

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 86/2

6816 HOUSE HEALTH EDUCATION & SOCIAL SERVICES



# ALASKA SCHOOL BUS SAFETY COMMITTEE

February 5, 1991

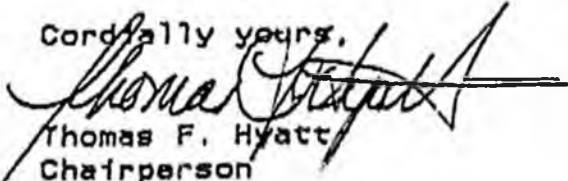
Representative Mike Navarre  
P.O. Box V, Room 515  
Juneau, AK 99811

Dear Sir:

The Alaska School Bus Safety Committee strongly supports House Bill 85, an act requiring school bus stop arms with alternating red strobe lights and a roof mounted white strobe light. The Safety Committee has researched and evaluated aspects of both strobe light systems and found them very effective in the visibility enhancement of school buses during Alaska's inclement weather. Alaska's unique and varied weather conditions severely limit visibility of school buses during their most vulnerable period, the loading and unloading of students.

It is also imperative that the Legislature supply the funding for these projects. Currently, school districts throughout the State are having their pupil transportation reimbursement funds prorated by the Department of Education due to funding short falls. The proposed budget by the Governor suggests further reductions in pupil transportation reimbursement funds. Additionally, school bus operators throughout the State are suffering the effects of extraordinary high fuel costs with no relief from these expenses. It would be unfair to ask either the Districts or Bus Operators to shoulder the expense for these items.

Cordially yours,

  
Thomas F. Hyatt  
Chairperson

TFH/ec

## OUTLINE FOR HB 85

### TRANSPORTATION COMMITTEE, REPRESENTATIVE FOSTER, PRESIDING

#### I. Purpose of HB 85

1. To mandate the installation of two red strobes on the stop arm, and one white strobe to the roof of each bus ( not more than 6 feet from the rear of the bus).
2. HB 85 creates a "safety cushion" around the bus, due to the installation of this special and highly visible lighting equipment.
3. Strobes on the roof and the stop arm increase the effectiveness of the "safety cushion" and make the public more aware that children are in the immediate vicinity.
4. All modifications would be completed by November 1, 1991.

#### II. Support for HB 85

1. Bob Shefchik, Transportation Coordinator, Fairbanks North Star Borough School District.
2. Steven Kalmes, Director of Transportation, Anchorage School District
3. Thomas F. Hyatt, Alaska School Bus Safety Committee
4. Don Oberg, President, NEA-Alaska
5. Kenai Peninsula Borough School District

#### III. Anticipated Costs for HB 85

1. A fiscal note is attached to the bill packet. The amount is \$168,000. The State will reimburse for initial installation (with proper documentation to DOE) at the rate of \$175/roof mounted strobes and \$150/stop arm strobes. The initial installation must be completed by November 1, 1991. The estimate was derived from Sahlberg Equipment in Anchorage.

FISCAL NOTE

No. 1  
 Bill Version: CSHB 85(TRA)  
 (H) Publish Date: 2/11/91

STATE OF ALASKA  
 1991 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Department Affected: Education  
 Title: Equipment required on a school bus BRU: K-12 Support  
 Component: Pupil Transportation  
 Sponsor: Navarre  
 Requestor: House Transportation COMPONENT SERIAL NO. 

	1	4	4
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	168.0	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	168.0	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Roof Mount Strobes: 630 buses X \$175 = \$110,250 Stop Arm Strobes: 385 buses X \$150 = \$57,750

Total estimated FY92 cost: \$168,000

Prepared By: Romayne Kareen Phone: 465-2865  
 Division: Education Finance & Support Date: 2/6/91  
 Approved by Commissioner: Steve Helle, Acting Commissioner  
 Agency: Education Date: 2/6/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Tom

# KENAI PENINSULA BOROUGH SCHOOL DISTRICT

148 North Binkley Street • Soldotna, AK 99669 • Phone 907/262-5846 • Fax 907/262-1892



FEBRUARY 1, 1991

Representative Mike Navarre  
Box V  
Juneau, AK 99811

Dear Representative Navarre:

The Kenai Peninsula Borough School District supports the introduction of HB 85, making stop arm strobes and white strobes on the roof of the bus part of the standard bus equipment in our state. We feel both lights enhance the safety of student riders.

Our district has used the stop arm strobe for the past three years and because it has proven effective, it was specified as an equipment requirement in our current bus contracts. Other districts in the state are using the white roof strobe and it has proven effective.

We would request that the bill provide districts and contractors with reimbursement for the initial equipment expenses. It appears that DOE will be lacking in funds to reimburse school districts for school bus transportation next year and we would not want to see an additional expense to that fund that would reduce transportation reimbursement even further.

If I can be of further assistance, please let me know.

Sincerely,

Penny Little  
Transportation Coordinator

# STATE OF ALASKA

## DEPARTMENT OF EDUCATION

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL GOVERNOR

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

February 27, 1991

The Honorable Mike Navarre  
Alaska State Representative  
P.O. Box V  
Juneau, Alaska 99811

Dear Representative Navarre:

Re: CSHB 85 (Transportation) "An Act relating to strobe light equipment required on a school bus; and providing for an effective date."

Pursuant to conversations yesterday between Tom Ackerly of your staff and Romaine Kareen of mine, the Department of Education offers the following comments regarding CSHB 85 (Transportation):

1. The intent of this legislation is to require that existing public school buses be retrofitted with stop arm and roof mounted strobe lights by November 1, 1991. Funds would be appropriated to cover the cost of installation of strobes on school buses that are not already required by contract to be so equipped. We agree with the intent of the bill and support accompanying funding (the fiscal note).
2. An alternative to the fiscal note would be for the department to reimburse districts at the rates specified in the bill using the current appropriation level. If this is the alternative chosen by the Legislature, the fiscal note should be zeroed out and the legislation passed.
3. We have no objection to the Legislature specifying that strobe lights be included in equipment requirements established by the department. Current equipment requirements, known as Minimum Standards for Alaska School Buses, are contained in publications referenced in 4 AAC 27.110.

The department will be revising the standards to incorporate requirements of AS 28.05.104(b)(1) and recommendations of the 11th National Conference on School Transportation. The revised standards will apply to school buses manufactured after March 1, 1992. A committee comprised of school bus contractors, school district administrators and department staff will meet during September, 1991 to recommend specific revisions to standards. Strobe lights in stop arms and on rooftops of school buses may or may not be recommended

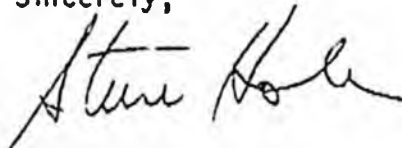
February 27, 1991

by the committee. Passage of CSHB 85 (Transportation) would require inclusion of strobe lights in the standards.

4. The department will notify school districts and bus contractors in March, 1991 that:
  - (1) legislation is in process that would require all public school buses to be retrofitted with stop arm and roof mounted strobe lights by November 1, 1991;
  - (2) the legislation includes funding to reimburse districts for contractor and district costs to install required strobe lights on buses that are not already required by contract to be so equipped; and
  - (3) if the bill is signed into law, installation of strobe lights will be included as mandatory equipment effective November 1, 1991 on all school buses used to transport school children to or from a public school. Installation of strobe lights after November 1, 1991 will not be eligible for state reimbursement.
5. Attached is a listing of school districts with more than 15 buses that have strobe lights required by either the contract between the district and bus contractor, or the reimbursement agreement between the department and the district.

If you have questions, feel free to contact Romyne Kareen at 465-2890.

Sincerely,



Steve Hole  
Acting Commissioner

Attachment

cc: Jim Tozer  
Romyne Kareen

CSHB 85 (Transportation)

Estimated Number of School Buses  
Required by Contract to have Strobe Lights  
2/27/91

SCHOOL DISTRICTS  
(more than 15 buses)

ESTIMATED # BUSES  
REQUIRED BY CONTRACT TO BE EQUIPPED

Roof-Mounted Strobe Lights

Anchorage	170	
Fairbanks	135	
Estimated Total	<u>305</u>	Buses

Stop Arm Strobe Lights

Anchorage	286	
Mat-Su	129	
Kenai	97	
Estimated Total	<u>512</u>	Buses

FY-92 FISCAL NOTE: \$173,700

Roof-Mounted Strobe Lights

Approximate # Buses in State:	935 Buses
Less Estimated # Required by Contract to be Equipped	305
Potential # to be Retrofitted	<u>630 Buses @ \$175 = \$110,250</u>

Stop Arm Strobe Lights

Approximate # Buses in State:	935 Buses
Less Estimated # Required by Contract to be Equipped	512
Potential # to be Retrofitted	<u>423 Buses @ \$150 = \$63,450</u>

Potential Cost to State	<u>\$173,700</u>
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# ANCHORAGE POLICE DEPARTMENT

4501 SOUTH BRAGAW STREET • ANCHORAGE, ALASKA 99507-1599  
TELEPHONE (907) 786-8500



TOM FINK  
MAYOR

Steve Kalmes  
Director of Transportation Services  
3580 E. Tudor  
Anchorage, Alaska  
99507

August 4, 1988

Dear Director Kalmes,

You recently made an inquiry of Sergeant Greg Stewart regarding the use of a white strobe light on top of school buses.

A review of Anchorage Municipal Code of Ordinances title 9.44.210 (C) relating to vehicular hazard warning signals states that a dual lateral lighting system facing the front and rear of a bus is allowed.

The front lamps may flash simultaneously a white or amber light, or any color between white and amber. The rear lamps may only show simultaneously flashing amber or red light.

Municipal Prosecutor Jim Wolf interprets the lighting equipment ordinances of title 9 to mean that no white light may be displayed to the rear of any vehicle, regardless of the mounted position.

A review of the State of Alaska statutes indicates a similar finding.

School buses equipped with the roof mounted white strobe lighting system should be modified with an amber lens or removed completely. Any buses with a white strobe light activated to the rear may receive a traffic citation if observed by an officer.

If you have additional questions or comments please don't hesitate to contact sergeant Greg Stewart at 786-3703.

Sincerely,



Ted Carlson, Captain  
Uniform Field Services



# ALASKA SCHOOL BUS SAFETY COMMITTEE

February 5, 1991

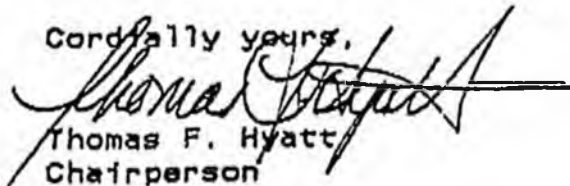
Representative Mike Navarre  
P.O. Box V, Room 515  
Juneau, AK 99811

Dear Sir:

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It is also imperative that the Legislature supply the funding for these projects. Currently, school districts throughout the State are having their pupil transportation reimbursement funds prorated by the Department of Education due to funding short falls. The proposed budget by the Governor suggests further reductions in pupil transportation reimbursement funds. Additionally, school bus operators throughout the State are suffering the effects of extraordinary high fuel costs with no relief from these expenses. It would be unfair to ask either the Districts or Bus Operators to shoulder the expense for these items.

Cordially yours,



Thomas F. Hyatt  
Chairperson

TFH/ec

*Tom*



**ANCHORAGE  
SCHOOL DISTRICT**

Pupil Transportation  
3580 East Tudor Road  
Anchorage, Alaska 99507  
Area Code 907 — 583-3022

FAX 907-562-3957

February 4, 1991

Representative Mike Navarre  
Alaska House of Representatives  
Pouch V  
Juneau, Alaska 99811  
FAX 465-2278

Dear Representative Navarre,

The Anchorage School District believes that the addition of red strobe lights to the stop arm and white strobe lights to the roof of school buses will enhance school bus safety. All buses in our District, as well as Contracted bus fleets, have been equipped with red strobe lights on the stop arm since September 1989. The addition of these strobe lights has significantly reduced the number of motorists who pass stopped school buses. We also feel that the addition of roof mounted white strobe lights will further increase the visibility of school buses and increase the awareness of the presence of school buses with the general motoring public. Approximately 60% of the fleet have already been equipped with roof mounted strobe lights. The District made roof mounted strobe lights mandatory in our current transportation contracts. After the buses were delivered and began operating the Anchorage Police Department notified me that these lights were illegal and school bus drivers using the lights would be issued citations (see attached letter).

The Anchorage School District would support passage of House Bill 85 if the bill not only mandates installation of white roof mounted strobe lights, but also addresses use of the lights. I would also like to see an exception made on the location of the lights that are already installed. The Anchorage School District has almost fifty buses that have strobe lights mounted in the center of the roof.

Thank you for the interest that you have shown in school bus safety issues. If you need any additional information feel free to contact me at 563-3022.

Sincerely,

Steven Kalmes  
Director of Transportation Services

# **CORRECTION**

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



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Uniform Field Services



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## ALASKA SCHOOL BUS SAFETY COMMITTEE

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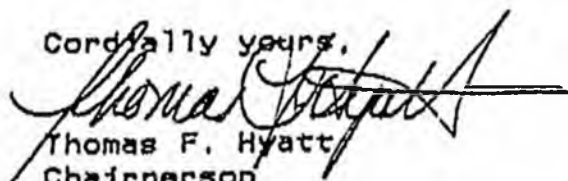
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Thomas F. Hyatt  
Chairperson

TFH/ec

Tom

ANCHORAGE  
SCHOOL DISTRICT

Pupil Transportation

3580 East Tudor Road

Anchorage, Alaska 99507

Area Code 907 — 563-3022

FAX 907-562-3957

February 4, 1991

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Alaska House of Representatives  
Pouch V  
Juneau, Alaska 99811  
FAX 465-2278

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Sincerely,



Steven Kalmes  
Director of Transportation Services



# NEA-ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

**ANCHORAGE REGIONAL OFFICE**

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

**JUNEAU OFFICE**

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

**FAIRBANKS REGIONAL OFFICE**

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

February 1, 1991

Rep. Mike Navarre  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811

Dear Rep. Navarre:

NEA-Alaska appreciates and supports your desire to improve school bus safety. It is very important that the safety of our children remain paramount and your legislation appears to meet those needs. If we can be of any assistance please let us know.

Sincerely,

Don Oberg  
President



# FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT

P.O. Box 71250

Fairbanks, Alaska 99707-1250

(907) 452-2000

---

February 1, 1991

Representative Navarre  
PO Box V  
Juneau, Alaska 99811

Dear Representative Navarre:

I would like to take this opportunity to offer my support for your efforts, through House Bill 85, to require strobe lights on school buses.

I am currently the transportation coordinator for the FNSB School District, a position I have held for the past 10 years. I have also been a member of the Alaska delegation to the 1985 and 1990 Conferences on National Minimum Standards for school buses. In addition, I participated in the development of the Alaska School Bus Driver Training Program and the Alaska Enhanced School Bus Inspection Program.

One of the major ways to protect the school bus and its passengers is to ensure that other motorists are aware of its presence. A "safety cushion" around a school bus is created by the unique color and lighting equipment that are part of existing school bus standards. This allows the motorists on the road the opportunity to take extra precautions, knowing that school children are nearby. Strobe lights, in the stop arm and on the roof, increase the effectiveness of this "safety cushion".

We have used white strobe lights on the tops of our school buses in Fairbanks for at least 15 years. (They have been on so long that no one remembers when they were first required.) They are particularly effective in the difficult conditions of darkness, snow, and ice fog in which we operate in Fairbanks. Under adverse conditions drivers are aware of the strobe long before seeing the actual bus itself. This can be a critical safety feature when visibility is reduced to less than 50 feet.

The best measure of the usefulness of strobes that I can offer is the public awareness their presence. The strobes are so much a part of school busing in Fairbanks that monitoring for compliance is not necessary. The public is so accustomed to seeing strobes on our buses that my office receives complaints when a bus

is running around without a strobe.

We have no direct experience with strobe in the stop paddles in Fairbanks. However, they were tested as part of a pilot project of the Alaska School Bus Safety Committee, and proved effective there as well. I have observed them on buses in the Kenai Peninsula area and found the strobes to be a great improvement over standard paddle lights.

Your efforts to increase the "safety cushion" around our school buses through the mandatory use of strobes is supported throughout the pupil transportation industry. The significant increase in safety certainly warrants the small additional cost to the price of an entire school bus. Your efforts to retrofit the existing buses in the state will create an immediate impact for a relatively low cost. Such an approach is far superior to a slow phase-in on new buses. In addition to the several year delay in equipping all buses in the state, the effort to raise public awareness would be diminished by the lack of standardized equipment between buses.

Thank you for your support of safe, effective pupil transportation. Do not hesitate to contact me if I can be of any assistance to your efforts.

Sincerely,



Bob Shefchik  
Transportation Coordinator

TABLE OF CONTENTS

CSHB 85 An Act relating to strobe light equipment required on a school bus; and providing for an effective date.

1. CSHB 85 (TRA)
2. Fiscal Note on CSHB 85 (TRA) - Education
3. Minutes, House Transportation Committee, 2/7/91
4. Transportation Committee Report - 2/7/91
5. Outline for HB 85 and support letters - Transportation Committee
6. NEA - Alaska letter of support to HESS Committee
7. HB 85

Note: Anchorage requested that they be grandfathered in because they have 50 buses with roof strobes in the center of the bus. They are to be phased out. Transportation Minutes, p. 2, Rep. Hudson moved that staff draft an amendment that would grandfather in those school buses that have roof strobe lights - at page 1, line 10 -- so adopted.

CSHB 85 (TRA), page 1, line 10, is identical to HB 85 -- THE REQUESTED REVISION IS AT PAGE 2, LINE 13.

**ALASKA STATE LEGISLATURE**  
**REPRESENTATIVE MIKE NAVARRE**

Co-Chair  
House Finance Committee  
P.O. Box V  
Juneau, Alaska 99811  
(907) 465-3779

**MEMORANDUM**

February 24, 1991

**TO: Representative Pat Carney, Co-Chairman, HESS Committee**  
**Representative Georgianna, Co-Chairman, HESS Committee**

**FROM: Representative Mike Navarre**

**SUBJECT: House Bill 85, "An Act relating to strobe light equipment on a school bus; and providing for an effective date."**

.....

House Bill 85 addresses a long overdue safety issue involving school buses. This legislation will mandate the installation of two flashing strobes on the stop arm and a white strobe at least six feet from the rear of the bus. The visibility afforded by these equipment additions will without question offer a greater measure of safety for the school children of Alaska.

HB 85 provides funding for the initial installation of the required strobes. The Department of Education will require proper documentation from the school districts for reimbursement. Minimum standards will be adopted by the Department of Education. Deadline for completion of the installation of the safety strobes would be November 1, 1991. In conversations with some of the larger districts this deadline appears to be workable.

The number of buses in Alaska is approximately 700. Some districts have some of the required equipment and some have none of the safety strobes. The newly revised fiscal note is \$ 173,700.00.

Letters of support are attached to this memorandum. There are no known opponents to providing school students a safer means to get to school.

Contact person: Tom Ackerly at 3779/ Capitoi 515

DISTRICT 5

34824 K-Beach Road • Soldotna, Alaska 99669 • (907) 262-7842



PRINTED ON RECYCLED PAPER

FISCAL NOTE

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

BILL NO. HB85

Revision Date: 2/21/91 Department Affected: Education

Title: Equipment required on a school bus BRU: K-12 Support

Component: Pupil Transportation

Sponsor: Navarre

Requestor: House Transportation

COMPONENT SERIAL NO. 

1	4	1
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS. CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	173.7	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	173.7	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)  
See attached

Prepared By: Romayne Kareen Phone: 465-2865

Division: Education Finance & Support Date: 2/21/91

Approved by Commissioner: Steve Hole, Acting Commissioner

Agency: Education Date: 2/21/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Revision Date: 2/21/91

This fiscal note is updated to reflect revised estimates provided to the department by school districts for the number of Stop Arm Strobes needed under HB85.

Roof Mount Strobes:

630 buses X \$175 = \$110,250

Stop Arm Strobes:

423 buses X \$150 = \$63,450

Total estimated FY92 cost: \$173,700

MINUTES, HOUSE TRANSPORTATION COMMITTEE, 02/07/91

CHAIRMAN FOSTER ANNOUNCED THAT HB 85 WOULD BE THE FIRST BILL TAKEN UP BY THE COMMITTEE. HE REQUESTED THE SPONSOR MAKE A PRESENTATION.

REPRESENTATIVE NAVARRE OUTLINED THE PURPOSE OF HB 85. HE STATED THAT THE BILL MANDATES THE INSTALLATION OF STROBE LIGHTS ON SCHOOL BUSES. TWO RED STROBES WOULD BE REQUIRED ON THE STOP ARM, AND ONE WHITE STROBE WOULD NEED TO BE ATTACHED TO THE ROOF OF EACH BUS. THE SPONSOR EXPLAINED THE SAFETY BENEFITS ASSOCIATED WITH A HIGHLY VISIBLE LIGHTING SYSTEM. HE INFORMED MEMBERS THAT ALL MODIFICATIONS WOULD HAVE TO BE COMPLETED BY NOVEMBER 1, 1991. LETTERS OF SUPPORT BY THE ANCHORAGE SCHOOL DISTRICT, THE FAIRBANKS SCHOOL DISTRICT, ALASKA SCHOOL BUS SAFETY COMMITTEE AND THE NATIONAL EDUCATION ASSOCIATION (NEA) WERE REFERRED TO BY REPRESENTATIVE NAVARRE.

THE SPONSOR BELIEVES THAT THE \$168,000 COST ASSOCIATED WITH IMPLEMENTING THESE REQUIREMENTS SHOULD BE BORNE BY THE STATE. A FISCAL NOTE PREPARED BY THE DEPARTMENT OF EDUCATION (DOE) ESTIMATES THAT 630 SCHOOL BUSES WOULD REQUIRE ROOF MOUNT STROBES AND 385 BUSES WOULD REQUIRE INSTALLATION OF STOP ARM STROBES.

CHAIRMAN FOSTER NOTED THE ARRIVAL OF REP. HUDSON AT 8:36 A.M.

TWO AMENDMENTS WERE OFFERED BY REPRESENTATIVE NAVARRE. PAGE 1, LINE 1, FOLLOWING "TO" INSERT THE WORDS "STROBE LIGHT."

THE SECOND AMENDMENT WAS THEN EXPLAINED BY THE SPONSOR. HE INFORMED THE COMMITTEE THAT HB 85 SPECIFICALLY REQUIRES A WHITE STROBE LIGHT BE ATTACHED TO THE ROOF OF EACH BUS NOT MORE THAN SIX FEET FROM THE REAR. ANCHORAGE SCHOOL DISTRICT HAS ASKED FOR A "GRANDFATHER" CLAUSE TO EXCLUDE SOME OF THEIR CURRENT FLEET OF BUSES FROM THIS REQUIREMENT. APPROXIMATELY 50 OF THEIR BUSES HAVE ROOF STROBES THAT ARE LOCATED IN THE CENTER OF THE BUS. THESE BUSES WOULD BE PHASED OUT AS NEW BUSES ARE PURCHASED.

REP. LEMAN ASKED IF IT IS NECESSARY TO BE SO SPECIFIC IN STATUTE ABOUT THE LOCATION AND REQUIREMENTS OF THE STROBE LIGHTS. HE BELIEVES THE DEPARTMENT HAS THE ABILITY TO DEAL WITH THESE REQUIREMENTS THROUGH REGULATIONS RATHER THAN STATUTE. REP. NAVARRE AGREED WITH REP. LEMAN, HOWEVER HE EMPHASIZED THE TREMENDOUS SAFETY BENEFITS ASSOCIATION WITH THE INSTALLATION OF THESE LIGHTS. THE SPONSOR EXPRESSED HIS DESIRE TO CLEARLY MANDATE THESE REQUIREMENTS IN STATUTE

NUMBER 120

REP. MACKIE COMMUNICATED HIS STRONG SUPPORT FOR THE AMENDMENTS.

REP. PHILLIPS INQUIRED IF THE LIGHTS WERE BEING REQUIRED ON THE STOP ARMS TO BALANCE THINGS OUT. REP. NAVARRE INFORMED HER THEY WERE. SHE THEN EXPRESSED STRONG SUPPORT FOR HB 85.

REP. HUDSON ASKED IF THE FISCAL NOTE WAS AN ESTIMATE OR IF IT WAS BASED ON A PER CAPITA AMOUNT. REP. NAVARRE REPLIED THAT IT WAS AN ESTIMATE BASED ON THE NUMBER OF BUSES AND THE COST PER BUS.

NUMBER 160

REP. KUBINA MADE THE MOTION TO INSERT THE WORDS "STROBE LIGHT" AFTER "TO" ON PAGE 1, LINE 1. HEARING NO OBJECTIONS THE MOTION PASSED.

DISCUSSION THEN TOOK PLACE REGARDING THE WORDING FOR THE SECOND AMENDMENT. REP. HUDSON MOVED THAT HOUSE TRANSPORTATION COMMITTEE STAFF DRAFT AN AMENDMENT THAT WOULD GRANDFATHER IN THOSE SCHOOL BUSES THAT ALREADY HAVE ROOF STROBE LIGHTS. HUDSON STATED THAT THIS AMENDMENT SHOULD COMMENCE ON PAGE 1, LINE 10, AND SHOULD BE A TECHNICAL AMENDMENT. CHAIRMAN FOSTER ASKED IF ANY MEMBERS OBJECTED TO THE MOTION TO ADOPTED A TECHNICAL AMENDMENT ON PAGE 1, LINE 10. HEARING NO OBJECTIONS, IT WAS SO ORDERED.

REP. HUDSON MOVED HB 85, AS AMENDED, OUT WITH INDIVIDUAL RECOMMENDATIONS. HEARING NO OBJECTIONS, HB 85 AMENDED MOVED FROM THE HOUSE TRANSPORTATION COMMITTEE.

## OUTLINE FOR HB 85

TRANSPORTATION COMMITTEE, REPRESENTATIVE FOSTER, PRESIDING

### I. Purpose of HB 85

1. To mandate the installation of two red strobes on the stop arm, and one white strobe to the roof of each bus ( not more than 6 feet from the rear of the bus).
2. HB 85 creates a "safety cushion" around the bus, due to the installation of this special and highly visible lighting equipment.
3. Strobes on the roof and the stop arm increase the effectiveness of the "safety cushion" and make the public more aware that children are in the immediate vicinity.
4. All modifications would be completed by November 1, 1991.

### II. Support for HB 85

1. Bob Shefchik, Transportation Coordinator, Fairbanks North Star Borough School District.
2. Steven Kalmes, Director of Transportation, Anchorage School District
3. Thomas F. Hyatt, Alaska School Bus Safety Committee
4. Don Oberg President, NEA-Alaska
5. Kenai Peninsula Borough School District

### III. Anticipated Costs for HB 85

1. A fiscal note is attached to the bill packet. The amount is \$168,000. The State will reimburse for initial installation (with proper documentation to DOE) at the rate of \$175/roof mounted strobes and \$150/stop arm strobes. The initial installation must be completed by November 1, 1991. The estimate was derived from Sahlberg Equipment in Anchorage.

HOUSE COMMITTEE REPORT

(7)

Date Referred: January 30, 1991

FURTHER REFERRALS: Health, Education and Social Services  
Finance

Date of Committee Action: 2/7/91

The TRANSPORTATION Committee considered:

HB 85

HOUSE BILL NO. 85

SCHOOL BUS SAFETY EQUIPMENT

"An Act relating to equipment required on a school bus; and providing for an effective date."

RECOMMENDATIONS:

be replaced with CS HB 85  the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact D.O.E.

fiscal note(s) \_\_\_\_\_

zero fiscal note \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

	Check appropriate column:	Do Not	No Rec	Amend
		Pass		
<u>James M. ...</u>				
<u>Paul Phillips</u>				
<u>Arwen D. Berman</u>				
<u>Eugene Medina</u>				
<u>Bill Hudson</u>				
<u>Richard ...</u>				

Richard ...  
Chairman's Signature



# NEA-ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

**ANCHORAGE REGIONAL OFFICE**

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

**JUNEAU OFFICE**

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

**FAIRBANKS REGIONAL OFFICE**

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

February 1, 1991

Rep. Mike Navarre  
Alaska State Legislature  
P.O. Box V  
Juneau, AK 99811

Dear Rep. Navarre:

NEA-Alaska appreciates and supports your desire to improve school bus safety. It is very important that the safety of our children remain paramount and your legislation appears to meet those needs. If we can be of any assistance please let us know.

Sincerely,

Don Oberg  
President

H B

8 8



OFFICIAL BUSINESS

# Alaska State Legislature

House of Representatives

REPRESENTATIVE  
**RAMONA L. BARNES**  
DISTRICT 14

JAN 31 1991

ANCHORAGE  
2230 PARSON  
ANCHORAGE, ALASKA 99504  
(907) 337-7737  
(907) 561-2036  
BOX V  
JUNEAU, ALASKA 99811  
(907) 465-3438

TO: All House Members

FROM: Representative Ramona Barnes *Ramona L. Barnes*

DATE: January 31, 1991

RE: HB 88 "An Act relating to the forgiveness of scholarship loans; and providing for an effective date."

I have introduced HB 88 relating to the forgiveness of scholarship loans. This bill would foregive the loan for a student who is unable to complete the term because of serving on active duty with as a member of the United States armed forces. This letter is sent to invite you to co-ponsor this legislation.

This issue has come to light as a result of the war in the Persian Gulf. I have received calls from constituents who have children in college who are members of Guard and/or reserve units. Should these units be activated in the middle of a term, these students would loose credits for that term. Similarly, if a student volunteered for active duty in the middle of a term, they would loose their credits for that term. Under current statutes, the loan utilized for that period would still be owed to the state. I believe it would be unjust to require these students to repay these loans when they were required to leave school to serve on active duty. While I do not believe that many students who are in the middle of a term would volunteer for active duty, the possibility does exist and they should be supported and included in the forgiveness provision also.

Diane Behrends of Post Secondary Education office has advised my office that, to date, they have not had anyone in this situation. The language in the bill restricts the forgiveness clause to those students who are "in good standing" to eliminate the possibility of abuse of the intent of the bill.



OFFICIAL BUSINESS

# Alaska State Legislature

House of Representatives

REPRESENTATIVE  
**RAMONA L. BARNES**  
DISTRICT 14

ANCHORAGE  
2230 PAXSON  
ANCHORAGE, ALASKA 99504  
(907) 337-7737  
(907) 561-2036  
BOX V  
JUNEAU, ALASKA 99811  
(907) 465-3436

TO: Representative Geogiana Lincoln, Co-Chair  
Representative Pat Carney, Co-Chair  
House HESS Committee

FROM: Representative Ramona Barnes *Ramona L. Barnes*

DATE: February 22, 1991

RE: HB 88 "An Act relating to the forgiveness of scholarship loans; and providing for an effective date."

Request you schedule hearing for HB 88 as soon as possible.

HB 88 relates to the forgiveness of student loans for members of the armed services who have had to leave school during the middle of a term to serve on active duty as a member of the U.S. Armed Forces.

I do support the Committee Substitute which passed out of the House Special Committee on Military and Veterans Affairs. Also I have been contacted by Post Secondary Education and advised that the Family Loan Program was inadvertently omitted from the bill. I would appreciate this program being incorporated into the bill and will provide a draft amendment for this purpose. Thank you for your consideration.

FISCAL NOTE

No. 1  
 Bill Version: CSHB 88(MLV)  
 (H) Publish Date: 2/13/91

STATE OF ALASKA  
 1991 LEGISLATIVE SESSION

Revision Date: February 13, 1991 Department Affected: Education  
 Title: An Act relating to forgiveness of scholarship loans ~~FAU~~: Alaska Student Loan Corporation/Student Loan Program  
 Component: Loan Program

Sponsor: Representative Barnes

Requestor: Military and Veterans Affairs COMPONENT SERIAL NO. 

0	2	1	8
---	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
* MISCELLANEOUS -LOANS	22.2	22.4	22.7	22.9	23.1	23.4
TOTAL OPERATING						

\*Refers to Loans Budget

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND	22.2	22.4	22.7	22.9	23.1	23.4
FEDERAL FUNDS						
OTHER						
TOTAL	22.2	22.4	22.7	22.9	23.1	23.4

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: General fund appropriation of \$22.2 to cover forgiven loans.

ANALYSIS: (Attach a separate page if necessary.) Currently only two students from the University of Alaska's main campuses, representing the bill's intended population, have filed for the 100% refund due to call-up to active duty. 35% of all borrowers attended the UA system. Estimate a total of 10 borrowers potentially affected. 10 x \$2,225 (average loan per term with a growth rate of 1%) = \$22.2 necessary funding for FY 92.

Prepared By: Jane Byers Maynard, Executive Director *JPM* Phone: 465-2854

Division: Alaska Commission on Postsecondary Education Date: February 13, 1991

Approved by Commissioner: \_\_\_\_\_ Date: \_\_\_\_\_

Agency: \_\_\_\_\_ Date: \_\_\_\_\_

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

No. 2

Bill Version: CSHB 88(MLV)

(H) Publish Date: 2/13/91

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_ Department Affected: Military & Veterans Affairs

Title: Forgiveness of scholarship loans BRU: \_\_\_\_\_

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

Sponsor: Barnes

Requestor: House DMVA

COMPONENT SERIAL NO. 

--	--	--	--

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0					
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING						

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

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

FUNDING: (Thousands of Dollars)

GENERAL FUND	0					
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact on DMVA

Prepared By: Jeff Morrison, Director Phone: 465-4600

Division: Administrative & Support Services Date: February 12, 1991

Approved by Commissioner: MG Hugh L. Cox III by J Morrison

Agency: Military & Veterans Affairs Date: Feb 12, 1991

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

B  
(5)

HOUSE COMMITTEE REPORT

2-13-91

Date Referred: January 30, 1991

FURTHER REFERRALS: (Health, Education and Social Services Finance)

Date of Committee Action: 2-12-91

The MILITARY AND VETERANS' AFFAIRS Committee considered:

HB 88

HOUSE BILL NO. 88

STUDENT LOAN FORGIVENESS/MILITARY DUTY

"An Act relating to forgiveness of scholarship loans; and providing for an effective date."

RECOMMENDATIONS:

be replaced with CS for HB 88 (MLV)  the same title  a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S):

(Dept)

APPROVES PREVIOUS:

(Dept/Date)

fiscal impact \_\_\_\_\_ Educ.

fiscal note(s) \_\_\_\_\_

zero fiscal note \_\_\_\_\_ Mil & Vet Affairs

zero fiscal note(s) \_\_\_\_\_

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

SIGNING DO PASS:		Check appropriate column:	Do Not Pass	No Rec	Amend
Signature	NAME				
<u>Mike Miller</u>	MILLER				
<u>Greg Gumbert</u>	GUMBERT				
<u>Tom Miller</u>	MILLER				
<u>Clay Davidson</u>	DAVIDSON				

Tom Miller IVAN

Chairman's Signature

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 13, 1991

FURTHER REFERRALS:

Finance

Date of Committee Action: 3/12/91

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 88

HOUSE BILL NO. 88

STUDENT LOAN FORGIVENESS/MILITARY DUTY

"An Act relating to forgiveness of scholarship loans; and providing for an effective date."

RECOMMENDATIONS:

be replaced with GSHB 88 (HES) [ x ] the same title [ ] a new title

[ ] have attached amendments(s)

[ x ] do pass

[ ] do not pass

[ ] no recommendations

[ ] individual recommendations

[ ] additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

[ ] fiscal impact \_\_\_\_\_

[ 4 ] fiscal note(s) \_\_\_\_\_

[ ] zero fiscal note \_\_\_\_\_

[ 4 ] zero fiscal note(s) \_\_\_\_\_

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

	Check appropriate column:	Do Not Pass	No Rec	Amend
Chris Davis				
Mark Harley				
Bettye Davis				
J. C. Bayola				
<del>_____</del>				
<del>_____</del>				

Chairman's Signature

A M E N D M E N T

OFFERED IN THE HOUSE  
TO: CSHB 88(MLV)

Page 1, line 1, after "scholarship":  
Insert "and family education"

Page 1, following line 9:  
Insert a new bill section to read:

"\* Sec. 2. AS 14.43.740(a) is amended to read:

(a) The provisions of AS 14.43.100, 14.43.110, 14.43.115, 14.43.120(a) - (d), (i), (m),  
[AND] (r), and (s), and 14.43.135 apply to a loan made under AS 14.43.710 - 14.43.790."

Renumber the following bill sections accordingly.

CS FOR HOUSE BILL NO. 88 ( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES BARNES, Martin, Mackie, Gonzales, M.A.Miller, Sharp, G.Phillips, Zawacki, Taylor, MacLean, C.Davis

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to forgiveness of scholarship and family education loans; and providing  
2 for an effective date."

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

4 \* Section 1: AS 14.43.120 is amended by adding new subsections to read:

5 (s) A portion of a loan shall be forgiven by the state if, after being enrolled in the course  
6 of study for which the loan was granted, the borrower is a student in good standing and is unable  
7 to complete the school term as a result of serving on active duty as a member of the armed  
8 forces of the United States. The portion of the loan that shall be forgiven by the state is equal  
9 to the amount borrowed by the student for the school term in which the borrower's studies are  
10 terminated.

11 (t) Forgiveness under (s) of this section is subject to appropriation by the legislature.  
12 Money obtained from the sale of bonds by the Student Loan Corporation under AS 14.42.220  
13 may not be appropriated for the forgiveness of loans.

14 \* Sec. 2. AS 14.43.740(a) is amended to read:

# Higher Education & National Affairs

VOLUME 40, NUMBER 4

American Council on Education

FEBRUARY 25, 1991

## Hearing Focuses on Education's Future Role

Colleges and universities and the federal government must make greater strides in educating students, especially minorities, if the United States is to regain its competitive edge in the world economy, education and business representatives told a Senate subcommittee during a hearing last week.

The hearing, before the Senate Subcommittee on Education, Arts, and Humanities, focused on the reauthorization of the Higher Education Act and the role of institutions in preparing students for the future. Witnesses stressed the need to improve education opportunities for the nation's growing minority population.

College participation rates for minorities and poor students remain far behind those of white students, American Council on Education Senior Scholar Reginald Wilson told the panel.

"Demographic studies indicate that ... shortly after the year 2000, minorities will comprise one-third of the American population and nearly 40 percent of the students in public school," Wilson said. "Unless our institutions adapt to the new reality that those we call 'non-traditional' students will be the norm for the foreseeable future, we will not only inefficiently expend our educational resources but we will leave large segments of our rapidly changing population poorly educated."

Improving educational opportunities for minorities, Wilson said, will require a significant increase in federal student aid grants; support for minority graduate fellowships and scholarships; increased support for historically black colleges and Hispanic and American Indian colleges; funding for college programs that increase minority participation and graduation; demonstration grants for innovative teaching-learning strategies and programs; and funding for exemplary school-to-work and two-year to four-year transition programs.

In addition, the higher education community must recognize and address the needs of the growing number of part-time students, Thomas Ehrlich, president of the Indiana University System, told the Senate panel.

Many undergraduates in the Indiana University System are older students with families, who attend school part time, he said. Part-time students are unable to apply for Pell Grants and cannot get student



Reginald Wilson

CHARLES VOTAW

loan deferrals if they stop taking classes for six months and then resume them, unless they enroll full time, he said. Changes in federal policies are needed, Ehrlich maintained.

*(continued on page 4)*

## Bills Would Require Tuition Refunds to Student Reservists

Legislation mandating that colleges and universities provide tuition refunds and credits to student military reservists called to active duty has been proposed in the House and Senate, although many colleges and universities already have adopted such policies voluntarily.

The Senate Labor and Human Resources Committee last week approved S. 335, under which soldiers serving in the Persian Gulf would not have to begin repaying student loans until the end of the conflict. The bill, introduced by Sen. Edward M. Kennedy (D-MA), also would provide refunds or tuition credits to military personnel forced to withdraw from postsecondary classes because of the war.

Rep. Bill Richardson (D-NM) has introduced a separate bill to ensure that student reservists do not lose college tuition paid before being called to serve in the Middle East. However, more than 600

*(continued on page 4)*

## Ability to Benefit Law Suspended by Ruling

The Education Department has ruled that through June 30, only those students seeking federal financial aid who do not have a high school diploma will be required to pass a test to show that they can benefit from postsecondary education.

The temporary ruling restricts a federal law approved by Congress last year aimed at reducing loan defaults and abuse in federal student aid programs. As enacted, the law requires all students without a diploma or its equivalent to pass an "ability to benefit" test, regardless of whether they seek financial aid. Institutions that failed to comply with the testing law risked losing their student aid eligibility.

Congressional leaders have admitted that the testing requirement was intended only for those seeking and receiving federal financial aid. The provision was approved hastily as part of the 1991 budget and deficit reduction package last year.

Educators across the nation argued that the testing rule infringed on their admissions practices and would prevent some students, especially the poor, minorities, and immigrants, from enrolling in courses necessary for them to improve and develop job skills. Despite complaints, Education Department officials said they had to enforce the testing law as enacted.

However, earlier this month, the department revised the rule to settle lawsuits filed by educators in California and Tennessee. A California federal judge issued a restraining order barring the department from enforcing the rule until June 30. The department then announced that the rule was being revised temporarily

*(continued on page 2)*

## Inside:

- Department clarifies its anti-drug program law. .... 2
- Sheldon Hackney, president of the University of Pennsylvania, discusses campus rape. .... 5
- Study claims student loans are not a burden for graduates. .... 5

# **CORRECTION**

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

CS FOR HOUSE BILL NO. 88 ( )

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY

Offered:

Referred:

Sponsor(s): REPRESENTATIVES BARNES, Martin, Mackie, Gonzales, M.A.Miller, Sharp, G.Phillips, Zawacki, Taylor, MacLean, C.Davis

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to forgiveness of scholarship and family education loans; and providing  
2 for an effective date."

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

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- 2 and (r) - (t) [(r)], and 14.43.135 apply to a loan made under AS 14.43.710 - 14.43.790.
- 3 \* Sec. 3. This Act applies to principal and interest due on a loan entered into on or after July 1, 1990.
- 4 \* Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

# Higher Education & National Affairs

VOLUME 40, NUMBER 4

American Council on Education

FEBRUARY 25, 1991

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Reginald Wilson

CHARLES VOTAW

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*(continued on page 4)*

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## Ability to Benefit Law Suspended by Ruling

The Education Department has ruled that through June 30, only those students seeking federal financial aid who do not have a high school diploma will be required to pass a test to show that they can benefit from postsecondary education.

The temporary ruling restricts a federal law approved by Congress last year aimed at reducing loan defaults and abuse in federal student aid programs. As enacted, the law requires all students without a diploma or its equivalent to pass an "ability to benefit" test, regardless of whether they seek financial aid. Institutions that failed to comply with the testing law risked losing their student aid eligibility.

Congressional leaders have admitted that the testing requirement was intended only for those seeking and receiving federal financial aid. The provision was approved hastily as part of the 1991 budget and deficit reduction package last year.

Educators across the nation argued that the testing rule infringed on their admissions practices and would prevent some students, especially the poor, minorities, and immigrants, from enrolling in courses necessary for them to improve and develop job skills. Despite complaints, Education Department officials said they had to enforce the testing law as enacted.

However, earlier this month, the department revised the rule to settle lawsuits filed by educators in California and Tennessee. A California federal judge issued a restraining order barring the department from enforcing the rule until June 30. The department then announced that the rule was being revised temporarily

*(continued on page 2)*

## Inside:

- Department clarifies its anti-drug program law. . . . . 2
- Sheldon Hackney, president of the University of Pennsylvania, discusses campus rape. . . . . 5
- Study claims student loans are not a burden for graduates. . . . . 5

# Bills Would Require College Tuition Reimbursement

(continued from page 1)

higher education systems and individual institutions report that they already have developed such policies.

Last November, American Council on Education (ACE) President Robert H. Atwell and the heads of five other higher education associations sent a letter to colleges and universities recommending that institutions develop their own policies to prevent the need for a federal law mandating refunds and credits. A federal law likely would fail to take into account the variations among schools and not allow flexibility in policies, stated the letter.

College and university presidents were asked to send copies of their refund and credit policies to ACE so that the associations could demonstrate to Defense Department officials and members of Congress that institutions were complying with the request.

Among the policies received by ACE, most call for 100 percent refunds for all fees and tuition and pro rated refunds for room and board charges. Some policies allow student reservists to withdraw from their classes or to receive a grade of incomplete with the opportunity to finish course work in the future. Others allow a student to receive a grade for a course if a professor determines that enough of the class has been completed before the student is called to active duty.

However, institutions in Texas are unable to develop such policies voluntarily because of a state law prohibiting full refunds if students withdraw after specific time periods, said a researcher for the state's House of Representatives. The bill

states that refunds can be given only to students who drop out of a class within 12 days of its start but remain in school. A percentage of tuition payments is refunded for students who withdraw from institutions within 20 days after the beginning of classes. Earlier this month, the Texas Senate approved a bill allowing tuition refunds for military reservists serving in the Persian Gulf. House members are expected to begin debate on the bill soon.

"We have had an enormous response to our call to voluntarily institute a refund policy," said ACE Vice President and General Counsel Sheldon E. Steinbach. "It appears that a majority of institutions with military reservists have responded and have submitted their policies on tuition refunds. Most policies include provisions similar to those in the Kennedy bill," Steinbach noted.

Under Kennedy's bill, the Gulf War Higher Education and Health Care Shortage Assistance Act, credits would have to be used within one year after the students are released or discharged from the military.

Richardson's bill, H.R. 821, the Persian Gulf Conflict Education Equity Act, calls for a total refund of tuition and fees. Institutions failing to return tuition payments would lose their eligibility to participate in federal financial assistance programs.

In addition, Richardson's bill would restore certain GI Bill education benefits that otherwise would be lost and provide forgiveness for some federal loans. Reservists who qualify for educational ben-

efits under the GI Bill currently receive \$140 per month for up to 36 months to defray educational costs. Those called up to active duty before the end of a semester lose credit for that semester and that number of months of benefits. The bill would allow returning reservists to have their monthly educational benefits fully restored for the unfinished semester.

The bill also would provide a 12.5 percent pro-rata system of Perkins Loan cancellations for those who serve in the combat zone for less than one year. Current law provides 12.5 percent loan reduction only for those who serve for at least one year.

Richardson said estimates show that loan forgiveness would cost the government less than \$1.8 million, but added that it is difficult to estimate cost because there is no data on the number of troops in the Middle East who have Perkins loans.

In introducing the bill earlier this month, Richardson said, "We all know that voluntary compliance does not yield the same results as a federal mandate."

In addition to Atwell, association heads who signed the November letter to college presidents were Allan W. Ostar, the American Association of State Colleges and Universities; Robert M. Rosenzweig, Association of American Universities; Robert L. Clodius, National Association of State Universities and Land-Grant Colleges; Dale Parnell, American Association of Community and Junior Colleges; and Richard F. Rosser, National Association of Independent Colleges and Universities. ■

## Senate HEA Hearing Held

(continued from page 1)

Business leaders who testified at the hearing said that more partnerships between institutions and companies are required to discuss skills students need to enter the workforce. MCI spent about \$8 million on training last year, John Zimmerman, an MCI Communications senior vice president, told subcommittee members.

"More and more young people are being barred from MCI because they lack the basic skills," he said. "We can't afford to let education slip, and I'm afraid we are doing that today."

Zimmerman and other business representatives said high school and college students are graduating without the basic skills needed to secure entry level positions.

Business representatives said students must master more technical and problem-solving skills, and knowledge of foreign languages will be increasingly important in coming years. ■

## Report Traces Trends in Degrees Conferred

While the number of bachelor's degrees awarded to African Americans increased 2.6 percent between 1986-87 and 1988-89, those gains were due solely to awards made to African American women, a survey by the National Center for Education Statistics (NCES) shows. The number of degrees received by African American men declined during the period, from 22,499 to 22,365.

The report, which traces race/ethnicity trends in degrees conferred over a 10-year period, also found that between 1986-87 and 1988-89, the rate of growth in degrees awarded to all women at all levels exceeded the rate of growth for men. Women earned a greater proportion of associate, bachelor's, and master's degrees in 1989, while men earned a greater proportion of both doctoral and first professional degrees, the study indicates.

The report presents data from the Integrated Postsecondary Education Data System (IPEDS) Completions Survey of accredited postsecondary institutions for

the years 1978-79 to 1988-89. The annual survey collects data on major field of study and degrees conferred by level of award.

Other highlights of the study include:

■ The most popular fields of study for recipients of bachelor's degrees in 1988-89 were business and management, social sciences, and education, while master's recipients most often studied education and business and management.

■ The number of both master's and doctoral degrees awarded between 1986-87 and 1988-89 increased. While all ethnicity/racial groups contributed to the growth in master's degree recipients, over half of the growth in doctoral degrees can be attributed to an increase in awards to nonresident aliens.

The report, *Race/Ethnicity Trends in Degrees Conferred by Institutions of Higher Education: 1978-79 through 1988-89*, is available for \$2.50 from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 783-3238. The stock number is 065-000-00133-0. ■

HB

93

Task Force on Mediation  
for the Supreme Court of Alaska


June 8, 1990

Chief Justice Warren W. Matthews  
Alaska Supreme Court  
303 K Street  
Anchorage, Alaska 99501

Dear Chief Justice Matthews:

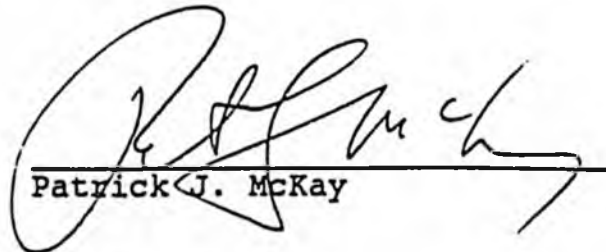
We are pleased to transmit to you the final report of the  
Mediation Task Force.


Sincerely,


  
Honorable Miesje Steinkruger  
Co-Chair

  
Stephanie J. Cole  
Co-Chair

  
Honorable Michael I. Jeffery

  
Patrick J. McKay

  
Marla N. Greenstein

  
Pam Kirk

  
Jepeane Moore

### Executive Summary

In the Alaska Court System's fiscal year 1989 budget appropriation document (May 1988), the Alaska State Legislature inserted the following provision:

It is the legislature's intent that the court system educate judges, attorneys and the public on the potential benefits of mediation. The court system should evaluate and quantify the potential benefits to the consumers as well as the court system of mediation, as an option.

In December 1988, Chief Justice Warren Matthews appointed a Task Force on Mediation, and asked the task force members to focus on the uses, availability and limits of mediation, and to issue a report on the subject to the supreme court. Fairbanks Superior Court Judge Niesje Steinkruger and Deputy Administrative Director Stephanie Cole were designated co-chairs for the task force. Other members were Patrick J. McKay, an attorney in private practice; Pam Kirk, representing the Alaska Dispute Settlement Association; Marla N. Greerstein, an attorney with research administrative experience in alternate dispute resolution programs; Barrow Superior Court Judge Michael I. Jeffery; and Jeneane Moore, serving as task force reporter.

The task force held seven meetings between February 24, 1989 and May 29, 1990. The task force's final report includes the history of mediation in Alaska and current practices within the court system, and makes 10 recommendations to the supreme court:

1. The Alaska Court System should undertake a mediation pilot project.
2. Efforts should be made to provide for a wider distribution of an existing public information pamphlet about mediation, and the Alaska Court System should ask the Alaska Bar Association to form a standing committee on Alternative Dispute Resolution. The Alaska Court System should consider preparing public service announcements about mediation for radio broadcasts in rural Alaska.
- \* 3. The Alaska Court System should seek a statutory change to AS 25.20.090 to ensure the confidentiality of the mediation process.
4. The Alaska Court System should adopt a new court rule allowing for expanded use of mediation.
5. The Alaska Court System should make training about mediation available to judges.

6. The Alaska Court System should encourage judges to utilize mediation settlement techniques.
7. The Alaska Court System should consider imposing a requirement in pretrial orders that attorneys advise their clients of available alternative dispute resolution services.
8. A system should be developed which allows for the provision of mediation services to indigents.
9. The Alaska Court System should support local efforts throughout Alaska to establish and implement mediation and conciliation programs.
10. The Alaska Supreme Court should appoint a standing committee on mediation.

The task force also recommends that the court system ask the Alaska Bar Association to form a standing committee on Alternate Dispute Resolution, consisting of attorney members who are interested in fostering mediation services in Alaska.

The task force recommends that the court system consider preparing public service announcements for radio broadcasts in rural Alaska, suggesting mediation as an alternative to court action.

3. Confidentiality in mediation

Currently, AS 25.20.090 ("Factors for consideration in awarding shared child custody") reads, in pertinent part:

In determining whether to award shared custody of a child the court shall consider....  
(7) any findings and recommendations of a neutral mediator;...

The task force suggests that this statute as currently written endangers the mediation process and runs contrary to the majority view that mediation communications be kept confidential. The majority view also does not envision a mediator making a recommendation about the resolution of a dispute, should mediation be terminated without agreement. The mediator's role is to guide the parties to a mutual decision, and not to impose a decision (even in the form of a recommendation) upon the parties if they cannot reach a decision.

The task force recommends that the court system seek a statutory change which would substitute the term "custody investigator" for the term "neutral mediator." The findings and recommendations of a custody

investigator are more appropriate for the court's consideration.

In the future it may be necessary to adopt statutes to provide specifically for the confidentiality of mediation sessions.

4. Expanded authority for mediation

Currently, references in state statutes to the court's authority to refer cases to mediation are limited to specific types of cases (for example, divorces.) The task force recommends that the supreme court adopt the following court rule, which would enable courts to refer to mediation all types of civil cases when a judge determines that such a referral would be appropriate:

Proposed Civil Rule 10

Mediation

(a) Application. At any time after a complaint is filed, a party may file a motion with the court requesting mediation of the action for the purpose of achieving mutually agreeable settlement. The motion must address how the mediation should be conducted as specified in paragraph (b), including the names of any acceptable mediators. The court may order mediation in response to such a motion, or on its own motion, whenever it determines that mediation may result in a settlement of the action.

(b) Order. A court order of mediation must state:



Alaska Court System  
State of Alaska

OFFICE OF ADMINISTRATIVE DIRECTOR

CHARLES S. CHRISTENSEN III  
Staff Counsel

February 15, 1991

303 K Street  
Anchorage, AK 99501  
(907) 264-8228

The Honorable Georgianna Lincoln  
Co-Chairman, House HESS Committee  
P.O. Box V  
Juneau, Alaska 99811

Dear Representative Lincoln:

I am writing to request that the HESS Committee schedule a hearing on House Bill 93, relating to the factors for consideration in awarding shared child custody, at its earliest convenience. This bill was introduced at the request of the Alaska Court System.

In December, 1988, Chief Justice Warren Matthews created the Task Force on Mediation in response to an instruction from the Fifteenth Legislature. The purpose of the task force was to evaluate the potential benefits of mediation to consumers and to the court system. In its report, issued in June, 1990, the task force recommended the statutory change contained in HB 93.

Currently, AS 25.20.090 reads in pertinent part:

In determining whether to award shared custody of a child the court shall consider

. . . .

(7) any findings and recommendations of a neutral mediator;

. . . .

After study, the task force concluded that this statute as currently written endangers the mediation process and runs

*Court System correspondence*

The Honorable Pat Carney  
February 15, 1991  
Page 2

contrary to the majority view that mediation communications be kept confidential. The majority view also does not envision a mediator making a recommendation about the resolution of a dispute, should mediation be terminated without agreement. The mediator's role is to guide the parties to a mutual decision, and not to impose a decision (even in the form of a recommendation) upon the parties if they cannot reach a decision.

To correct this problem, HB 93 would substitute the term "custody investigator appointed by the court" for the term "neutral mediator." The court system currently employs custody investigators who are appointed in specific cases to assist the court in obtaining the facts needed to make custody decisions. The findings and recommendations of a custody investigator are more appropriate for a court's consideration than are the findings of a neutral mediator.

Thank you for your courtesy. Please contact me if you have any questions or comments concerning this legislation.

Very truly yours,



C. S. Christensen III  
Staff Counsel

CSC:bh

TO: PATTI BEARDMAN;  
HOUSE HESS COMM.

PLEASE DISTRIBUTE  
TO COMMITTEE MEMBERS



February 18, 1991

THANKS,  
STEVE  
STRUBE

Representative Georgianna Lincoln, Co-Chair  
House HESS Committee  
PO Box V  
Juneau, Ak. 99811

Re: House Bill 93

Dear Representative Lincoln,

The purpose of this letter is to inform you that we are strongly opposed to House Bill 93: An act relating to the factors to be considered when awarding shared child custody.

As the law now stands both parties can utilize the services of a neutral mediator to make recommendations to the court regarding if shared child custody is in the best interest of the child(ren), or the court may appoint the Custody Investigator's Office to make the recommendation.

This bill would eliminate the option for parents to use a neutral mediator, and would require the Custody Investigator's Office to handle all cases.

We believe it would be a serious mistake to require judges and parents to use only the custody investigators that work for the court system because they are not accountable for their decisions, are biased against fathers, and carry out their investigations in secrecy without either party having the option to record the interviews or to rebutt allegations made by the investigators.

On the other hand, neutral mediators in private practice are held accountable for their work, and if they are biased the public simply stops using them and finds one with a good reputation for objectivity.

The Custody Investigator's Office must be moved out of the secrecy of the court system before they are given any additional power over families and children in Alaska. This fact is stated clearly in testimony taken by the Senate Family Law Review Task Force. We would be happy to provide that information to you upon request.

We appreciate the opportunity to offer input on this important issue, and we recommend that this bill be tabled. It is bad public policy.

Sincerely,

*Steven P. Strube*  
Steven P. Strube, President of P.O. Box 521155, Big Lake, AK 99652

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*****
*
* DELIVER TO: LHSCHES
*
* ORIGINAL
* SENT: 03/08/91 TIME: 09:51
* FROM: LIOCROG
* SUBJECT: 91-03-030,FS,CUSTODY,3/8
* PRINT DATE: 03/08/91 TIME: 09:51
*
*****

```

SUBJECT LINE TO READ: TC NO.; PL FS;SHORT SUBJECT;DATE

```

T/C NO: 91-03-030
DATE: 3/8
SPONSOR: H HESS
SUBJECT: CHILD CUSTODY
MODERATOR: JUDY
SITE: ANCHORAGE

```

FINAL STATISTICS

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*****
TO TESTIFY
NAMES/REPRESENTING ADDRESS PHONE BILL NO.
1. JIM COLVER POB 10040 99510 561-7669/745-8474 HB 93
2.
3.

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*****
TO OBSERVE:
NAME/ REPRESENTING ADDRESS PHONE BILL NO.
1.
*****

```

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TESTIFIED: 1
UNABLE: 0
OBSERVED: 0
TOTAL: 1

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START TIME: 8:30 END TIME: 9:15

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*
* DELIVER TO: LHSCHE$
*
* ORIGINAL
* SENT: 03/08/91 TIME: 09:50
* FROM: LTCCKTN
* SUBJECT: 91-03-030;FS;CHILD CUSTDY;3-8
* PRINT DATE: 03/08/91 TIME: 09:50
*
*****

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```

T/C NO: 91-03-030
DATE: MARCH 8, 1991
SPONSOR: HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES
SUBJECT: HB 93, CHILD CUSTODY INVESTIGATORS
MODERATOR: JUNE ROBBINS
SITE: KETCHIKAN

```

FINAL STATS

\*\*\*\*\*

OBSERVED

NAME/RERESENTING	ADDRESS	PHONE	BILL NO.
1. J. PATRICK TANNER,	3250 DENALI 1, KTN	225-0416	HB 93

\*\*\*\*\*

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TESTIFIED: 0
UNABLE: 0
OBSERVED: 1
TOTAL: 1

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START TIME: 9:05 AM

END TIME: 9:15 AM

\*\*\*\*\*  
\*  
\* DELIVER TO: LHSCHES \*  
\*  
\* ORIGINAL \*  
\* SENT: 03/08/91 TIME: 10:01 \*  
\* FROM: LTCCSOL \*  
\* SUBJECT: 91-03-030;FS-HB93;3-8 \*  
\* PRINT DATE: 03/08/91 TIME: 10:02 \*  
\*  
\*\*\*\*\*

SUBJECT LINE TO READ: TC NO.;SHORT SUBJECT;DATE

T/C NO: 91-03-030  
DATE: 3-8-91  
SPONSOR: HOUSE HESS  
SUBJECT: HB93 CHILD CUSTODY INVESTIGATORS  
MODERATOR: ALYSON  
SITE: SOLDOTNA

FINAL STATS

\*\*\*\*\*  
WE HAD NO PARTICIPANTS AND DID NOT DIAL INTO THE TELECONFERENCE

\*\*\*\*\*

\*\*\*\*\*  
\*  
\* DELIVER TO: LHSCHES \*  
\*  
\* ORIGINAL \*  
\* SENT: 03/07/91 TIME: 10:08 \*  
\* FROM: LTCCSOL \*  
\* SUBJECT: 91-03-012:FS-HB50,93,136;3-7 \*  
\* PRINT DATE: 03/07/91 TIME: 10:08 \*  
\*  
\*\*\*\*\*

SUBJECT LINE TO READ: TC NO.,SHORT SUBJECT,DATE

T/C NO: 91-03-012  
DATE: 3-7-91  
SPONSOR: HOUSE HEALTH EDUCATION AND SOCIAL SERVICES  
SUBJECT: HB50,93,136  
MODERATOR: ALYSON  
SITE: SOLDOTNA

FINAL STATS

\*\*\*\*\*  
WE HAD NO PARTICIPANTS AND DID NOT DIAL INTO THE TELECONFERENCE  
\*\*\*\*\*

\*\*\*\*\*

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*****
*
* DELIVER TO: LHSCHES
*
* ORIGINAL
* SENT:          03/07/91  TIME: 10:26
* FROM:          LIOCMIL
* SUBJECT:       91-03-012;FS;CHILD;3/7
* PRINT DATE:   03/07/91  TIME: 10:26
*
*****

```

SUBJECT LINE TO READ: TC NO.; FL FS;SHORT SUBJECT;DATE

```

T/C NO:          91-03-012
DATE:            3/7
SPONSOR:         H HESS
SUBJECT:         CHILDREN'S TRUST
MODERATOR:       JUDY
SITE:            ANCHORAGE

```

FINAL STATISTICS

```

*****
TO TESTIFY
NAMES/REPRESENTING      ADDRESS                PHONE          BILL NO.
1. PAT WILLIAMS/CHILD  ADVOCACY NETWORK      HB 50
2. RICHARD HERMOSILLO  HB 93/136
*****

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TO OBSERVE:
NAME/ REPRESENTING      ADDRESS                PHONE          BILL NO.
1. SUE MILES            FOB 772196 ER         696-0604      50,93,136
*****

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TESTIFIED:  2
UNABLE:     0
OBSERVED:   1
TOTAL:      3

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START TIME: 8:30 END TIME: 10:00

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* DELIVER TO: LHSCHES
*
* ORIGINAL
* SENT: 03/07/91 TIME: 10:50
* FROM: LTCCMAT
* SUBJECT: 012 FS HHESS FAM 3/7/91
* PRINT DATE: 03/07/91 TIME: 10:50
*
*****

```

SUBJECT LINE TO READ: TC NO,; PL/FS;SHORT SUBJECT;DATE

```

T/C NO: 91-03-012
DATE: 3/7/91
SPONSOR: H HESS
SUBJECT: HOUSE BILLS 50, 93, AND 136-FAMILY
MODERATOR: MARY
SITE: MAT-SU LIO

```

FINAL STATS

\*\*\*\*\*

TESTIFIED:

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
-------------------	---------	-------	----------

1 EMIL PORTSCHELLER JR NATIONAL-CENTER-FOR-FAMILIES-AND-CHILDREN	POB 1645	PALMER	99645 746-3011
2 JIM COLVER	POB 427	PALMER	99645 745-8474

3

\*\*\*\*\*

OBSERVED

NAME/REPRESENTING	ADDRESS	PHONE	BILL NO.
-------------------	---------	-------	----------

1

2

\*\*\*\*\*

TESTIFIED: 2

UNABLE:

OBSERVED:

TOTAL: 2

START TIME: 8:30 AM

END TIME: 10

HOUSE COMMITTEE REPORT

(7)  
Date Referred: February 1, 1991

FURTHER REFERRALS:

Judiciary

Date of Committee Action: 3-8-91

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 93

HOUSE BILL NO. 93

CHILD CUSTODY INVESTIGATORS

"An Act relating to the factors to be considered when awarding shared child custody."

RECOMMENDATIONS:

be replaced with CS HB93 (HES)  the same title  
 a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept) \_\_\_\_\_

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

fiscal impact \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note AK Court System

zero fiscal note(s) \_\_\_\_\_

SIGNING DO PASS:

SIGNING OTHER RECOMMENDATIONS:

	Check appropriate column:	Do Not Pass	No Rec	Amend
<del>_____ (CARNEY)</del>				
<del>Betty Davis</del>	<u>J. G. Gonzalez</u> (GONZALES)		<input checked="" type="checkbox"/>	
	<u>Mark Hanley</u> (HANLEY)		<input checked="" type="checkbox"/>	
<u>Cheri Davis</u>	<u>Mary Miller</u>		<input checked="" type="checkbox"/>	

\_\_\_\_\_ (LINCOLN)  
CO-Chairman's Signature

# HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

DATE 3/8/91

JOINT \_\_\_\_\_

TAPE # 20

JOINT \_\_\_\_\_

TIME CALLED TO ORDER 8:34 am/pm

TIME ADJOURNED 9:25AM

ROLL CALL:	PRES	ABST	TIME ARRVD	JOINT MEMBERS PRESENT:
Rep. Patrick Carney	✓			
Rep. Georgiana Lincoln	✓			
Rep. Bettye Davis	✓	X		<u>late 8:44 AM</u>
Rep. Cheri Davis	✓			
Rep. John Gonzales	✓			
Rep. Mark Hanley	✓			<u>late 8:36am</u>
Rep. Mary Miller	✓			

AGENDA: Continuation of bills previously heard.

BILL NO.	SHORT TITLE	ACTION TAKEN
<u>HB93</u>	<u>Child Custody Investigators</u>	<u>MOVED CSNB93(HES)-DOPSS</u>

OTHER:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SPECIAL ANNOUNCEMENTS: Teleconference w/ Anchorage

# HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

DATE 3/7/91

JOINT \_\_\_\_\_

TAPE # 18

JOINT \_\_\_\_\_

TIME CALLED TO ORDER 8:35 (am/pm)

TIME ADJOURNED 10:05 A.M.

ROLL CALL:	PRES	ABST	TIME ARRVD	JOINT MEMBERS PRESENT:
Rep. Patrick Carney	✓	_____	_____	_____
Rep. Georgiana Lincoln	✓	_____	_____	_____
Rep. Bettye Davis	✓	_____	_____	_____
Rep. Cheri Davis	✓	_____	_____	_____
Rep. John Gonzales	✓	_____	_____	_____
Rep. Mark Hanley	✓	_____	_____	late @ 8:38 AM
Rep. Mary Miller	✓	_____	_____	late @ 8:37 AM

**AGENDA:**

BILL NO.	SHORT TITLE	ACTION TAKEN
*HB 50①	Approp.: Children's Trust Fund	Passed w/ ind. recommendations
*HB 93③	Child Custody Investigators	Need to be heard Fri Mar 8 <sup>th</sup>
*HB 136②	Misc. Divorce and Custody Laws	Passed w/ ind. recommendations
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**OTHER:**

Rep. Fran Ulmer

SPECIAL ANNOUNCEMENTS: Teleconference bet. Juneau, Anch,  
Medan. Soldotna + Chicago

7-LS0563NG ✓  
Lauterbach  
3/6/91

**CS FOR HOUSE BILL NO. 93 (HES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**SEVENTEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

**Offered:**

**Referred:**

**Sponsor(s): HOUSE JUDICIARY COMMITTEE BY REQUEST**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act eliminating a requirement that a court consider the findings and recommendations  
2 of a neutral mediator when awarding shared child custody."

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

4 \* Section 1. AS 25.20.090 is amended to read:

5 Sec. 25.20.090. FACTORS FOR CONSIDERATION IN AWARDING SHARED CHILD

6 CUSTODY. In determining whether to award shared custody of a child, the court shall consider

7 (1) the child's preference if the child is of sufficient age and capacity to form a  
8 preference;

9 (2) the needs of the child;

10 (3) the stability of the home environment likely to be offered by each parent;

11 (4) the education of the child;

12 (5) the advantages of keeping the child in the community where the child  
13 presently resides;

14 (6) the optimal time for the child to spend with each parent considering

- 1 (A) the actual time spent with each parent;
- 2 (B) the proximity of each parent to the other and to the school in which
- 3 the child is enrolled;
- 4 (C) the feasibility of travel between the parents;
- 5 (D) special needs unique to the child that may be better met by one parent
- 6 than the other;
- 7 (E) which parent is more likely to encourage frequent and continuing
- 8 contact with the other parent;
- 9 (7) [ANY FINDINGS AND RECOMMENDATIONS OF A NEUTRAL
- 10 MEDIATOR;
- 11 (8)] any evidence of domestic violence, child abuse, or child neglect in the
- 12 proposed custodial household or a history of violence between the parents;
- 13 (8) [(9)] evidence that substance abuse by either parent or other members of the
- 14 household directly affects the emotional or physical well-being of the child;
- 15 (9) [(10)] other factors the court considers pertinent.

FISCAL NOTE

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

Bill No. HB 93

Revision Date: \_\_\_\_\_ Department Affected: Alaska Court System  
 Title: An Act relating to factors to be BRU: Trial Courts  
considered when awarding shared child custody Components: \_\_\_\_\_  
 Sponsor: By Judiciary Committee by request  
 Requestor: HESS COMPONENT SERIAL NO. 

000   000	000   768
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel  Phone: 264-8228  
 Division: Alaska Court System Date: 03/04/91

Approved by: Arthur H. Snowden, II, Administrative Director  Date: 03/04/91  
 Agency: Alaska Court System

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).



**Alaska State Legislature**  
**House of Representatives**  
 COMMITTEE ON HEALTH, EDUCATION  
 AND SOCIAL SERVICES

DATE: March 7, 1991

PLACE: Capitol Room 106

SUBJECT OF MEETING:

\*HB 93 CHILD CUSTODY INVESTIGATORS

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
<i>[Faint handwritten name]</i>	<i>[Faint handwritten representing]</i>	<i>[Faint handwritten address]</i>	<i>[Faint handwritten zip]</i>		<i>264-8228</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>[Faint handwritten subject]</i>
<i>MARIE GORE</i>	<i>Womens LOBBY</i>	<i>F. Bondaisg</i>	<i>JWO</i>	<i>99802</i>	<i>463-6744</i>	<input type="checkbox"/>	<input type="checkbox"/>	<i>HB 93 - will testify IF NECESSARY</i>
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	
						<input type="checkbox"/>	<input type="checkbox"/>	



**Alaska State Legislature**  
**House of Representatives**  
 COMMITTEE ON HEALTH, EDUCATION  
 AND SOCIAL SERVICES

DATE: March 8, 1991

PLACE: Capitol Room 106

SUBJECT OF MEETING:  
 \*HB93 Child Custody Investigators  
 CONTINUATION OF BILLS PREVIOUSLY HEARD

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
<i>Chris</i> C. S. CHRISTENSEN STAFF COUNSEL	ALASKA COURT SYSTEM	303 K ST. ANCHORAGE	99501		264-5228 463-4773	<input checked="" type="radio"/> Y <input type="radio"/> N	HB 93
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	

HB

96

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  2.            Fiscal Note on HB 96  
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                  (Department of Military and Vet. - Zero)
  3.            Minutes, House Special Committee MLV, 2/13/91
  4.            Position Paper, Department of Military and Veterans Affairs
  5.            Proposed Committee Substitute and explanation from sponsor

CS FOR HOUSE BILL NO. 96 ( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES HUDSON, Ivan, Gruenberg, Barnes, Larson

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to free tuition and fees for dependents of certain state residents involved  
2 in the Persian Gulf crisis or in hostilities in Southeast Asia."

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

4 \* Section 1. AS 14.43.080 is amended to read:

5 Sec. 14.43.080. FREE TUITION AND FEES AT STATE-SUPPORTED  
6 EDUCATIONAL INSTITUTIONS. (a) A [ANY] dependent of a bona fide Alaska resident who  
7 died [,] while serving during the hostilities involving the United States forces in Southeast Asia  
8 or the Persian Gulf or [,] was listed by the United States Department of Defense as a prisoner  
9 of war or missing in action in Southeast Asia or the Persian Gulf may attend any  
10 state-supported educational institution without payment of tuition and fees.

11 (b) In this section,

12 (1) "dependent" means a dependent spouse or child;

13 (2) "resident" means a person who resided in the state for at least one year  
14 immediately before serving in Southeast Asia or the Persian Gulf and who lists the state of

1 Alaska as the home state for purposes of military records.

FISCAL NOTE

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

BILL NO. HB 96

Revision Date: \_\_\_\_\_ Department Affected: Military & Veterans Affairs

Title: Tuition and fees of dependents of BRU: \_\_\_\_\_

Alaskans in Persian Gulf crisis Component: \_\_\_\_\_

Sponsor: Hudson

Requestor: House DMVA COMPONENT SERIAL NO. 

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0					

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact on DMVA

Prepared By: Jeff Morrison, Director Phone: 465-4600

Division: Administrative & Support Services Division Date: February 12, 1991

Approved by Commissioner: MG Hugh L. Cox III *by J Morrison*

Agency: Military & Veterans Affairs Date: Feb. 12, 1991

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).



Brian Rogers  
Vice President for Finance  
(907) 474-7448

University of Alaska  
Fairbanks, Alaska 99778-5280

February 11, 1991

The Honorable Ivan M. Ivan  
Capitol, Room 405  
P. O. Box V  
Juneau, Alaska 99811

RE: Fiscal Note for House Bill 96

Dear Representative Ivan:

Enclosed is a copy of the university's fiscal note for House Bill 96. The university expects zero fiscal impact for the proposed legislation.

If you have any questions about the note, please do not hesitate to contact me or Marsha Hubbard, Director of Statewide Budget at 474-7593.

Sincerely,

A handwritten signature in black ink, appearing to be "BR", written over a circular stamp or seal.

Brian Rogers  
Vice President for Finance

BR:kap

Enclosure

cc: Cheryl Frasca, Division Director for Office of Management & Budget  
Sandy Winnon, Administrative Assistant for Legislative Finance Division  
Representative Hudson  
Representative Gruenberg  
Representative Barnes  
Representative Larson

FISCAL NOTE

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

BILL NO. HB96

Revision Date: \_\_\_\_\_ Department Affected: University of Alaska  
 Title: An Act Relating to Free Tuition and Fees for Dependents of Certain State Residents Involved in the Persian Gulf BRU: ALL  
 Sponsor: Rep. Hudson, Ivan, Gruenberg, Barnes, Larson Component: \_\_\_\_\_  
 Requestor: House Military Affairs COMPONENT SERIAL NO. 

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

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

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: Marsha Hubbard Phone: 474-7593  
 Division: Statewide Budget Office Date: February 11, 1991  
 Approved by Commissioner: Brian Rogers, Vice President for Finance  
 Agency: University of Alaska Date: February 11, 1991

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).



D  
A  
V

*Motto: "If I cannot speak good of my comrade, I will not speak ill of him."*

**DISABLED AMERICAN VETERANS****Anchorage Chapter 1**

HEADQUARTERS  
4040 Mt. View Dr.  
Anchorage, Alaska 99508  
(907) 276-2844 or 276-2846

VETERANS CRISIS CENTER  
(907) 276-2848  
1-800-478-2848

February 11, 1991

Representative Bill Hudson  
Alaska State Legislature  
P.O. Box V  
Juneau, Alaska 99811

Dear Rep. Hudson

Thank you for giving the Disabled American Veterans an opportunity to address your bill on free tuition and fees for dependents of certain state residents involved in the Persian Gulf crisis.


It is the position of the DAV that an Alaskan family who loses a loved one or one that becomes a POW is entitled to all the benefits we as Alaskans can give, and that includes most of all education for their children. The price we as Alaskans have to pay is small compared to the sacrifice men and women of our armed forces make to preserve peace.

HB 96 provides for taking care of these needs and we of the DAV go on record as supporting this legislation. We stand ready to assist you in any way necessary to pass the bill.

We the veterans of Alaska commend you for putting forth this type of legislation that is needed in the situation of the present conflict in the Persian Gulf.

If you have any questions or need further assistance regarding this issue, please do not hesitate to contact me.

Respectfully,

  
Joseph Murdy  
Legislative Affairs Chairman

Resolution No. 91-05

Resolution of Support of H.B. No. 88 and No. 96

WHEREAS, the House of Representatives has introduced HB-88 and 96 forgiveness of scholarship loans; and,

WHEREAS, many students are/were actively attending courses of study; and,

WHEREAS, any student who is unable to complete a course of studies because of condition beyond their control; and,

WHEREAS, any dependent of State residents involved in the S.E. Asia, Grenada, Panama or Persian Gulf crisis is either a P.O.W./M.I.A. may attend any State supported educational institution without payment of tuition and fees; and,

THEFORE BE IT RESOLVED, by the American Legion, Southeast District, that Alaska Legislature adopt bills, H.B. 88 and H.B. 96, and that language include the above concerns.

# Alaska State Legislature



REPRESENTATIVE BILL HUDSON

P.O. BOX V  
Juneau, Alaska  
99811

(907)465-3744 or 4991

February 11, 1991

COMMITTEES:

Transportation  
Resources  
Foreign Trade

FINANCE SUBCOMMITTEES

DOT/PT  
C & RA

Representative Ivan Ivan,  
Chairman - House Special  
Committee on Military Affairs  
Alaska State Legislature  
Juneau, Alaska

Dear Representative Ivan:

On February 12, 1991 the House Special Committee on Military Affairs will be considering HB 96, relating to free tuition and fees for dependents of certain state residents involved in the Persian Gulf crisis or lost in action in Southeast Asia.

This bill seeks to amend Alaska Statute 14.43.080(a). The existing language applies only to those Alaskans listed as missing in action or prisoners of war in the Vietnam War.

The state's revenues have increased significantly because of the rise in oil prices since August 1990.

I feel strongly that if we lose Alaskan soldiers in Operation Desert Storm, we must provide for the education of their dependents.

Respectfully,

  
Bill Hudson

BH:lh





# Alaska State Legislature

REPRESENTATIVE BILL HUDSON

P.O. Box V  
Juneau, Alaska  
99811  
(907)465-3744 or 4991

## COMMITTEES

CHAIR  
House Special Committee  
on Oil & Gas  
MEMBER  
Resources  
Transportation  
International Trade & Tourism

FINANCE SUBCOMMITTEE  
Department of Transportation  
and Public Facilities

## MEMORANDUM

To: Representative Pat Carney  
and  
Representative Georgianna Lincoln  
Co-Chairs - House HESS Committee

From: Bill Hudson *Bill*

Re: Proposed committee substitute for  
HB 96

Date: February 27, 1991

Attached is a proposed committee substitute for the consideration of the HESS committee when you deliberate HB 96 on February 28.

During the hearing on this bill before the House Committee on Military and Veterans Affairs, the question of a bona fide resident was raised. I believe the definition set forth on the work draft solves that issue.

If you have questions, please call me or Landa Holtan at 3744.

BH:Lh

Attachment

