

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672

5703 HOUSE HEALTH, EDUCATION & SOCIAL SERVICES 107

STATE OF ALASKA
THE LEGISLATURE

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JUNEAU, ALASKA 99811
907-465-3800

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 394

H. HESS

5/2/90

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 28, 1990

FURTHER REFERRALS:

Date of Committee Action: 5/2/90

The HESS Committee considered:

SSSB 394

SS SENATE BILL NO. 394

BLIND/DISABLED VENDORS GROUP HEALTH INS

"An Act relating to eligibility to participate in the state group insurance for certain licensees in vocational rehabilitation programs."

RECOMMENDATIONS:

- [] be replaced with _____ [] the same title
[] have attached amendment(s) [] a new title
[X] 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 _____

- [X] fiscal note(s) 3/29/90 / Education
2[X] zero fiscal note(s) 3/27/90 / UGA, Admin
[] zero fn/analysis _____

SIGNING DO PASS:

JL Ellis Ellis
Cheri Davis Davis
MARK BAKER Baker
W. G. Greenberry Greenberry

SIGNING:

(Check approp. column)

	Do Not Pass	No Rec	Amend
<u>George J. Jacko</u> Jacko			✓

JL Ellis
Chairman's Signature

Alaska State Legislature



SENATOR BETTYE FAHRENKAMP
CHAIRMAN, RESOURCES COMMITTEE
119 N. CUSHMAN STREET, SUITE 201
FAIRBANKS, ALASKA 99701
OFFICE (907) 452-4882
HOME (907) 456-2899

WHILE IN JUNEAU
PO BOX V
JUNEAU, ALASKA 99811
CAPITOL, ROOM 125
OFFICE (907) 465-3834
HOME (907) 780-602.

Senate

MEMORANDUM

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

FROM: Senator Bettye Fahrenkamp

DATE: April 30, 1990

SUBJECT: Senate Bill 394

"An Act relating to eligibility to participate in the state group insurance for certain licensees in vocational rehabilitation programs."

The Division of Vocational Rehabilitation administers a program to set up blind and severely disabled people in business as vendors in state and federal buildings, licensing them through the Small Business Enterprise Program.

The Division is required to purchase health insurance for these vendors (there are currently five in the state, four of whom are located in Anchorage and the other in Juneau at the State Office Building). The insurance is paid for out of proceeds in the Small Business Enterprise Revolving Fund (which is funded by receipts from vending machines in state and federal buildings).

Because there are only 5 vendors, they are too few to get a group insurance rate on their own, which means they each have to make arrangements for health insurance individually. If we were to include them in the state group health plan as a political subdivision, it would provide them with better insurance for less money. This will save the revolving fund \$5,200 per year, which can then be used toward helping other blind or disabled people to establish or improve vending businesses.

Attached you will find a negative fiscal note and analysis from the Division of Vocational Rehabilitation, and zero fiscal notes from the Division of Retirement and Benefits and the University.

I very much appreciate your early scheduling of this bill, and I strongly encourage your support of this measure.

ATTACHMENT A

ANALYSIS:

The Division of Vocational Rehabilitation has the statutory and regulatory authority to receive net proceeds from vending machines operated by private persons in state or federal buildings throughout the state of Alaska.¹ These proceeds are deposited quarterly in the Small Business Enterprise Program's revolving fund which is administered by the division. The income from these machines can only be used by the division to enhance, expand and provide fringe benefits to vendors licensed under the Small Business Enterprise Program.

One of the services provided to the licensees is health insurance. The Division has provided this health insurance in the past, but the cost has been higher with less coverage than that provided under the state health insurance program. For calendar year 1991, the division is paying \$14,772.00 to cover five vendors out of this revolving fund. The division would only have to pay \$9,611.40 to cover these same five individuals if they were eligible to participate in the state health insurance program. This would create a net savings of \$5,161.00 for the division in program receipts which could then be used for other services needed to operate the vending program.

¹AS 23.15.010-210
4 AAC 54.430

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: An Act Relating to State Group Insurance
Sponsor: Sen. Fahrenkamp
Requestor: _____

Agency Affected: University of Alaska
BRU: ATI
Components: _____

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						
TOTAL OPERATING	None	None	None	None	None	None

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

REVENUE	None	None	None	None	None	None
---------	------	------	------	------	------	------

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

SB 394 is not expected to impact the University.

Prepared by: Jim Lynch
Division: University of Alaska

Phone: 907-373-7711
Date: February 15, 1990

Approved by Commissioner: Brian Rogers
Agency: University of Alaska

Date: 2/15/90

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

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Administration
 Title: An act relating to eligibility to BRU: Retirement and Benefits
participate in state group insurance.
 Sponsor: Fahrenkamp Components: Retirement and Benefits
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
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	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
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 expands the eligibility in the State sponsored health plan for governmental units to allow individuals in certain vocational rehabilitation programs to participate in this coverage.

Prepared by: Sally Smith *Sally Smith*

Phone: 465-4470

Division: Retirement and Benefits

Date: Jan 25, 1990

Approved by Commissioner: Frank S. Baxter *Frank S. Baxter*

Date: 1/29/90

Agency: Department of Administration

Distribution (by preparer):

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency/ _____

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Education
 Title: Eligibility to participate in BRU: Vocational Rehabilitation
the state group insurance
 Sponsor: Senator Fahrenkamp Components: Specialized Facilities
 Requestor: Senator Fahrenkamp

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	(5.2)	(5.2)	(5.2)	(5.2)	(5.2)	(5.2)
MISCELLANEOUS						
TOTAL OPERATING	(5.2)	(5.2)	(5.2)	(5.2)	(5.2)	(5.2)
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER P.R.	(5.2)	(5.2)	(5.2)	(5.2)	(5.2)	(5.2)
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

See Attachment A.

Prepared by: F. Pat. Young Phone: 365-2212
 Division: Vocational Rehabilitation Date: 1/21/90
 Approved by Commissioner: William G. Demmert Date: 1/21/90
 Agency: Education

Distribution (by preparer):

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Business
 (Impacted Agencies)

ATTACHMENT A

ANALYSIS:

The Division of Vocational Rehabilitation has the statutory and regulatory authority to receive net proceeds from vending machines operated by private persons in state or federal buildings throughout the state of Alaska.¹ These proceeds are deposited quarterly in the Small Business Enterprise Program's revolving fund which is administered by the division. The income from these machines can only be used by the division to enhance, expand and provide fringe benefits to vendors licensed under the Small Business Enterprise Program.

One of the services provided to the licensees is health insurance. The Division has provided this health insurance in the past, but the cost has been higher with less coverage than that provided under the state health insurance program. For calendar year 1991, the division is paying \$14,772.00 to cover five vendors out of this revolving fund. The division would only have to pay \$9,611.40 to cover these same five individuals if they were eligible to participate in the state health insurance program. This would create a net savings of \$5,161.00 for the division in program receipts which could then be used for other services needed to operate the vending program.

¹AS 23.15.010-210
4 AAC 54.430

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JUNEAU, ALASKA 99811
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Mary Van Nimwegen

SB 398

H. HESS

4/5/90

H. HESS

4/24/90

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 12, 1990
(C&RA waived)

FURTHER REFERRALS:

Date of Committee Action: 4/24/90

The HESS Committee considered:

CSSB 398 (FINANCE)

CS FOR SENATE BILL NO. 398 (Finance)

"An Act relating to day care programs and child care grants; and providing for an effective date."

be replaced with HCS CSSB 398 (HESS) 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):

- fiscal impact
- zero fiscal note
- zero with analysis

APPROVES PREVIOUS:

fiscal note(s) published:

zero fiscal notes(s) published:

3/1/90 DCRA

SIGNING DO PASS:

J. Ellis

W. Stumacher

Mark Bohan

Leopold

SIGNING OTHER THAN DO PASS:
(Do Not Pass, No Recommendation, Amend)

J. Ellis

Chairman's signature

STATE OF ALASKA
THE LEGISLATURE

REC'D MAR 15 1990

FOLIO 4 STATE CAPITOL
JUNEAU ALASKA 99811
507 483 2620

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 15, 1990

SUBJECT: Day Care Payments to Sectarian Day
Care Centers: Constitutional Issues

TO: Representative Johnny Ellis
Chair, House HESS Committee

FROM: Terri Lauterbach *TL*
Legislative Counsel

You have asked for a short memo discussing whether Alaska's system of day care subsidies under AS 44.47.250 - 44.47.300 raises issues under the federal or state Establishment clauses because parents who are eligible for subsidies may direct that the state payments be made to child care facilities operated by churches. (Because you indicated a need for only a short memo or an oral response at this time, some of my remarks may seem rather conclusory in nature; if you wish a further explication of a point in this memo, please let me know.)

The constitutionality of the day care assistance program is subject to at least some doubt for two reasons: (1) the use of state day care assistance to fund programs that have a religious content clearly implicates the Establishment clauses; and (2) the availability of state day care assistance to fund programs that may be private or religious educational institutions also implicates art. VII, sec. 1, of the state constitution. Some changes in the way the day care assistance program is administered would bolster its chances of surviving a constitutional challenge.

The federal and state Establishment clauses are substantially identical, and the Alaska Supreme Court has consistently construed the state provision by reference to federal cases. Both clauses prohibit laws "respecting an establishment of religion." (First Amendment, U.S. Constitution; art. I, sec. 4, Constitution of the State of Alaska.)

Representative Johnny Ellis

Page 2

March 15, 1990

To survive a challenge under the Establishment clause, a governmental program must meet a three-part test: (1) the government program must have a clearly secular purpose; (2) its primary effect must be one that neither advances nor inhibits religion; and (3) the program must not foster excessive governmental entanglement with religion. Committee for Public Education v. Nyquist, 413 U.S. 756 (1973).

The day care assistance program appears to satisfy the first part of the test. The purpose of the program is clearly secular in that it is intended to make day care more affordable and available for children of parents who work outside the home.

Whether the program meets the other two parts of the test is less clear. While the primary effect of the program as a whole is, arguably, to expand day care services, it is also arguable that the effect of providing day care assistance to church-operated programs is to directly advance religion because there is a definite religious component to many church-operated programs. Government funding of religious inculcation is highly suspect under the second part of the test, and ensuring that a day care program includes no religious inculcation might lead to excessive entanglement with religion, violating the third part of the test.

As you know, the Congress was considering federal legislation in the past year that would have given vouchers to parents who could have used them for day care of their choice. Because this scheme would have been similar to our state program in important respects, I looked for discussions about the constitutionality of the proposed federal program. What I discovered is that national commentators are split on whether that federal scheme would have been constitutional. I have attached three articles from the Harvard Journal on Legislation that illustrate the split of opinion. (26 Harv. Jour. on Leg. 549 - 590.)

As the attached articles explain, one point that continues to be at issue is whether the courts will treat programs relating to children, especially young children, differently than programs relating to post-secondary education when applying the Establishment clause. Will the courts be more concerned about religious inculcation of young children? Is post-secondary education clearly more secular than a pre-school?

Another point that continues to be at issue is whether allowing parental choice insulates the program from charges that the state is supporting religion. Commentators disagree on the meaning of a Minnesota case that upheld a statute that allowed an income tax deduction for tuition paid to parochial schools. Mueller v. Allen, 463 U.S. 388 (1983). Some commentators assert that under Mueller the court will approve any program where the state channels money through the parents; others point out that the payments at issue in Mueller were not made to the schools, but to the parents. This is different, they say, than direct payments to the schools, based on a parent's choice. So, Mueller may or may not validate a parental choice scheme.

A third point about which commentators disagree is whether the Establishment clause requires separation between church and state, or only neutral treatment by the state. The Alaska day care program does not fully separate the churches from the state, but the churches are being treated neutrally, or on the same basis as other day care programs.

Given the above points at issue, I cannot tell you with any degree of certainty how Alaska's day care assistance program would fare if challenged under the federal or state Establishment clause. There are definitely strong arguments on both sides of the issue. The program could be changed to make its constitutionality more sure. For instance, the contract that is signed by the participants could provide that the money will not be used for inculcation of the beliefs of a particular religion. This would not mean that values couldn't be taught, only that they couldn't be taught as values of a particular religion. The program might also be on more firm ground if the payments were reimbursements to the parents rather than direct payments to the facilities. This would make the scheme more like the Minnesota statute that has been upheld.

Besides the Establishment clause issues involved in the program, there is an aspect of the program that implicates art. VII, sec. 1 of the state constitution. That provision prohibits the use of public funds for "the direct benefit of any religious or other private educational institution."

Ordinarily, it can probably be successfully argued that day care centers are not "educational institutions" to which this provision would apply. However, day care assistance money is available for facilities that are licensed under

Representative Johnny Ellis
Page 4
March 15, 1990

AS 47.35 and the associated regulations. One type of facility that can voluntarily seek licensure as a day care facility is a program whose purpose is primarily educational and is certified by the Department of Education. See 7 AAC 50.145, which allows voluntary licensure, and 7 AAC 50.124(b)(9), which refers to programs that are primarily educational.

As I understand from DHSS, many sectarian day care programs describe themselves as "primarily educational" so that they are not required to be licensed. But if they want to participate in the day care assistance program, they voluntarily get licensed. However, by defining themselves as "primarily educational," they arguably become "educational institutions" to which the proscription of art. VII, sec. 1 should apply. The day care assistance program would be on firmer footing if it excluded from participation the programs that get licensed as primarily educational programs.

I hope you find this discussion and the enclosed materials helpful. Please let me know if I can be of further assistance.

TL:mi
wkmi6/058

Enclosures



**NORTHWEST HEADQUARTERS
OF SEVENTH-DAY ADVENTISTS**

POST OFFICE BOX 12677 10725 EAST AVENUE

PORTLAND OREGON 97216

(503) 255-7310

PUBLIC AFFAIRS AND RELIGIOUS LIBERTY

April 9, 1990

M E M O

To: Members of the Health, Education, and Social Services Committee
of the House of Representatives of the State of Alaska

- The Hon. Johnny Ellis, Chair
- The Hon. Mark Boyer, Vice Chair
- ✓ The Hon. Peter Goll
- The Hon. Max F. Gruenberg, Jr.
- The Hon. George G. Jacko, Jr.
- The Hon. Cheri Davis
- The Hon. Walt Furnace

Fr: Richard Lee Fenn
 President, Religious Liberty Association of the Northwest
 Mike Preas
 State Vice President, Religious Liberty Association
 of the Northwest

Re: Senate Bill 398

Please give careful thought to our position statement attached.

We are not at all opposed to the overall purpose of SB 398.

We are seriously opposed to any plan providing for tax-derived funds flowing to support religious-sponsored child care and day care programs.

Our position has been made known to the news media.

#

Courtesy copies to

- The Hon. Steve Cooper, Governor
- The Hon. Stephen McAlpine, Lieutenant Governor
- The Hon. Myra M. Moulton, Commissioner of Health and Social Services
- The Hon. Douglas B. Bailly, Attorney General
- The Hon. Drue Pearce, Member of the Senate



**NORTHWEST HEADQUARTERS
OF SEVENTH-DAY ADVENTISTS**

POST OFFICE BOX 18677, 10325 EAST BURNETT

PORTLAND, OREGON 97216

503/255-7300

PUBLIC AFFAIRS AND RELIGIOUS LIBERTY

April 9, 1990

POSITION STATEMENT ON ALASKA SENATE BILL 398

by

Richard Lee Fenn

President
Religious Liberty Association of the Northwest

Director
Department of Public Affairs and Religious Liberty
North Pacific Union Conference of Seventh-day Adventists

Member
National Advisory Council
Americans United for Separation of Church and State

and

Mike Preas

State Vice President
Religious Liberty Association of the Northwest

Government Relations Representative
Department of Public Affairs and Religious Liberty
North Pacific Union Conference of Seventh-day Adventists

Pastor
Juneau Seventh-day Adventist Church

Senate Bill 398, already approved by the Alaska Senate and pending in the House of Representatives, is an act relating to day care programs and child care grants.

In its present form, SB 398 would authorize the Alaska State Department of Health and Social Services to "contract with other entities to perform duties of the department" . . . [giving] "priority in contracting . . . to municipalities and other entities."

We understand that "other entities" is meant to include religious organizations which provide child care and day care. If SB 398 is passed by the House and signed into law by Governor Cowper,

Alaska will thus have paved the way for the onset of some very big constitutional problems. To state the issue in its simplest terms, the central question is Shall Alaska grant tax funds to religious organizations to assist them in their child care and day care programs?

In a legal memorandum sent to House Health, Education, and Social Services Committee Chair Johnny Ellis, Legislative Counsel Terri Lauterbach has identified two reasons why Senate Bill 398 is constitutionally suspect:

"(1) The use of state day care assistance to fund programs that have a religious content clearly implicates the Establishment clauses [First Amendment to the U. S. Constitution and Article I, Section 4, of the Alaska Constitution]; and (2) the availability of state day care assistance to fund programs that may be private or religious educational institutions also implicates Article VII, Section 1, of the state constitution."

In her memo, Ms. Lauterbach suggested that the program provided in SB 398 might not survive a constitutional challenge in court.

According to Attorney Lauterbach, "It is arguable that the effect of providing day care assistance to church-operated programs is to directly advance religion because there is a definite religious component to many church-operated programs. Government funding of religious inculcation is highly suspect."

Up until last week, the House HESS Committee seemed to be giving some heed to the questions advanced by Ms. Lauterbach and such organizations as the Seventh-day Adventist Church's Department of Public Affairs and Religious Liberty. Then, in a sudden and unexplained reversal, members of the committee said they would not block passage. "We'll let the administration deal with this after we get it through the House," they seemed to be saying.

But would it help if SB 398 required religious providers of child care and day care services to neutralize their programs-- to take religion out of their otherwise religious programs?

Here is Ms. Lauterbach's answer to that question:

"The program must not foster excessive governmental entanglement with religion. Ensuring that a day care program includes no religious inculcation might lead to excessive entanglement with religion."

Meanwhile, many of Alaska's sectarian day care programs avoid licensure by describing themselves as primarily educational in nature. But to tap into state grants the same religious-sponsored programs voluntarily get licensed as child care or day care facilities. Nevertheless, Ms. Lauterbach's memo suggests, if they really are primarily educational in nature, then the proscriptions of Article VII, Section 1, of the Alaska Constitution should apply.

Neither the Religious Liberty Association of the Northwest, nor the Seventh-day Adventist Church's Department of Public Affairs and Religious Liberty, nor Americans United for Separation of Church and State opposes child care or day care. In today's complex society, this is a very real need. But these organizations hold that state or federal funding of religious child care or day care programs goes to the very heart of the idea of separation of church and state.

Senate Bill 398, so laudable in all its other aspects, misses the mark by a country mile when it comes to religious liberty. It needs to be amended--and our organizations are trying mightily to get it done.

But if it is passed by the house in its present form, Governor Cowper should veto it.

#

=====

LEE BOOTHBY, general counsel, Americans United; nationally-recognized authority on the First Amendment's establishment and free-exercise clauses:

"Because churches are so involved in child day care, there are those who want to pour federal dollars into these church-operated programs. Not only would such a scheme provide tax-derived assistance to religious ministries, but it would also embroil the government in regulation of church activities, thus triggering both establishment and free exercise concerns."

=====

GARY M. ROSS Congressional liason, General Conference of Seventh-day Adventists:

"Child care, once considered custodial, now seems more educational. Given this, can churches--which are the McDonald's of child care providers--really avoid being what they ultimately are, namely, promulgators of the faith? Should they ever minimize this mission so as to get the proffered funds?"

=====

Alaska State Legislature

3111 C Street, Suite 150
Anchorage, Alaska 99503
(907) 561-2038



During Session:
P.O. Box V
Juneau, Alaska 99811
(907) 465-4993

Senator Drue Pearce
District G

MEMORANDUM

TO: Representative Max F. Gruenberg, Jr.
House Health, Education & Social Services Committee

FROM: Drue Pearce *Drue Pearce*

RE: SB 398

DATE: April 6, 1990

I understand that constitutional free exercise/establishment clause issues were raised in connection with SB 398 during the April 5, 1990 House Health, Education and Social Services committee meeting.

If there is an issue here it is the constitutionality of the day care assistance program itself not SB 398, which is primarily administrative in nature. I do recognize the constitutional problems implicit in a program which provides for the use of State monies to fund programs sponsored by a religious institution or having a religious content or nature. Perhaps it would be appropriate to have Legal Services explore the federal and state constitutional issues raised by the existing system of day care subsidies as an interim project.

The results of such a project would certainly be of use to us in the future.

DP:pc

cc: Johnny Ellis, Chairman
Mark Boyer
Peter Goll
George Jacko, Jr.
Walt Furnace
Cheri Davis

H. Gruenberg

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act .day care programs and child care grants."
Sponsor: Serators Pearce, Duncan, etc.
Requestor: _____

Agency Affected: Community & Regional Affairs
BRU: Child Assistance
Components: Child Care

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						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

There is no fiscal effect for FY 90.

Prepared by: Brenda Knapp, Deputy Director
Division: Rural Development Division
Approved by Commissioner: [Signature]
Agency: Department of Community & Regional Affairs

Phone: 465-4890
Date: 2/28/90
Date: 2-28-90

Distribution (by preparer):

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

THE FOLLOWING DOCUMENT HAS
NOT BEEN FILMED BUT IS
AVAILABLE IN THE ORIGINAL
FILE

Special Review
Day Care Assistance Program
Child Care Grant Program
August 28, 1989 through February 23, 1990

Prepared by
The State of Alaska
Department of Community and Regional Affairs
Division of Administrative Services

March 23, 1990



Steve Cowper, Governor

David G. Hoffmar, Commissioner

Remond Henderson, Director

Original sponsor(s): SEN. PEARCE, Duncan, Kelly, Sturgulewski, Zharoff,
Jones

1 IN THE SENATE

BY THE HESS COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 398 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to day care programs and child care
7 grants; and providing for an effective date."

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

9 * Section 1. AS 44.47.250(b) is amended to read:

10 (b) The department may

11 (1) adopt regulations necessary for the performance of its
12 duties under AS 44.47.250 - 44.47.310;

13 (2) contract with other entities [MUNICIPALITIES, OR, IF
14 NECESSARY, WITH DAY CARE FACILITIES,] to perform duties of the depart-
15 ment under AS 44.47.250 - 44.47.310 within an area specified by the
16 department; within an area, the department shall give higher priority
17 to contracting with municipalities than with other organizations [THAT
18 MUNICIPALITY; WITH THE APPROVAL OF THE DEPARTMENT, THE MUNICIPALITY
19 MAY SUBCONTRACT WITH ANOTHER ORGANIZATION IN THE COMMUNITY TO PERFORM
20 ADMINISTRATIVE DUTIES, OR, IF NECESSARY, THE DEPARTMENT MAY CONTRACT
21 WITH ANOTHER ORGANIZATION TO PERFORM ADMINISTRATIVE DUTIES;

22 (3) REPEALED;

23 (4) CONTRACT WITH DAY CARE FACILITIES OUTSIDE OF MUNICIPAL-
24 ITIES; TO PROVIDE MORE EFFECTIVE ADMINISTRATION OF PROGRAMS IN THE
25 UNORGANIZED BOROUGH, THE DEPARTMENT MAY CONTRACT WITH ANOTHER ORGANI-
26 ZATION IN THE COMMUNITY OR WITH AN ORGANIZATION SERVING THE REGION IN
27 WHICH THE COMMUNITY IS LOCATED TO PERFORM ADMINISTRATIVE DUTIES].

28 * Sec. 2. AS 44.47.260 is amended to read:

29 Sec. 44.47.260. PAYMENTS TO MUNICIPALITY OR ORGANIZATION. When

1 a contract is made under AS 44.47.250(b)(2) [OR (b)(4)] between the
2 department and a municipality or an organization, the department shall
3 pay to that municipality or organization the greater of

4 (1) an amount equal to 10 percent of the total annual day
5 care benefits paid to day care facilities in the geographic area
6 administered by that municipality or organization under the contract;
7 or

8 (2) \$1,000 per year.

9 * Sec. 3. AS 44.47.300(b) is amended to read:

10 (b) Benefits shall be paid by the department directly to the
11 municipality or organization contracting with the day care facility
12 [OR, OUTSIDE OF A MUNICIPALITY, TO THE FACILITY UPON RECEIPT OF A
13 BILLING FROM A MUNICIPALITY OR FACILITY].

14 * Sec. 4. AS 44.47.305(f) is amended to read:

15 (f) A grant under (a) of this section shall be made monthly or
16 quarterly and shall be based on the monthly average daily full-time
17 equivalent enrollment in the child care facility. If the method of
18 payment for the grant is other than monthly, it shall be at the re-
19 quest of the child care facility with the approval of the department.
20 Based on criteria established by the department, the department may
21 make quarterly advance payments [DURING THE CALENDAR MONTH PRECEDING
22 THE DATE ON WHICH APPLICATION FOR A GRANT IS MADE].

23 * Sec. 5. AS 44.47.305(g) is amended to read:

24 (g) Each child care facility receiving a grant under (a) or (d)
25 of this section shall assure that at least 15 percent or one of its
26 child care spaces receiving subsidy under this section, whichever is
27 greater, will be made [A SPECIFIED NUMBER OF CHILD CARE POSITIONS ARE]
28 available, if requested, to children eligible for day care assistance
29 under AS 44.47.250 - 44.47.310, whose parents or guardians wish to pay

1 for care based on attendance only [THE NUMBER OF FULL-TIME EQUIVALENT
2 DAYS THE CHILD ATTENDS THE FACILITY. ALL CHILD CARE POSITIONS NOT
3 MADE AVAILABLE UNDER A PAYMENT SCHEDULE BASED ON ENROLLMENT SHALL BE
4 MADE AVAILABLE UNDER A PAYMENT SCHEDULE BASED ON ATTENDANCE AND AT
5 LEAST ONE FULL-TIME EQUIVALENT POSITION SHALL BE MADE AVAILABLE BASED
6 ON ATTENDANCE RATHER THAN ENROLLMENT. THE MAXIMUM NUMBER OF CHILD
7 CARE POSITIONS IN EACH FACILITY THAT MAY BE MADE AVAILABLE UNDER A
8 PAYMENT SCHEDULE BASED ON ENROLLMENT SHALL BE DETERMINED EACH MONTH
9 UNDER THE FOLLOWING FORMULA:

10 $M = (T+E) - (A+B)$ WHERE

11 M = MAXIMUM NUMBER OF POSITIONS AVAILABLE UNDER AN ENROLL-
12 MENT-BASED FEE SCHEDULE;

13 T = THE TOTAL NUMBER OF FULL-TIME EQUIVALENT CHILD CARE
14 POSITIONS IN THE FACILITY;

15 E = NUMBER OF FULL-TIME EQUIVALENT POSITIONS DURING THE
16 MONTH BEFORE COMPUTATION WITH AN ENROLLMENT-BASED FEE SCHEDULE;

17 A = AVERAGE DAILY FULL-TIME EQUIVALENT ATTENDANCE DURING THE
18 MONTH BEFORE COMPUTATION IN POSITIONS WITH AN ENROLLMENT-BASED
19 FEE SCHEDULE;

20 B = MAXIMUM DAILY FULL-TIME EQUIVALENT ATTENDANCE DURING THE
21 MONTH BEFORE COMPUTATION IN POSITIONS WITH AN ATTENDANCE-BASED
22 FEE SCHEDULE].

23 * Sec. 6. AS 44.47.310(1) is amended to read:

24 (1) "child" means a person below 13 [11] years of age, or a
25 minor who has a developmental disability;

26 * Sec. 7. AS 44.47.310(6) is repealed and reenacted to read:

27 (6) "developmental disability" means a disability under
28 which a person is incapable of self-care, as verified by a physician
29 or licensed or certified psychologist who has examined the person;

* Sec. 8. This Act takes effect July 1, 1990.

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SB

407

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 107

H. HESS

5/2/90

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 28, 1990

FURTHER REFERRALS:

Date of Committee Action: 5/2/90

The HES Committee considered:

SB 407

SENATE BILL NO. 407

PRIORITIZE TREATMENT OF SUBSTANCE ABUSERS

"An Act setting a priority relating to treatment of persons for alcoholism, drug abuse, inhalant abuse, and intoxication."

RECOMMENDATIONS:

- be replaced with HCS SB 407 (HES) 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) _____
- zero fn/analysis 4/20/90 / DHSS

SIGNING DO PASS:

SIGNING:
(Check approp. column)

Do Not Pass No Rec Amend

[Handwritten signatures and names: Ellis, Greenberg, Mark Bayer, Inko]

SIGNING	Do Not Pass	No Rec	Amend
<i>Cheri Davis Davis</i>			<input checked="" type="checkbox"/>

[Handwritten signature: J. Ellis]
Chairman's Signature

FISCAL NOTE

REQUEST:

Revision Date: 1/29/90 Agency Affected: Health & Social Services
 Title: "An Act setting a priority relating to treatment of person for alcoholism..." BRU: Alcohol & Drug Abuse
 Sponsor: _____ Components: Alcohol Grants
 Requestor: _____

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						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

No FY90 fiscal impact

Prepared by: Matthew C. Felix Phone: 586-6201
 Division: Alcoholism & Drug Abuse Date: 3-20-90
 Approved by Commissioner: Mvra M. Munson Date: _____
 Agency: Health & Social Services

Distribution (by preparer):

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



Official Business

Alaska State Legislature

SENATE

Committee on Finance

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

MEMORANDUM

April 30, 1990

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

FROM: Senator John Binkley *John*

RE: SB 407 - Setting a priority relating to treatment of persons
for alcoholism, drug abuse, inhalant abuse, and intoxication

Senate Bill 407 adds a new section to existing statutes relating to regulations governing acceptance for treatment in state-funded programs. The new section (6) directs that priority shall be given, whenever possible, to persons who would likely inflict harm and pregnant women whose continued use of alcohol, drugs or inhalants is likely to harm the fetus.

Forty-two state-funded programs are currently offering inpatient or outpatient treatment.

SB

408

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

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

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 408

H. HESS

5/2/90

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 6, 1990

FURTHER REFERRALS:

FINANCE

Date of Committee Action: 5/2/90

The HESS Committee considered:

CSSB 408 (FINANCE)

CS SB NO. 408 (Finance)

REPORT FETAL ALCOHOL SYNDROME TO STATE

"An Act requiring health care providers to report cases of fetal alcohol syndrome; and relating to reports by the Department of Health and Social Services concerning common diseases of public health significance."

RECOMMENDATIONS:

- be replaced with _____ 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) 3/13/90 / DHSS
- zero fiscal note(s) 2 3/13/90 / Rev. Dep.
- zero fn/analysis _____

SIGNING DO PASS:

SIGNING:

(Check approp. column)

Do Not Pass No Rec Amend

[Signature]
[Signature]
[Signature]
[Signature]

SIGNING:	Do Not Pass	No Rec	Amend
<u>Cheri Davis</u> Davis		X	

[Signature]
Chairman's Signature

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Health & Social Services
 Title: An Act requiring report of BRU: State Health Services
Fetal Alcohol Syndrome
 Sponsor: Binkley, et al Components: Epidemiology
 Requestor: Senate HESS

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY92	FY93	FY94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	5.0	5.0	5.0	5.0	5.0	5.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	5.0	5.0	5.0	5.0	5.0	5.0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND	5.0	5.0	5.0	5.0	5.0	5.0
FEDERAL FUNDS						
OTHER						
TOTAL	5.0	5.0	5.0	5.0	5.0	5.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary) FY90 fiscal impact is "0."
 Contract cost associated with reporting, computerization, data analysis, communication, mailing, form and legislative report duplication: \$5.0.

Prepared by: Dwayne Peoples Phone: 465-3090
 Division: Division of Public Health Date: 2/23/90

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

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

Changes in CSSB 408 (Fin)
 have no fiscal impact.
 This fiscal note is
 appropriate. 3/13/90

POSITION PAPER

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 408 (Finance)

For an Act entitled: "An Act requiring health care providers to report cases of fetal alcohol syndrome; and relating to reports by the Department of Health and Social Services concerning common diseases of public health significance."

CSSB 408 (Finance) amends existing legislation requiring the department to add to its annual report to the legislature information concerning the incidence and geographic distribution of diseases which, by regulation, are required to be reported to the department. The Bill also modifies existing legislation governing the registry of persons with impairments by permitting information on fetal alcohol syndrome (FAS) to be reported to the registry without the written consent of the person with the impairment or the parent or guardian of that person.

CSSB 408 (Finance) would also require the reporting by physicians, nurses, or other health care professionals of each case or suspected case of fetal alcohol syndrome (FAS) to the Department of Health and Social Services by birth date, geographic area of residence, sex, and race of the child. Reports made to the department are confidential. The bill also would require the department to make an annual report to the legislature concerning the incidence of fetal alcohol syndrome but forbids inclusion of information which would identify an individual case.

Background: The worldwide incidence of FAS is said to be about 1.9 per 1000 live births. The United States rate is about 1.3 per 1000 live births and, according to estimates made by the Alaska Native Health Service and the Alaska Native Health Board, the rate in Alaska Natives is approximately 4.3 per 1000 live births. Rates for the non-Native Alaska population are not known. Because FAS is not curable and because of its lifelong effects on the physical health and mental development, the disproportionately high incidence of FAS in Alaska is of special concern.

The intent of the legislation is presumably to increase the knowledge of incidence and prevalence by geographic area, age, sex, and race in order to permit improved programming and budgeting of services aimed at prevention of the problem and amelioration of its effects.

According to A Manual on Indian Adolescents and Adults with Fetal Alcohol Syndrome prepared by staff of the University of Washington for the Indian Health Service in 1986, a "[d]iagnosis of FAS is a clinical judgement best made by a specially trained physician with experience in syndrome identification, usually a dysmorphologist or a medical geneticist. The diagnosis is made from physical examination of the patient supplemented with information regarding the prenatal exposures, the birth record, and the medical history." If case reporting is to be required of practicing health care

providers who have not had extensive experience with the syndrome, a clear and consistent case definition will be especially important and will have to be uniformly applied. Health care professionals would have to be made familiar with the criteria and with the new legal requirement for reporting. The Fetal Alcohol Study Group of the Research Society on Alcoholism recommended that the diagnosis of FAS should be made only when a patient has, in addition to a history of prenatal alcohol exposure, one or more signs in each of the following categories: (1) Prenatal or postnatal growth retardation -- weight, length, or head circumference abnormally small for age; (2) Central nervous system involvement -- signs of neurological abnormality, delayed development, or intellectual impairment; and (3) Characteristic cranial and facial malformations -- at least two of the following signs: (a) abnormally small head; (b) small eyes or short palpebral fissures; (c) poorly developed philtrum, thin upper lip, or flattening of cheekbones. Although diagnostic criteria appear to be straight-forward, authorities agree that training is important in diagnosing FAS and some have suggested that many cases are undetected because health care providers have not been trained in recognition of FAS. There is no diagnostic laboratory test available.

A requirement to report suspicious cases would also necessitate a case definition and would be considerably less precise than diagnosis of the full-blown syndrome.

Position: Thanks to studies already performed by the Alaska Native Health Board and the Alaska Native Health Service, there is reasonably good information available on prevalence of FAS in the Native population.

There is little experience in Alaska with compulsory reporting of non-communicable diseases. It is known that passive reporting systems even for communicable diseases are subject to varying degrees of incompleteness, perhaps particularly when a socially unacceptable lifestyle factor is involved, e.g., sexually transmitted diseases. Under-reporting would probably be a significant problem, even if providers could be trained in FAS recognition. There may also be problems with duplicate reporting.

If the main purpose of the proposed legislation is to define the FAS problem more precisely in Alaska, it might be preferable to explore the possibilities of conducting prevalence studies in selected populations or geographic areas instead of relying on an on-going case reporting system with problematical completeness and precision.

Although the registry of persons with impairments was authorized in 1968, no functioning registry has ever existed. However, the department could collect and compile information on FAS under the authority of this legislation.

The department supports the intent of CSB 108 (Finance), but believes that other methods of investigation would yield more

accurate and usable information. However, even if the incidence and prevalence figures are less than complete, some additional information will be obtained and a reporting requirement will also serve to increase awareness of the importance of FAS among health care providers.

Recommended by:

Katherine A. Kelley

Katherine A. Kelley, Dr.P.H.
Director
Division of Public Health

Date:

3/15/90

Approved by:

Myra M. Munson

Myra M. Munson
Commissioner
Department of Health and Social Services

Date:

3/20/90

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Health & Social Services
 Title: An Act Requiring Reporting of BRU: State Health Services
FAS Syndrome
 Sponsor: Binkley et al Components: Maternal Child & Family Health
 Requester: House HESS

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 90	FY 91	FY 92	FY 93	FY 94	FY 95
Personal Services						
Travel						
Contractual	5.0	5.0	5.0	5.0	5.0	5.0
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING	5.0	5.0	5.0	5.0	5.0	5.0
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 Funds	5.0	5.0	5.0	5.0	5.0	5.0
Federal Funds						
Other						
TOTAL	5.0	5.0	5.0	5.0	5.0	5.0

POSITIONS

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (attach a separate page if necessary)

Contract cost for development of diagnostic definitions, report computerization, data analysis, communication with health care providers, mailing report forms, and legislative report duplication and distribution.

No funding impact for FY 90.

Prepared By: Katherine Kelley, Dr.P.H.
 Division: Division of Public Health
 Approved By Commissioner: Myra M. Munson
 Agency: Department of Health and Social Services

Phone: 465-3090
 Date: 03/21/90
 Date: _____

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



Alaska State Legislature

SENATE

Committee on Finance

Official Business

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

MEMORANDUM

April 21, 1990

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

FROM: Senator John Binkley *John Binkley*

RE: CSSB 408 (Finance) - requiring health care providers to report cases of fetal alcohol syndrome; and relating to reports by the Department of Health and Social Services concerning common diseases of public health significance

I would very much appreciate your consideration of calendaring CSSB 408 (Finance) before the House HESS Committee.

CSSB 408(Finance) would make fetal alcohol syndrome a reportable condition in the State of Alaska. Currently, physicians are required to report certain diseases, either by telephone or in writing to the Office of Epidemiology. Attached is a copy of the Disease Reporting and Rapid Telephonic Reporting System (RTR) manual which is currently being used by physicians.

The bill would also require reports of common diseases issued by the department be broken into geographic districts of the state. This provision was added in the Senate Finance Committee at the request of regional health corporations who felt the data would be more useful with a geographic breakdown.

The Indian Health Service in Alaska began surveying Alaska Native children for incidence of Fetal Alcohol Syndrome in 1985. Based on early reports which indicated alarmingly high rates, an area-wide FAS Prevention Program was established, in cooperation with the Alaska Native Health Board.

No one in Alaska knows how large the problem may be among the non-Native population because, to date, the state has taken no action to begin to identify the problems. By requiring physicians and other health providers to report FAS, as they encounter children with the birth defect, we would be better equipped to plan for those children who will impact our educational and other social service systems.

Thank you for your consideration.

**DISEASE REPORTING
AND
RAPID TELEPHONIC REPORTING
SYSTEM (RTR)**



RECEIVED 11 1 1988

**Section of Epidemiology
Division of Public Health
Department of Health and Social Services
State of Alaska
1988**

DISEASE REPORTING IN ALASKA RAPID TELEPHONIC REPORTING SYSTEM

**Section of Epidemiology
Division of Public Health
Department of Health and Social Services
State of Alaska**

September 1988

Disease reporting has resulted in identification of numerous outbreaks. Rapid investigations and institution of control measures have prevented morbidity and mortality. We count on your support to report diseases of public health importance in the future.

The Section of Epidemiology, Alaska Division of Public Health, uses a **Rapid Telephonic Reporting (RTR) System** in Alaska. With rapid and complete disease reporting, we can provide information and control measures necessary to prevent or control diseases of public health importance.

REPORTABLE DISEASES (7 AAC 27.005 - 27.017)

The list of diseases required to be reported was revised in January 1984. Reportable diseases are listed on page 5. The regulations are included on page 6. **All reports are confidential.**

Public health nurses, physicians, other health care providers, and laboratories are required by state law to phone their morbidity reports to a toll-free number in Anchorage, where an automatic recorder will tape the report. These reports are reviewed by the medical epidemiologists in the Section of Epidemiology.

Diseases may be reported by dialing 561-4234 (Anchorage area). A tape recorder, which operates 24 hours a day, will record your report. For those outside the Anchorage area, simply call the long distance operator and ask for 478-1700. The operator will connect you to the recording machine in the Anchorage office. This service is toll-free.

****POINTS TO REMEMBER****

When filling out the Rapid Telephonic Report Log from the patient's chart, please fill in all the columns completely. This will enable you to report complete information on the RTR.

When reporting, speak slowly and clearly. Be certain to **SPELL** the patient's full name, and report in the same sequence as indicated on the report log.

Please report by name. Do not report by hospital number only. **INFORMATION IS CONFIDENTIAL.** Names are required to be reported by law.

Report once a week whether or not you have a disease to report. If we do not hear from your reporting station for a period of two weeks, we will be contacting you to inquire about the reason you are failing to report.

Rapid telephonic reports should be called in once a week even if there is nothing positive to report. If this occurs, simply identify yourself and say, 'I have nothing to report for the preceding week.'

Questions will invariably arise as to how certain you should be of a diagnosis before reporting the case. We ask you to report a case even if the diagnosis is in doubt. In other words, if you **suspect** the presence of a certain disease, then report it. We can arrange with you for specific diagnostic tests or call you back for more information. Err on the side of **over-reporting**.

A medical epidemiologist is available at all times for consultation regarding public health problems. He/she can be reached by calling the Section of Epidemiology (collect) at 561-4406.

If you have trouble using the Rapid Telephonic Reporting System for any reason, please call the Section of Epidemiology at 561-4406 (Anchorage).

The RTR works 24 hours per day.

If a significant public health problem occurs, please call immediately (561-4406).

ALL REPORTS ARE CONFIDENTIAL.

REPORTABLE DISEASES

● Diseases required to be reported when SUSPECTED or DIAGNOSED

Acquired Immune Deficiency Syndrome (AIDS)	Pertussis
Amebiasis	Plague
Anthrax	Poliomyelitis
Botulism	Psittacosis
Brucellosis	Rabies
Campylobacter	Reye's Syndrome
Cholera	Rheumatic Fever
Diphtheria	Rubella
Echinococcus	Rubeola
Encephalitis	Salmonella
Giardia	Shigella
Gonorrhea	Smallpox
Hepatitis (A or B)	Syphilis
Hepatitis (non-A - non-B)	Tetanus
Legionnaire's Disease	Trichinosis
Leprosy	Tuberculosis
Malaria	Tularemia
Meningitis (Viral and Bacterial)	Typhoid
Mumps	Yellow Fever
Paralytic Shellfish Poisoning	Yersinia

- Epidemics or outbreaks of unusual number of cases of any infectious disease and severe reactions to any vaccine.
- Diseases which are known or suspected to be related to environmental exposure to toxic-hazardous material.
- Diseases which may possibly arise as a result of a worker's occupation.

Suspected cases of the following are **PUBLIC HEALTH EMERGENCIES**. Please call 561-4406 (if outside the Anchorage area, call collect) Immediately.

ANTHRAX
 BOTULISM
 DIPHTHERIA
 MENINGOCOCCAL MENINGITIS
 PARALYTIC SHELLFISH POISONING
 POLIO

RABIES
 RUBELLA
 RUBEOLA
 SMALLPOX
 TETANUS

7 AAC 27.007. REPORTING BY LABORATORIES.

(a) Public, private, military, hospital, or other laboratories performing serologic, immunologic, microscopic, biochemical, or cultural tests within the State of Alaska must report evidence of the following diseases of public health significance at the time of identification or suspected identification: amebiasis, anthrax, botulism, brucellosis, campylobacter, cholera, diphtheria, echinococcus, enteropathogenic Escherichia coli, giardia, gonorrhea, hepatitis (Type A or B), influenza, Legionella pneumophilia, leprosy, leptospirosis, malaria, meningitis, meningococcal disease, mumps, pertussis, plague, poliomyelitis, psittacosis, rabies (human or animal), rubella, rubeola, salmonella, shigella, smallpox, syphilis, tetanus, trichinosis, tuberculosis, tularemia, typhus, yellow fever, and Yersinia enterocolitica.

(b) Reports must be submitted to the Department of Health and Social Services, division of public health, orally or on a form provided by the division of public health, or on a legible copy of the original laboratory report form promptly after the examination or test is performed. Each notification must give the date and result of the test performed, the name or identification code sufficient to identify the patient to the health care provider, and, when available, the age of the person from whom the specimen was obtained, and the name and address of the health care provider for whom the examination or test was performed.

(c) When acting on the basis of information received from laboratory notification, the division of public health will not, except in instances of overriding public health considerations, contact the patient without first requesting and obtaining the permission of the physician or other health care provider.

(d) All laboratory notifications required by this section are confidential and are not open to public inspection. (Eff. 8/21/74, Reg. 51; am 9/20/75, Reg. 55; am 3/28/84, Reg. 89)

Authority: AS 18.05.040(1)

7 AAC 27.008. REPORTING BY HOSPITALS.

To maintain accurate incidence rates of cancer, and to assist planning and evaluation of cancer control programs, all hospitals licensed in the State of Alaska shall report newly diagnosed cancer cases, with the exception of noninvasive skin cancers, to the Division of Public Health. Reports shall be submitted at least once a year on forms provided by the department, and shall include as a minimum the name, age, sex, race, community of residence, date of diagnosis, and primary site. (Eff. 9/20/75, Reg. 55)

Authority: AS 18.05.040(1)

7 AAC 27.020. CONTROL OF ANIMAL DISEASES TRANSMISSIBLE TO HUMANS.

(a) Quarantine. The standards for quarantine are

(1) Whenever any case of rabies or other animal disease dangerous to the health of human beings is reported as existing in any area, the Department of Health and Social Services will make an investigation as to whether the disease exists and as to the probable area of the state in which man or animal is endangered by it. If the Department of Health and Social Services, in conjunction with the Department of Natural Resources, finds that any such disease exists, a quarantine will be declared against all of those animals which are designated in the quarantine order within the area specified in the order. If the quarantine is for the purpose of preventing the spread of rabies, the order will contain a warning to the owners of animals within the quarantined area to confine on the owner's premises or tie down all animals so as to prevent biting. After such an order is issued, any animal found running at large in the quarantined area or known to have been removed from or to have escaped from the area may be destroyed by a peace officer or by a person designated by the Department of Health and Social Services.

(2) Following the order of quarantine, the Department of Health and Social Services, in conjunction with the Department of Natural Resources, will make a thorough investigation as to the extent of the disease, the probable number of persons and animals exposed, and the area found to be involved.

(3) During the period for which any quarantine order is in force, all peace officers are empowered to kill, or, in their discretion to capture and hold for further action by the Department of Health and Social Services and the Department of Natural Resources all animals in a quarantined area not held in restraint on private premises.

(4) For the purposes of paragraphs (1), (2) and (3) of this subsection, "quarantine" is the strict confinement upon the private premises of the owners under restraint by leash, chain, closed cage, or paddock of all animals specified by the order.

(b) Rabies Vaccination. The standards for animal rabies vaccination are

(1) The "Compendium of Animal Rabies Vaccines," prepared by the National Association of State Public Health Veterinarians, Inc. (1983), is adopted by reference to govern the use of animal rabies vaccines.

(2) The Rabies Vaccination Certificate, developed by the National Association of State Public Health Veterinarians, Inc., is adopted as the only valid rabies vaccination certificate. These certificates will be supplied by the Department of Health and

ratory designated by the department for rabies testing.

(4) An unvaccinated dog or cat bitten by a known rabid animal may be destroyed immediately. If the bitten animal has a current rabies vaccination, as defined in the "Compendium of Animal Rabies Vaccines" under (b)(1) of this section, the animal must be immediately revaccinated and confined a minimum of 30 days. (Eff. 6/10/62, Reg. 6; am 8/21/74, Reg. 51; am 6/21/78, Reg. 66; am 3/28/84, Reg. 89)

Authority AS 18.05.040

7 AAC 27.030. EXPORT AND INTRASTATE TRANSPORTATION OF ANIMALS.

(a) Areas of Infection. Whenever the commissioner of health and social services finds that animals of any kind in a specific area are afflicted with a disease contagious to man and are liable to spread that disease from the area so as to endanger the public health he will, in his discretion, declare it an area of infection. No person may, after the date of that declaration, transport or offer for transportation into or within the State of Alaska any such animal from the area described in the declaration, except with the permission of and in accordance with precautions against the spread of the disease specified by the Department of Health and Social Services.

(b) Rabies Vaccination for Intrastate Travel. No dog or cat may be transported by public intrastate transportation unless the owner or custodian of the animal shows that the animal has an unexpired rabies vaccination. Proof of an unexpired rabies vaccination is the date on the metal tag worn by the animal bearing the Standard Vaccination Certificate number, as required by sec. 20(b)(3) of this chapter, or the date on the Standard Vaccination Certificate required by sec. 20(b)(2) of this chapter, or an affidavit from a person authorized to administer the vaccine stating that the animal has a current rabies vaccination. (Eff. 6/10/62, Reg. 6; am 8/21/74, Reg. 51; am 6/21/78, Reg. 66)

Authority AS 18.05.040(1)

7 AAC 27.040. IMPORTATION OF DOGS.

(a) Every dog imported into the state shall be accompanied by a health certificate issued within 30 days of importation by a licensed veterinarian in the state of origin, and a copy of the certificate shall be forwarded immediately to the state veterinarian of Alaska. The certificate must show that the dog is free from rabies or any communicable disease and has not recently been exposed to any such disease; also, it must give the breed, sex and age, point of origin and destination, and the names and post office addresses of consignee and consignor. If the dog has been vaccinated, the health certificate must include the date of vaccination.

Rapid Telephonic Reporting System Report Log

week Ending

Mon	Day	Year			

Name of Patient			Date of Birth			Sex	Race	Marital Status	Reporting Agency
						<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> Unknown <input type="checkbox"/> White <input type="checkbox"/> Native <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic	<input type="checkbox"/> Unknown <input type="checkbox"/> Never Mar <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed	<input type="checkbox"/> Unknown <input type="checkbox"/> Private <input type="checkbox"/> City/State <input type="checkbox"/> Military <input type="checkbox"/> USPHS/IMS <input type="checkbox"/> CHA
(Last)	First	Middle	Mon	Day	Year				

Disease	Onset/Diagnosis	Lab Confirmed	Patient Interview	# Contacts	Report Date				
	Mon Day Year	Y N	Y N	#	Mon Day Year				
Residence									

Name of Patient			Date of Birth			Sex	Race	Marital Status	Reporting Agency
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(Last)	First	Middle	Mon	Day	Year				

Disease	Onset/Diagnosis	Lab Confirmed	Patient Interview	# Contacts	Report Date				
	Mon Day Year	Y N	Y N	#	Mon Day Year				
Residence									

Name of Patient			Date of Birth			Sex	Race	Marital Status	Reporting Agency
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(Last)	First	Middle	Mon	Day	Year				

Disease	Onset/Diagnosis	Lab Confirmed	Patient Interview	# Contacts	Report Date				
	Mon Day Year	Y N	Y N	#	Mon Day Year				
Residence									

Name of Patient			Date of Birth			Sex	Race	Marital Status	Reporting Agency
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(Last)	First	Middle	Mon	Day	Year				

Disease	Onset/Diagnosis	Lab Confirmed	Patient Interview	# Contacts	Report Date				
	Mon Day Year	Y N	Y N	#	Mon Day Year				
Residence									

Name of Patient			Date of Birth			Sex	Race	Marital Status	Reporting Agency
						<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> Unknown <input type="checkbox"/> White <input type="checkbox"/> Native <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic	<input type="checkbox"/> Unknown <input type="checkbox"/> Never Mar <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed	<input type="checkbox"/> Unknown <input type="checkbox"/> Private <input type="checkbox"/> City/State <input type="checkbox"/> Military <input type="checkbox"/> USPHS/IMS <input type="checkbox"/> CHA
(Last)	First	Middle	Mon	Day	Year				

Disease	Onset/Diagnosis	Lab Confirmed	Patient Interview	# Contacts	Report Date				
	Mon Day Year	Y N	Y N	#	Mon Day Year				
Residence									

Name of Patient			Date of Birth			Sex	Race	Marital Status	Reporting Agency
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(Last)	First	Middle	Mon	Day	Year				

Disease	Onset/Diagnosis	Lab Confirmed	Patient Interview	# Contacts	Report Date				
	Mon Day Year	Y N	Y N	#	Mon Day Year				
Residence									

Name of Patient			Date of Birth			Sex	Race	Marital Status	Reporting Agency
						<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> Unknown <input type="checkbox"/> White <input type="checkbox"/> Native <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic	<input type="checkbox"/> Unknown <input type="checkbox"/> Never Mar <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed	<input type="checkbox"/> Unknown <input type="checkbox"/> Private <input type="checkbox"/> City/State <input type="checkbox"/> Military <input type="checkbox"/> USPHS/IMS <input type="checkbox"/> CHA
(Last)	First	Middle	Mon	Day	Year				

Disease	Onset/Diagnosis	Lab Confirmed	Patient Interview	# Contacts	Report Date				
	Mon Day Year	Y N	Y N	#	Mon Day Year				
Residence									

Name of Patient			Date of Birth			Sex	Race	Marital Status	Reporting Agency
						<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> Unknown <input type="checkbox"/> White <input type="checkbox"/> Native <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic	<input type="checkbox"/> Unknown <input type="checkbox"/> Never Mar <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed	<input type="checkbox"/> Unknown <input type="checkbox"/> Private <input type="checkbox"/> City/State <input type="checkbox"/> Military <input type="checkbox"/> USPHS/IMS <input type="checkbox"/> CHA
(Last)	First	Middle	Mon	Day	Year				

Disease	Onset/Diagnosis	Lab Confirmed	Patient Interview	# Contacts	Report Date				
	Mon Day Year	Y N	Y N	#	Mon Day Year				
Residence									

SB

409

STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-463-3800

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 409

H HESS

5/2/90

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 28, 1990

FURTHER REFERRALS:

Date of Committee Action: 5/2/90

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee considered: SB 409

SENATE BILL NO. 409

SCHOOL TRAINING FOR ALCOHOL BIRTH DEFECTS

"An Act relating to training for teachers and certain school officials."

RECOMMENDATIONS:

- be replaced with HCS SB 409 the same title
- a new title
- have attached amendment(s)
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the FINANCE 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) 2/23/90 / DOE
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO-PASS:

SIGNING:

(Check approp. column)

Do Not
Pass
No Rec
Amend

[Signature]
[Signature]
[Signature]
[Signature]

	Do Not Pass	No Rec	Amend

[Signature]
Chairman's Signature

A M E N D M E N T #1

OFFERED IN THE HOUSE

TO: SB 409

Page 2, line 5, after "1992":

Insert "or within 45 days after the teacher, administrator, counselor,
or specialist began work, whichever is later."

STATE OF ALASKA
1990 LEGISLATIVE SESSION

BILL VERSION: SB 409 (a)
PUBLISH DATE: 2/23/90

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Training for Teachers and
certain State Officials
Sponsor: Binkley
Requestor: Senate CERA

Agency Affected: Education
BRU: Educational Program Support
Component: Office of the Director

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL	15.0	2.0	2.0	2.0	2.0	2.0
CONTRACTUAL	25.5	13.0	13.0	13.0	13.0	13.0
SUPPLIES	3.0					
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	30.0	30.0	30.0	30.0	30.0	30.0
MISCELLANEOUS						
TOTAL OPERATING	83.5	45.0	45.0	45.0	45.0	45.0

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND	83.5	45.0	45.0	45.0	45.0	45.0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

See attached analysis.

Prepared by: Toni Kahklen-Jones
Division: Educational Program Support

Phone: 465-2830
Date: 2/21/90

Approved by Commissioner: William G. Demmert
Agency: Education

Date: 2/21/90

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor

1052

Narrative Outline - Fiscal Note for SB 409

FY'91

Personal Services

-0-

Travel

15,000

Task Force: Nine (9) members at three (3) meetings to determine content of the inservice training module for serving FAS/FAE students.

Contractual

35,500

Phone/audio conference, phone contact with other states, task force members, and in-state school districts, other agencies, and task force members development of training program. (2,500)

Development of Training materials; trainer for pilot training and summer academies - identify experts and materials to provide training (15,000).

Print and duplicate materials for all the school districts (15,000).

Postage for sending materials to school districts (3,000).

Commodities

3,000

Supplies, and purchasing copyright of training materials.

Grant

30,000

June '91 Summer Academies (Fairbanks, Anchorage, Juneau) Training of Trainers/Scholarships to school districts.

Total

83,500

FY'92-'96

(each year)

Travel

2,000

Subsequent years inservice training related travel, technical assistance to school districts, and revisions to the training module and materials.

Contractual

13,000

Phone/audio conference (2,500)
Print materials, updating/revision of materials for school district use. (7,500)
Postage (2,000)
Purchase of copyright (1,000)

Grant

30,000

Scholarships for school districts to participate in Summer Academy Training or for accessing trainers through the Talent Bank to provide staff in-service training in their district.

Total

\$45,000

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: An Act relating to Training for Teachers and Certain School Officials
 Sponsor: Binkley
 Requestor: _____

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

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						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS: (Attach a separate page if necessary)

FY 90 fiscal impact is "0."

Prepared by: Sally Mead Phone: 361-4211
 Division: Office of Prevention Date: _____
 Approved by Commissioner: *Mira M. Hanson* Date: 2/2/90
 Agency: Department of Health & Social Services

Distribution (by preparer):

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



Alaska State Legislature

SENATE

Committee on Finance

Official Business

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

MEMORANDUM

April 30, 1990

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

FROM: Senator John Binkley *John*

RE: Senate Bill 409 - Relating to training for teachers
and certain school officials

SB 409 would require school districts and REAA's to train teachers and other school personnel on alcohol-related birth defects. This would include special educational needs.

Children with alcohol-related birth defects, both Fetal Alcohol Syndrome and Fetal Alcohol Effects, show symptoms of hyperactivity, poor coordination, and noncompliance. In school they require constant supervision, have difficulty with change, require additional classroom structure, and have extremely low attention spans.

Not all of these children are referred to special education. Not all of these children are developmentally disabled. Yet all of these children present special challenges to parents, teachers, and other care providers.

The Department of Education has responded to SB 409 with a plan to develop training materials for inservice instruction, to be implemented during the 1991-1992 school year.

The bill is supported by NEA, Alaska Association of School Boards, the Department of Education, the Office of Prevention, Tanana Chiefs Conference, RurAL CAP, AFN, Village Participation Conference, the FAS/FAE Support Network in Alaska.

Senate Bill 409

Relating to training for teachers
and certain school officials

Sectional

Section 1. Amends AS 14.20 under Required Training for Education Statutes to add a new section.

AS 14.20.680 (a) School districts and REAA's would be required to train teachers, administrators, counselors, and other school specialists on medical and psychological effects of alcohol-related disabilities and on the specific educational needs of these children.

AS 14.20.680 (b) Newly hired employees would be required to be trained within 45 days.

Section 2. Applicability.

Current employees, including those employed at the time of enactment, and those hired after enactment but before July 1, 1992, shall be trained before July 1, 1992.



NEA-ALASKA

MEMBER OF THE NATIONAL EDUCATION ASSOCIATION

Don Oberg, President

Mary Lou Brent
Vice-President
Box 44174
Fairbanks, Alaska 99701

Judy Salo
NEA Director
4510 Kenaiway Court
Kenai, Alaska 99541

Paul Jarvel
Region I Director
PO Box 5870
Ketchikan, Alaska 99901

Deedle Sorenson
Region I Director
6901 Sunny Dr
Juneau, Alaska 99801

Beverly Goad
Region II Director
Box 144
Copper Center, Alaska 99572

DeWayne Craig
Region III Director
400 So. Front St. 3A
Ketchikan, Alaska 99901

Myra Pasge
Region IV Director
Box 971
Nome, Alaska 99570

Marilyn Rosene
Region IV Director
Box 1170
Dillingham, Alaska 99570

Mike Warme
Region IV Director
PO Box 72
Seward, Alaska 99570

Claudia Douglas
Region V Director
PO Box 7484
Fairbanks, Alaska 99707

Gayle Harbo
Region V Director
Box 4022
E. Central, Alaska 99570

Loretta B. Chittelle
Region VI Director
2220 Yukon Dr
Anchorage, Alaska 99514

Don Hadley
Region VI Director
1250 Washan Dr
Anchorage, Alaska 99514

Richard Kronberg
Region VI Director
3511 Chmiak Bay Dr
Anchorage, Alaska 99514

Lorna Maunds
Region VI Director
5811 Winding Way
Anchorage, Alaska 99514

Pamela Reynolds
Region VI Director
1510 E. Adair Dr
Anchorage, Alaska 99517

Carolyn Tolson
Region VII Director
Box 87114
Wasilla, Alaska 99587

Hank Harrison
Region R Director
Box 110125
Anchorage, Alaska 99511

ANCHORAGE REGIONAL OFFICE

1411 W. 33RD AVENUE
ANCHORAGE, ALASKA 99503
(907) 274-0536
FAX (907) 274-0732

JUNEAU OFFICE

105 MUNICIPAL WAY SUITE 302
JUNEAU, ALASKA 99801
(907) 586-3000
FAX (907) 586-2744

FAIRBANKS REGIONAL OFFICE

2118 CUSHMAN STREET
FAIRBANKS, ALASKA 99701
(907) 456-4435
FAX (907) 456-2159

March 26, 1990

TO: Senator Rick Uehling and Senator John Binkley, Co-Chairs, and members of the Senate Finance Committee

FROM: Don Oberg, NEA-Alaska

RE: SB 409, "An Act relating to training of teachers and certain school officials"

NEA-Alaska supports passage of Senate Bill 409.

The appalling rate of alcohol abuse in Alaska makes it imperative that something be done to deal with secondary results of that abuse as it manifests itself in classrooms throughout the state.

Educational Employees are concerned about those children who suffer from Fetal Alcohol Syndrome, or exhibit aberrant behavior associated with living in households with alcoholics, and symptoms of alcoholism in the children themselves.

NEA-Alaska believes that an appropriate route for providing this needed training would be the use of existing inservice training days, so that teachers would not have to bear the burden of additional financial cost or impairment of job security.

In addition, NEA-Alaska believes the proposed legislation should include significant penalties for districts not complying with this requirement.

The problems of alcohol abuse in Alaska are tremendous. The reality of raising future generations of people whose formative years are already endangered by the alcoholism of their families brings to mind the specter of a calamity too frightening to be ignored.

NEA-Alaska supports speedy passage of SB 409.

LE03/SB409/dl

Tanana Chiefs Conference, Inc.

122 First Avenue
Fairbanks, Alaska 99701-4897
(907) 452-8251
Fax (907) 451-8936

April 9, 1990

Senator Paul A. Fischer
Chairman, HESS Committee
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau AK 99811

RE: Senate Bill 409

Dear Chairman Fischer:

The Tanana Chiefs Conference, Inc. (TCC) favors passage of Senate Bill 409, an act relating to training for teachers and other school officials.

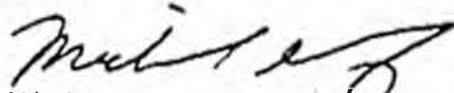
There is a definite need for specific educational needs of students with alcohol-related disabilities. The average IQ of fetal alcohol syndrome (FAS) children generally ranges from 20 to 90. For children with fetal alcohol effects (FAE), the range is 39 to 105. The average for both groups is 68. Average normal IQ generally range from 95 to 105. Intellectual and behavioral problems associated with FAS and FAE are often not recognized until they enter school. These children may have problems in areas of verbal comprehension, attention and memory. Academic performances often peaks at ages 12 to 15 (grades 6 to 8) and shows little improvement after this time.

Educators and administrators in our school systems must be made aware of the medical and psychological characteristics of FAS and FAE. They must learn how to create and implement an instruction program specifically geared to students with alcohol-related disabilities. The more knowledge you disseminate about FAS and FAE, the better equipped society becomes at addressing the problems that are associated with this illness.

TCC passed Board Resolution 90-120 at its annual meeting held in March. The 43 villages who gave unanimous approval to this resolution continue to feel FAS/FAE education and treatment is one of our top priorities. By way of this letter, I will share the Resolution with your Committee members. We would appreciate your scheduling this bill and passage out of your Committee as soon as possible. Thank you.

Sincerely,

TANANA CHIEFS CONFERENCE, INC.


Michael Graf, Director
Community Health Services

LAC/de

Attachment: TCC Board Resolution 90-120

cc: Senate HESS Committee

TANANA CHIEFS CONFERENCE, INC.
Board of Directors
Resolution No. 90-120

FAS SPECIAL EDUCATION NEEDS


- WHEREAS. Fetal Alcohol Syndrome (FAS) affects children and adults throughout the State of Alaska; and
- WHEREAS. children affected by FAS require special attention, including special educational services; and
- WHEREAS. the Bureau of Indian Affairs (BIA) Indian Health service, and all Native organizations in Alaska should be concerned with FAS and its implications, specifically in regards to the present and emerging needs for special education for FAS children; and
- WHEREAS. the Tanana Chiefs Conference, the Fairbanks Native Association, Inc., Doyon, Limited, and the Denakanaaga Elders recognize that the present and anticipated educational problems of FAS children are of great concern to these organizations.

NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference request the State of Alaska and BIA, Indian Health Service to fund a study and develop a plan concerning the special education needs of FAS children and informational program of awareness of FAS for high school student in school systems throughout Alaska; and

BE IT FURTHER RESOLVED that we request the State of Alaska, the BIA, Indian Health Service, and all Social Service Organizations develop a plan to meet the special educational needs of this population, and provide the special education services that are needed by FAS children.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 15, 1990 at Fairbanks, Alaska and a quorum was duly established.



Mitch Demientzell
Secretary-Treasurer
Tanana Chiefs Conference, Inc.

Submitted by: FNA

S B

4 10

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 410

H. HESS 1/12/90

H. HESS 1/20/90

H. HESS 1/25/90

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: Relating to Warning Signs about
the Effects of Alcohol . . .
 Sponsor: Binkley
 Requestor: _____

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

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						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

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

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

POSITIONS:

FULL-TIME	-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)

FY 90 fiscal impact is "0."

Prepared by: Sally Mead Phone: 561-4211
 Division: Office of Prevention Date: _____

Approved by Commissioner: Wanda W. Hanson Date: 3/1/90
 Agency: Department of Health and Social Services

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

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Warning signs about the effects of alcohol consumed during pregnancy
Sponsor: Sen. Binkley, et al
Requestor: Sen. Hess Committee

Agency Affected: Department of Revenue
BRU: Alcoholic Beverage Control Board

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

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

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-
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 legislation does not impact the ABC Board's FY 90 budget.

Prepared by: Patrick L. Sharrock
Division: Alcoholic Beverage Control Board

Phone: 277-8628
Date: 2/15/90

Approved by Commissioner: [Signature]
Agency: Department of Revenue

Date: 2/9/90

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

CORRECTION

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

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: Warning signs about the effects of alcohol consumed during pregnancy
 Sponsor: Sen. Binkley, et al
 Requestor: Sen. Mass Committee

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

EXPENDITURES/REVENUES: (Thousands of Dollars)

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

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

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-
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 legislation does not impact the ABC Board's FY 90 budget.

Prepared by: Patrick L. Sharrock, Director Phone: 277-8638
 Division: Alcoholic Beverage Control Board Date: 2/1/90

Approved by Commissioner: [Signature] Date: 2/9/90
 Agency: Department of Revenue

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



Official Business

Alaska State Legislature

SENATE

Committee on Finance

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

MEMORANDUM

April 10, 1990

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

FROM: Senator John Binkley *John*

RE: SB 410 - Related to warning signs about
the effects of alcohol consumption

Sectional Analysis

Section 1. Amends that portion of the Alcoholic Beverages statutes that requires licensees of alcoholic beverages to post signs warning of the dangers of drinking during pregnancy. The amendment specifies that lettering on the sign must be at least one-half inch high.

Legislation requiring alcohol beverage licensees to post warning signs passed last session has largely been quite successful. Certain licensees, however, are apparently trying to circumvent the intent of the law by printing their signs with lettering that is approximately 1/4 inch high. The result has been to make the sign inconspicuous and difficult, if not impossible, for some patrons to read.

This bill would require lettering on the signs to be at least 1/2 inch high. It has -0- fiscal notes and is supported by both the Alcoholic Beverage Control Board and the Department of Health and Social Services.

WARNING

**Drinking alcoholic
beverages such as
beer, wine,
wine coolers, and
distilled spirits
during pregnancy can
cause birth defects**

AS 04.21.065
Alcoholic Beverage Control Board
550 West 7th Avenue, Suite 350
Anchorage, Alaska 99501
(907) 277-8638

STEVE COWPER, GOVERNOR

DEPARTMENT OF REVENUE

550 W. 7TH AVE
ANCHORAGE, ALASKA 99501-6698

ALCOHOLIC BEVERAGE CONTROL BOARD

February 28, 1990

The Honorable John Binkley
Alaska State Senate
Pouch V
Juneau, Alaska 99811

RECEIVED MAR 2 1990

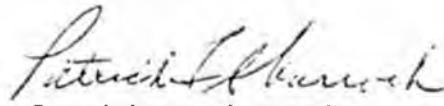
RE: SB 410 and SB 411
Attention: Pat Jackson

Dear Senator Binkley:

The Alcoholic Beverage Control Board has had an opportunity to review SB 410 and SB 411. The board does not have concerns or objections to the legislation and lends its encouragement for adoption.

If you have any questions, please do not hesitate to call.

Sincerely,


Patrick L. Sharrock
Director, ABC Board

PS/c1

90-41

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: Warning signs about the effects of alcohol consumed during pregnancy of Agency Affected: Department of Revenue
BRU: Alcoholic Beverage Control Board
 Sponsor: Sen. Binkley, et al
 Requestor: Sen. Hase Committee Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
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	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-	-0-
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 legislation does not impact the ABC Board's FY 90 budget.

Prepared by: Patrick L. Sharrock, Director Phone: 333-3618
 Division: Alcoholic Beverage Control Board Date: _____
 Approved by Commissioner: [Signature] Date: 7/9/90
 Agency: Department of Revenue

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

POSITION PAPER

SB 410

"An Act relating to warning signs about the effects of alcohol consumed during pregnancy."

BACKGROUND

SB 410 specifies the size of lettering of the warning signs that are currently required at every point of purchase by AS 04.21.065.

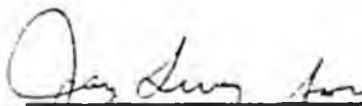
PURPOSE

Overall, the purpose of the warning signs is to reduce birth defects through education. Those most needing to know the connection of alcohol and birth defects, that is, those persons purchasing and consuming alcohol need to see the signs. Unfortunately, in some places, specifically certain airlines, the size of lettering on the signs has been reduced, making the signs unnoticeable and the message almost unreadable.

Specifying the size of the lettering on the signs will assure that the signs can be seen from a reasonable distance, and will be noticed.

The Department of Health and Social Services supports this legislation.

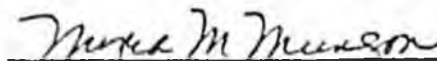
Recommended by:



Sally Mead, Coordinator
Office of Prevention

Date:

Approved by:



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

Date:

Feb 15, 1990

FISCAL NOTE

REQUEST: _____

Revision Date: _____
 Title: Relating to Warning Signs about
 the Effects of Alcohol . . .
 Sponsor: Blakley
 Requestor: _____

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

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						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

FY 90 fiscal impact is "0."

Prepared by: Sally Mead Phone: 561-4211
 Division: Office of Prevention Date: _____
 Approved by Commissioner: *Mira M. Munson* Date: 2/12/90
 Agency: Department of Health and Social Services

Distribution (by preparer):

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

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 15, 1990

FURTHER REFERRALS:

Date of Committee Action: 4/25/90

The HESS Committee considered:

SB 410am

SENATE BILL NO. 410 am

ALCOHOL/PREGNANCY WARNING SIGNS

"An Act relating to warning signs about the effects of alcohol consumed during pregnancy."

RECOMMENDATIONS:

- be replaced with HCS 50 410 (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 _____ fiscal note(s) _____
 zero fiscal note _____ 2 zero fiscal note(s) 3/8/90/DHS, Rev.
 zero with analysis _____ zero fn/analysis _____

SIGNING DO PASS

SIGNING:
(Check approp. column)

Do Not Pass No Rec Amend

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

	Do Not Pass	No Rec	Amend

[Signature]
Chairman's Signature

Original sponsor(s): SEN. BINKLEY, Zharoff, Eliason, Jones, Pearce, Adams,
Pourchot, Kelly, Duncan, Kerttula

1 IN THE SENATE

2 HOUSE CS FOR SENATE BILL NO. 410 ()

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to warning signs about the effects
7 of alcohol consumed during pregnancy."

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

9 * Section 1. AS 04.21.065(b) is amended to read:

10 (b) A warning sign required by (a) of this section must be at
11 least 11 inches by 14 inches. The sign must read, in lettering at
12 least one-half inch high and in contrasting colors, "WARNING: Drinking
13 alcoholic beverages such as beer, wine, wine coolers, and distilled
14 spirits during pregnancy can cause birth defects." The license or
15 permit holder shall display the signs in a manner that will make them
16 conspicuous to a person who will be purchasing or consuming alcoholic
17 beverages on the licensed or designated premises.

SB

411

STATE OF ALASKA
THE LEGISLATURE

POUCHY - 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 411

H. HESS

4/12/90

H HESS

4/21/90

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 28, 1990

FURTHER REFERRALS:

Date of Committee Action: 4/20/90

The HEALTH, EDUCATION, & SOCIAL SERVICES Committee considered: SB 411

SENATE BILL NO. 411 FAS NOTICE ON MAIL ORDER ALCOHOL SALES

"An Act relating to sale of alcoholic beverages by a package store licensee."

RECOMMENDATIONS:

- be replaced with _____ 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) 3/8/90 / Rev
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO PASS:

SIGNING:

(Check approp. column)

Do Not
Pass
No Rec
Amend

[Handwritten signatures: J. Ellis, Mark B...]

	Do Not Pass	No Rec	Amend

[Handwritten signature: J. Ellis]
Chairman's Signature