the expense of making room for employees who return after an absence of several months.

These expenses are high, in many cases prohibitive, for small-business employers. For example, studies have found that the cost of replacing a skilled clerical worker in Washington, DC for 18 weeks was \$5,188.

It is hidden, added costs like these that have caused problems in Europe. As noted earlier, the European countries in which employees receive increasing numbers of non-wage benefits have not created any additional new jobs since 1975. America's small, entrepreneurial businesses were responsible for the creation of one million new jobs during the recessions years 1980-83, while large businesses had a net decline.

Gary Jenkins is state director of the National Federation of Independent Business/Alaska, the state's largest small-business organization with 3,300 members.

MAR 9 1987

March 5, 1987

Senator Paul Fischer
Chairperson
Health, Education, and Social Services Committee
Alaska State Senate
Juneau, Alaska

Dear Senator Fischer:

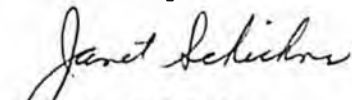
I am writing to you in support of SB 124, a bill regarding parental leave. In my opinion, this is one of the most important issues facing families today. As you know, Alaska has one of the highest percentages of working women in the country. In today's economy, two incomes are a necessity for many families. The birth of a new child is a joyful time, but it can also be stressful. To have to make a decision to return to work too soon, before a woman has her energy back or has bonded well with the baby is a cruel choice. However, many women are faced with such a decision in order to keep their jobs. Many women have had to quit jobs in which they have accumulated seniority and all its attendant benefits, such as job preference, higher salaries, years into a retirement systems, etc. simply because they could not be granted an adequate leave.

SB 124 is a good start toward alleviating these conflicts. It would guarantee up to 18 weeks of unpaid leave to either parent upon the birth or adoption of a child. It would exempt small businesses in order to avoid economic hardship to them. Finally, a parent would be sure that he or she will have a job to return to.

I urge you as strongly as I possibly can to support this bill and recommend it out of your committee. The United States is the only industrialized country which has no national parental leave policies. I believe this bill is a modest step in the right direction.

Thank you for your consideration. I look forward to hearing from you about this issue.

Sincerely,



Janet Schichnes
Box 621
Dillingham, AK.

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: SB 124
Publish Date: _____

REQUEST _____

Revision Date: _____ Agency Affected: A11
Title: An Act Relating to Employment Rights on Pregnancy, Child Birth, and Adoption BRU: A11
Sponsor: Josephson Components: A11
Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	Ø	Ø	Ø	Ø	Ø	Ø
TRAVEL	Ø	Ø	Ø	Ø	Ø	Ø
CONTRACTUAL	Ø	Ø	Ø	Ø	Ø	Ø
SUPPLIES	Ø	Ø	Ø	Ø	Ø	Ø
EQUIPMENT	Ø	Ø	Ø	Ø	Ø	Ø
LAND & STRUCTURES	Ø	Ø	Ø	Ø	Ø	Ø
GRANTS, CLAIMS	Ø	Ø	Ø	Ø	Ø	Ø
MISCELLANEOUS	Ø	Ø	Ø	Ø	Ø	Ø
TOTAL OPERATING	Ø	Ø	Ø	Ø	Ø	Ø
CAPITAL	Ø	Ø	Ø	Ø	Ø	Ø
REVENUE	Ø	Ø	Ø	Ø	Ø	Ø

FUNDING: (Thousands of Dollars)

GENERAL FUND	Ø	Ø	Ø	Ø	Ø	Ø
FEDERAL FUNDS	Ø	Ø	Ø	Ø	Ø	Ø
OTHER	Ø	Ø	Ø	Ø	Ø	Ø
TOTAL	Ø	Ø	Ø	Ø	Ø	Ø

POSITIONS:

FULL-TIME	Ø	Ø	Ø	Ø	Ø	Ø
PART-TIME	Ø	Ø	Ø	Ø	Ø	Ø
TEMPORARY	Ø	Ø	Ø	Ø	Ø	Ø

ANALYSIS: Attach a separate page if necessary

SB 124 will not cause an increase in expenditures.

Prepared By: Diana DeSimone *Diana DeSimone* Phone: 465-4430
Division: Personnel Date: 2/17/87

Approved by Commissioner: Garrey Peska *Garrey Peska* Date: 2/12/87
Agency: Department of Administration

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

POSITION PAPER

For SB 124

Senate Bill 124 outlines the conditions and rights of employees and employers in regards to leave and medical insurance associated with the birth, adoption, or foster placement of a child and provides for continuing employment upon return from such leave.

The provisions concerning medical insurance and return employment rights are not inconsistent with current State practice. The proposed legislation would, however, make changes to existing State policy and practice concerning leave associated with childbirth and adoption. Current law [AS 39.20.225(b)(4)] entitles a female officer or employee to a maximum of nine weeks of leave for childbirth. Current collective bargaining agreements are consistent in providing nine weeks, and would not be affected by this proposed legislation as written. SB 124 would 1) increase the maximum leave entitlement associated with childbirth to 18 weeks; 2) provide a leave entitlement for adoption or foster placement; and 3) entitle male employees to take leave in association with the birth or placement of a child.

As the language is proposed, it appears that each parent would be eligible to take 18 weeks of leave, for a total of 36 weeks of family leave associated with the birth, adoption, or foster placement of a child. For an employer employing both parents, such a requirement may prove burdensome. The Department of Administration, Division of Personnel, suggests consideration of the following additional language on page 2, following line 18:

Unless a longer period of leave is authorized under (a) of this section, a single employer need not provide its employees more than a total of 18 weeks of family leave associated with each instance of childbirth, adoption, or foster placement.

If this proposed legislation were to become law, Title 18 would be inconsistent with Title 39.

To provide for consistency in statute, the Department of Administration, Division of Personnel, recommends that AS 39.20.225 be amended as follows:

Sec. 39.20.225. Use of personal leave. (a) An officer or employee may take personal leave at any time business permits upon permission by the head of the department or agency for which the officer or employee works.

(b) An officer or employee may take personal leave for medical reasons, regardless of whether business permits, upon permission by the head of the department or agency for which the officer or employee works. A department or agency head shall grant personal leave for medical reasons if the department or agency head is satisfied that the officer or employee is absent for medical reasons. The taking of personal leave for medical reasons shall be reduced by the amount of wage continuation payments made under the Alaska Workers' Compensation Act (AS 23.30). The following constitute "medical reasons" and are subject to the conditions noted:

(1) Medical disability of an officer or employee is a medical reasons for taking personal leave. A department or agency head may require a doctor's certificate showing the disability if the absence exceeds three consecutive working days.

(2) Medical disability of a member of an officer's or employee's immediate family is a medical reason for taking personal leave if the disability is such that the attendance of the officer or employee is required. A department or agency head may require a doctor's certificate showing the disability if the absence exceeds three consecutive working days.

(3) A medical condition of an officer or employee that makes presence at work a danger to the health of fellow employees is a medical reason for taking personal leave. A department or agency head may require a doctor's certificate showing the condition if the absence exceeds three consecutive working days.


[(4) PREGNANCY AND CHILDBIRTH IS A MEDICAL REASON FOR A FEMALE OFFICER OR EMPLOYEE TO TAKE PERSONAL LEAVE. A FEMALE OFFICER OR EMPLOYEE, OTHERWISE QUALIFIED FOR A LEAVE OF ABSENCE, IS ENTITLED TO TAKE A MAXIMUM OF NINE WEEKS LEAVE IMMEDIATELY PRECEDING AND FOLLOWING CHILDBIRTH. IF THE OFFICER'S OR EMPLOYEE'S ACCRUED PERSONAL LEAVE IS INSUFFICIENT FOR THIS PURPOSE, THE OFFICER OR EMPLOYEE IS ENTITLED TO TAKE LEAVE WITHOUT PAY FOR THE BALANCE OF THE NINE-WEEK PERIOD.]

[(5)] (4) Death of a member of an officer's or employee's immediate family is a medical reasons for taking personal leave. No more than five days of personal leave may be taken for this purpose.

(c) An officer or employee, otherwise qualified for a leave of absence, is entitled to take a maximum of 18 weeks of leave immediately preceding and following the birth of a child or the placement of a child with the officer or employee for adoption or foster care. If the officer's or employee's accrued personal leave is insufficient for this purpose, the officer or employee is entitled to take leave without pay for the balance of the 18-week period. For each instance of childbirth, adoption, or foster placement of a child, officers or employees are entitled to a total of 18 weeks of leave under this section.

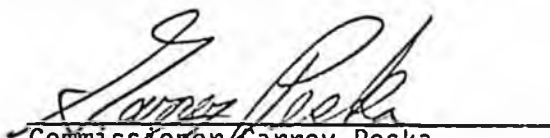
[(c)] (d) Each officer and employee shall, during each 12-month period, take at least five days of personal leave. If the officer or employee does not take at least five days of personal leave during a 12-month period, the difference between five days and the amount of personal leave taken shall be canceled without pay unless the department or agency head certifies in writing that the officer or employee was denied the opportunity to take five days of personal leave during the 12-month period.

The Department of Administration, Division of Personnel, is neutral on this legislation.



Diana DeSimone
Director
Division of Personnel

2/24/87
Date



Commissioner Garrey Peska
Department of Administration

2/24/87
Date

Introduced: 2/12/87
Referred: Health, Education and
Social Services, Labor
and Commerce and Finance

5-0401A

1 IN THE SENATE

BY JOSEPHSON

2 SENATE BILL NO. 124

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to employment rights based on preg-
7 nancy, childbirth, and adoption."

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

9 * Section 1. FINDINGS AND PURPOSE. (a) The legislature finds that

10 (1) the number of single-parent households and two-parent house-
11 holds in which the single parent or both parents work is increasing signif-
12 icantly;

13 (2) it is important to the development of a child and to the
14 family unit that parents be able to participate in early childrearing; and

15 (3) the lack of employment opportunities to accommodate working
16 parents can force individuals to choose between job security and parenting.

17 (b) The legislature declares that the purposes of this Act are

18 (1) to balance the demands of the workplace with the needs of
19 families, and to promote stability and economic security in families;

20 (2) to entitle employees to take reasonable leave for the birth
21 or adoption of a child; and

22 (3) to accommodate the legitimate interests of employers.

23 * Sec. 2. AS 18.80 is amended by adding a new section to read:

24 Sec. 18.80.225. PREGNANCY, CHILDBIRTH, AND RELATED CONDITIONS.

25 (a) An employer shall allow an employee whose health is affected by
26 pregnancy, childbirth, or a related medical condition to receive the
27 same benefits or privileges of employment granted by that employer to
28 other persons not so affected who are similar in their ability or
29 inability to work, including allowing the employee to take disability
S

1 or sick leave or other accrued leave that the employer makes available
2 to temporarily disabled employees. However, an employer is not re-
3 quired to provide an employee health insurance coverage for the med-
4 ical costs of pregnancy, childbirth, or a related medical condition.
5 The inclusion in health insurance coverage of provisions or coverage
6 relating to medical costs of pregnancy, childbirth, or a related
7 medical condition does not require the inclusion of other provisions
8 or coverage. Coverage of a related medical condition is not required
9 by virtue of coverage of medical costs of pregnancy, childbirth, or
10 another related medical condition.

11 (b) An employer shall permit an employee to take family leave
12 for a total of 18 workweeks because of the birth of a child of the
13 employee or the placement of a child with the employee for adoption or
14 foster care. The employee may use accrued vacation leave during this
15 period. The leave shall be taken immediately preceding and immediate-
16 ly following the birth or placement of the child. If the employee is
17 entitled to a longer period of time under (a) of this section, then
18 the longer period applies.

19 (c) An employer may require an employee who plans to take leave
20 under (a) or (b) of this section to give the employer reasonable
21 notice of the date the leave will commence and the estimated duration
22 of the leave.

23 (d) When an employee returns from leave under (a) or (b) of this
24 section, the employer shall restore the employee

25 (1) to the position of employment held by the employee when
26 the leave began; or

27 (2) to an equivalent position with equivalent employment
28 benefits, pay, and other terms and conditions of employment.

29 (e) An employer may not refuse to temporarily transfer a

1 pregnant employee to a less strenuous or less hazardous position if
2 the employee requests the transfer and

3 (1) the employer has a policy, practice, or collective bar-
4 gaining agreement requiring or permitting the transfer of temporarily
5 disabled employees to less strenuous or less hazardous positions for
6 the duration of the disability; or

7 (2) the request is based on a physician's advice and can be
8 reasonably accommodated.

9 (f) This section does not require an employer to

10 (1) create additional employment that the employer would
11 not otherwise have created; or

12 (2) discharge an employee, transfer an employee with more
13 seniority, or promote an employee who is not qualified for the new
14 position.

15 (g) This section does not affect any other provision of law
16 relating to sex discrimination or pregnancy.

17 (h) This section applies to an employer only if the employer
18 employs at least 15 employees for each working day during each of at
19 least 20 calendar workweeks in either the current calendar year or the
20 preceding calendar year. However, this section does not apply to a
21 facility of an employer at which fewer than 15 employees are employed
22 if the combined number of employees employed by the employer within
23 200 miles of the facility is fewer than 15.
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SB

135

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 3/6/87 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER: JUDICIARY

**FISCAL NOTE(S) ATTACHED 1 **
IN ACCORDANCE WITH AS 24.08.035
(see below)

DATE TURNED INTO OFFICE 3/13/87

Mr. President:

HESS Committee considered SB 135

limiting recruitment and employment of teachers who are not residents of the state.

and recommended:

replace with CS CS SB 135 (HESS) same title
 attached amendment(s) and new title

^{majority} do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Rich Halford
[Signature]

Paul Fink Do Pass
Chairman signature and recommendation

Committee Backup Attached

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date : _____

REQUEST

Bill/Resolution No. : CS SB 135 (HESS)
 Title : "An Act limiting recruitment
 and employment of school administrators
 and teachers."
 Sponsor : _____
 Requestor : _____
 Date of Request : _____

FISCAL DETAIL

Agency Affected : _____
 BRU : _____

 Components : _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE						
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FUNDING : (Thousands of Dollars)

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

POSITIONS :

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

ANALYSIS : Attach a separate page if necessary

Prepared by : Senate HESS Phone : 465-3762
 Division : _____ Date : 3/13/87

Approved by ~~Commissioner~~ : Senator G. Frink Date : _____
 Agency : _____

Distribution (by Agency preparing fiscal note) :

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

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version : SB-135
Publish Date : _____

Revision Date: _____
Title: ...limiting recruitment and
employment of teachers
Sponsor: Senator Josephson
Requestor: Senate HESS

Agency Affected: Education
BRU: _____
Components : _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
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REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

The bill has no fiscal impact on this department.

Prepared by: Steve Hole *Steve Hole*
Division: Commissioner's Office

Phone: 465-2800
Date: March 13, 1987

Approved by Commissioner: for Marshall L. Lind
Agency: Education

Date: March 13, 1987

Distribution (by preparer):

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

STATE OF ALASKA
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

March 7, 1987

SUBJECT: CSSB 135 (HESS)
Limiting recruitment and hiring of
teachers and administrators

TO: Senator Paul Fischer, Chair
Senate HESS Committee

FROM: Teresa B. Cramer *ABC*
Legislative Counsel

Enclosed is the committee substitute you requested, adding administrators to the limitation on recruitment and employment of nonresidents. The prohibition against hiring a nonresident teacher or administrator if a qualified resident has applied for a job may be subject to challenge under the federal privileges and immunities clause, Article IV, Section 2 of the federal constitution, and under the equal protection clauses of the state and federal constitution. The resolution of the question would turn on the facts that support the need for discriminating against out-of-state teachers and administrators.

If the state is making employment decisions solely on the basis of state residence, the state must be able to justify the discrimination against nonresidents. Under privileges and immunities analysis, the state would have to show that nonresidents were a "peculiar source of the 'evil'" at which the bill is addressed and that the means chosen by the statute to remedy the problem were closely related to solving the problem.

The United States Supreme Court in Hicklin v. Orbeck, 437 U.S. 518, 57 L.Ed.2d 397, 98 S.Ct. 2482 (1978), examined the causes of unemployment in Alaska and found that lack of training and geographical remoteness was the problem, not out-of-state workers. The same legal standard would apply here and a court might find that unemployment among state teachers and administrators is not caused by nonresidents

Senator Fischer
March 7, 1987
Page 2

who are taking jobs away, but by the economic conditions in the state. If that were the finding, then discrimination would be prohibited under the privileges and immunities clause.

The legislation may also be subject to challenge under the state's equal protection clause. In Lynden Transport, Inc. v. State, 532 P.2d 700, at 710, (Alaska 1975), the court held that a discrimination between residents and nonresidents based solely on the object of assisting the one class over the other economically cannot be upheld under either the privileges and immunities or equal protection clauses. To support the validity of this legislation, the state would have to show that there was a relationship between the danger presented by the nonresident teachers or administrators as a class and the discrimination practiced against them. The evidence would have to be more than a showing that limiting competition for employment to state residents will improve the chances that those residents will be hired.

If I may be of further assistance, please advise.

TC:mkr
m9/109

Enclosure



NEA-ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

ANCHORAGE REGIONAL OFFICE

1411 W. 33RD AVENUE
ANCHORAGE, ALASKA 99503
(907) 274-0536

JUNEAU OFFICE

105 MUNICIPAL WAY, SUITE 302
JUNEAU, ALASKA 99801
(907) 586-3090

FAIRBANKS REGIONAL OFFICE

2118 CUSHMAN STREET
FAIRBANKS, ALASKA 99701
(907) 456-4435

March 10, 1987

To: Senator Paul Fischer, Chair
Members, Senate HESS Committee

Re: Senate Bill No. 135; "An Act limiting recruitment and employment of teachers who are not residents of the State."

NEA-Alaska supports the concepts contained in SB 135. We do make some suggestions for change to the proposed legislation.

As a result of declining revenues, school districts are looking closely at personnel cost containment as a means of reducing overall expenses. This may lead to reductions in the employee work force beyond that which can be achieved by natural attrition.

As the number of unemployed certificated teachers increases it is appropriate that employers be required to utilize the pool of teachers who have been non-retained for reasons other than cause before being permitted to recruit and hire through customary and regular procedures and from outside.

Fischer
Further, we encourage the Committee to expand the purpose and intent as stated in Section 2 at line 16, page 1, by making the legislation applicable to nonresident administrators as well as teachers.

Finally, at line 26, page 1, we propose that the term "certification" be substituted for the words "particular skills necessary."

Thank you for your consideration.

Respectfully submitted,

Robert Manners
Executive Secretary

BM48/dl

MAR 11 1987



ALASKA ASSOCIATION OF ELEMENTARY SCHOOL PRINCIPALS
ALASKA ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS
ALASKA ASSOCIATION OF SCHOOL ADMINISTRATORS

• ALASKA COUNCIL OF SCHOOL ADMINISTRATORS •
328 Fourth St., Suite #211 Juneau, Alaska 99801 586-9702

March 9, 1987

The Honorable Paul Fischer, Chairman
Senate HESS Committee
Alaska State Legislature
Juneau, AK 99801

Dear Senator Fischer:

Because of a previous commitment, I will be unable to testify at the first reading of SB 135, Limiting Hire of Non-Resident Teachers. Therefore, I submit this memo as our statement of opposition to the bill.

First, you should be aware of the statistics published by U of A Career Placement Center. There were 422 educators hired new to districts all around Alaska. Of these 422 educators, 305 were Alaskans. In addition, there were 438 internal transfers, meaning teachers already working in a district were reassigned to fill vacancies. So when you add up the total vacancies for 1986-87 school year, there were 860. Of that number, only 117 were from out of state.

The Alaska Council of School Administrators feel this trend will continue. Especially, as certified staff are RIFed and will be eligible for rehire as vacancies become available.

In addition to this standard practice, it should also be noted that Alaskan schools of higher education do not have the capability of providing all the areas of teaching discipline needed.

Also, we believe the hiring of teachers should be based on competence as a teacher, skills, and teaching ability. Just certification alone cannot qualify a person for a job.

This piece of legislation can only hamper the ability of school districts to be able to hire the best candidate for the job.

March 9, 1987

We believe that a concerted effort has been made to hire Alaskans. This effort has been borne out of a willingness and a need by districts across Alaska. It has been done without legislation.

If we can provide you with any additional information, please feel free to contact my office.

Sincerely,


Stephen T. McPhetres
Executive Director

STM:clc

5-0558B
Cramer
3/9/87

Original sponsors: Josephson and Kelly

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 CS FOR SENATE BILL NO. 135 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act limiting recruitment and employment of school
7 administrators and teachers."

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

9 * Section 1. FINDINGS. The legislature finds that

10 (1) there are great numbers of qualified Alaskans who have
11 teaching certificates but cannot find employment in the state as teachers
12 or school administrators; and

13 (2) there is a trend in the state to reduce the number of class-
14 room teachers, which will increase the number of unemployed or underem-
15 ployed Alaskan teachers.

16 * Sec. 2. AS 14.20 is amended by adding a new section to read:

17 Sec. 14.20.115. EMPLOYMENT OF NONRESIDENT TEACHERS AND ADMINIS-
18 TRATORS. (a) An employer may not recruit or hire a teacher or admin-
19 istrator who is not a state resident unless the employer certifies to
20 the commissioner of education and the commissioner approves the re-
21 cruitment or hiring after finding that

22 (1) the employer has advertised the position in at least
23 one newspaper published in each judicial district in the state at
24 least once a week for four weeks;

25 (2) either no state residents have applied for the position
26 or if a state resident has applied for the position, the applicant
27 does not have the ^{certification} particular skills necessary for that position; and

28 (3) the district has made a bona fide effort to fill the
29 position with a state resident.

1 (b) An employer may recruit and hire a teacher or administrator
2 who is a state resident but who is living outside the state. In
3 determining whether the person is a state resident, the employer may
4 consider evidence of receipt of a permanent fund dividend under
5 AS 43.23, registration to vote in this state, qualification for a
6 postsecondary loan under AS 14.43, or other reliable evidence.

7 (c) A resident teacher or administrator may bring suit to enjoin
8 the employer from hiring a nonresident and for damages if the teacher
9 or administrator

10 (1) applied for a position that has been offered to a
11 nonresident;

12 (2) is qualified to perform the particular duties of the
13 position; and

14 (3) was not offered the position.

15 (d) A bargaining organization may bring suit on behalf of a
16 resident teacher or administrator who is qualified to bring an indi-
17 vidual suit under (c) of this section.

18 (e) In a suit brought under (c) or (d) of this section, the
19 district has the burden of establishing compliance with this section.

20 * Sec. 3. AS 14.20.130 is amended to read:

21 Sec. 14.20.130. EMPLOYMENT OF TEACHERS AND ADMINISTRATORS. An
22 employer may, after January 1, issue contracts for the following
23 school year to employees regularly qualified in accordance with the
24 regulations of the department. The contract [FOR A SUPERINTENDENT MAY
25 BE FOR MORE THAN ONE SCHOOL YEAR BUT] may not exceed one [THREE CON-
26 SECUTIVE] school year [YEARS].

27 * Sec. 4. AS 14.20.115 is repealed June 30, 1992.
28
29

SB

140



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 18, 1987

The Honorable Jan Faiks
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Faiks:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that allows a criminal defendant and prosecuting attorney to waive the requirement that the court appoint two qualified psychiatrists or forensic psychologists to examine certain criminal defendants. If that requirement is waived, the court would only have to appoint one such psychiatrist or psychologist.

Under the current language of AS 12.47.070(a), if a defendant has filed notice of intent to rely on the defense of insanity or notice of intent to rely on evidence tending to negate a culpable mental state, or if there is reason to doubt the defendant's fitness to proceed, or if there is reason to believe that a mental disease or defect of the defendant will otherwise become an issue in the case, the court is required to appoint at least two psychiatrists or psychologists to examine the defendant. The waiver authorized by this bill would avoid unnecessary duplication in cases in which the prosecution is satisfied with the appointment of a single psychiatrist, and the defendant does not wish to undergo more than one court-ordered examination. This waiver will be especially helpful in cases in which two state psychiatrists from the Alaska Psychiatric Institute would be appointed to perform the examinations.

Experience has shown that the requirement to appoint two psychiatrists or psychologists is not always necessary, either to assist the court or to protect the public or the defendant. Experience has also shown that simply reducing this requirement to only one psychiatrist or psychologist would tend to weaken protection of the public since appointment of a prosecution expert would not be assured. This bill, based on that experience, seeks to achieve the most equitable result.

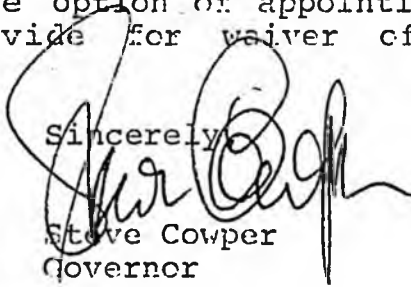
The bill also eliminates an apparent contradiction in current law. While AS 12.47.070(a) applies when "there is reason to doubt the defendant's fitness to proceed" (e.g.,

Hon. Jan Faiks

Page 2

the defendant's competency), this issue is also addressed in AS 12.47.100(b). The latter subsection, however, provides for the appointment of only one psychiatrist to examine the defendant, not two. Additionally, it does not provide the option of appointing forensic psychologists rather than psychiatrists. To eliminate any conflict between the two provisions, AS 12.47.100(b) is amended in sec. 2 of the attached bill to provide the option of appointing forensic psychologists, and to provide for waiver of the "two appointments" requirement.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", written over the typed name.

Steve Cowper
Governor

**ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE**

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 140
 Title: An Act relating to the number of psychiatrists appointed
 Sponsor: Rules Committee
 Requestor: Governor
 Date of Request: January 28, 1985

FISCAL DETAIL

Department of Health
 Agency Affected: and Social Services
 Program Category Affected: DIVISION OF Mental Health and Developmental Disabilities & API
 BRU, Program or Subprogram(s) Affected: Mental Health Institutions and Administration

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING		0				
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
----------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)


	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

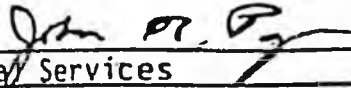
POSITIONS:

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

See Attached

Prepared By: James L. Scoles  Phone: 465-3370
 Division: Mental Health & Developmental Disabilities Date: 1-28-85

Approved by Commissioner:  Date: 1/30/85 *JCC*
 Agency: Health & Social Services

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget

STATE OF ALASKA 1987 LEGISLATIVE SESSION FISCAL NOTE

REQUEST: _____

Bill Version: SB 140
Publish Date: 2/19/87

Revision Date: _____

Agency Affected: Administration
BRII: Office of Public Advocacy

Title: "An Act relating to the number of psychiatrists..."

Requestor: Senate Judiciary

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES		0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
OTHER						
TOTAL		0	0	0	0	0

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Brant McGee, Public Advocate
Division: Office of Public Advocacy

Phone: 274-1684
Date: 3/12/87

Approved by Commissioner: Garrey Peska
Agency: Department of Administration

Date: 3/18/87

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)
 - Senate Secretary

POSITION PAPER

SB 140

The Alaska Public Defender Agency and Office of Public Advocacy are totally reactive agencies which provide representation to indigent persons when appointed by the court. These agencies do not make policy nor do they initiate litigation. Only proposed legislation with fiscal or program ramifications for these agencies can be said to have a direct agency impact. Thus the Public Defender Agency and Office of Public Advocacy will submit position papers for legislation which will affect these agencies fiscally or programatically or will require these agencies to litigate constitutional issues raised by the legislation.

Fiscal impact: None.
Program impact: See Analysis Below.
Constitutional Impact: None.

This bill would allow a court to appoint but one qualified psychiatrist or psychologist if a defendant and a prosecuting attorney waived the requirement of examination by two such professionals in criminal cases where sanity is an issue.

Passage of this bill will allow cost savings in criminal cases where both parties agree that examination by a single qualified psychiatrist or psychologist is sufficient for a fair determination of the issue of sanity.

The Alaska Public Defender Agency and the Office of Public Advocacy support the bill because it offers the parties the flexibility to achieve a cost savings in appropriate cases.

Brant McGee
Brant McGee
Public Advocate

3/13/87
Date

Dana Fabe
Dana Fabe
Public Defender

3/13/87
Date

Garrey Peska
Commissioner Garrey Peska
Department of Administration

3/18/87
Date

SB

164

Bill No. Senate Bill 164
Title "An Act relating to compensation
for overtime for hospital employees"

Date March 30, 1987

Contact: Tom Stuart
465-4870

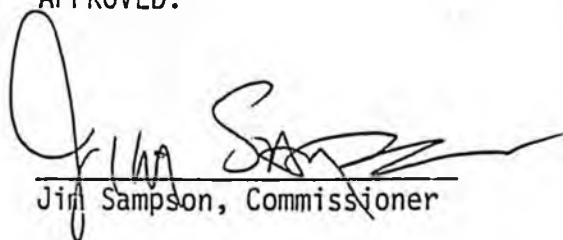
Eileen Plate
465-2700

Senate Bill 164 seeks to exclude all hospital employees from the overtime provisions of Alaska's wage and hour law. Under current law, only those hospital employees who provide medical services and those who are employed in a bona fide executive, administrative, or professional capacity are excluded from the overtime provisions.

There is no basis for the blanket exclusion of hospital employees as proposed in this bill. The duties of a kitchen, housekeeping, or maintenance employee of a hospital are not distinguishable from those of persons similarly employed by a hotel, for example. Persons performing such work should not be denied coverage under Alaska's overtime law simply because the employer is a hospital.

The provisions of Senate Bill 164 are contrary to the interests of Alaska's workers, and the Department is opposed to them.

APPROVED:



Jiri Sampson, Commissioner

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

Bill Version: SB 164

Publish Date: _____

REQUEST: _____

Revision Date: _____
 Title: "An Act relating to compensation
 for overtime for hospital employees."
 Sponsor: Senate Labor and Commerce
 Requestor: Senate HESS

Agency Affected: Labor
 BRU: Labor Standards and Safety

Components: Wage and Hour

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Tom Stuart, Director *Tom Stuart* Phone: 465-4870

Division: Labor Standards and Safety Date: 3/27/87

Approved by Commissioner: Jim Sampson Date: 3/27/87

Agency: Labor

Distribution (by preparer):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)

Senate Secretary

S B

169

Alaska State Legislature

Senator Paul A. Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9420 W
262-9269 H



While in Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-3791

State Senate

To: Senator Dick Eliason, Chairman
Senate Rules Committee

From: Senator Paul Fischer *P.F.*

Subject: SB 169, Foster Parent Training

Date: April 17, 1987

SB 169 would require potential foster parents to undergo training approved by the department before they are issued a license to run a foster home.

Many foster parents apply for licensing with the department hoping to contribute and help children in need of a stable home environment. Many of them are unaware of the time, commitment and potential problems both the foster child and the Division of Family & Youth Services might impose upon them.

It has been well established that foster parents who know what they are getting into are much more likely to go the distance without "burning out" due to the unanticipated trials and tribulations of foster care. Unanticipated burn-outs are very disruptive for both the child and the foster parents.

The subjects of such training might include:

- legalities and liabilities of foster care,
- often present problems of foster children, and
- services and role of DFYS.

Foster care is the most cost effective and practical care available for displaced children. The only other alternative is some type of institutional care which does not provide the same nurturing of a home environment not to mention the prohibitive expense.

Attached please find a more detailed description of the courses content.

Alaska State Legislature

Senator Paul A. Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9420 W
262-3269 H



While in Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-3791

State Senate

To: Representative Niilo Koponen &
Representative Johnny Ellis
Chairmen House HESS Committee

From: Senator Paul Fischer *PF*

Subject: SB 169, Foster Parent Training

Date: April 29, 1987

SB 169 would require potential foster parents to undergo training approved by the department before they are issued a license to run a foster home.

Many foster parents apply for licensing with the department hoping to contribute and help children in need of a stable home environment. Many of them are unaware of the time, commitment and potential problems both the foster child and the Division of Family & Youth Services might impose upon them.

It has been well established that foster parents who know what they are getting into are much more likely to go the distant without "burning out" due to the unanticipated trials and tribulations of foster care. Unanticipated burn-outs are very disruptive for both the child and the foster parents.

The subjects of such training might include:

- legalities and liabilities of foster care,
- often present problems of foster children, and
- services and role of DFYS.

Foster care is the most cost effective and practical care available for displaced children. The only other alternative is some type of institutional care which does not provide the same nurturing of a home environment, not to mention the prohibitive expense.

Attached please find a more detailed description of the courses content.



Alaska Foster Parents Association



P. O. BOX 8651 • ANCHORAGE, ALASKA 99508

January 1985

MANDANTORY TRAINING FOR FOSTER PARENTS

PROBLEM: Prospective foster parents are being licensed and receiving children/youth without understanding the unique problems and care needed by children/youth in foster care; understanding the foster care system with its regulations and policies that affect the every day life of the foster parent and children; or a real commitment to the realities of foster care.

Children/youth who are in foster care have unique problems not usually encountered by the raising of your own children because of the life situations resulting in their placement in foster care. Their attitudes, ideas, development level (including emotional and educational, as well as physical), concepts of the world are impaired. They are from neglective, abusive, alcoholic, manipulative situations--disfunctional families. Foster parents need the knowledge to be able to deal with situations, feelings, and concepts the average parent will never encounter.

Since children/youth in foster care are in the custody of the Division of Family & Youth Services, or private agencies, foster parents must operate their families according to the laws, regulations, policies and procedures of the state plus coordinate their dealings with the youth with the social worker.

Foster parents "burn-out" quickly in the realities of dealing with disfunctional families and their children if they are not very prepared in what to expect and how to deal with those situations. If a foster family quit a child/youth must be moved, or the family finds they cannot deal with certain situations that are common to foster children/youth. If agency policies are not known or understood foster families "give up" or are eased out of the system--again to the detriment of children/youth.

RECOMMENDATION: The Division of Family & Youth Services is contemplating adding foster care training to regulations, but we feel it must have the force of a law change to insure inclusion.

The law (bill) should include 3 factors:

1. Initial training before licensing including all pertinent information on agency policies, what to expect from children, and well rounded information on "What is Foster Parenting".
2. Ongoing training with a minimum of 15 hours per family--5 minimum per adult.
3. Inability to be waived for certain families or locations.

ATTACHMENTS: Similar recommendation to the Division of Family & Youth Service from the 1977-78 Foster Family Care Task Force.
Expanded recommendation with specific topics of training

Add to Foster Care regulations:

- (1) Prospective foster parents shall attend pre-licensing training. This training should contain the following information:
 - a. What is Foster Parenting
Emergency, short and long term care
Why and how children arrive in Foster care
How Foster children differ from natural children
 - b. How children react to placement
Separation issues
 - c. Agency expectations
Roles, rights and responsibilities of:
Social workers
Placement agency
Foster parents
 - d. Natural parents.
Visitations
Feelings and attitudes
Parental rights
 - e. Legal issues
Legal status of child/youth
Juvenile judges and Guardian ad Litem
Foster parent legal issues:
Placement and Licensing appeals
Foster parent Bill of Rights
 - f. Placement issues
Information needed at placement:
Medical release
Medicaid coupons
Clothing vouchers
Billing authorizations
Emergency placements
Foster parent stipend:
Philosophy and use
 - g. Discipline
 - h. Licensing procedure
Application
Standard by standard
Home visit
Foster parent handbook
- (2) To remain licensed, foster care givers must acquire a minimum of 15 hours of on-going training relating to foster care; to be shared between the adult care givers with a minimum of 5 hours for each adult. This training may be acquired through:
 - a. local foster parent educational meetings
 - b. Agency sponsored training sessions
 - c. Alaska Foster Parent Association conferences and/or workshops
 - d. Areawide foster parent conferences co-sponsored by Alaska Foster Parent Association and local associations
 - e. National Foster Parent Association conferences and/or workshops
 - f. Community offered child/youth related training
 - g. Institutes of higher learning
 - h. Books, films, video tapes related to foster care and/or child/youth management
- (3) This regulation is unable to be waived. Each area agency is responsible to maintain materials and offer information and training free of charge to prospective and currently licensed foster parents.

POSITION PAPER

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 169

For an Act entitled: "An Act relating to the training of foster parents."

The Division of Family and Youth Services (DFYS), within the Department of Health and Social Services, has primary responsibility for foster placements. On June 30, 1986, there were 738 children in foster care and 948 state licensed foster homes.

The Division is very supportive of foster parent training. Placement in out-of-home care is, unfortunately, a reality for many of Alaska's children, and if they are to receive not only the food, shelter and nurturance that they need, but an environment which will assist them in meeting their own special needs, training for foster parents is not only important, but essential.

The goal of foster parent training is to increase knowledge, and enhance skills of foster parents to work with children who usually enter foster care with a number of emotional and behavioral disturbances. These children often require specialized skills and foster parents, as significant participants in the child welfare service delivery system, are better equipped to participate as an active member of the service team when appropriately trained. In addition, national studies in other states have shown that foster parent retention is significantly lengthened when foster parents receive appropriate training.

There is no simple formula for determining who has the greatest need and the Department is supportive of a requirement of a minimal level of training which will be required of all foster parents. The Division of Family and Youth Services is presently developing foster care regulations which will be ready for public hearing by July 1, 1987. All foster parents statewide will receive a copy of the proposed regulations and will have the opportunity to comment on the appropriateness and feasibility of training requirements, especially in rural locations. Through regulations, levels of training for different types of care and different geographical areas of the State can be established.

RECOMMENDED:

Yvonne M. Chase
Yvonne M. Chase, Director
Division of Family
and Youth Services

DATE:

April 10, 1987

APPROVED:

Myra M. Munson
Myra M. Munson, Commissioner
Department of Health
and Social Services

DATE:

April 15, 1987

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version : CS SB 169
Publish Date : _____

Revision Date: _____
Title: An Act relating to the
training of foster parents.
Sponsor: Fischer
Requestor: _____

Agency Affected: Health & Social Services
BRU: Child and Youth Custody
Components: Foster Care

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
----------------	------------	------------	------------	------------	------------	------------

REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
----------------	------------	------------	------------	------------	------------	------------

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

n/a

Prepared by: Yvonne M. Chase, Director
Division: Division of Family and Youth Services
Approved by Commissioner: Mvra M. Munson, Commissioner
Agency: Department of Health and Social Services

Phone: 465-3170
Date: 4/9/87
Date: 4/15/87

Distribution (by preparer):

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

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99801
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 22, 1987

SUBJECT: CSSB 169 (HESS), foster parent training

TO: Senator Paul Fischer
Chairman, Senate HESS Committee

FROM: Edward H. Hein *EHA*
Legislative Counsel

This memorandum is in response to the request of your assistant, Jack Sanderson, that I put in writing some observations I have about CSSB 169(HESS). Since drafting the bill it has come to my attention that foster parent licenses are issued throughout the year and that licenses are valid for two years after the date of issue. In addition, initial probationary licenses are valid for one year from the date of issue. You may wish to amend the bill to reflect these facts.

Page 1, lines 17 - 22 requires annual foster parent training to maintain a license. It may be preferable to require the training during the same periods for which a person is licensed. You could do this by making the following changes: at page 1, line 19, delete "annual"; after "department" insert "during each 12-month period following the date on which the license is issued".

Whether you make that change or not, you should consider a change at page 2, line 4: delete "completed annual training" and insert "complied with the training requirement of AS 47.35.035(b) for calendar years 1987, 1988, and 1989". This change will make it clear that Sec. 3 of the bill is not intended to permanently grandfather in current licensees.

Finally, to make clear that the orientation and the annual training may not be waived, the following change is suggested: at page 1, line 23, before "training" insert "orientation and".

EHH:mkr
m11/053

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 22, 1987

SUBJECT: CSSB 169 (HESS), foster parent training

TO: Senator Paul Fischer
Chairman, Senate HESS Committee

FROM: Edward H. Hein *EHA*
Legislative Counsel

This memorandum is in response to the request of your assistant, Jack Sanderson, that I put in writing some observations I have about CSSB 169(HESS). Since drafting the bill it has come to my attention that foster parent licenses are issued throughout the year and that licenses are valid for two years after the date of issue. In addition, initial probationary licenses are valid for one year from the date of issue. You may wish to amend the bill to reflect these facts.

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Whether you make that change or not, you should consider a change at page 2, line 4: delete "completed annual training" and insert "complied with the training requirement of AS 47.35.035(b) for calendar years 1987, 1988, and 1989". This change will make it clear that Sec. 3 of the bill is not intended to permanently grandfather in current licensees.

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EHH:mkr
m11/053

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

April 22, 1987

SUBJECT: Sectional analysis of CSSB 169 (HESS),
relating to the training of foster parents

TO: Senator Paul Fischer
Chairman, Senate HESS Committee

FROM: Edward H. Hein *EHA*
Legislative Counsel

Section 1 requires that prospective foster parents complete an orientation approved by the Department of Health and Social Services before being licensed, and specifies what must be included in the orientation. The section also requires those persons already licensed as foster parents to complete annual training approved by the department in order to maintain their licenses. The requirements for training may not be waived.

Sec. 2 provides that the non-waiver provision in section 1 is an exception to the waiver provisions in AS 47.35.040(c).

Sec. 3 is a temporary law provision that would allow licensed foster parents to meet the requirements of AS 47.35.035(b) by completing "annual" training during either fiscal year 1988 or fiscal year 1989 instead of during both years. The provision also allows the Department of Health and Social Services to schedule half of licensees for training in each of those fiscal years, in order to spread out the cost and burden of training over a two-year period. After fiscal year 1989, however, annual training would be required for all licensees.

EHH:mkr
m11/049

Original sponsor: Fischer

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IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

CS FOR SENATE BILL NO. 169 (HESS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

FIFTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the training of foster parents."

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

* Section 1. AS 47.35 is amended by adding a new section to read:

Sec. 47.35.035. FOSTER PARENT TRAINING. (a) A person may not be licensed under this chapter to maintain or conduct a foster home unless the person has completed an orientation for foster parents approved by the department. An orientation required under this subsection must provide information about foster care regulations, policies, and procedures, practical instruction about the realities of caring for a child who is placed in a foster home, and other appropriate information.

(b) To maintain a license issued under this chapter for the maintenance or conduct of a foster home, a licensee shall complete annual foster parent training approved by the department. Training under this subsection need not be conducted in a classroom setting, but must include methods of instruction that meet the varying needs of foster parents and the department.

(c) The requirements for training under this section may not be waived.

* Sec. 2. AS 47.35.040(c) is amended to read:

(c) Except as provided in AS 47.35.035, the [THE] department may waive compliance with a standard set out in regulations adopted under AS 47.35.010 - 47.35.080 if an acceptable alternative is established that meets the purpose of the provision and reasonably assures the

1 well-being of persons in care.

2 * Sec. 3. Notwithstanding the provisions of AS 47.35.035, as enacted by
3 sec. 1 of this Act, and AS 47.35.040(c), as amended by sec. 2 of this Act,
4 a licensee shall be considered to have completed annual training if the
5 licensee completes the training during either fiscal year 1988 or fiscal
6 year 1989. The Department of Health and Social Services may schedule
7 training so that approximately one-half of licensees receive training
8 during each of the fiscal years 1988 and 1989.
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Alaska State Legislature

Senator Paul A. Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9420 W
262-9269 H



While in Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-3791

State Senate

To: Senators John Binkley & Don Bennett, Co-Chairmen
Senate Finance Committee

From: Senator Paul Fischer *PF*

Subject: SB 169, Foster Parent Training

Date: April 13, 1987

SB 169 would require potential foster parents to undergo training approved by the department before they are issued a license to run a foster home.

Many foster parents apply for licensing with the department hoping to contribute and help children in need of a stable home environment. Many of them are unaware of the time, commitment and potential problems both the foster child and the Division of Family & Youth Services might impose upon them.

It has been well established that foster parents who know what they are getting into are much more likely to go the distance without "burning out" due to the unanticipated trials and tribulations of foster care. Unanticipated burn-outs are very disruptive for both the child and the foster parents.

The subjects of such training might include:

- legalities and liabilities of foster care,
- often present problems of foster children, and
- services and role of DFYS.

Foster care is the most cost effective and practical care available for displaced children. The only other alternative is some type of institutional care which does not provide same nurturing of a home environment not to mention the prohibitive expense.

Attached please find a more detailed description of the courses content.

Alaska State Legislature

Senator Paul Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9420 W
262-9269 H



While in Juneau
P.O. Box V
Juneau, Alaska 99811
(907) 465-3791

State Senate

MEMORANDUM

TO: Representatives Niilo Koponen and
Johnny Ellis, Co-Chairmen
House Health, Education and Social
Services Committee

FROM: Senator Paul Fischer *PF*

SUBJECT: Senate Bill 169
(training of foster parents)

DATE: March 9, 1988

I would appreciate your scheduling the above referenced bill for hearing before the House Health, Education and Social Services Committee at your earliest possible convenience.

This legislation adds a new section to AS 47.35 in order that a person could not be licensed to maintain or conduct a foster home unless the person has completed an orientation for foster parents approved by the Department of Health and Social Services. The orientation would have to provide information about foster care regulations, policies, and procedures, practical instruction about the realities of caring for a child who is placed in a foster home, and other appropriate information.

To maintain a license, the licensee would have to complete annual foster parent training approved by the department. Training would not have to be completed in a classroom setting, but must include methods of instruction that meet the varying needs of foster parents and the department. Additionally, a licensee would be considered to have completed annual training if training is completed in fiscal year 1988 or fiscal year 1989. The training requirements could not be waived.

The Senate passed this legislation last session on April 28, by a vote of 19 Yeas and 0 Nays.

PAF/sgn

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act relating to the
training of foster parents.
Sponsor: Fischer
Requestor: _____

Agency Affected: Health & Social Services
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

N/A

Prepared by: Yvonne M. Chase, ACSW, Director
Division: Family & Youth Services
Approved by Commissioner: Myra M. Munson
Agency: Health & Social Services

Phone: 465-3170
Date: _____

Date: 5/6/88

Distribution (by preparer):

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

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

Bill Version : CSSB No. 169

Publish Date : _____

REQUEST:

Revision Date: _____

Title: An Act relating to the
training of foster parents.

Sponsor: _____

Requestor: _____

Agency Affected: Health & Social Services
BRU: Child and Youth Custody

Components: Foster Care

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

n/a

Prepared by: Yvonne M. Chase, Director
Division: Division of Family and Youth Services

Phone: 465-3170
Date: 03/23/87

Approved by Commissioner: Myra M. Munson, Commissioner
Agency: Department of Health and Social Services

Date: 3/24/87

Distribution (by preparer):

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

Introduced: 3/9/87
Referred: Health, Education &
Social Services &
Finance

5-0714A

1 IN THE SENATE

BY FISCHER

2 SENATE BILL NO. 169

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the training of foster parents."

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

8 * Section 1. AS 47.35 is amended by adding a new section to read:

9 Sec. 47.35.035. FOSTER PARENT TRAINING. (a) A person may not
10 be licensed under this chapter to maintain or conduct a foster home
11 unless the person has completed an orientation for foster parents
12 approved by the department. An orientation required under this sub-
13 section must provide information about foster care regulations, poli-
14 cies, and procedures, practical instruction about the realities of
15 caring for a child who is placed in a foster home, and other appro-
16 priate information.

17 (b) To maintain a license issued under this chapter for the
18 maintenance or conduct of a foster home, a licensee shall complete
19 annual foster parent training approved by the department. Each adult
20 in a foster home shall complete at least 5 hours of annual training
21 under this subsection, and each foster care family shall complete a
22 total of at least 15 hours of annual training. Training under this
23 subsection need not be conducted in a classroom setting, but must
24 include methods of instruction that meet the varying needs of foster
25 parents and the department.

26 (c) The requirements for training under this section may not be
27 waived.

28 * Sec. 2. AS 47.35.040(c) is amended to read:

29 (c) Except as provided in AS 47.35.035, the [THE] department may
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1 waive compliance with a standard set out in regulations adopted under
2 AS 47.35.010 - 47.35.080 if an acceptable alternative is established
3 that meets the purpose of the provision and reasonably assures the
4 well-being of persons in care.
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Alaska Foster Parents Association

P. O. BOX 140651 • ANCHORAGE, ALASKA 99508



TESTIMONY FOR SENATE HESS COMMITTEE
MARCH 18, 1987

Mr. Chairman and Committee Members,

Thank you for this opportunity to request your total support for SB 169, to provide for training for foster parents.

Alaska Foster Parent Association has been actively seeking an addition to statutes and regulations to require training of foster parents for the past 7 years. We believe that orientation and ongoing training will greatly upgrade the quality of services provided to children and youth in the foster care system.

A research project was completed in approximately 1980 through the Social Work Department of the University of Alaska, Anchorage that explored why foster parents really quit being foster parents. A high percentage of former foster parents stated that foster care was not what they thought it was going to be or they did not know how to cope with all the various aspects of foster caring, therefore they resigned. When a foster parent quits it usually results in a move of their foster children to another home, which damages the children emotionally, not to even mention the feelings of guilt, failure, and defeat of both the foster parents, their family, and foster children. Another research paper completed in 1986 in Juneau showed training to be a high priority of both foster parents and social workers.

Training for foster parents, nationwide, has been found to have the following benefits:

1. Preventing or reducing the movement of children between foster homes.
2. Retention of foster parents, therefore, more stable placements of children and more experienced foster homes available to accept placement of children.
3. Foster parents who can take more responsibility, therefore, relieving the social worker who must deal with crisis first and ongoing needs as they can find time.
4. Insuring foster parents know how to meet the needs of the children and youth placed with them--therefore providing treatment and help to those children rather than childcare.
5. Enhances the ability of foster parents to work as team members with others involved with the child, including the birth parent, social worker, psychologist, teachers, etc.

6. Enables foster parents to detect potential or actual problem areas before they escalate, therefore enhancing prevention of future abuse, neglect, delinquency, or other problems that will cost the state even more to treat.

Over half of the other states in the United States have mandatory training requirements for foster homes in recognition of these benefits.

Alaska Foster Parent Association and its 10 local chapters support this bill as written. We wish to point out a few features of this bill:

It requires potential foster parents to receive initial orientation to prepare them to be foster parents and to screen out those applicants for which foster care is not what they thought it was. The many states that have this mandatory orientation have found that fewer foster parents are licensed, but those that are licensed stay longer in the system and are capable of handling more difficult children, therefore actually increasing the numbers of foster parents in a couple of years time.

This bill also requires each foster family to acquire 15 hours of ongoing training per year, with each adult to acquire a minimum of 5 hours. This will insure that all adults in the household have a good base of knowledge about issues in fostering. This requirement should be easily reached by existing and future foster families through resources already available--we are not asking for the Department to provide this training, as we feel the resources are already available in most communities and can be tapped by foster parents based on the area they feel they need more information. For example, a foster parent taking teens would find in the community workshops or classes dealing with things such as discipline, alcohol or drugs, or teen pregnancies. A foster family working with sexually abused children would look for classes on detecting or treating the sexually abused child.

This bill should not require any fiscal notes. For orientation we have licensing workers and experienced foster parents who can facilitate orientation training using prepared curriculums such as NOVA training from NOVA University or ISSUES IN FOSTERING from Eastern Michigan University. Several DFYS offices throughout the state are currently providing such training using licensing worker-foster parent co-trainers in the evening once a week and giving that licensing worker comp-time the next morning. This would require no new funding.

For ongoing training most communities have numerous training workshops, seminars, or classes each year through such places as crisis centers, sexual abuse or women's centers, native organizations, mental health, colleges, etc. Alaska Foster Parent Association has a \$105,000 contract to provide training statewide, which offers a state conference of 12-20 hours of training, a newsletter with educational

materials quarterly, local training conferences in at least 10 areas of the state, and local associations which host monthly training sessions of approximately 2 hours each. AFPA has also developed a packet of 15 training flyers to cover most aspects of foster care and has a library of books and materials for hand-out or lending. Most training on the state level has been video-taped and is available to local associations or to individuals. Numerous books, curriculums, and video and cassette tapes could be available to foster parents who cannot reach other training. AFPA has explored the idea of having videoed training put on educational television particularly to the bush communities, and also translating many materials into the various languages of Alaska.

It would be ideal if the contract amount with Alaska Foster Parent Association was increased, to better meet our goals of training, BUT we can minimumly meet mandantory training with existing funds in the DFYS budget.

We encourage you to support SB 169 and to pass it out of committee today. The foster children and youth of Alaska deserve to have the best care possible, which is through trained, knowledgeable, and experienced foster parents.

If you have further questions I would be happy to answer or feel free to contact AFPA legislative liason Miriam Sumner. Thank you.

what are

POSITION PAPER

SENATE BILL NO. 169

For an Act entitled: "An Act relating to the training of foster parents."

The Division of Family and Youth Services (DFYS), within the Department of Health and Social Services, has primary responsibility for foster placements. The Division is very supportive of foster parent training as is evidenced by contracts for the last two years from DFYS with the Alaska Foster Parent Association to provide training for foster parents. The Division also recognizes the concern of the foster parent association regarding the amount of time it has taken to implement regulations regarding foster parent training. The Division has prioritized finalizing regulatory drafts and they will be ready for public hearings before the end of the fiscal year. The regulations may be found as an appropriate means to address training. All foster parents statewide will receive a copy of the proposed regulations and will have an opportunity to comment on the appropriateness and feasibility of training requirements, especially in rural locations.

The Department would suggest that mandated training for foster parents would most appropriately be addressed in administrative policies. Through policy, levels of training for different types of care and geographical areas of the State can be established. As the primary purchaser of foster care services, the Division is also concerned about requirements for training which could not be waived.

RECOMMENDED:

Yvonne M. Chase
Yvonne M. Chase, ACSW, Director
Division of Family
and Youth Services

DATE:

3/17/87

APPROVED:

Myra M. Munson
Myra M. Munson, Commissioner
Department of Health
and Social Services

DATE:

3/18/87

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

Bill Version: SB No. 169
Publish Date: _____

REQUEST: _____
Revision Date: _____
Title: An Act relating to the
training of foster parents.
Sponsor: Fischer
Requestor: _____

Agency Affected: Health & Social Services
BRU: Child and Youth Custody
Components: Foster Care

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	100,000	250,000				
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	100,000	250,000				

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	100,000	250,000				
FEDERAL FUNDS						
OTHER						
TOTAL	100,000	250,000				

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary) The current contract with the Alaska Foster Parent Association provides training for one-half of foster parents statewide. If mandated for all foster parents, training costs would more than double. Costs would be incurred in modifying curriculum for different levels of care and in achieving a minimum standard for different areas of the State.

Prepared by: Yvonne M. Chase, Director *YMC* Phone: 465-3170
Division: Division of Family and Youth Services Date: 03/16/87

Approved by Commissioner: *M. V. Munson*
M. V. Munson, Commissioner Date: 3/18/87
Agency: Department of Health and Social Services

Distribution (by preparer):

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

SB

175

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 9, 1987

The Honorable Jan Faiks
President of the Senate
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Dear Senator Faiks:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill that combines the Review Board on Alcoholism (nine members) with the Advisory Board on Drug Abuse (12 members) into the new Advisory Board on Alcoholism and Drug Abuse (12 members). In 1980, the legislature changed the name of the Office of Alcoholism to add "Drug Abuse" (AS 47.37.020); however, a corresponding change was not made in the law relating to that office's authority to combat drug abuse, and the two boards were not correspondingly merged. This bill corrects those defects.

The combined board would save money for travel, per diem, and staff support, and would afford those interested in both alcoholism and drug abuse (as is typically the case) better access to the state health planning process. It is anticipated that this bill will promote cooperation among interested organizations and agencies around the state and will make it possible for communities working on both alcoholism and drug abuse to work with only one board. Combined alcoholism and drug abuse grants offer the opportunity for better coordination of programs and thus more efficient management. Currently, grantees soliciting funds for both alcohol and drug abuse are required to submit two grant applications. Under this proposed change, only one combined application would be required. This would reduce paperwork and inconvenience to grantees applying for both types of funding.

In addition, many of the clients of our alcohol programs have problems with both drug and alcohol abuse. A combined resource would provide a more consistent approach to address these problems.

The language being added to AS 44.29.100, in sec. 1 of the bill, is simply taken from AS 47.37.060, which is being

eb 175

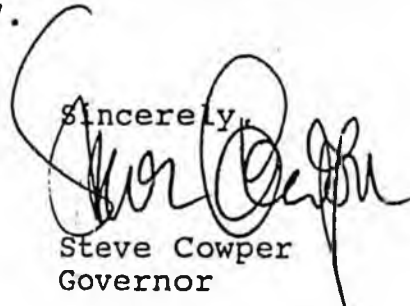
repealed in sec. 22. The amendment of AS 44.29.110, in sec. 2 of the bill, conforms the language to AS 47.37.070, which is also being repealed in sec. 22. The new AS 44.29.115, in sec. 3, is taken from AS 47.37.080 (being repealed in sec. 22) and consolidated with the substance of the language being deleted from AS 44.29.110.

The revised AS 44.29.120 combines the substance of the old AS 44.29.120 with that of AS 47.37.090 (being repealed in sec. 22), using the four-year-term provision of the latter. The remaining AS 44.29 amendments (secs. 4 -- 7 and 22) merely make changes to implement the consolidation in the statutes. The AS 47.37 amendments, also aimed at implementing this consolidation, refer in some places to "prevention." The current authority to deal with prevention is implicit, such as in AS 47.37.120's reference to "research on and education concerning" alcoholism. The phrase "treatment and prevention," used in this bill, is a more succinct statement of the activities. Section 22 of the bill repeals AS 44.29.150, a provision that largely duplicates and is partially inconsistent with AS 47.37.020 on the coordinator; the other provisions being repealed are those in AS 47.37 dealing with the board, which the amendments in AS 44.29 make unnecessary.

No substantive change is intended by the amendments and repealers in this bill. The 1980 enactment, changing the name of the office that works with both boards, implied the office's responsibility for the subjects dealt with by those boards. In completing the consolidation of functions, this bill merely makes express what the law clearly implies and what happens in practice.

The July 1, 1987 effective date coincides with the beginning of the next fiscal year and with the effective date of some 1986 amendments of AS 47.37.

Sincerely,



Steve Cowper
Governor

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date : _____

REQUEST SB 175

Bill/Resolution No. : _____
 Title : Merging Advisory Boards on
Alcoholism and Drug Abuse

Sponsor : Governor
 Requestor : By Request
 Date of Request : 12/29/86

FISCAL DETAIL

Agency Affected : Dept. of Health & Social Services
BRU: Alcoholism and Drug Abuse

Components : Administration

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES						
TRAVEL		(3.0)	(6.0)	(6.2)	(6.3)	(6.4)
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		(3.0)	(6.0)	(6.2)	(6.3)	(6.4)

CAPITAL						
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REVENUE						
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FUNDING : (Thousands of Dollars)

GENERAL FUND		(3.0)	(6.0)	(6.2)	(6.3)	(6.4)
FEDERAL FUNDS						
OTHER						
TOTAL		(3.0)	(6.0)	(6.2)	(6.3)	(6.4)

POSITIONS :

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS :

Presently, the Review Board on Alcoholism and the Advisory Board on Drug Abuse each meet twice a year. Merging these Boards, resulting in fewer members, would save approximately \$3,000. per meeting in travel, per diem, meeting room, staffing, and communications costs.

Prepared by : Matthew C. Felix *Matthew C. Felix* Phone : 586-6201
 Division : Office of Alcoholism and Drug Abuse Date : 1/5/87

Approved by Commissioner : Myra M. Munson *Myra M. Munson* Date : 1/7/87
 Agency : Department of Health and Social Services

Distribution (by Agency preparing fiscal note) :

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

WHILE YOU WERE AWAY

FOR State Senator		DATE 4/	TIME	A.M. P.M.
M <u>Karin Murphy</u>				
OF <u>Hawai Council on Drug Abuse</u>		<input checked="" type="checkbox"/> TELEPHONED		
PHONE	AREA CODE	NUMBER	EXTENSION	<input type="checkbox"/> RETURNED YOUR CALL
MESSAGE				<input type="checkbox"/> PLEASE CALL
<u>Strongly supports SB 175</u>				<input type="checkbox"/> WILL CALL AGAIN
<u>(Merge Drug & Alcoholism Boards)</u>				<input type="checkbox"/> CAME TO SEE YOU
<u>SD</u>				<input type="checkbox"/> WANTS TO SEE YOU
SIGNED				TOPS FORM 4002

SB

1777

STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE

Bill Version: SB 177

Publish Date: _____

REQUEST _____

Revision Date: _____

Title: "An act relating to medical expenses of prisoners."

Sponsor: Fischer, Kerttula, et al

Requestor: Judiciary, Finance

Agency Affected: Department of Revenue

BPU: Permanent Fund Dividend

Components: Administrative Services

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
OPERATING						
PERSONAL SERVICES	6.3	6.3	6.3	6.3	6.3	6.3
TRAVEL	-	-	-	-	-	-
CONTRACTUAL	1.1	1.1	1.1	1.1	1.1	1.1
SUPPLIES	-	-	-	-	-	-
EQUIPMENT	-	-	-	-	-	-
LANDS & STRUCTURES	-	-	-	-	-	-
GRANTS, CLAIMS	-	-	-	-	-	-
MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	7.4	7.4	7.4	7.4	7.4	7.4
CAPITAL	-	-	-	-	-	-
REVENUE	-	-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER - PFD	7.4	7.4	7.4	7.4	7.4	7.4
TOTAL	7.4	7.4	7.4	7.4	7.4	7.4

POSITIONS:

FULL-TIME	-	-	-	-	-	-
PART-TIME	1	1	1	1	1	1
TEMPORARY	-	-	-	-	-	-

ANALYSIS: Attach a separate page if necessary

(See attached)

Prepared By: Eryn B. Jones

Division: Administrative Services

Phone: 465-2313

Date: 3/24/87

Approved by Commissioner: Hugh Melore for

Agency: Revenue

Date: 3/25/87

Distribution (by Agency preparing fiscal note):

Legislative Finance

Legislative Sponsor

Requestor

Office of Management and Budget

Impacted Agency(ies)

Senate Secretary

page _____ of _____

Department of Revenue
Administrative Services Division
Fiscal Note Analysis
SB 177
3/24/87

Assumptions:

1. The bill will take effect in time to affect the permanent fund dividends to be paid for the 1987 year.
2. According to the Department of Corrections, virtually every prisoner who is in a correctional facility or who is committed by a court to the custody of the Commissioner of Corrections receives some medical care from the state, each year. The average cost is approximately \$6.00 per day, or \$2,190 per year, well in excess of the expected value of the permanent fund dividend.
3. According to the Department of Corrections, the average number of prisoners in custody, as of December 1986 is as follows:

Institutions	2,069
Community Residential Centers	<u>237</u>
TOTAL in custody of state	<u>2,306</u>

4. Prisoners held in federal facilities or in Minnesota institutions on contract, also incur medical expenses, but the provision of such services is included in the contract for service. I assume the Department of Corrections would be able, and would wish to file for, or attach the dividends of applicants who were in custody outside the state.

TOTAL in custody out-of-state	233
-------------------------------	-----

5. Taking the provisions of Sec. 1 and Sec. 2 together, it is assumed that the Department of Corrections has a choice of either filing applications for those inmates who they believe to be eligible, or serving attachments on the dividends of those inmates who Corrections believes to be eligible. It would seem unnecessary to do both.

Program Summary:

The PFD system currently identifies duplicate applications. Since Section 2 requires that an application filed by the Commissioner of Corrections has priority over an application filed under AS 43.23.005(a) or (c), the department would need to identify competing applications and deny them. This would be accomplished by computer match and would result in denied applications for every inmate who filed a competing application. Assuming that 2000 of the approximate 2500 inmates will file on their own behalf, we will generate 2000 denial notices, with notice of appeal rights, and mail notices to each denied applicant. As a result of the applications filed by the Commissioner of Corrections, Revenue will review and either approve or deny the applications. In the general case, the applications will be approved and payment will be transferred to the general fund (Sec. 5).

It is assumed that the Commissioner of Corrections will file applications only for those inmates who meet the general eligibility requirements (i.e. residency and intent to remain). If the commissioner chooses under Section 1 to attach the dividend, the Department of Revenue will process the attachments.

Since the implementation of the Permanent Fund Dividend program, the attachment of dividends by third parties has grown dramatically. Garnishment and assignments received and processed by the program numbered 20,548. Of those processed, a total of 14,507 have been paid. Each attachment received has to be recorded, matched against the dividend application file, and acknowledged in one of two ways: rejected with an explanation, or paid in part or in whole, again with an explanation.

Currently, the program has one full-time accounting clerk assigned to this process. Even with recent improvements to the process, we cannot keep up with the increasing demands.

1. Positions

1 PPT Document Processor I, R7 @ \$2,117.76/Mo.
including salary and benefits for 3 months = \$6.3

This position would assist the one existing position in receiving, processing and responding to the attachments, and responding to the expected contact from the affected parties. This would be a continuing expense. This position would also assist in the determination of duplicate filings and distribution of denial notices.

2. Other Expenditures:

a) Travel: None.

b) Contractual:

Postage for 2,000 denials, printing costs for denial forms, appeal notices, envelopes. = \$1.1

c) Supplies: None.

d) Equipment: Use existing.

TOTAL COST

\$7.4

Funding: Permanent Fund Dividend Fund.

4. Section Cost Analysis: N/A.

Computations: N/A.

Economic Impact: N/A.

Impact on Local Government: N/A.

Suggested Amendments: None.

Attachments: None.

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version: SB 177

Publish Date: _____

Revision Date: _____

Agency Affected: Department of Corrections

Title: "An Act related to medical expenses of prisoners."

BRU: Administrative Services

Sponsor: Fischer, Kerttula, Binkley, Jones
Requestor: and Duncan

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES	61.0	64.0	67.0	70.0	74.0	78.0
TRAVEL						
CONTRACTUAL	2.0	2.0				
SUPPLIES						
EQUIPMENT	5.0					
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	68.0	66.0	67.0	70.0	74.0	78.0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	68.0	66.0	67.0	70.0	74.0	78.0
FEDERAL FUNDS						
OTHER						
TOTAL	68.0	66.0	67.0	70.0	74.0	78.0

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Susan Knighton, Research Analyst IV
Division: Administrative Services

Phone: 465-3376
Date: 3-12-87

Approved by Commissioner: Susan Hunphrey-Barnett
Agency: Department of Corrections

Date: 3-12-87

Distribution (by preparer):

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

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB 177

ANALYSIS

Senate Bill No. 177 will allow the Commissioner of the Department of Corrections to attach a prisoner's permanent fund dividend checks in order to pay the prisoner's medical expenses. The amount to be attached is limited each year to the amount of the permanent fund dividend less child support obligations and court ordered restitution.

It is very difficult to estimate the amount of revenue to be collected until it is determined how the medical expenses will be assessed. The Department could assess the average daily medical cost of \$6.00 for each day an offender was housed in an institution plus the cost of specialized medical care received by an individual. The yearly revenues collected under this scenario might be:

2648	persons incarcerated on 12-87
-132	less persons whose permanent fund is already being attached for child support payments and restitution. (Estimated at 5%)
<u>2516</u>	persons eligible to pay for medical costs on 12-87
<u>\$1,383,800</u>	\$2516 X \$550 PF dividend check

The implementation of this bill will add on-going administrative costs to the Department of Corrections' budget. The Department will be able to utilize the Offender-Based State Correctional Information System (OBSCIS) to collect the necessary cost information, but additional Restitution Unit staff and OBSCIS equipment must be acquired. These are costs which must be funded as there is no staff available to absorb such a large workload.

Costs:

Accounting Clerk IV	\$31,319/year
Clerk Typist III	29,705/year
2 OBSCIS Terminals	5,000 purchase
Data Processing Chargeback	2,016/year for 2 years
	<u>\$68,040</u>

A yearly inflation factor of 5% is assumed for the personnel costs.

SB

193

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

March 16, 1987

The Honorable Jan Faiks
President of the Senate
Alaska State Legislature
P.C. Box V
Juneau, AK 99811

Dear Senator Faiks:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the Teachers' Retirement System. This bill would eliminate state contributions to the system in situations in which the state is not the employer, and would make the teacher's employer responsible for all, rather than merely half, of the contributions other than those made by the teacher.

Section 1 of the bill deletes the word "one-half" from AS 14.25.070. That section now requires employers to contribute to the retirement fund one-half the percentage of the teachers' salaries which is required, in addition to teacher contributions, in order to provide the benefits of the system. With the deletion of the words "one-half," employers would be required to pay all of the percentage required, in addition to teacher contributions, in order to provide the benefits of the system.

Section 2 of the bill repeals AS 14.25.080, the section that now authorizes the state to pay the other half of the percentage required, in addition to teacher contributions, to provide the benefits of the system.

Because the cost of contributions to the Teachers' Retirement System is largely beyond the control of the state, and should be a cost considered by districts and other employers when negotiating contracts with teachers, it makes sense to have those contributions paid by the employers. Consideration of this transfer of responsibility has been anticipated in my budget proposal for FY 88. Money that would otherwise have been budgeted to pay the state's contribution has been considered instead in setting the funding levels for the public school foundation program, the university, and the Department of Education.

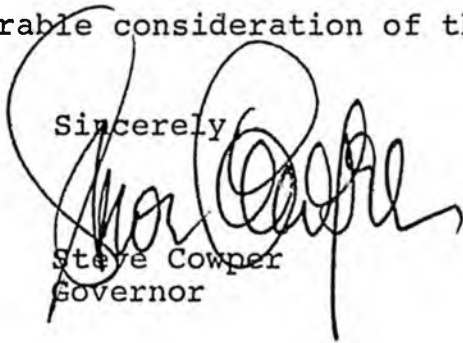
sk/93

Hon. Jan Faiks

Page 2

I urge your prompt and favorable consideration of this bill.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", written over the typed name and title.

Steve Cowper
Governor

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____
 Revision Date: 5/19/87
 Title: An Act relating to the Teachers' Retirement System...
 Sponsor: Governor
 Requestor: Governor

Bill Version: 773-87-0107
 Publish Date: _____

Agency Affected: Education
 BRU: _____
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS :

The bill has no fiscal impact on this department.

Prepared by: Steve Hole *Steve Hole* Phone: 465-2800
 Division: Commissioner's Office Date: March 10, 1987

Approved by Commissioner: Marshall L. Lind Date: March 10, 1987
 Agency: Education

- Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)
 Senate Secretary