

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672  
5695 HOUSE HEALTH, EDUCATION & SOCIAL SERVICES 99

March 27, 1989

Senator Zharoff  
P.O. Box V, Room 121  
Juneau, Alaska 99811

Dear Senator:

I am pleased to write to you about the Special Education Services Agency (SESA) based in Anchorage.

We became aware of SESA in September of 1985 when our daughter, Gwen, became involved as a participant of SESA services in the Ketchikan Gateway School District. At that time, she was interviewed and loaned the appropriate visual aids to benefit her in the classroom. SESA has been very adamant about sending us reports following their visits with her in the classroom.

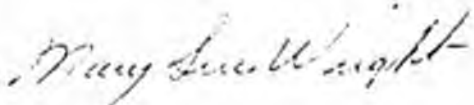
The current representative, Bill McIver, is very conscientious and works hard to make sure Gwen has the proper tools to use in the classroom. He has also made provisions for her to attend a summer camp for blind and low vision children held in Anchorage the last two years.

I feel fortunate that Gwen has had this assistance through her elementary years and now in the junior high period of her life. She has been and is aware of her handicap and copes extremely well in her daily activities.

Your efforts in sustaining further funding for SESA to continue will be most appreciated by Gwen and all other students who benefit from their assistance.

Thank you for your time and consideration given to this matter.

Sincerely yours,



Kenneth G. & Mary Sue Wright  
P.O. Box 9488  
Ketchikan, AK 99901  
Parents of: Gwen K. Wright  
7th Grade  
Schoenbar Junior High

March 22, 1989

Senator Paul Fisher  
Senator Zharoff  
Senator Lloyd Jones  
Pouch V  
Juneau, Alaska 99811

Dear Senators,

My husband Ken and I have lived in Wrangell, AK for the past five years and intend to continue to make it our permanent home. We own and operate a yacht based sport fishing business. Part of the reason we will continue to live here is due to the consistent services of the "Special Education Service Agency" SESA which provides the necessary services for our five year old daughter Joy, who was born with Down Syndrome.

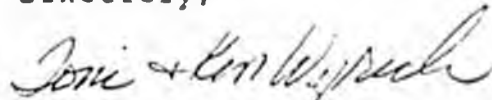
Joy will be mainstreamed into the regular kindergarden in the fall of '89. She has made much progress largely due to the services provided by SESA, however she will continue to require such specialized services in order to attain her full potential and become a productive asset to our society.

We are in favor of Senator Zharoff's bill to drop the review provision and make the agency a permanent one.

The costs to provide these services to handicapped youngsters particularly in these early years when they benefit the most from them, will, in the long run cost the state far less than attempting to impart the same training at an older age. With the aid of SESA and other like agencies, my daughter and many other handicapped youngsters can and will become productive citizens of our society. Please, lets help them attain that status in our society and the necessary self esteem to do so. We owe it to ourselves and the handicapped are no less deserving.

Thank you for considering our heartfelt request to continue to fund such vitally necessary services as SESA.

Sincerely,



Toni & Ken Wyrick

Angling Adventures

P.O. Box 2027

Wrangell, Alaska 99929

(907) 874-3084

# ASETS\*

\*Alaska Specialized Education and Training Services, Inc.  
A Non-profit Alaskan Corporation

2330 Nichols Street  
Anchorage, AK 99508-3495  
(907) 279-6617

Karen Ward, Ed.D.  
Executive Director

March 20, 1989

Senator Fred Zharoff  
P.O. Box V  
Juneau, Alaska 99811

Dear Senator Zharoff,

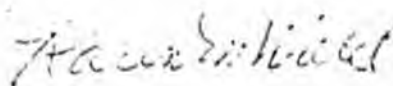
I am writing on behalf of the Specialized Education and Training Services, Inc. (ASETS) in support of SB 172 to continue the Special Education Service Agency.

It is imperative that Alaska continues to provide special education services to low incidence handicapped children in their home communities. For many years, children with handicapping conditions were sent outside and later to urban areas to receive services. ASETS is a private non-profit agency in Anchorage which provides residential and vocational services for adults with developmental disabilities and severe mental illness. We serve many adults who were displaced from their communities years ago due to lack of services in rural Alaska. Many of these individuals have little or no contact with their families or culture. Agencies such as the Special Education Service Agency bridge the gap for children with severe handicaps in rural Alaska. Today, children with disabilities are more likely to remain in their home communities with families and friends who care and receive appropriate services.

The Special Education Service Agency helps coordinate services in rural Alaska and will be instrumental in the development of services for these children when they reach adulthood in rural Alaska.

ASETS supports SB 172 wholeheartedly.

Sincerely,



Karen M. Ward, Ed.D.  
Executive Director

cc. Senator Paul Fischer



# UNIVERSITY OF ALASKA ANCHORAGE

3211 Providence Drive  
Anchorage, Alaska 99508

March 8, 1989

SCHOOL OF EDUCATION  
(907) 786-1771  
VAX ID: AYSOE  
FAX: 786-1749

Senator Fred Zharoff  
Capitol Room 121  
P. O. Box V  
Juneau Alaska 99811

Dear Senator Zharoff:

This letter of support is written on behalf of the Special Education Services Agency (SESA). My extensive experience with SESA has been centered around two experiences. The first was as a service provider (Infant Learning Teacher) in Nome from 1981-1984 and currently as a professor for the Special Education program located at the University of Alaska Anchorage.

As a ILP teacher, the assistance SESA provided was invaluable. SESA provides technical assistance and training for rural professionals working with children who experience a low incidence handicapping condition. SESA staff assist rural professionals with identification, assessment, program planning, and training to carry out the child's individual program. There were numerous occasions when I do not know what I would have done if SESA staff were not available to provide this service.

SESA provides this valuable service 'free of charge' to its constituents. Rural school districts and Infant Learning Programs would be unable to provide these services if SESA were not available and agencies needed to contract with private providers. We are all aware of the many problems rural programs face. SESA is an excellent way to assist programs in providing quality individual services to handicapped children and their families.

As a professor at UAA, I have utilized SESA staff in a variety of ways. SESA staff have acted as consultants (again 'free of charge') in planning our rural distance delivery program. SESA staff have produced training videotapes around the issue of providing services to children with low incidence handicapping conditions. The tapes have been very well received by our graduate students.

I strongly support the continuation of SESA funding. They are providing a service no one else provides that the state rural professionals could not live without. As with many agencies, SESA could utilize more staff and reach even more children and their families. They are number one in my book: they not only promise services--they delivery.

Sincerely,

A handwritten signature in cursive script that reads "Debra Veit".

Debra Veit, Ph.D.  
Assistant Professor  
Special Education Program

DV/sw  
1/0V.0309.1



RECEIVED MAR 02 1989

STEVE COWPER  
State of Alaska

**GOVERNOR'S COUNCIL FOR THE HANDICAPPED AND GIFTED**

600 University Avenue, Suite B • Fairbanks, Alaska 99709 • Phone (907) 474-440

February 27, 1989

Senator Fred Zharoff  
Alaska State Legislature  
PO Box V  
Juneau AK 99811

Dear Senator Zharoff:

The Governor's Council for the Handicapped and Gifted supports SB172 which would continue the Special Education Service Agency.

We feel and data show that the agency plays a very important role in making sure quality special education services are available to our children with the most severe disabilities no matter where they live in Alaska.

We are also pleased that SESA has been able to secure federal grants of about \$400,000 each year for projects which improve special education services in general and provide training and other opportunities to teachers, aides, and community agency personnel.

Thanks to you and the co-sponsors of SB172 this agency can continue to provide specialized help to children with disabilities and their families, and the local school districts which serve them.

The Endorsement of the agency by the Council, the state special education directors' association (AAASE), the school boards association (AASB), the State Board of Education, and NEA show how much broad-based support there is for SESA.

Thank you very much for your leadership in introducing this legislation.

Sincerely,

*Duane French*  
Duane French  
Council Chairperson

:ntg

ALASKA ASSOCIATION FOR  
ADMINISTRATORS  
OF  
SPECIAL EDUCATION

P.O. BOX 196614  
ANCHORAGE, ALASKA 99519-6614  
269-2294

March 2, 1989

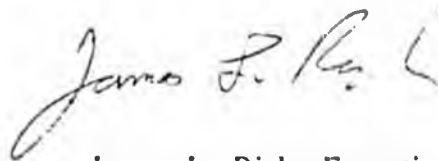
The Honorable Fred F. Zhoroff  
P.O. Box V(MS3100)  
Juneau, Alaska 99811

Dear Senator Zhoroff:

I am writing this letter as President of the Alaska Association of Administrators of Special Education (AAASE) in support of the continuation of the Special Education Service Agency (SESA). At our fall conference, our organization voted unanimously to support the continuation of SESA. The administrators of special education are very supportive and appreciative of the scope and quality of services SESA provides to our low incidence handicapped students throughout the State of Alaska. Without these valuable services many of our rural handicapped students would not be able to remain in their home communities.

If you need any additional information regarding this very important Special Education issue please feel free to call my office at 269-2294.

Sincerely,



James L. Rich, Executive Director  
Special Education  
Anchorage School District

President  
Alaska Association of Administrators for  
Special Education

cc: Mike Malone, Executive Director  
Communication, Planning & Development  
Anchorage School District

AAASE Board Members

AAASE.06

S B

175

# HOUSE COMMITTEE REPORT

(7)

Date Referred: April 10, 1989

FURTHER REFERRALS: JUDICIARY  
FINANCE

Date of Committee Action: 4/17/89

The HESS Committee considered:

CSSB 175(FIN)

CS FOR SENATE BILL NO. 175 (Finance)

[WARNING SIGNS ON LIQUOR PREMISES]

"An Act requiring the holder of a license or permit related to selling or serving alcohol to post signs warning patrons that consumption of alcohol during pregnancy can cause birth defects."

**RECOMMENDATIONS:**

- be replaced with HCS CSSB 175 (HESS)  the same title
- have attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

ADOPTS: Senate Finance letter of intent

ATTACHES NEW FISCAL NOTE(s):  
(Dept)

APPROVES PREVIOUS: (Date/Dept)

- fiscal impact \_\_\_\_\_  fiscal note(s) 4/5/89 Revenue
- zero fiscal note \_\_\_\_\_  zero fiscal note(s) \_\_\_\_\_
- zero with analysis \_\_\_\_\_  zero fn/analysis \_\_\_\_\_

SIGNING DO PASS:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SIGNING:  
(Check approp. column)

Do Not  
Pass      No Rec      Amend



[Signature]  
Chairman's Signature

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Warning signs on liquor premises  
Sponsor: Senator Binkley et al.  
Requestor: Senate HESS Committee

Agency Affected: Department of Revenue  
BRU: Alcoholic Beverage Control Board  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
<b>OPERATING</b>						
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	4.3	1.6	1.6	1.6	1.6	1.6
SUPPLIES	.3	.2	.2	.2	.2	.2
EQUIPMENT	0	0	0	0	0	0
LANDS & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
<b>TOTAL OPERATING</b>	<b>4.6</b>	<b>1.8</b>	<b>1.8</b>	<b>1.8</b>	<b>1.8</b>	<b>1.8</b>
<b>CAPITAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>REVENUE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

FUNDING: (Thousands of Dollars)

GENERAL FUND	4.6	1.8	1.8	1.8	1.8	1.8
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
<b>TOTAL</b>	<b>4.6</b>	<b>1.8</b>	<b>1.8</b>	<b>1.8</b>	<b>1.8</b>	<b>1.8</b>

POSITIONS:

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

ANALYSIS: Attach a separate page for analysis.

Prepared By: Patrick L. Sharrock, Director  
Division: Alcoholic Beverage Control Board

Phone: 277-8638

Date: March 24, 1989

Approved by Commissioner: Hugh Malone  
Agency: Department of Revenue

Date: 3/24/89

Distribution (by preparer):

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

SFC: 4/4/89

Initial Issue

beverage dispensary	689
restaurant or eating place	319
club license	87
brewery	2
package store	471
common carrier	158
recreational site	19
pub license	1
winery	0
caterer's permit	663
special events permit	110
community license	3
club caterer's permit	50 est.
theatre site license	2 est.
restaurant caterer's permit	<u>14</u>
	2,588
assume 2 signs per premises (avg.)	<u>x 2</u>
	5,176

Annual Issue

caterer's permits	675
special events permits	120
club caterer's permit	50
restaurant caterer's permit	25
wear and tear	<u>500</u>
approximately 50%	1,370

	<u>Initial</u>	<u>Annual</u>
Approx. \$300 per thousand (per PIF)		
Initial: \$300 x 5,176	1,553	
Annual: \$300 x 1,370		411
Postage		
Initial: 1.05 for 2 signs x 2,588	2,717	
Annual: .85 for 1 sign x 1,370		1,164
Envelopes		
Initial: 2,588 x .12	311	
Annual: 1,370 x .12		164
Letters	<u>26</u>	<u>-</u>
	4,607	1,739



Official Business

# Alaska State Legislature

Senate

Committee on Finance

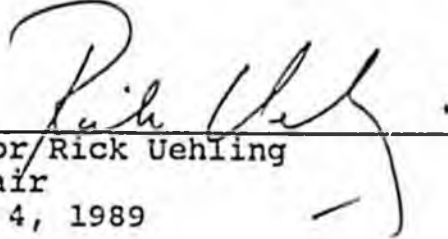
Pouch V  
State Capitol  
Juneau, Alaska 99811

LETTER OF INTENT

FOR

CS FOR SENATE BILL NO. 175 (FINANCE)

With the passage of this legislation, it is the intent of the Legislature that the Alaska Women's Commission include, in their next general mailing to Alaska women, literature explaining the effects of fetal alcohol syndrome, such as that prepared by the March of Dimes Birth Defects Foundation.

  
\_\_\_\_\_  
Senator/Rick Uehling  
Co-chair  
April 4, 1989

*Senate adopted 4/7*

SB

182

STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY  
LEGISLATIVE REFERENCE LIBRARY

POUCH Y - STATE CAPITOL  
JUNEAU, ALASKA 99811  
907-465-3900

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

SB 182

H. HESS

4/13/90

## FISCAL NOTE

**REQUEST:**

Revision Date: 1/15/90  
Title: Relating to the State Board of Education  
Sponsor: Senate Finance  
Requestor: Senator Fischer

Agency Affected: Education  
BRU: Executive Administration  
Components: Executive Administration

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

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

REVENUE						
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**FUNDING: (Thousands of Dollars)**

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Prepared by: Mary Hakala  
Division: Commissioner's Office  
Approved by Commissioner: William G. Demmert  
Agency: Education

Phone: 465-2800  
Date: 1/15/90  
Date: 1/15/90

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

# HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

ALASKA STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES



P.O. BOX V, JUNEAU 99811  
(907) 465-3759

April 23, 1990

## MEMORANDUM

TO: Representative Lyman Hoffman, Co-Chair  
Representative Ron Larson, Co-Chair  
House Finance Committee

FROM: Representative Johnny Ellis, Chair  
House HESS Committee

RE: Waiving SB 182: Enlarge State Board of Education

JE

\*\*\*\*\*

I respectfully request that you consider waiving SB 182, Enlarge State Board of Education, which is scheduled for referral to the House Finance Committee after it passes the House HESS Committee.

SB 182, sponsored by Senator Fischer, would extend the State Board of Education to include a military member and a student member, and has attached a zero fiscal note.

Since it has no fiscal impact, I hope you will consider waiving SB 182, so it can reach the floor of the House prior to adjournment.

I appreciate your cooperation.

# Alaska State Legislature

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



State Senate

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

M E M O R A N D U M

April 24, 1989

TO: Representative Johnny Ellis, Chairman, House Health,  
Education and Social Services Committee.

From: Senator Paul Fischer

RE: SB 182 Enlarge the Voting Membership of the State Board  
of Education.

---

Senate Bill 182 has passed the Senate and is now in your committee. This bill enlarges the voting membership of the State Board of Education. Currently, the student member and the military member are in an advisory capacity with the board. Both the military and student member attend all meetings, and attend executive sessions. Since they already attend the meetings, this bill does not add any additional fiscal impact on the department. To put it simply, this bill grants voting rights to the student and military members who currently attend all meetings.

The State Board of Education has twice voted in support of this bill. Also, the bill has the support of the Alaska Association of School Governments. This bill received bipartisan support on the floor of the Senate and was passed by a vote of 17 - 0.

I urge your favorable consideration of this bill, and respectfully request that it be considered for a hearing.

Thank you.

## FISCAL NOTE

**REQUEST:** \_\_\_\_\_

Revision Date: \_\_\_\_\_  
 Title: Relating to the State Board of  
Education  
 Sponsor: Fischer  
 Requestor: Senate HESS

Agency Affected: Education  
 BRU: Executive Administration  
 Components: Executive Administration

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

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

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

**FUNDING:** (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Prepared by: Mary Hakala Phone: 465-2800  
 Division: Commissioner's Office Date: 3/3/89  
 Approved by Commissioner: William G. Demmert Date: 3/3/89  
 Agency: Education

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



**Alaska Association of School Governments**

**A RESOLUTION BY THE  
ALASKA ASSOCIATION OF SCHOOL GOVERNMENTS  
IN SUPPORT OF A VOTING STUDENT MEMBER ON THE  
STATE BOARD OF EDUCATION**

**WHEREAS**, current Alaska statute stipulates that a student member of the Alaska Association of School Governments serve on the Alaska State Board of Education in an advisory capacity; and,

**WHEREAS**, past experience has shown that the student advisory members possess sufficient levels of maturity and competence to handle the responsibility of voting; and,

**WHEREAS**, policies effected by the Alaska State Board of Education have a large and direct impact on the student population; and,

**WHEREAS**, students are aware of problems and situations in the educational system that adults may not immediately be cognizant of; and,

**WHEREAS**, other states, including California, Massachusetts, and Maryland, have had favorable results with having a voting student member on their State Boards of Education; and,

**WHEREAS**, the State Board of Education has twice voted unanimously to support legislation putting a voting Student and Military member on the Board;

**THEREFORE, BE IT RESOLVED**, that the Alaska Association of School Governments supports and encourages legislation (i.e. Senate Bill 182) to increase the size of the Alaska State Board of Education by a member, establishing the Student Advisory Member as a full voting member.



STEVE COWPER, GOVERNOR

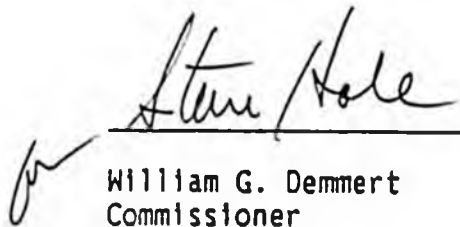
**DEPARTMENT OF EDUCATION**

GOLDBELT PLACE  
801 WEST 10TH STREET  
P.O. BOX F  
JUNEAU, ALASKA 99811-0500

Position Paper on SB 182

First Session  
16th Alaska Legislature

The State Board of Education and the Department of Education support  
SB 182 relating to membership of the State Board of Education.

  
\_\_\_\_\_  
William G. Demmert  
Commissioner

3-6-89  
Date

# DEPARTMENT OF EDUCATION

(Mail Stop 0500)

	Phone	Office Address	Mailing Address
<b>STATE BOARD OF EDUCATION</b>			
Barney Gottstein President	561-1944		6411 A Street Anchorage 99501
<b>MEMBERS</b>			
John Chenoweth, Juneau		Catherine Herrnsteen, Kodiak	
Sue Wilken, Fairbanks		Don Gray, Fairbanks	
Raychelle Daniel, Tuntutuliak - (Student Rep.)		Janie Leask, Anchorage	
Gerald Mitchell (Military Rep.)		Cora Sakeagak, Barrow	
Rosemary Hagevig Executive Assistant	465-2800	Goldbelt Bldg 2nd Fl 801 W 10th St.	P O Box F Juneau 99811-0500
<b>EXECUTIVE ADMINISTRATION</b>			
<b>Office of the Commissioner</b>			
William G. Demmert Commissioner	465-2800	Goldbelt Bldg 2nd Fl 801 W 10th St	P O Box F Juneau 99811-0500
Steve Hole Deputy Commissioner	465-2800	Goldbelt Bldg 2nd Fl 801 W 10th St	P O Box F Juneau 99811-0500
Mary Hakala Special Assistant	465-2800	Goldbelt Bldg 2nd Fl 801 W 10th St	P O Box F Juneau 99811-0500
Edna MacLean Rural and Native Education	465-2800	Goldbelt Bldg 2nd Fl 801 W 10th St	P O Box F Juneau 99811-0500
Tammy Northrup Executive Secretary	465-2800	Goldbelt Bldg 2nd Fl 801 W 10th St	P O Box F Juneau 99811-0500
Vichie McMillan Administrative Assistant	465-2800	Goldbelt Bldg 2nd Fl 801 W 10th St	P O Box F Juneau 99811-0500
Harry Gamble Public Information	465-2821	Goldbelt Bldg 2nd Fl 801 W 10th St	P O Box F Juneau 99811-0500
Kay Schiz Personnel Officer	465-2800	Goldbelt Bldg 2nd Fl 801 W 10th St	P O Box F Juneau 99811-0500
<b>Administrative Services</b>			
Brenda O'Donnel Finance Officer	465-2875	Goldbelt Bldg 2nd Fl 801 W 10th St	P O Box F Juneau 99811-0500
Steve Messing Supply Officer	465-2852	Goldbelt Bldg 2nd Fl 801 W 10th St	P O Box F Juneau 99811-0500
<b>Adult and Vocational Education</b>			
Karen Ryals Administrator	465-4685	Goldbelt Bldg 1st Fl 801 W 10th St	P O Box F Juneau 99811-0500
<b>Education Finance and Support Services</b>			
Jerald Mikesell Director	465-2865	Goldbelt Bldg 2nd Fl 801 W 10th St	P O Box F Juneau 99811-0500
Bob Davis Administrative Officer	465-2875	Goldbelt Bldg 2nd Fl 801 W 10th St	P O Box F Juneau 99811-0500

S B

189

# STATE OF ALASKA THE LEGISLATURE

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

## LEGISLATIVE AFFAIRS AGENCY LEGISLATIVE REFERENCE LIBRARY

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

SB 189

H. HESS

1/20/90

H. HESS

5/2/90

# HOUSE COMMITTEE REPORT

(7)

Date Referred: April 19, 1989

FURTHER REFERRALS:

Date of Committee Action: 4/20/90

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee considered: SB 189

SENATE BILL NO. 189

[EXAMINE PERSONS IN PROTECTIVE CUSTODY]

"An Act relating to examination of intoxicated or incapacitated persons in protective custody."

RECOMMENDATIONS:

- be replaced with HCSSB 189 (HESS)  the same title
- have attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of intent

ATTACHES NEW FISCAL NOTE(s):  
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact \_\_\_\_\_
- zero fiscal note \_\_\_\_\_
- zero with analysis \_\_\_\_\_

- fiscal note(s) \_\_\_\_\_
- zero fiscal note(s) 2/24/89 / DHS-Corr.
- zero fn/analysis 2/24/89 / DPS

SIGNING DO PASS:

[Signature]

[Signature]

[Signature]

[Signature]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SIGNING:

(Check approp. column)

	Do Not Pass	No Rec	Amend
_____			
_____			
_____			
_____			
_____			
_____			
_____			
_____			
_____			
_____			

[Signature]

Chairman's Signature

SB 189

Amendment # 1

Offered by the Department of Health and Social Services

Page 1, lines 13 - 15:

Replace all underlined material with " The Department shall, by regulation, determine which health practitioners may be authorized to perform the examination. "

SB 189

Amendment # 2

Offered by the Department of Health and Social Services

Delete all of section 2

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: Examine Persons in Protective  
Custody  
Sponsor: Senate Rules  
Requestor: House HESS

Agency Affected: Public Safety  
BRU: AST & Contract Jails

Component: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
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-
---------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER/PROG RCPT						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact is anticipated.

Prepared by: Gayle A. Horetski, Deputy Commissioner  
Division: \_\_\_\_\_

Phone: 465-4322  
Date: 4/23/90

Approved by Commissioner: G.A.H for Arthur English  
Agency: Department of Public Safety

Date: 4/23/90  
Page 1 of 1

# FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_ Agency Affected: Health & Social Services  
 Title: An Act relating to examination of Public BRU: \_\_\_\_\_  
Inebriates in Protective Custody; . . ."  
 Sponsor: Rules Committee Components: \_\_\_\_\_  
 Requestor: Governor

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 91	FY92	FY93	FY94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE	0.0	0.0	0.0	0.0	0.0	0.0

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

**POSITIONS:**

FULL-TIME	0.0	0.0	0.0	0.0	0.0	0.0
PART-TIME	0.0	0.0	0.0	0.0	0.0	0.0
TEMPORARY	0.0	0.0	0.0	0.0	0.0	0.0

**ANALYSIS:** (Attach a separate page if necessary)  
FY 90 fiscal impact is "0".

Prepared by: Matthew C. Felix, Acting Director Phone: 586-6201  
 Division: Alcohol and Drug Abuse Date: 4/23/90  
 Approved by Commissioner: Myra M. Munson Date: 4/23/90  
 Agency: Department of Health and Social Services

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



# ALASKA STATE MEDICAL ASSOCIATION

REC'D APR 11 1991

4107 Laurel Street • Anchorage, Alaska 99508-5334 • (907) 562-2662

April 11, 1990

Jim

Honorable Johnny Ellis  
Chairman  
Health, Education and Social Services Committee  
Alaska State Legislature  
P.O. Box V  
Juneau, Alaska 99811

Dear Representative Ellis:

The Alaska State Medical Association urges the passage of Senate Bill 189.

The question of responsibility for public inebriates is probably as old as human society. The greatest public outcry is generated when a public inebriate dies in a jail, on the street, or in some other unattended setting; of importance also, is the inebriate who is lying down and is severely intoxicated in a public setting.

In Anchorage, a small number (70-100) constitute the repeat public inebriate group. This was well documented in a study done by the University of Alaska. These are people who do not take responsibility for themselves. They have unhealthy behavior and die at high rates. A study was also done at the Alaska Native Medical Center of high utilizers of care followed over a six year period of time. Most of the male high utilizers had chronic alcoholism. At the end of this study period 1 out of 4 had died.

No matter what the public and human services response is to this group of people, there is not study which suggests that any intervention would have made a difference in the outcome. Unfortunately, there is a public perception that if these people were appropriately screened, care for and under some type of health care supervision, deaths could be prevented. This is true only in exceptional circumstances. The data suggests that injury and death are due to unhealthy life-styles and personal risky behavior on which no institution or public program will have much impact.

STEVE COWPER  
GOVERNOR



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

189

February 24, 1989

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

Dear Mr. President:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to the examination of intoxicated or incapacitated persons in protective custody.

Present law provides for the examination, by a physician, of intoxicated or incapacitated persons taken into protective custody. AS 47.37.170(c). Section 1 of the bill amends AS 47.37.170(c) to allow those examinations to be conducted by qualified health practitioners other than physicians. The Department of Health and Social Services may, by regulation, determine the extent of the examinations and necessary qualifications for the practitioners who conduct them.

This change merely reflects the reality of service provision in Alaska, particularly in rural areas. Most alcohol programs will not have a physician available to conduct examinations on individuals taken into protective custody.

AS 47.37.180(b) currently provides that an application for emergency commitment of an intoxicated or incapacitated person must be accompanied by a certificate from a physician supporting the need for emergency treatment. This bill does not change the requirement that a physician complete that certificate. However, to be consistent with the amendment proposed in sec. 1 of this bill, sec. 2 amends AS 47.37.180(b) to allow the certificate to state that the physician or another qualified health practitioner has examined the person sought to be committed. Additionally, the certifying physician must review the results of the examination before executing the certificate in support of emergency commitment.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper".

Steve Cowper  
Governor

# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**



# ALASKA STATE MEDICAL ASSOCIATION

REC'D APR 11 1991

4107 Laurel Street • Anchorage, Alaska 99508-5334 • (907) 562-2662

April 11, 1990

Jim

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Chairman  
Health, Education and Social Services Committee  
Alaska State Legislature  
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In Anchorage, a small number (70-100) constitute the repeat public inebriate group. This was well documented in a study done by the University of Alaska. These are people who do not take responsibility for themselves. They have unhealthy behavior and die at high rates. A study was also done at the Alaska Native Medical Center of high utilizers of care followed over a six year period of time. Most of the male high utilizers had chronic alcoholism. At the end of this study period 1 out of 4 had died.

No matter what the public and human services response is to this group of people, there is not study which suggests that any intervention would have made a difference in the outcome. Unfortunately, there is a public perception that if these people were appropriately screened, care for and under some type of health care supervision, deaths could be prevented. This is true only in exceptional circumstances. The data suggests that injury and death are due to unhealthy life-styles and personal risky behavior on which no institution or public program will have much impact.

Honorable Johnny Ellis  
April 11, 1990  
Page 2

In Anchorage, public inebriates are visible and in the recent past a politically important problem. Fortunately, we have multiple resources in the community, and over the years have been able to negotiate a public and human service agency response. However, the most acute problem is in the small rural communities such as Dillingham, Barrow, Nome, Kotzebue and other Southeaster communities. During off hours there is not an in-house physician and emergency room nursing coverage is very limited. Likewise, there is minimal staffing in the public safety facilities. The hospitals are under continued pressure to provide acute medical services for obstetrics and acute emergency room care. The un-injured public inebriates is a low priority in this setting. There simply are not enough resources to provide the kinds of services which are available in the larger communities.

Unfortunately, recent legislation has been interpreted by the public to place more responsibility in physicians hands for this group of public inebriates. We do not feel this is appropriate nor necessary.

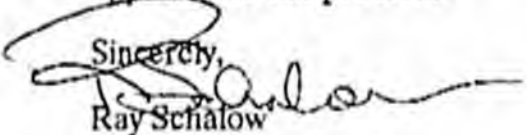
Bringing public inebriates to emergency rooms for medical evaluations requires the investment of a large amount of time by public safety officers. Since these patients are not viewed by physicians or nurses as a high priority (in general), much time is spent "waiting for evaluation."

We believe that there are rather simple protocols which could be developed and used by less expensive personnel than physicians. These protocols would screen those patients at high risk for catastrophic events and would provide a simple monitoring system which would identify those patients needing further evaluations and/or an evaluation by a physician. Senate Bill 189 would provide for this protocol. However, it must be made clear that even under these circumstances there will still be occasional patients who have catastrophic outcomes.

The burden in the private sector medical practice, especially in a small community hospital in rural Alaska, is untenable. In that setting there is the additional burden of uncompensated care, and the issue of liability is more pronounced.

We urge your support of Senate Bill 189 which provides a more realistic approach to this problem.

Sincerely,



Ray Schialow  
Executive Director

STEVE COWPER  
GOVERNOR



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

189

February 24, 1989

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

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Present law provides for the examination, by a physician, of intoxicated or incapacitated persons taken into protective custody. AS 47.37.170(c). Section 1 of the bill amends AS 47.37.170(c) to allow those examinations to be conducted by qualified health practitioners other than physicians. The Department of Health and Social Services may, by regulation, determine the extent of the examinations and necessary qualifications for the practitioners who conduct them.

This change merely reflects the reality of service provision in Alaska, particularly in rural areas. Most alcohol programs will not have a physician available to conduct examinations on individuals taken into protective custody.

AS 47.37.180(b) currently provides that an application for emergency commitment of an intoxicated or incapacitated person must be accompanied by a certificate from a physician supporting the need for emergency treatment. This bill does not change the requirement that a physician complete that certificate. However, to be consistent with the amendment proposed in sec. 1 of this bill, sec. 2 amends AS 47.37.180(b) to allow the certificate to state that the physician or another qualified health practitioner has examined the person sought to be committed. Additionally, the certifying physician must review the results of the examination before executing the certificate in support of emergency commitment.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper".

Steve Cowper  
Governor

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: "An Act relating to examination of Public Inebriates in Protective Custody;  
 Sponsor: Rules Committee date: \_\_\_\_\_  
 Requestor: Governor  
 Agency Affected: Health & Social Services  
 BRU: Alcohol and Drug Abuse Services  
 Components: Administration

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES					11	
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	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						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS:**

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

**ANALYSIS :** (Attach a separate page if necessary)

Prepared by: Matthew C. Felix *Matthew Felix* Phone: 586-6201  
 Division: Office of Alcoholism and Drug Abuse Date: 2/8/89

Approved by Commissioner: Mrs. H. H. Johnson *Mrs. H. H. Johnson* Date: 2/12/89  
 Agency: Health & Social Services

Distribution (by preparer):

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

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_ Agency Affected: Public Safety  
 Title: Examination of intoxicated/incapacitated persons in protective custody  
 BRU: \_\_\_\_\_  
 Sponsor: Rules Committee Component: \_\_\_\_\_  
 Requestor: Governor

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
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-
---------	-----	-----	-----	-----	-----	-----

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	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

This bill will not have a fiscal impact on the Department of Public Safety; under AS 33.30.071(a) the Department of Public Safety is not responsible for the expenses of caring for intoxicated persons taken to local jails under AS 47.37.170.

Prepared by: Gayle A. Horetski, Deputy Commissioner Phone: 465-4322  
 Division: Office of the Commissioner Date: 2/9/89

Approved by Commissioner: Arthur English Date: 2/9/89  
 Agency: Department of Public Safety

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: "An Act relating to examination  
of intoxicated or incapacitated."  
Sponsor: Rules  
Requestor: Governor

Agency Affected: Department of Corrections  
BRU: \_\_\_\_\_  
Components: \_\_\_\_\_

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
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
---------	---	---	---	---	---	---

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	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Susan E. Knight, Director Phone: 2-10-89  
Division: Administrative Services Date: 2-10-89  
Approved by: Commissioner Susan Humphrey-Barnett Date: 2-10-89  
Agency: Department of Corrections

Distribution (by preparer):

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

SB

209





# Alaska State Legislature

## SENATE

Official Business

P.O. Box V  
State Capitol  
Juneau, Alaska 99811

April 12, 1989

TO: HOUSE HESS COMMITTEE MEMBERS

FROM: Senator Jay Kerttula

SUBJECT: Senate Bill 209, relating to organic foods

Senate Bill 209 is a labeling bill that provides Alaska consumers and producers with a common, industry-accepted, definition of what is meant if a product is labeled "organic". It does not attempt to deal with health issues, but merely to give consumers and producers a choice.

I have introduced Senate Bill 209 to remedy a specific failing in Alaskan statutes dealing with food products; nowhere in existing law is there any definition or standard which permits one to be certain what is meant when one purchases "organic" food.

What this means is that vegetables and other food products can now be advertised and sold as "organic" without any guarantee as to what fertilizers and pesticides may have been used or not used in their production and processing.

There is a growing body of medical evidence to suggest that, at least in part, we are what we eat. But what are we eating? We tend to think of organic produce as free of synthetic pesticides and fertilizers. SB 209 simply makes sure that this is, in fact, the case. It establishes uniform standards for organically produced foods, patterned after those used in Washington and some other states, and supported by local scientific data.

The bill is a simple protective measure that will benefit both consumers and producers who are concerned about the chemicals -- particularly pesticides, hormones and antibiotics -- that we are unknowingly ingesting in our food supply. I believe there are many who are concerned about this contamination, and who would prefer to see that Alaskan consumers have a choice in their purchases. I think this legislation will help that choice become more of a reality by making sure that growers, vendors and customers are speaking

the same language when they deal in organic produce, and that when an Alaskan says "organic", he is representing that a product has never been exposed to chemical applications.

The interest in organic foods and the recognition of their importance to human health is increasing. The recent, much publicized concern about the quantities of pesticides contained in apples and other fruits, and the hazard they may be posing for our children, is only the latest manifestation of a national trend. On the international scene, it is no secret that Japanese and European importers are reluctant to purchase many of our beef and pork products because of the quantities of antibiotics and hormones injected into American cattle.

We are unusually fortunate in that many of the fresh vegetables, potatoes, and carrots that are produced in Alaska can be raised without application of the pesticides that are so heavily relied upon in other climates. It may also be practical to raise beef and some other kinds of livestock for an organic market by utilizing a combination of local grazing lands and unadulterated locally-produced grains. We simply do not have the kind of weed and insect pest problems here that plague farmers in other states, and some of our growers may find that organic production will open a market niche in which they can compete quite successfully with outside growers.

Of course, one of the ultimate beneficiaries of any growth in this sector will be the Alaskan consumer.

**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: An Act relating to the sale of organic and natural foods.  
Sponsor: KERTULLA  
Requestor: \_\_\_\_\_

Agency Affected: Environmental Conservation  
BRU: Environmental Health  
Components: Sanitation.

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	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						
<b>TOTAL</b>	0	0	0	0	0	0

**POSITIONS:**

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

**ANALYSIS : (Attach a separate page if necessary)**

The bill sponsor has stated that the role of the Department would be to enforce on a complaint only basis. With the understanding that compliance is expected to be 100% voluntary and that the Department will not routinely inspect or monitor, we are submitting a zero fiscal note.

Prepared by: Douglas C. Donegan DCD  
Division: Environmental Health

Phone: 465-2609  
Date: March 13, 1989

Approved by Commissioner: Dennis D. Kelso ad16/12  
Agency: Environmental Conservation

Date: 3/13/89

**Distribution (by preparer):**

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

# FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: An Act relating to the sale of organic and natural foods.  
 Sponsor: KERTULLA  
 Requestor: \_\_\_\_\_

Agency Affected: Environmental Conservation  
 BRU: Environmental Health  
 Components: Sanitation.

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
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
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	--	--	--	--	--	--
PART-TIME	--	--	--	--	--	--
TEMPORARY	--	--	--	--	--	--

**ANALYSIS : (Attach a separate page if necessary)**

The bill sponsor has stated that the role of the Department would be to enforce on a complaint only basis. With the understanding that compliance is expected to be 100% voluntary and that the Department will not routinely inspect or monitor, we are submitting a zero fiscal note.

Prepared by: Douglas C. Donegan *DCD*  
 Division: Environmental Health

Phone: 465-2609  
 Date: March 13, 1989

Approved by Commissioner: Dennis D. Kelso *adk*  
 Agency: Environmental Conservation

Date: 3/13/89

**Distribution (by preparer):**

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

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: An Act relating to the sale of organic and natural foods.  
Sponsor: KERTULLA  
Requestor: \_\_\_\_\_

Agency Affected: Environmental Conservation  
BRU: Environmental Health  
Components: Sanitation.

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
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
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	--	--	--	--	--	--
PART-TIME	--	--	--	--	--	--
TEMPORARY	--	--	--	--	--	--

ANALYSIS : (Attach a separate page if necessary)

The bill sponsor has stated that the role of the Department would be to enforce on a complaint only basis. With the understanding that compliance is expected to be 100% voluntary and that the Department will not routinely inspect or monitor, we are submitting a zero fiscal note.

Prepared by: Douglas C. Donegan *DCD*  
Division: Environmental Health

Phone: 465-2609  
Date: March 13, 1989

Approved by Commissioner: Dennis D. Kelso *ADKAL*  
Agency: Environmental Conservation

Date: 3/13/89

Distribution (by preparer):

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

## FISCAL NOTE

**REQUEST:**

Revision Date: 3/13/89  
 Title: Natural and Organic food  
 Sponsor: Senator Kerttula  
 Requestor: Senate Resources

Agency Affected: Natural Resources  
 BRU: Agricultural Management  
 Components: Marketing Services and Inspection

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-

<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
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<b>REVENUE</b>	-0-	-0-	-0-	-0-	-0-	-0-
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**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

**POSITIONS:**


FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Because the bill does not require the department to develop or implement regulations, inspections, verification or enforcement related to natural and organic food sales, no funding is required. However, when development and implementation of regulations is desired, funding for staff and travel will be necessary.

Prepared by: Carol Wilson  
 Division: Commissioner's Office

Phone: 465-2400  
 Date: 3/13/89

Approved by Commissioner:   
 Agency: Natural Resources

Date: 3/13/89

**Distribution (by preparer):**

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

FISCAL NOTE ANALYSIS -- SB 209

This bill does not obligate any agency to perform new or additional services. The fiscal impact to be calculated pursuant to AS 24.08.035 is therefore "0".

The bill does give DEC and DNR discretion to adopt regulations they may believe desirable relating to identity of chemicals prohibited in organic farming; also to require reasonable records to be maintained by sellers of organic products. Because of the infancy of the organic food industry in this state, however, it would be premature to conclude that state regulatory intervention in this area is needed or desirable. It is more likely that once statutory standards are in effect, local industry will for the most part regulate itself, as it does in other states.

It should be noted that should an authorized agency elect to pursue an investigation of any alleged misrepresentation relating to organic food, both DEC and DNR have existing inspection staff who deal regularly with meat and vegetable produce. Some investigatory work could therefore be undertaken without additional appropriation.

Nonetheless, recent experience with similar legislation in the state of Washington— where there is a large agriculture industry and significant trade in organic produce— indicates that enforcement effort is rarely required. Thus, even in the event that commercial traffic in organic food increased substantially in Alaska, it is unlikely that there would be any need to fund an increased regulatory presence in the marketplace.

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.  
JUNEAU, ALASKA 99801-1796  
PHONE: (907) 465-2400

April 12, 1989

The Honorable Johnny Ellis  
Chair, House HESS Committee  
P.O. Box V  
Juneau, AK 99811

Dear Representative Ellis:

Subject: Committee Substitute for Senate Bill 209 (Resources) am, relating to the sale of organic foods.

Position: The Department of Natural Resources supports this bill but will be unable to develop and implement organic food product regulations and verification procedures until funding for staff and travel is provided.

Background: Under AS 03, the Department of Natural Resources is responsible for regulating the sale or use inside the state of plants, seeds, vegetables, shell eggs, fruits, and berries, to protect the public interest and prevent product fraud, deception or misrepresentation. Currently, Division of Agriculture staff inspect farm products in storage or in retail stores to determine whether products match labeling statements related to grade, kind, etc.. If a product violates our regulations, staff can direct the possessor concerning the appropriate disposition of the product.

This bill would allow (but not require) the department to develop regulations specific to organic foods. It would also allow us to inspect products labeled organic and enforce violations of our quality or labeling requirements. Unless additional funding for staff and travel is provided, however, the department would not be able to develop organic food regulations and would not be able to determine or enforce rule violations.

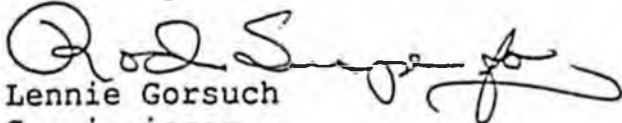
Representative Ellis

-2-

April 12, 1989

Recommendation: Authorize a fee schedule (and use of program receipts to fund necessary staff and travel) for inspection and verification work by state inspectors.

Sincerely,



Lennie Gorsuch  
Commissioner

cc:Bill Sponsors

Committee Members

Dennis Kelso, Commissioner

Department of Environmental Conservation

Bob Evans, Legislative Liaison

Office of the Governor

Frank Mielke, Director

Division of Agriculture

**FISCAL NOTE**

**REQUEST:**

Revision Date: 4/12/89

Agency Affected: Natural Resources

Title: Organic Food

BRU: Agricultural Management

Sponsor: Senator Kerttula

Components: Marketing Services and Inspection

Requestor: House HESS

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>REVENUE</b>	-0-	-0-	-0-	-0-	-0-	-0-

**FUNDING: (Thousands of Dollars)**

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS : (Attach a separate page if necessary)**

Because this bill does not require the department to develop or implement regulations, inspections, verification or enforcement related to organic food sales, no funding is required. However, when development and implementation of regulations is desired, funding for staff and travel will be necessary

Prepared by: Carol Wilson Phone: 465-2400

Division: Commissioner's Office Date: 4/12/89

Approved by Commissioner: [Signature] Date: 4/12/89

Agency: Natural Resources

**Distribution (by preparer):**

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

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

STEVE COWPER, GOVERNOR

400 WILLOUGHBY AVE.  
JUNEAU, ALASKA 99801-1796  
PHONE: (907) 465-2400

March 13, 1989

The Honorable Bettye Fahrenkamp  
Chair, Senate Resources Committee  
P.O. Box V  
Juneau, AK 99811

Dear Senator Fahrenkamp:

Subject: Senate Bill 209, relating to the sale of organic  
foods.

Position: The Department of Natural Resources supports this bill but will be unable to develop and implement organic food product regulations and verification procedures until funding for staff and travel is provided.

Background: Under AS 03, the Department of Natural Resources is responsible for regulating the sale or use inside the state of plants, seeds, vegetables, shell eggs, fruits, and berries to protect the public interest and prevent product fraud, deception or misrepresentation. Currently, Division of Agriculture staff inspect farm products in storage or in retail stores to determine whether products match labeling statements related to grade, kind, etc. If a product violates our regulations, staff can direct the possessor concerning the appropriate disposition of the product.

This bill would allow (but not require) the department to develop regulations specific to organic foods. It would also allow us to inspect products labeled organic and enforce violations of our quality or labeling requirements. Unless additional funding for staff and travel is provided, however, the department would not be able to develop organic and natural food regulations and would not be able to determine or enforce rule violations.

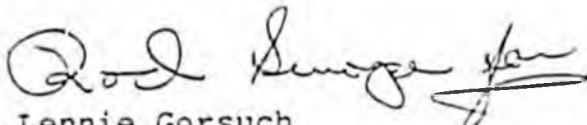
Senator Fahrenkamp

-2-

March 13, 1989

Recommendation: Authorize a fee schedule (and use of program receipts to fund necessary staff and travel) for inspection and verification work by state inspectors.

Sincerely,



Lennie Gorsuch  
Commissioner

cc: Bill Sponsors  
Committee Members  
Commissioner Dennis Kelso  
Department of Environmental Conservation  
Bob Evans, Legislative Liaison  
Office of the Governor  
Denby Lloyd, Special Staff Assistant  
Office of the Governor  
Frank Mielke, Director  
Division of Agriculture

## FISCAL NOTE

**REQUEST:**

Revision Date: 3/13/89  
Title: Natural and Organic Food

Agency Affected: Natural Resources  
BRU: Agricultural Management

Sponsor: Senator Kerttula  
Requestor: Senate Resources

Components: Marketing Services and  
Inspection

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-

<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
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<b>REVENUE</b>	-0-	-0-	-0-	-0-	-0-	-0-
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**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Because the bill does not require the department to develop or implement regulations, inspections, verification or enforcement related to natural and organic food sales, no funding is required. However, when development and implementation of regulations is desired, funding for staff and travel will be necessary.

Prepared by: Carol Wilson Phone: 465-2400  
Division: Commissioner's Office Date: 3/13/89

Approved by Commissioner: [Signature] Date: 3/13/89  
Agency: Natural Resources

**Distribution (by preparer):**

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

STATE OF ALASKA  
THE LEGISLATURE

POUCH Y STATE CAPITOL  
JUNEAU ALASKA 99811  
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 13, 1989

SUBJECT: Sectional analysis of ~~CS~~SB 209  
(Work Order No. 6-0886A)

TO: Senator Jay Kerttula

FROM: Terry Bannister *TB*  
Legislative Counsel

You have requested a sectional analysis of the above described bill.

As a preliminary matter, note that a sectional analysis or summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1. States the legislative purpose of the bill.

Section 2. Adds a new chapter regulating the sale of organic and natural foods.

Sec. 03.58.010. Prohibits a person from selling or offering for sale food represented as organic if the person knows or has reason to know that the food has been grown, raised, or produced with the use of certain substances.

Sec. 03.58.020(a). Prohibits, except as provided in (b) of the section, a person from selling food represented as organic unless the name and address of the producer of the food are displayed with the food. Requires the person to give a written statement containing the producer's name and address to the purchaser if the food is not displayed at the purchase site, unless the information is on the food package. States that this subsection does not apply to a sale for consumption on the premises.

Senator Jay Kerttula  
Page 2  
March 13, 1989

Sec. 03.58.020(b). Requires advertising for the mail order sale of food represented as organic . . . to include the name and address of the producer of the food.

Sec. 03.58.030. Prohibits a producer from selling to a vendor food represented as organic . . . unless before the sale the producer provides the vendor with a sworn statement that the producer has grown, raised, or otherwise produced the food in compliance with sec. 03.58.010. Allows the producer to use a single statement for a calendar year if the producer sells the food to the same vendor more than one time during a calendar year. Defines "vendor" for the section.

Sec. 03.58.040. Requires a person who sells food represented as organic . . . to maintain certain records and to furnish them to the department upon request.

Sec. 03.58.050. Authorizes the department to adopt regulations for the chapter, including a list of substances under AS 03.58.010(a).

Sec. 03.58.060. Directs the department to order a person who is violating the chapter or a regulation adopted under the chapter to stop the violation and to refrain from future violations.

Sec. 03.58.070. Establishes a civil fine and a criminal penalty for a violation of the chapter, a regulation adopted under the chapter, or an order issued under AS 03.58.060.

Sec. 03.58.080. Defines terms for the chapter.

If I may be of further assistance, please advise.

TLB:lmb  
L7/032



UNIVERSITY OF ALASKA FAIRBANKS  
School of Agriculture and Land Resources Management

Agricultural & Forestry Experiment Station  
Palmer Research Center  
533 E. Fireweed  
Palmer, Alaska 99645  
(907) 745-3257

MEMORANDUM

DATE: March 3, 1989

TO: Senator Jalmar Kerttula

FROM: Allen Mitchell, Associate Director  
(Ph. D. Soils and Environmental Sciences)

SUBJECT: Criteria for Organically Grown Produce

*2 sent 12:15 PM 3/15/89  
for [unclear]*

This memorandum is a follow-up to conversations that I have had with Mark Weaver regarding certain criteria for organically grown produce. The criteria discussed were related to the use of synthetic fertilizers and pesticides.

Fertilizers

Of the two categories of synthetic chemicals, fertilizers pose the least hazard in terms of human consumption of crops grown on ground to which it has been applied. In fact, of the three primary plant nutrients, nitrogen (N), phosphorus (P), and potassium (K), synthetic forms are chemically indistinguishable from organically derived forms in the soil. Also, of these three, only nitrogen poses a potential problem to human health. For example, nitrate- and nitrite-nitrogen might conceivably accumulate in plants to levels that could cause human health problems. This is a rare occurrence. Furthermore, this type of problem could just as easily occur with nitrogen from organic sources. Another concern that some have with synthetic fertilizers is from chemical impurities they may contain. One example often cited is certain phosphorus fertilizers have been found to contain potentially toxic cadmium. However, the source of this contamination is the naturally occurring rock phosphate from which it was manufactured. Organic growers do use rock phosphate as a source of phosphorus fertilizer.

For some of the above mentioned reasons as well as others, enforcement of regulations on fertilizer sources (organic vs synthetic) would be most difficult. Once incorporated in the soil, it is essentially impossible to distinguish source. It would likewise be impossible to determine how long such nutrients have been in the soil.

With this brief description of the problems, I doubt that requiring a long synthetic fertilizer-free period would be either practical or enforceable. Therefore, I would suggest that you consider a requirement that the ground to be used for organically grown produce be free of synthetic fertilizers for a period of one year.

## Pesticides

Synthetic pesticides are a completely different situation. While pesticides vary considerably in their toxicity, a great number of them are potentially hazardous. Our information is incomplete, in many cases, with regard to the absolute safety of many of these products. For those individuals who want to pursue a "chemical" free diet, this is where the regulatory emphasis should be placed in my opinion. Unlike fertilizers, pesticide residues in the soil and in produce can be differentiated from natural occurring compounds. Thus enforcement of regulatory policies is possible. Additionally, soil applied pesticides tend to carry over for longer periods in some environments than in others. However, to further complicate the situation, pesticides change chemical form when they enter the soil and are acted on by soil microbes. Fortunately, the new forms are usually less toxic and eventually are reduced to harmless carbon, hydrogen, and oxygen. Again, the time required to render them harmless varies with the pesticide and soil temperatures.

There's no question in my mind that, for regulatory policy, the residence time required in the soil should be greater for pesticides to insure an appropriate degradation time. For example, the herbicide Lorox (linuron) degrades to harmless byproducts in four months in temperate climates while we have been able to measure residue in soils 12 months after application. Linuron is a very safe material from a human health standpoint and concentrations remaining after a year are harmless, but it does illustrate that pesticides can carry over for longer periods depending on environmental conditions at specific locations.

Based on the above arguments, I suggest that the law require that soil used to grow organic produce be free of synthetic pesticide application for a period of two years prior to planting a crop.

If you or Mark have any further questions, please don't hesitate to contact me. The whole question of organically grown produce is a difficult one, but it does have to be addressed. Fortunately for Alaska, we currently use substantially less pesticides than most other producing areas and we have an excellent synthetic chemical-free land base available to those who may want to enter the organic produce market.

# A Guide to the Grocery

Keep eating fruits and vegetables, but be careful—and wash your hands!

BY SHARON BEGLEY AND MARY HAGER

It isn't poisoned Chilean grapes or tainted Arkansas chickens, then it's dioxin in milk or chemicals on apples. Eating is beginning to seem like a hazardous enterprise, and there are indeed real risks out there. The trip to the pantry has become a cost-benefit game. Here's how to play.

Don't believe all the scare stories. Look for evidence, look for numbers—actual illnesses, quantified cancer risks—and beware of terms like "trivial" what may be a small risk to industry is unacceptable to a mother. Then, understand the numbers. The average American has a one in four chance of getting cancer. A new prediction of 6,000 excess cancers in today's preschoolers seems like a horrible toll, but for each kid, it's equivalent to an increase in risk from 25 to 25.25 percent. Consider the benefits. Skim milk that may have tiny traces of dioxin also provides protein, calcium and vitamin D. The biggest food risk—microbial contamination—kills thousands each year but can be avoided with better cleanliness. Another high risk is poor diet, such as one high in fat or salt. Here is NEWSWEEK's guide to the grocery.



## Fruits and Vegetables

Farmers apply hundreds of chemicals every year to control weeds, fungi or insects on produce. What's deadly to a corn borer may not be exactly healthy for people. The Environmental Protection Agency says pesticide residues pose the third highest threat of environmentally induced cancer, behind cigarettes and radon. Many pesticides were approved for use decades before researchers had good tests of their toxicity, and many still remain on the market.

The recent controversy about the environmentalist group Natural Resources Defense Council, NEWSWEEK Jan. 20 concludes that some million kids are exposed to neu-

rotoxic pesticides above what the EPA considers an "acceptable" level. And because children eat relatively more fruits and vegetables than adults, they receive several times the exposure to carcinogenic pesticides than their parents. As a result, says the NRDC, 5,500 to 6,200 of today's preschoolers may get cancer eventually because of childhood exposure to just eight pesticides. A 1987 study by the National Research Council showed how dangerous food is allowed to be. The NRC examined cancer risk from about 20 out of 60 pesticides known to be carcinogenic. It found that if all produce had the maximum allowable residue of every pesticide approved for use on it—more than 110 on apples, 70 on bell peppers, 100 on tomatoes—Americans would face a cancer risk of three to 11 over a 70-year lifetime.

The good news is that real news is not this bad. In 1988 the FDA found no residue at all in 77 percent of 14,492 food samples, less than 1 percent had illegally high residues. And instead of using every permitted pesticide every year, farmers use only those necessary for

that season's pests—six to 20 on apples, for instance, not the whole 110.

Fruits and vegetables also contain natural poisons, some of which may cause cancer. Biochemist Bruce Ames of the University of California, Berkeley, estimates that people ingest 10,000 times as much "natural pesticides" as man-made ones. The EPA can't do anything about nature. But it is re-evaluating all 300 agricultural pesticides with an eye toward lowering the allowable residues or banning some chemicals entirely.

While that goes on, remember that fruits and vegetables such as broccoli and carrots provide nutrients that have been linked to natural risks of cancer. The National Research Council recommends that Americans eat five or more servings of produce a day, especially citrus fruits and green and yellow vegetables. To lessen your risk from any lingering pesticides, wash all produce with soap and water. If you can't bear the sight of a sudsy cabbage leaf, cook your vegetables; the heat will eliminate some residues. For a good primer on residues, try the Sierra Club book "Pesticide Alert."



## Apples

Tomatoes confused consumers. Apples now look like the poisoned fruit of the Snow White tale. Since 1988 some red varieties have been sprayed with the suspected chemical diminonide made by Unichlor, a chemical Co. under the trade name

Alar. This growth regulator keeps apples from dropping off trees before they ripen, improves color and firmness and extends shelf life. But the chemical penetrates the pulp and cannot be washed, cooked or peeled off. In 1986, bowing to consumer pressure, processors and stores pledged not to accept Alar-treated apples.

Some seem to have reneged. Next week Consumers Union will announce whether most apples bought this year contain traces of Alar, as did 1988 samples. CU already reported levels in some brands of juice bought in 1988 as high as 53 parts per million—high enough to pose a risk of cancer much greater than the one in a million which prompts EPA action. There are wide regional disparities in Alar levels, meaning apples. New York officials said last week that as much as 20 percent of their 1988 crop was sprayed with Alar. The EPA's estimate that only 5 percent of the domestic crop is sprayed may be way too low.

The real culprit, however, is not Alar, but its breakdown product, called UDMH. This chemical cousin of rocket fuel forms when Alar is heated, as during processing into sauce or juice. Also, traces of it can be found in the Alar itself which is sprayed in the orchard. Unichlor's latest data on diminonide show that it is probably not carcinogenic. The still preliminary UDMH data are more worrisome: the EPA calculates that UDMH in apple products, consumed in amounts that may underestimate actual eating patterns, poses a cancer risk of 45 in a million over a lifetime. The EPA says it intends to ban Alar within 18 months. For a baby who drinks one ounce of apple juice a day, the risk of getting cancer because of the juice drunk over that entire period is nine in a million. A toddler drinking

eight ounces a day would have a risk of about 20 in a million. Uniroyal insists that, when completed, its tests will exonerate UDMH.

To avoid the risks of Alar and UDMH, grow your own apples. Or eat those from California, where the chemical isn't used. Or stick to green varieties like Granny Smith that aren't treated with Alar. Drink juice brands that get a clean bill of health in independent (not manufacturer) tests.



### Chicken and Eggs

Here the latest risk comes from salmonella, ubiquitous bacteria that can cause nausea, diarrhea and fever. Symptoms can last one day or several. There are more than 40,000 cases—and 500 deaths—of salmonella poisoning reported in the United States every year, says the federal Centers for Disease Control. Many more poisonings go unreported; the actual incidence may be 4 million. Not all come from eggs or poultry. But last April, CDC researchers reported on 65 salmonella outbreaks in the Northeast that caused 2,119 illnesses. Of those that could be traced to a specific food, 77 percent were apparently caused by uncracked eggs. The eggs seemed to have been contaminated by salmonella in the hen. Approximately one third of the chickens in the nation's supermarkets contain salmonella.

Salmonella poisoning is easy to avoid. Wash raw poultry and everything it touches—utensils, cutting board, counter top. Cook the bird thoroughly. Don't eat raw eggs—no homemade mayonnaise, eggnog or ice cream, and no cake batter. Boil eggs at least seven minutes—swear off soft-boiled. Poach eggs for five minutes or fry for three minutes aside.



### Beef, Poultry and Pork

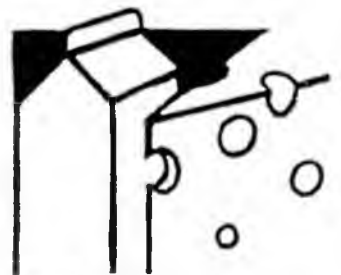
One concern is hormones, an issue raised when the European Economic Community recently banned American beef containing hormones. Cattle-men give steers the natural sex hormones estradiol, testosterone and progesterone—through ear implants—to make the animal put on lean muscle with less feed; they also sometimes use two synthetics. A third, DES, has been linked to cancer and was banned in 1979; illegal use was detected in 1980 and 1983. Pork and poultry producers do not use hormones. Three ounces of beef

from an untreated animal contain about 1.3 nanograms (billionths of a gram) of the animal's own natural estrogen; meat from a treated animal has 1.9 nanograms. By comparison, an average man produces 380,000 nanograms of estrogen a day; a serving of cole slaw has 2,500 nanograms; the hormone is in cabbage. Hormone residues dose seem harmless.

Antibiotics in livestock feed pose a different problem. Pork producers feed their animals low doses of penicillin, tetracycline and other human antibiotics; cattlemen use tetracycline. Poultry producers usually feed animals only antibiotics that aren't prescribed for humans. The concern is that people may become infected with microbes that won't respond to antibiotics. This might happen because the drugs can make the animals' resident microbes resistant to antibiotics. If the meat is then contaminated with resistant bugs, they could infect people handling it. In February, the Institute of Medicine, part

of the National Academy of Sciences, reported that it was "unable to find data directly implicating" low doses of the drugs in human disease. But it estimated that 10 of the 500 salmonella deaths in the United States annually might be traced to resistant strains produced by antibiotics in animal feed.

To guard against resistant microbes, after handling raw meat wash your hands and all utensils and surfaces thoroughly with hot water and soap.



### Milk

Last summer a Canadian government scientist showed that dioxin in cardboard cartons can migrate into the milk they contain. John Ryan measured .04 parts per trillion (ppt) of the form of dioxin known as TCDD. It apparently enters paper products during a bleaching process that uses chlorine.

The only documented effect of dioxin in people is a skin disease called chloracne, which afflicted victims of an industrial accident. But TCDD is, according to animal tests, the most powerful carcinogen ever evaluated. The EPA concluded that even 1 ppt of TCDD poses an "unacceptable" cancer risk. TCDD has also been linked to birth defects and immune-system disorders in test animals. The FDA estimates that children drinking all their milk from contaminated cartons may be doubling their daily dioxin intake, and it is now trying to verify Ryan's work. If the Canadian scientist is correct, drinking milk in dioxin-laced cartons may pose a lifetime cancer risk of one in 10,000.

The American Paper Institute is studying the potential problem of dioxin in paper products; it may be possible to line

## Anxiety in the Market

Americans still believe their food is safe, but there are more worries and calls for remedial action.

### Fears About Food

- 38% Are more worried that the food they eat may be contaminated by pesticides or other toxic chemicals
- 6% Less worried
- 53% About the same

### Buying Habits

- Consumers who say they're worried or have cut purchases:
  - 44% Apples
  - 41% Vegetables
  - 23% Eggs and poultry
  - 25% Fish
  - 9% Milk
  - 11% Corn

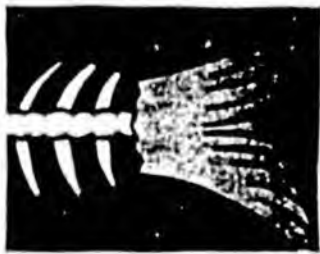
### Confidence in the U.S. Government

- 52% Feel the government ensures food produced in the United States is safe
- 44% Feel food imported from foreign countries is safe

### Pesticides

- 73% Think we should use fewer pesticides and chemicals to ensure safer food even if it means higher prices
- 45% Often or occasionally buy organic foods
- 47% Never or hardly ever buy organic foods

the cartons with foil to prevent dioxin from leaching into the beverage. In the meantime, to play it safe, buy fresh milk only in glass or plastic.



## Fish

Lake fish pose more of a threat than ocean fish. Some species from the Great Lakes, such as coho and chinook salmon, contain PCB's as well as the pesticides DDT, chlordane, aldrin, dieldrin, toxaphene and more than 100 other compounds found in industrial wastes. Although many chemicals have been banned, they remain in lake sediments and in the food chain, including fish. The compounds have been linked to cancers, neurotoxicity and other ills. The Great Lakes states issue annual advisories warning consumers not to eat certain species, or to eat less of them, if a certain percentage of the fish have contamination levels above the FDA's "action level."

Contamination varies widely, both from year to year and from lake to lake. In 1986 DDT levels for salmon and lake trout in Lake Michigan ranged from 0.1 ppm to 1.5 ppm (the action level is 5 ppm). Dieldrin contamination varied from 0.1 to 0.2 ppm (the action level is 0.3 ppm). Overall, the risk of cancer from eating 50 meals a year of Lake Michigan fish is one in 1,000 over a lifetime, says J. Milton Clark of the EPA's regional office in Chicago; eating only one meal a year poses a risk of one in 50,000. But according to a new study in the *American Journal of Public Health*, the danger may be greater: eating 150 meals a year, as a sports fisherman might, poses a one-in-100 cancer risk from dieldrin and three in 1,000 from DDT if the fish contain the action levels of these poisons. Even contamination well below the ac-

tion levels can raise cancer risk by six in 10,000 for DDT and four in 1,000 for dieldrin, say the researchers.

Exotic chemicals are not the only threat in fish. Fish from both fresh water and from the sea can contain microbes, including those from sewage, and on average they pose a tenfold higher risk of bacterial and viral infection than beef and seven times higher than chicken.

Inspection, like contamination, varies. Individual states—not the federal government—monitor local markets. Some states do a good job, some don't. Short of running your trout through a gas chromatograph, all you can do is sharply limit consumption of freshwater fish, especially fatty varieties like lake trout that concentrate the contaminants the most. Lean ocean fish, like red snapper and flounder, are a safer bet. The best precaution is a question: where did this fish come from? Avoid those from polluted waters like some Great Lakes and the New York coast. Cook it thoroughly to kill microbes. Nothing gets rid of the toxics. Sushi is riskier than cooked fish, but no one knows how much riskier. Decide for yourself whether you can live without a yellowtail hand roll.



## Canned food

Lead from soldered can seams gets into the food through leaching or splattering during manufacture. Some 20 to 30 percent of cans are lead-soldered. Acidic foods such as tomato products, fruit juice and anything packed in citric acid are the worst offenders. Because neuroscientists have found that lead damages children's brains at even trace levels, they recommend that kids get no avoidable lead from food, says neurochemist Ellen Sills, director of the Environmental

Defense Fund. "Lead and lead exposure is the most serious environmental health problem, far outweighing carcinogens." Recent surveys indicate that 60 percent of young children have blood lead levels that may impair their neurological development.

To minimize your child's risk, buy products in seamless or welded cans. A welded can has a black-striped, flat seam. Lead-soldered cans have crimped seams, and an irregular line of silver-gray metal along the joint.



## Corn and Peanuts

The *Aspergillus flavus* mold can infest wheat, corn, millet, other grains and peanuts; it secretes a highly toxic compound called aflatoxin. For years aflatoxin has plagued peanuts in the Southeast; last year's hot, dry summer created an ideal environment for the fungus in Midwestern grain. Animal studies show aflatoxin to be the second most potent carcinogen ever tested (surpassed only by TCDD). It causes liver cancer in rodents, but its impact on people remains unclear. Five epidemiological studies carried out in the Third World showed a clear link between intake of aflatoxin and cancer, says Ronald Shank of the University of California at Irvine. In these countries, however, aflatoxin intake was five to 500 times higher than in the United States. "This is a genuine carcinogen, but you're going to have to really pig out on corn or peanuts to face a serious risk," says microbiologist Lloyd Witter of the University of Illinois.

The FDA allows 0.5 parts per billion (ppb) aflatoxin in milk and 20 ppb in other foods. The 20 ppb was chosen because it can generally be met by industry and because it is safe.

charge some consumer groups. Actual levels in peanut butter vary from year to year, but lately have been holding below 1 ppb. Berkeley's Bruce Ames estimates that if the average aflatoxin level in peanut butter is 2 ppb, a sandwich is 100 times more carcinogenic than all the DDT in our diet. Sweet corn, which is eaten canned, fresh or frozen, shows no aflatoxin. Field corn, fed to livestock or processed into such foods as breakfast cereal and flour, has some aflatoxin. FDA tests of chips, popcorn, tortillas and cereal found every sample to be under the 20 ppb limit—but again, that figure may not be meaningful for health. Corn flour and meal exceeded that level in 2 percent of the cases, and was not allowed to be sold.

For safety, cook grits, flour or meal to substantially reduce aflatoxin levels. Cornflakes are probably OK, since processing cuts aflatoxin. Don't subsist on peanut butter, even though the crop has been getting cleaner; the risk is not negligible.

The odd thing is, food should be the least of our worries: radon from the soil poses a cancer risk of 1 in 1,000, smoking a pack a day increases a woman's chance of dying of lung cancer fourteenfold. A blood cholesterol level of 300 increases the risk of heart attack fourfold compared to a level of 200. But risk has its own psychology. Smoking is voluntary; radon is natural and ranting at nature doesn't do much good. Says Peter Sandman of Rutgers University, "The risks that kill you are not necessarily the risks that anger and frighten you. Risk is the sum of hazard and outrage." Since food is supposed to be safe, if it poses any risk at all, people are outraged. If their outrage and fear make consumers shun produce in favor of, say, fatty, salty snacks, attempts to raise public consciousness on food safety will have backfired. But if the outrage translates into political action—stricter and faster controls on dangerous pesticides, for instance—then the panic may have been worthwhile.

SB 209

The Department supports SB 209. We believe that it is in the best interest of consumers to have some assurance that food labeled natural or organic meets the definitions in this bill. Currently, there are no requirements except for some very broad federal guidelines for meat and poultry products.

The bill sponsor's staff has stated that compliance with the law is expected to be completely voluntary. We believe that the requirement that vendors obtain sworn statements of compliance from producers, makes this a realistic expectation.

The Department has submitted a zero fiscal note, with the understanding that we are not expected to disseminate any information to vendors about the effects of the law and that we will not monitor, test, or inspect to verify compliance.



Douglas Doregan 4/13/89



Page 12, The Frontiersman - Friday, April 7, 1989

# Lawmakers try to define what makes food 'organic'

The Associated Press  
TACOMA, Wash. — With consumers becoming increasingly concerned about chemicals used in growing most of America's fruits and vegetables, more people are turning to organically grown produce.

However, there are few assurances that produce advertised as "organic" really is organic.

Alaska is now considering legislation proposed by state Sen. Jay Keritula, D-Palmer, which would set standards for what is "organic" produce in Alaska.

Only a handful of states have any legislation concerning organic farming, and Washington is one of them, said Wendy Wendlandt, executive director of the Washington Public Interest Research Group.

Even then, only the producer is regulated.

"Now, we just inspect the farms (of participating organic growers," said Tom Sweeney, research analyst for Democrats in the Washington state House of Representatives. "But we don't know what the wholesaler does ... There should be some sort of

certification for wholesalers."

There are about 300 organic farmers in Washington state. Also, food processors have expressed an interest in participating, said Sweeney.

"We're better than most states. (But) from the consumers' point of view, there's a need for standardization," Ms. Wendlandt said. "Less than two-tenths of 1 percent of produce that come in our borders are tested."

State laws passed in 1984 and 1987 set standards for organic produce and allowed farmers to be certified as organic producers after meeting certain requirements.

Under the state's Organic Labeling Act of 1984, produce can be called organic only if it has been farmed with non-synthetic fertilizers and no chemical pesticides or herbicides.

Farmers are required to keep records of their growing procedures to support their claim that their crops are "organic."

Optional certification was implemented in 1987 as part of the Agriculture Omnibus Bill in which organic farmers apply for

certification as organic producers.

Their farms are visited and tested twice by a Department of Agriculture inspector to determine that they haven't used synthetics in their farms for at least two years.

But the certification program is drawing fire from some officials.

Verne Hedlund, chief of the food inspection section of the state Department of Agriculture, said the problem is that the certification program does not have adequate financial support.

The program is supported solely by fees paid by participating organic growers, Hedlund said.

Rep. Ken Jacobson this year sponsored a bill allowing additional funding sources for the program other than just participation fees to improve its effectiveness, Sweeney said.

The bill, HB1554, is awaiting hearing before the Washington state Senate Agriculture Committee and needs \$150,000 from the general fund to support the certification program, Sweeney said.

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# LAWYER NURSERY, INC.

950 Highway 200 West  
Plains, Montana, USA 59859

ORDER #	ORDER DATE	TERMS	REQUESTED SHIP DATE	CUSTOMER P.O.	SHIP VIA	PAGE
2071	03/27/89	PREPAID	05/31/89	MAIL	PRODUCE WHOLESALE AND/OR PARCEL POST	1

SOLD TO:

Manson Olson

SHIP TO:

PO Box 5433  
Wesley, AK 99687

WILL PICK UP MY SHARE OF  
AND/OR PARCEL POST

ITEM	DESCRIPTION	UNIT PRICE	QUANTITY ORDERED	QUANTITY ACKNOWLEDGED
1	Value-Share Plan of 7/1/89	1.00	1	1

### ORDER ACKNOWLEDGEMENT

NURSERY DIVISION

TEL: (406) 826-3881  
TLX: 31-9547  
FAX: (406) 826-5700



# LAWYER NURSERY, INC.

950 Highway 200 West  
Plains, Montana, USA 59859

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Manson Olson

SHIP TO:

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AND/OR PARCEL POST

ITEM	DESCRIPTION	UNIT PRICE	QUANTITY ORDERED	QUANTITY ACKNOWLEDGED
1			1	1

NOTE: THERE ARE THREE SEPARATE  
PAGES OF ORDERS FROM LAWYERS  
NURSERY. THIS VERIFIES OLSON'S COMMERCIAL INTENT.

# Mail Order Foods

## Who sells organic apples?



BY ANN NUGENT

**I**F YOU'RE HAVING TROUBLE finding organically grown apples, cheese, bread, chicken, jam, or orange juice, or if getting to the markets that sell organic food is too inconvenient for you, try ordering organic food by mail.

Over a dozen mail-order food companies offer organically grown food. (You can write Americans For Safe Foods for a complete list: 1501 16th Street NW, Washington, DC 20036; 202/332-9110.)

These mail-order companies vary widely, however. A few are distributors and sell only wholesale. Some carry nearly a complete line of organic food, while others specialize only in one item — like dried herbs. Only two carry meat and poultry, and only one carries a large variety of fresh produce. A few carry breads, muffins, cakes and pies. And some are more expensive than others. One company just began to stock organic cheese, yogurt, and jam with organic fruit sweeteners. Several carry food that's "certified organic," and they're especially careful in defining "organic," while other companies don't bother to define the term at all.

The following selected, mail-order, natural-food companies are the ones that feature organic food. They all carry such stock items as beans and grains, and all accept small orders (though groups of people often buy in bulk to take advantage of the cheaper rates). Some outlets have large inventories; the smaller ones often feature specialty items. The ones that carry only "certified organic" foods are listed first.

### USEFUL TERMS

#### Certified organic

Standards vary in different states. In some cases the state legislature has determined the standards; in other cases, private organizations have drawn them up. Generally the term means that crops are grown without synthetic pesticides, herbicides or fertilizers on soil that has been free of chemical pollutants for one to three years. Moreover, only certain natural materials may be applied to the soil, like composted or well-rotted manure (raw manure is forbidden).

#### Organic

A doubtful term. Some states,



like Washington, forbid anyone using this term unless the food or farm is certified.

Ask, though; it may mean any of the terms used below.

#### Chemical-free, or grown without pesticides, herbicides, or chemical fertilizers

These terms most likely mean that the farm grows its crops in soil that hasn't been free of chemical residues long enough to be certified organic. Farms that grow crops under these conditions are usually in the transition stage before they can qualify as certified organic.

#### Pesticide-free

Crops grown without the use

of pesticides, though other chemicals may be used.

#### Spray-free

An ambiguous term. It might mean the farmer isn't using pesticide sprays on the produce, but may use pesticides in the fields, say, during the winter.

#### IPM (Integrated Pest Management)

Foods marked with this label indicate that the farmer works within the biological environment, rather than indiscriminately eradicating pests, he monitors them, curbing them only if they get out of hand. He encourages natural predators and rotates his crops as a way of keeping pests

under control. He applies pesticides sparingly and only when and where they will do the least damage.

AS ONE distributor put it, foods bought under these labels are usually all right as long as the labels are clearly defined and mean what they say. Any of these methods of raising crops is better than foods raised without any pesticide restrictions whatsoever, farmers who are in the transition stage as they switch over to organic farming — a process that takes years — should be encouraged. —Ann Nugent



# Alaska State Legislature

Please enter into the record my testimony to the HOUSE HESS  
committee name

committee on \_\_\_\_\_, dated 4-13-89  
bill/subject

SB 209 IS Modeled After the STATE OF WASHINGTON  
Bill. See Comments About Certification Program  
WASHINGTON HAS. We need A Voluntary Certification  
Program in ALASKA.

Signed: \_\_\_\_\_  
Testifier

\_\_\_\_\_  
Representing (Optional)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone No.

SB

219

STATE OF ALASKA  
THE LEGISLATURE

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

LEGISLATIVE AFFAIRS AGENCY  
LEGISLATIVE REFERENCE LIBRARY

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

SB 219

HHESS

3/12/90

# HOUSE COMMITTEE REPORT

3/13

(7)  
Date Referred: April 11, 1989

FURTHER REFERRALS: FINANCE

Date of Committee Action: 3/12/90

The HESS Committee considered:

CSSB 219 (FINANCE)

CS FOR SENATE BILL NO. 319 (Finance)

[BIRTH CERTIFICATES/CHILDREN'S TRUST FUND]

"An Act relating to birth certificates."

### RECOMMENDATIONS:

- be replaced with \_\_\_\_\_  the same title  a new title
- have attached amendment(s)
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of intent

ATTACHES NEW FISCAL NOTE(s):  
(Dept)

APPROVES PREVIOUS: \_\_\_\_\_ (Date/Dept)

- fiscal impact DKSS
- zero fiscal note \_\_\_\_\_
- zero with analysis \_\_\_\_\_

- fiscal note(s) \_\_\_\_\_
- zero fiscal note(s) \_\_\_\_\_
- zero fn/analysis \_\_\_\_\_

SIGNING DO PASS

SIGNING:  
(Check approp. column)

Do Not Pass  
No Rec  
Amend

*[Signature]* ELLIS

*[Signature]* GOLH

*[Signature]* FURNACE

*[Signature]* C. DAVIS

*[Signature]* JACKO

*[Signature]* BOYER

	Do Not Pass	No Rec	Amend

*[Signature]*  
Chairman's Signature


SPONSOR STATEMENT FOR

SENATE BILL 219

JANUARY 17, 1990

Senate Bill 219 is revenue-generating legislation which provides for the sale of specially-designed birth certificates to celebrate the birth of a child. These commemorative certificates would be in addition to the birth certificate which the Bureau of Vital Statistics presently issues. The revenue generated from the sale of these certificates would fund the Alaska Children's Trust, which was established by the Legislature in 1988 to aid in the prevention of child abuse and neglect.

This legislation is similar to a program which has been successful in Oregon for the past four years, as well as a recently established program in Minnesota.

  
\_\_\_\_\_  
Senator Jay Keittula

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: An Act Relating To Birth Certifi-  
ates  
Sponsor: Kerttula  
Requestor: \_\_\_\_\_

Agency Affected: Health & Social Services  
BRU: State Health Services  
Components: Bureau of Vital Statistics

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		1.8	.9	.9	.9	.9
TRAVEL						
CONTRACTUAL		.6	.3	.3	.3	.3
SUPPLIES		1.0	.5	.5	.5	.5
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>3.4</b>	<b>1.7</b>	<b>1.7</b>	<b>1.7</b>	<b>1.7</b>

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0.0	4.5	4.5	4.5	4.5
---------	---	-----	-----	-----	-----	-----

**FUNDING: (Thousands of Dollars)**

GENERAL FUND	0	3.4	1.7	1.7	1.7	1.7
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	<b>0</b>	<b>3.4</b>	<b>1.7</b>	<b>1.7</b>	<b>1.7</b>	<b>1.7</b>

**POSITIONS:**

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

**ANALYSIS : (Attach a separate page if necessary)**

(See Attached)

Prepared by: Elizabeth Ward Phone: 465-3090  
Division: Public Health Date: 3/20/89

Approved by Commissioner: Nora H. Munson Date: 3/20/89  
Agency: Department of Health & Social Services

**Distribution (by preparer):**

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

SB 219 Fiscal Note (Analysis)

Oregon has four years experience with a similar program. Oregon averages approximately 40,000 live births per year. In the first year of the program Oregon issued 1100 displayable certificates. Oregon is currently issuing approximately 600 displayable certificates per year.

Assuming that Alaska (12,000 live births per year) will have experience similar to Oregon we will issue 360 certificates in the first year and then drop off to 180 per year.

Cost of Service Estimate:

Oregon

charge for displayable certificate	\$25.00
cost of service	\$12.00
pass through to child service agencies	\$13.00

Minnesota (new program 6 mo experience)

charge for displayable certificate	\$25.00
cost of service	\$10.00
pass through to children's trust fund	\$15.00

Alaska (estimate)

charge for displayable certificate	\$25.00
cost of service	\$ 9.25
normal certificate processing	\$5.00
calligraphy (contract)	\$1.50
printing, mailing tubes, &	
postage	\$2.75

Projections:

	volume	revenues (000) (volume x \$25)	costs (000) (volume x \$9.25)
1st year	360	\$9.0	\$3.4
2nd-5th years	180	\$4.5	\$1.7

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# STATE OF ALASKA THE LEGISLATURE

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

## LEGISLATIVE AFFAIRS AGENCY LEGISLATIVE REFERENCE LIBRARY

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Mary Van Nimwegen

SB 222

H HESS  
H HESS  
H HESS

4/18/90  
4/25/90  
4/24/90

# HOUSE COMMITTEE REPORT

(7)

Date Referred: April 5, 1990

FURTHER REFERRALS:

Date of Committee Action: 4/26/90

The HESS Committee considered:

CSSB 222(SA)am

CS SB NO. 222 (State Affairs) am

AMENDMENTS TO NO-SMOKING LAWS

"An Act relating to smoking in certain vehicles and indoor places."

### RECOMMENDATIONS:

- [  ] be replaced with HCS CS SB 222 (HESS) [  ] the same title  
[ ] have attached amendment(s) [ ] a new title  
[  ] do pass  
[ ] do not pass  
[ ] no recommendation  
[ ] individual recommendations  
[ ] additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of intent

ATTACHES NEW FISCAL NOTE(s):  
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- [ ] fiscal impact \_\_\_\_\_  
[ ] zero fiscal note \_\_\_\_\_  
[ ] zero with analysis \_\_\_\_\_

- [ ] fiscal note(s) \_\_\_\_\_  
[  ] zero fiscal note(s) 3/20/90 / DFC  
[ ] zero fn/analysis \_\_\_\_\_

SIGNING DO PASS:

[Signature]  
[Signature]  
[Signature]  
\_\_\_\_\_  
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SIGNING:

(Check approp. column)

	Do Not Pass	No Rec	Amend
_____			
_____			
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_____			
_____			

[Signature]  
Chairman's Signature

Amendment

# 3

To: CSSB 222 (5A) Am.

Page 2, Line 16:

After "boarding"

Also: OR "brigade"

A M E N D M E N T

New # 2

OFFERED IN THE HOUSE

TO: CSSB 222 (State Affairs) am

Page 3, lines 5 - 7

Delete all material and insert:

"apply to a designated smoking area<sup>which is properly ventilated or equipped with an EXHAUST FAN</sup> in a public or private elementary or secondary school if the area is located in a room where minors are not permitted and <sup>if</sup> a smoking area must be designated in the school ~~[in order]~~ to comply with ~~[the terms of]~~ a collective bargaining agreement covering employees who work in the school;"

Page 6, following line 9:

Insert a new bill section to read:

"\* Sec. 15. This Act does not supercede the provisions of a collective bargaining agreement in effect on the effective date of this Act. However, a collective bargaining agreement in effect on the effective date of this Act may not be renewed or extended by agreement on or after the effective date of this Act with provisions that require the employer to provide smoking areas that would not be in compliance with this Act."

April 23, 1990  
P.O. Box 91694  
Anchorage, Alaska 99509

House H.E.S.S. Committe  
P.O. Box V  
Juneau, Alaska 99811

Subject: Ban Smoking In Shopping Malls

Gentlemen:

Several weeks ago my pulmonary doctor, George Stewart, told me that Jan Faiks had introduced a bill to "ban smoking in shopping malls - SB 222. I was elated.

I have asthmatic-bronchitis and had to retire last year. I have to wear a heavy industrial face mask every where I go. This mask will filter out most things but it will not filter out cigarette smoke. So, I have difficulty in shopping malls and rarely go to them.

In checking the status of SB 222, I find the portion to "ban smoking in shopping malls has been taken out.

I am requesting this committe to please support reinstating the language that was taken out of SB 222 in referance to banning smoking in shopping malls. Please reinstate this.

I have come across so many people this year who have asthma and, like myself, have to carry their broncho-dilator inhalers with them at all times. I never realized how restricting asthmatic-bronchitis can be as to where you can go or what you can do, until it happened to me.

I live one mile from the Dimond Shopping Center and it would be wonderful to be able to go there just to get out of the house. Kind of like a recreation area.

Smoking is a public health hazard and affects all within it's area - babies, small children, asthmatics as well as others. Smoking a cigarette takes such a short time and yet that smoke affects so many.

The airlines have realized this and have banned smoking on all flights six hours or less. Now, we people with respiratory problems can fly.

Hopefully, our Alaska Legislature will ban smoking in shopping malls and we people with respiratory problems will be able to use our wonderful shopping malls. Especially in the winter when we are so shut in.

Thank you so very much for your help.

Sincerely,

*Willye Jane Luna*

A M E N D M E N T

OFFERED IN THE HOUSE

TO: CSSB 222 (State Affairs) am

Page 3, lines 11 - 13

Delete all material and insert:

"(3) an office where dental care, health care, or the healing arts are practiced, a public or private laboratory associated with dental care, health care or the healing arts if the laboratory is located within the same premises as an office where dental care, health care, or the healing arts are practiced, and a public or private hospital, or other nonresidential health"



# Alaska State Legislature

Please enter into the record my testimony to the HOUSE H.E.S.S.  
committee name

Committee on SB 222 (SMOKING), dated April 25, 1990 8:30 AM  
bill/subject

OR PASSAGE WAY

- I SUGGEST AMENDING PAGE 1 LINES 15 & 16 TO READ "... AND A WAITING, BOARDING OR BAGGAGE AREA...". THE BAGGAGE AREA IN THE SITKA AIRPORT IS DESIGNATED FOR SMOKING, WHICH IS NOT GOOD.
- I STRONGLY URGE AMENDING PAGE 2 LINES 10 & 11 TO READ SOMETHING LIKE, "AN ESTABLISHMENT SERVING FOOD OR DRINK TO THE PUBLIC OR PROVIDING PUBLIC ENTERTAINMENT, INCLUDING BUT NOT LIMITED TO DANCING, CONCERTS, AND MOVIES."
  - I HAVE STOPPED GOING TO DANCES BECAUSE THE SMOKE IS OFTEN SO THICK IT HURTS TO BREATHE, AND MY CLOTHES AND HAIR REEK OF SMOKE WHEN I GET HOME. THIS NUISANCE AND HEALTH HAZARD SHOULD BE PREVENTED.
  - BARS SHOULD NOT BE EXEMPTED FROM REGULATION. SMOKING IS NO MORE LINKED TO DRINKING ALCOHOL THAN IT IS TO EATING FOOD. THE AIR IS USUALLY FAR WORSE IN A BAR THAN IT USED TO BE IN RESTAURANTS.
  - THE EXEMPTION FOR RESTAURANTS SEATING LESS THAN PEOPLE SHOULD BE REMOVED. THE SMALL ESTABLISHMENTS ARE ~~THE~~ ALMOST ALWAYS CONDUCE TO PROBLEMS WITH SMOKE, AND SHOULD AT LEAST BE WELL VENTILATED IF THEY ALLOW SMOKING.

Signed: Larry Edwards (LARRY EDWARDS)  
Testifier

SELF

Representing (Optional)

Box 6001 SITKA 99835

Address

747-8996

Phone No.

MY NAME IS DENNIS VETTESE. AND I AM A SITKA SCHOOL BOARD MEMBER.

I SUPPORT THE PASSAGE OF CSSB-222 FOR SEVERAL REASONS.

I DONT FEEL THERE SHOULD BE ANY SMOKING AT ALL IN SCHOOLS.

FIRST, PASSAGE OF THIS LEGISLATION WOULD SEND A CLEAR MESSAGE TO OUR YOUTH- THAT IS THAT WE DO NOT CONDONE SMOKING. OUR TEACHERS ARE VIEWED AS ROLE MODELS AND IF THESE INDIVIDUALS ARE OBSERVED SMOKING OR SMELL LIKE THEY HAVE BEEN SMOKING THEN THIS COULD BE TAKEN BY OUR HIGHLY IMPRESSIONABLE YOUTH THAT IT IS OK FOR THEM TO ALSO START SMOKING. THEY COULD RATIONALIZE THAT IF THEIR ROLE MODELS SMOKE- THEN SMOKING MUST NOT BE THE TERRIBLE HABIT THAT EVERYONE KEEPS TELLING THEM ALL ABOUT.

SECOND, WE MUST DO ALL WE CAN TO STOP OUR YOUTH FROM STARTING TO SMOKE. THIS BILL WILL HELP INFLUENCE THAT DECISION. ONCE A TEENAGER STARTS SMOKING (WHICH IS IN ITSELF A NICOTINE ADDICTION), THIS SMOKING OFTEN LEADS TO THE USE OF OTHER DRUGS SUCH AS MARIJUANA AND COCAINE. THIS IS WHY SMOKING OR NICOTINE ADDICTION IS OFTEN VIEWED AS A GATEWAY DRUG. IF WE WANT OUR SCHOOLS TO BE TRULY DRUG FREE- THEN WE SHOULD PROHIBIT SMOKING IN THEM.

LAST OF ALL, NO SMOKING IN SCHOOLS WILL CREATE A HEALTHIER LEARNING ENVIRONMENT FOR STUDENTS AND A HEALTHIER WORKING ENVIRONMENT FOR TEACHERS.

2-22

A M E N D M E N T 1 2

OFFERED IN THE HOUSE

TO: CSSB 222 (State Affairs) am

Page 1, line 25, after "(3)":

Insert "a public or private elementary or secondary school in which the prohibition under AS 18.35.305(1) does not apply because of a collective bargaining agreement or"

A M E N D M E N T #1

OFFERED IN THE HOUSE

TO: CSSB 222 (SA) am

Page 3, lines 11 - 12:

Delete all material and insert:

"(3) an office associated with dental care, health care, or the healing arts, a public or private laboratory associated with dental care, health care, or the healing arts if the laboratory is located within the same premises as an office associated with dental care, health care, or the healing"

April 23, 1990  
P.O. Box 91694  
Anchorage, Alaska 99509

House H.E.S.S. Committee  
P.O. Box V  
Juneau, Alaska 99811

Subject: Ban Smoking In Shopping Malls

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I am requesting this committee to please support reinstating the language that was taken out of SB 222 in referance to banning smoking in shopping malls. Please reinstate this.

I have come across so many people this year who have asthma and, like myself, have to carry their broncho-dilator inhalers with them at all times. I never realized how restricting asthmatic-bronchitis can be as to where you can go or what you can do, until it happered to me.

I live one mile from the Dimond Shopping Center and it would be wonderful to be able to go there just to get out of the house. Kind of like a recreation area.

Smoking is a public health hazard and affects all within it's area - babies, small children, asthmatics as well as others. Smoking a cigarette takes such a short time and yet that smoke affects so many.

The airlines have realized this and have banned smoking on all flights six hours or less. Now, we people with respiratory problems can fly.

Hopefully, our Alaska Legislature will ban smoking in shopping malls and we people with respiratory problems will be able to use our wonderful shopping malls. Especially in the winter when we are so shut in.

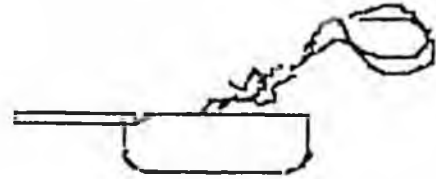
Thank you so very much for your help.

Sincerely,



# MAT SU SMOKERS ALLIANCE

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April 25, 1990

Mr. Chairman, Members of the House Health, Education and Social Services Committee:

My name is Dee Loesche, I live at MP 51 on the Parks Highway, and I am the president of the Mat Su Smokers Alliance in Wasilla. I would like to express the views of our members on Senate Bill 222.

Although much of the bill appears to be an attempt to clean up the language of the present statute, we do oppose the additions and one amendment to that statute. Specifically, the addition under SEC. 18.35.300 of (7) A COMMERCIAL ESTABLISHMENT WHOSE PREMISES ARE OPEN TO THE GENERAL PUBLIC, INCLUDING A RETAIL STORE, FINANCIAL INSTITUTION, OR SHOPPING MALL. We feel that the restriction of smoking in these places are unnecessary for the protection of the public health as retail stores and financial institutions already have discouraged smoking on their premises to a point where almost no smoking is done in those establishments. A shopping mall public area is usually of such a vast area and so well ventilated that the small amount of smoking done in these places should pose no threat whatsoever to anyone. Under Sec. 5. AS 18.35.320 (c) the amendment removing "FOR THE NEEDS OF THE SMOKERS" and replacing it with "TO PROTECT THE HEALTH OF THE" NONSMOKERS takes away any legal recognition that the needs of a segment of the population is in anyway considered and appears that the State of Alaska views those people who choose to smoke as not worthy of being citizens of this State.

We believe that these ~~additions and amendments~~ to the existing statute are unnecessary to protect the public health and merely harassing tactics of non smokers against those of us who have chosen to use tobacco products. There is a large portion of the public who enjoy the use of these historically legal products and resent the hysterical view that promotes the discrimination against that use and the people who use them. It is well recognized that the non smoking public has rights. What is feared by the smoking public is that one day we will find ourselves criminals for doing something that, for the last four hundred years in this country, has been legal and widely accepted.

Thank you for allowing us to share our concerns about this bill.

Respectfully,  
MAT SU SMOKERS ALLIANCE  
*Dee Loesche*  
Dee Loesche, President