

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
6970 HOUSE JUDICIARY

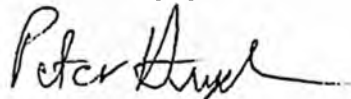
Re: HB 426/SB 376

Page Two

Instead, if the insured requests cancellation, I suggest the wording be changed to 45 days after the insurer has discharged its obligation to notify all interested third parties that the policy is being cancelled.

Thank you for your interest, and

Very truly yours,

A handwritten signature in cursive script, appearing to read "Peter Huycke".

Peter C. Huycke

PCH:jsh

H B

4 26

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 4, 1992

FURTHER REFERRALS:

Date of Committee Action: 3-23-92

The JUDICIARY Committee considered:

HB 426

HOUSE BILL NO. 426 WORKERS' COMP FOR WORK-STUDY STUDENTS

"An Act extending workers' compensation coverage to certain high school students in work-study programs."

RECOMMENDATIONS:

be replaced with CS HB 426 (Judiciary) 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 Administration

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Mark Stenberg</i>	-	<i>Mark Stenberg</i>		X	
<i>John Egan</i>	X	<i>Terry Markes</i>		X	
<i>David Wouley</i>	X	<i>Milly Hill</i>		X	

David Wouley
CHAIRMAN'S SIGNATURE

Alaska State Legislature




House of Representatives
House Judiciary Committee
Chairman Dave Donley

State Capitol
Juneau, Alaska 99801-1182
(907) 465-4990

MEMORANDUM

TO: House Finance Committee

FROM: House Judiciary Committee
by Representative Dave Donley, Chair 
House Judiciary Committee

RE: Fiscal note on CSHB 426 (Jud), extending workers' compensation to certain high school students in uncompensated work-study programs.

DATE: March 26, 1992

The House Judiciary Committee respectfully requests the House Finance Committee to take a careful look at the fiscal note on HB 426 from the Department of Administration, Division of Risk Management.

The committee felt that the note was unduly inflated and required the expert scrutiny of the Finance Committee.

Thank you for your attention to this request.

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 426 (JUD)

Revision Date: _____
 Title: An Act extending workers' compensation coverage to certain high school work-study programs.
 Sponsor: B. Davis, Koponen, Buckman
 Requestor: _____

Department Affected: Administration
 BRU: Risk Management
 Component: _____

COMPONENT SERIAL NO. 0 50 7 1

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	100.0	100.0	100.0	100.0	100.0	100.0
TOTAL OPERATING	100.0	100.0	100.0	100.0	100.0	100.0

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

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	100.0	100.0	100.0	100.0	100.0	100.0
TOTAL	100.0	100.0	100.0	100.0	100.0	100.0

POSITIONS:

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

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.)

See Attached

Prepared by: Donald J. Hitchcock
 Division: Risk Management

Phone: 465-2180
 Date: March 23, 1992

Approved by Commissioner: Nancy Bear Usara
 Agency: Administration

Date: 3/23/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB426 (TID)

ANALYSIS (CONTINUED)

The Division of Risk Management feels HB 426 very seriously affects State workers' compensation exposure for high school students in work-study programs. This would mandate that State workers' compensation protection be provided by the State for every high school student in a non-compensated work-study program. It is our feeling that passage of this bill may provide for a very substantial increase in the numbers of students involved in this program and possibly in more hazardous occupations such as fishing, carpentry, shopwork, etc. Since this bill removes the term "nonprofit" from the present statute, the "for profit" employer may be released from his obligation to provide protection for these students. We feel this may be a disincentive to the "for profit" employers to provide, and insist on, safety and safe work practice for these inexperienced high school age workers.

This fiscal note is difficult to estimate. Presently approximately 10-12% of the State work force is involved in workers compensation claims annually. Average cost per claim is approximately \$2900. Our fiscal note is based on these statistics plus an assumption of 100-200% growth in the program if this bill is passed.

Since the Division of Risk Management's funding is collected through Reimbursable Services Agreements (RSA's) from the agencies, this request would be added to the Department of Education insurance RSA billing from the Division of Risk Management.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

No. 1
Bill Version: HB 426
(H) Publish Date: 3-4-92

Revision Date: _____
Title: An Act extending workers' compensation coverage to certain high school work-study programs.
Sponsor: B. Davis, Koonen, Bruckman
Requestor: _____

Department Affected: Administration
BRU: Risk Management
Component: _____

COMPONENT SERIAL NO.

0	0	7	1
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	250.0	350.0	500.0	500.0	500.0	500.0
TOTAL OPERATING	250.0	350.0	500.0	500.0	500.0	500.0

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

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	250.0	350.0	500.0	500.0	500.0	500.0
TOTAL	250.0	350.0	500.0	500.0	500.0	500.0


POSITIONS:

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

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.)

See Attached

Prepared by: Donald J. Hitchcock 
Division: Risk Management

Phone: 465-2180
Date: February 4, 1992

Approved by Commissioner: Nancy Bear Usura 
Agency: Administration

Date: 3/1/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 426

ANALYSIS: (continued)

The Division of Risk Management feels HB 426 very seriously affects State workers' compensation exposure for high school students in work-study programs. This would mandate that State workers' compensation protection be provided by the State for virtually every high school student in a nonpay work-study program. It is our feeling that passage of this bill may provide for a very substantial increase in the numbers of students involved in this program and possibly in more hazardous occupations such as fishing, carpentry, shopwork, etc. Since this bill removes the term "nonprofit" from the present statute, the "for profit" employer may be released from his obligation to provide protection for these students. We feel this may be a disincentive to the "for profit" employers to provide, and insist on, safety and safe work practice for these inexperienced high school age workers.

The fiscal note is very difficult to estimate, but the additional exposure to the State appears substantial.

Since the Division of Risk Management's funding is collected through Reimbursable Services Agreements (RSAs) from the agencies, this request would be added to the Department of Education insurance RSA billing from the Division of Risk Management.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 426

Revision Date: _____

Department Affected: Education

Title: An Act extending workers' compensation coverage to certain high school work-study programs.

BRU: K-12 Support

Component: Foundation Program

Sponsor: B. Davis, Koponen, Bruckman

Requestor: (H) Labor and Commerce

COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	250.0	350.0	500.0	500.0	500.0	500.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	250.0	350.0	500.0	500.0	500.0	500.0

CAPITAL						
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND	250.0	350.0	500.0	500.0	500.0	500.0
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	250.0	350.0	500.0	500.0	500.0	500.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)
Department of Education costs derived from information and analysis prepared by the Department of Administration in conjunction with the Department of Labor. This amount represents estimated claims incurred on behalf of students participating in work-study programs. It would be a direct pass-through via RSA to the Department of Administration.

Prepared by: Mike Maher

Phone: 465-2800

Division: Commissioner's Office

Date: 3-2-92

Approved by Commissioner: *Mike Maher*

Jerry Covey

Agency: Education

Date: 3-3-92

FISCAL NOTE

No. 3

Bill Version: HB 426

(H) Publish Date: 3-4-92

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO

Revision Date: _____
Title: "An Act extending workers' compensation to certain high school students..."
Sponsor: B. Davis, et al.
Requestor: House Labor & Commerce

Department Affected: Labor
BRU: Workers' Compensation
Component: Workers' Compensation
COMPONENT SERIAL NO. 344

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND&STRUCTURES						
GRANTS.CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

See Attached

Prepared by: Linda Rexwinkel, Director Phone: 465-2790
Division: Workers' Compensation Date: 2/18/92
Approved by Commissioner: John Abshire, Acting Commissioner
Agency: Department of Labor Date: 2/18/92

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

BILL NO: House Bill No. 426

DATE: February 25, 1992

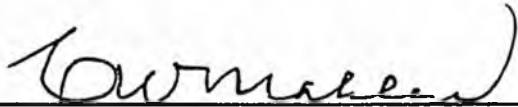
TITLE: "An Act extending workers' compensation coverage to certain high school students in work-study programs."

CONTACT: Arbe Williams
465-2700

House Bill No. 426 would extend workers' compensation coverage provided by the State of Alaska to high school students enrolled in work study programs while the students are performing work for a private employer. Currently only public or private nonprofit employers enjoy the benefit of state financed coverage.

House Bill No. 426 is not expected to impact the Department of Labor's programs.

APPROVED:



Charles W. Mahlen, Commissioner
Department of Labor

POSITION PAPER/Department of Labor

ALASKA STATE LEGISLATURE

Office of Majority Whip

3111 C STREET, SUITE 508
ANCHORAGE AK 99503
(907) 561-2039

PO BOX V
JUNEAU AK 99811
(907) 465-3875/4894



VICE CHAIR
HEALTH, EDUCATION
& SOCIAL SERVICES

COMMUNITY AND
REGIONAL AFFAIRS
INTERNATIONAL TRADE
AND TOURISM

CHAIR
CHILDREN'S CAUCUS

REPRESENTATIVE BETTYE DAVIS
DISTRICT 14 SEAT B • EAST ANCHORAGE • MULDOON

M E M O R A N D U M

TO: REPRESENTATIVE DAVE DONLEY, CHAIR
HOUSE JUDICIARY COMMITTEE

FROM: REPRESENTATIVE BETTYE DAVIS ^{BD}

DATE: MARCH 11, 1991

RE: HB 426

I respectfully request that HB 426, a bill "extending workers' compensation coverage to certain high school student in workstudy programs," be scheduled for hearing before the House Judiciary Committee, at your earliest convenience. I have attached for your review a copy of HB 426 and a sponsor statement.

Your prompt response is appreciated. If you have any questions, please feel free to contact me, or Caren Robinson of my staff, at X3875.



ALASKA STATE LEGISLATURE

Office of Majority Whip

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AND TOURISM

CHAIR
CHILDREN'S CAUCUS

REPRESENTATIVE BETTYE DAVIS

DISTRICT 14 SEAT B • EAST ANCHORAGE • MULDOON

S P O N S O R S T A T E M E N T

I appreciate the committee members hearing HB 426.

Because of the way AS 23.30.237 of the Worker Compensation Act is worded, only students placed in public or private nonprofit sites become employees of the state, and are covered by Workers Compensation benefits.

Under this bill, AS 23.30.237 would be modified by striking NONPROFIT. This change would allow the state Worker Compensation law to cover all students who participate in on-the-job training, not just those who are on public or private nonprofit job sites.

It is important to open the doors for on-the-job training with companies that could train young people in Aviation Maintenance Technology, Automotive Maintenance, Welding, Wild/Fire Management, and Auto/Body.

This is an important educational issue, and this section must be changed if you believe in giving our young people better choice in their career placements.

Thanks.



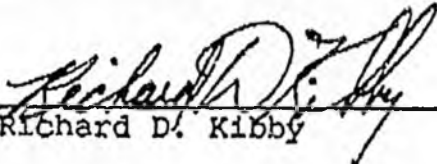
RICHARD D. KIBBY
310 K Street, Suite 404
Anchorage, AK 99501
(907) 277-7488

March 19, 1992

Dear *Rep Donohy*

Your committee is considering HB 426. I urge you to support this bill and quickly move it out of committee.

Very truly yours
RICHARD D. KIBBY
A Attorney at Law


Richard D. Kibby

RDK:kfe

3/6/92

Dear Sir:

I attend school at Service High School, and take Aviation Maintenance at the King Career Center. I also hold a job at F.A.A. Hanger on Intl. Airport Rd. as an OJT Student. I think all students should have this opportunity. In regards to HB 426, I think it would open up opportunities to more students in the Anchorage School District.

Thank you,
Bryson Hilby

88

11/00

DEAR SIR

3-6-92

I support HB 426. I'm
currently a student at King
CAREER center, ANCHORAGE SCHOOL
DISTRICT, and AMIAN OST. STUDENT
ERA AVIATION. I desire this
opportunity for all students.
I feel that HB 426 will MAKE
this educational opportunity
AVAILABLE TO MORE STUDENTS

THANK YOU
Jonas Sorensen

Industrial Indemnity

A Crum and Forster Organization
AEROCX Financial Services Company
Anchorage Division
4341 B Street
Anchorage, Alaska 99503
Mailing address
P O Box 307
Anchorage, Alaska 99510
907) 561-6000

October 7, 1988

Ed Luther
Kenworth Alaska
2838 Porcupine
Anchorage, AK 99501

RE: High School Students as Employees for
Vocational Training

Dear Mr. Luther:

Thank you for contacting me with your concerns about liability for students on work study programs through the Career Center's vocational training program.

Having an unpaid student working on your premises does create a coverage question. Who is liable for compensating the student if they are injured at your facilities? Current laws are vague on this and the courts and the Alaska Workers Compensation Appeals Board have had no need to address this situation as no cases have been brought to them.

That puts us in the position of trying to determine coverage, and although we may not think that there is coverage provided, we do not want to risk the situation. Therefore, as your insurer, we would ask you not to participate in this program as it is currently presented.

I am sorry that we cannot offer more support, as the Career Center program is a great benefit to the community and offers many students the training necessary to begin their technical career path. Can it be restructured so that the state and/or school district will take responsibility for potential injury to the student?

Thank you again for your inquiry and please feel free to call me if you have further questions.

Sincerely,

Edwin R. Grove, III
Premium Audit Manager

ERG:njm

FEB 11 1992

Anchorage School District
King Career Center
Anchorage, Alaska 99508

MEMORANDUM

February 10, 1992

To: Representative Bettye Davis

From: Esther J. Cox, Principal

Subject: HB 426



On-the-job training is an essential element in the education of high school aged students who are interested in furthering their classroom training. An on-the-job training student is enrolled for credit in high school in a course that combines academic/vocational instruction with work experience outside of the school in business. Working with the student and an employer is a job coordinator from the high school. It is the responsibility of this person to assist the employers in developing a training plan for the student that relates to the classroom instruction as well as continue as support for both the student and employer for the duration of the on-the-job training plan. The student earns high school credit but no pay.

On-the-job training provides opportunities for students that cannot be duplicated by the public school. Included with this memo is a copy of job sites of students who are enrolled in Emergency Medical Technology and Health Occupations here at the King Career Center. It becomes apparent immediately that employers are giving of time and effort to assist in training youth. Additional training sites are in demand by programs such as Automotive Maintenance, Welding, Wildland/Fire Management, Auto/Body, Carpentry, and Aviation Maintenance Technology; however, because of the way that Section 1, Section 23.30.237 of the Worker Compensation Act is worded, only students placed in public or private nonprofit sites become employees of the state, thus covered by Worker Compensation. Because the areas listed include an element of risk just by nature of the job being performed, employers will not or are extremely hesitant at best, to place students in those sites.

It is impossible for the public schools to maintain a forward edge in technology. For example, students in Automotive Maintenance learn the basics of the gasoline engines, repair skills, valve train repair, fuel systems, etc., but diagnostic computers are only found in the business world, and if students are prohibited from being placed on OJT sites because there is no Worker Compensation coverage for them, schools are not able to send finely trained personnel into the business world.

The rewording of Section 23.30.237 would strike nonprofit and allow the state Worker Compensation to cover all students who are on on-the-job training not just those who are on public or private nonprofit job sites.

Without this change in the regulation, on-the-job training opportunities for students enrolled in a course that combines work experience outside the school and classroom instruction is limited to job sites that have little or no element of risk. It is easy to place students in offices at word processors; it is nearly impossible to place students with the airline industry in the shops or running equipment on the tarmac. We are working diligently to encourage students into non-traditional roles in the world of work,

and with limitations of job training sites, they have limited access to the role models in those jobs.

This is not a labor issue. It is an educational issue. It is to the benefit of every student enrolled in on-the-job training through his/her high school classes for Section 23.30.237 of the Worker Compensation Act to include both public and private employers.

ANCHORAGE SCHOOL DISTRICT
KING CAREER CENTER
ANCHORAGE, ALAKSA

FEB 1 1 1992

MEMORANDUM

February 11, 1992

TO: Representative Bettye Davis

FROM: Esther J. Cox, Principal *Esther*

SUBJECT: OJT Students and HB426

Bettye, the attached is an example of students from two (2) programs on OJT from the King Career Center just so you can see that extending the classroom into the community really happens when we are not precluded by an insurance problem!

We truly appreciate all your effort in behalf of students and teachers.

	1/27	2/3	2/10	2/17	2/24	3/2	Bk	3/16	3/23	3/30	4/6	4/13	4/20	4/27	5/4	5/11	5/18	5/25	6/1	
Mari Aniway	P - Surgical Ward-----				M. Conrad-			-----												KCC
Zenita Bailey	H - Physical Therapy--				P-Phys.Th			-----												
Bill Fisher																				
Brandi Henninger	H-Pediatrics-----				P-Newborn			-----		P-Day Surg		A-Surgical Ward		A-Recovery Rm.						
Mike Howard	Our Lady of Compassion-----							-----												KCC
Allen Hulse	Our Lady of Compassion-----							-----												
Shanna Lindeman	A - Maternity-----				H - Pods--			-----				H - Surg. Ward		P - Surg. Ward				KCC		
Robert Morrison	H - Respiratory Therapy-----							P - Respiratory Therapy---				OLOC - Respiratory Therapy				KCC	KCC			
Arden Quezon	Our Lady of Compassion-----							-----												
Shanda Rollins	Our Lady of Compassion -----							-----												
Evette Terry	Our Lady of Compassion-----							-----												
Wendy Vogus	Dr. Luther Paine-----							-----												KCC
Cynthuria Walker	P - Physical Therapy				A - PT--			Phys.Th.Cl.		Phys. Ther. Clinic		Phys. Ther. Clinic		Phys. Ther. Clinic				KCC		
Ruth Williams	Our Lady of Compassion - PT---							-----												

A = Alaska Native Medical Center
KCC = King Career Center

C = Community Service Patrol
M. Conrad = Mary Conrad Center

Dispatch = AFD 911 Dispatch Center
P = Providence Hospital

E = Elmendorf Regional Medical Center
H = Humana Hospital
OLOC = Our Lady of Compassion Care Center

	1/27	2/3	2/10	2/17	2/24	3/2	Brk	3/16	3/23	3/30	4/6	4/13	4/20	4/27	5/4	5/11	5/18	5/25	6/1
Paul Bowen	Transcare	E - ER-----	E - EKG----					CSP-----	A - ER----	A - CCU----	Crime	KCC	AFD Medics---						KCC
Lisa Butler-Killan	A-Phrm/PT	Transcare	E - ER----					AFD Medics-----	Crime	KCC	P-Pediatrics	KCC	A-Maternity						
Justin Custard	Srv. Nurse	A - ER-----	CSP-----					Sports Med	P-Pediatrics	KCC	E - ER-----	KCC	P-Radiology	KCC	KCC				
Joi Garrison	P-Thermal	P-Radiology	H - ER-----					Transcare	H - CCU----	AFD Medics-----		KCC	CSP-----						
Bret Hinman	E - ER-----	CSP-----	AFD Medics-					AFD-- E - EKG----	E-Maternity	P-Day Surg	KCC	H - ER----							
Heather Kasprzak	P - ER-----	P-Pediatrics	CSP-----					A-Recovery	KCC	A-Phrm/PT	E-Maternity	KCC	Transcare	KCC	KCC				
Yvette Kiehl	Transcare	P - ER-----	H - CCU----					E-Maternity	H-Pediatrics	Dspch	A-Maternity	KCC	P-Day Surg						
Kim McClendon	A - ER-----	CSP-----	A-Hosp.Adm.					P-Thermal	Transcare	H - ER-----	KCC	KCC	E-Maternity	KCC	KCC				
Jennifer Meyer	H - CCU----	AFD Medics-----	Dspch					H - ER-----	A-Maternity	Trans	CSP-----	KCC	P-Thermal						
Rachel Miller	H - ER-----	H - CCU----	P-Radiology					P-Pediatrics	KCC	P-Day Surg	Transcare	KCC	CSP-----	KCC	KCC				
Ami Palmer	A-Obstets.	A - CCU----	P-Thermal					Trans	P-Radiology	KCC	AFD Medics-----	KCC	E - ER-----						
Stacy Poythress	P-Pediatrics	E-Maternity	A - ER----					P - ER-----	AFD Medics-----	H-Pediatrics	KCC	H - CCU----							
Nicolo Santistevan	E-Maternity	H-Pediatrics	H-Radiology					H - CCU----	P-Thermal	KCC	Transcare	KCC	P - ER----						
Donna Soldato	E - EKG---	Transcare	Sports Med					H-Radiology	E - ER-----	P-Thermal	KCC	KCC	H-Pediatrics						
Melissa Wangen	A - Lab---	A-Obstets	E-Maternity					AFD Medics-----	KCC	CSP	P - ER----	KCC	P-Pediatrics						
James Winter	CSP-----	P-Thermal	A-Radiology					A - ER-----	AFD Medics-----	E - EKG----	KCC	A - CCU----							

A = Alaska Native Medical Center
KCC = King Career Center

C = Community Service Patrol
M.Conrad = Mary Conrad Center

Dispatch = AFD 911 Dispatch Center
P = Providence Hospital

E = Elmendorf Regional Medical Center
H = Humana Hospital
OLOC = Our Lady of Compassion Care Center



**Alaska Sales
and Service**
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1300 E. 5th. Avenue
Anchorage, Alaska 99501
Phone (907) 279-9641
FAX (907) 276-8942

FEBRUARY 18, 1992

REP. BETTY DAVIS
ALASKA STATE LEGISLATURE
ROOM 409
JUNEAU, AK 99811

DEAR MS. DAVIS:

AFTER A BREIF CONVERSATION WITH A ESTER COX, AT KING CAREER CENTER,
IT IS OUR OPINION THE REVISION IN HOUSE BILL 426 SHOULD BE
MANDATED IMMEDIATELY.

PRESENTLY THE WAY THIS BILL IS WRITTEN A PRIVATE FOR PROFIT EMPLOYER,
SUCH AS OURSELVES, CANNOT AFFORD TO TRAIN AN OJT STUDENT AT OUR FACILITY
DUE TO THE WORKMANS COMPENSATION LIABILITY.

SPECIFICALLY, WE AT ALASKA SALES AND SERVICE FEEL TRAINING AN OJT STUDENT
WOULD BE BENEFICIAL WITHIN THE AUTOMOTIVE INDUSTRY. UPON THE STUDENTS
GRADUATION HE/SHE WOULD BE:

1. FAMILIAR WITH THE INNER WORKINGS OF A DEALERSHIP.
2. KNOWLEDGEABLE OF CURRENT TECHNICAL REPAIRS.
3. QUALIFIED TO OPERATE ALL SPECIALIZED STATE OF THE
ART TECHNICAL EQUIPMENT.

ADDITIONALLY, BY REVISING THIS BILL WE FEEL THE SKILLED LABOR FORCE WOULD
BE EXPANDED FOR BOTH THE EMPLOYEE AND EMPLOYER.

IN CLOSING, WE ARE IS FULL SUPPORT OF THIS REVISION. SHOULD YOU REQUIRE
FURTHER INFORMATION OR ASSISTANCE PLEASE FEEL FREE TO CALL ANYTIME.

SINCERELY,

WENDY RADER
CUSTOMER RELATIONS MANAGER



ESTHER COX, PRINCIPAL
RICHARD KRIEGER, ASSISTANT PRINCIPAL

February 10, 1992

Rep Bettye Davis
Alaska State Legislature
P. O. Box V
Juneau, AK 99811

Dear Representative Davis:

I am a vocational counselor and on the job coordinator in the Anchorage School District. I would like to thank you for sponsoring House Bill 426. If this bill is passed it will allow us to place students in training in business's where we are unable to at this time. For example, print shops, welding shops, auto and diesel mechanic shops, electrical contractors and any occupation that is considered hazardous, are areas where the owners are unwilling to take the risk of training students unless they are covered by insurance.

We have been able to place students on the job training in non-hazardous occupations successfully for fifteen years and have not had any problems partly because we have save harmless agreements that the parents and employers sign which places the burden of insurance coverage on the parents, and partly because we have been lucky and have had no accidents thus no test cases. But we could have an accident in any of these "safe" training sites and if the parents decided to sue instead of honoring their responsibility we would probably see an end to the majority of the OJT training sites.

We have had outstanding results with the OJT program resulting in 60% of OJT students hired over a ten year period. If HB 426 were passed the OJT program would be enhanced and provide many more opportunities for students.

Thank you,

Pete Johnson
Vocational Counselor

February 7, 1992

Representative Bettye Davis
Alaska State Legislature
Room 409
Juneau, Alaska 99811

Dear Representative Davis:

I wish to support HB426 in the strongest possible terms. The passage of this bill is critical to vocational training throughout the state.

Private for-profit employees must be protected by Workmens Compensation for students they allow on their premises to train not work. This distinction is very important if this bill is to be passed.

We are talking about a training and learning non-employment relationship. The students are learning or training-they are not employees working.

I have lost excellent vocational learning opportunities for Automotive Maintenance Technology, Aviation, and Welding on the job training (O.J.T.) students. The employers very much wanted to assist me to train students but were afraid of liability problems. Some of the businesses included: Kenworth Alaska, MarkAir Express, Alaska Helicopter, and Allied Construction Services. There have been many more but these are the most recent.

We need to protect these employers who can provide excellent training opportunities for our King Career Center students.

I urge you to do everything possible to help get this important educational opportunity into law.

I will do anything necessary to assist you in this endeavor.

Thank you for your support and leadership on this issue.

Sincerely,



Larry Gordon
Vocational Coordinator
King Career Center

February 6, 1992

Representative Bettye Davis
Alaska State Legislature
Room 409
Juneau, AK 99811

RE: SUPPORT OF HB 426


I am an instructor at the King Career Center in Anchorage, Alaska and am writing this letter of support for the legislative bill HB426. Within my program at the King Career Center, I place students in on-the-job sites with both profit as well as nonprofit businesses.

I have placed the majority of my students with state and federal agencies due to the fact that I can have students covered under "volunteer programs" within each of these agencies. On numerous occasions, I have asked "profit" companies to support OJT programs, but their concern and hesitance has come from concerns of who is responsible for the students welfare at the job site.

If this bill comes to pass, I truly believe it will make available to students many additional training sites by which they can receive hands-on work training skills.

Thank you for your efforts in pass this bill

Sincerely,



Mike Woods
Wiland Management Instructor

BARTLETT HIGH SCHOOL



25-500 N. Muldoon
Anchorage, Alaska 99506
(907) 337-1585

FEB 12 1992

February 5, 1992

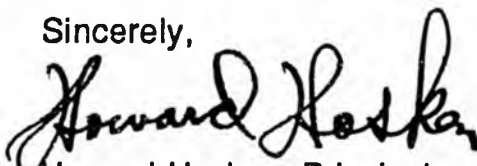
Representative Bettye Davis
Alaska State Legislature
Room 409
Juneau, AK 99811

Dear Representative Davis:

Please extend my support of House Bill 426 to expand opportunities for on-the-job-training programs for students. I do believe the term "non-profit" should be deleted from the wording.

I appreciate your continuing concern and support for the educational system in the State of Alaska.

Sincerely,


Howard Hosken, Principal
Bartlett High School

"FROM THE DESK OF EDDIE BURKE"

DEAR SENATOR OR REPRESENTATIVE,

JAN 31, 1992

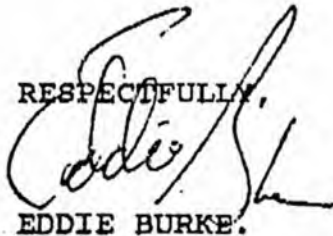
MY NAME IS EDDIE BURKE, I WILL BE IN JUNEAU FEBRUARY 5TH FOR ONE DAY. AS ONE OF YOUR CONSTITUENTS I WOULD LIKE TO HAVE AN OPPORTUNITY TO SPEAK WITH YOU BRIEFLY. THE CONVERSATIONS I WILL DISCUSS WILL BE THE ANCHORAGE CHAMBER OF COMMERCE LEGISLATIVE PRIORITIES. I HOPE YOU WILL BE ABLE TO SEE ME DURING THAT DAY FOR APPROX 15 OR 20 MINUTES.

I WOULD ENCOURAGE YOU TO SUPPORT HB-426 SPONSORED BY REP-BETTY DAVIS. IT GIVES THE ANCHORAGE SCHOOL DISTRICT THE ABILITY TO LET STUDENTS GO TO SERVICE STATIONS AND GARAGES TO OBTAIN O.J.T. FOR AUTOMOTIVE EXPERIENCE. WORKMAN COMP LAWS PROHIBIT THIS FROM HAPPENING IT IS VITAL THAT STUDENTS HAVE THE OPPORTUNITY TO GET THE HANDS ON TRAINING. I WILL BE DISCUSSING THIS FURTHER WITH YOU, ON FEBRUARY 5TH.

I AM LOOKING FORWARD TO MEETING WITH YOU AND DISCUSSING THE ABOVE ISSUES. GOOD LUCK IN THIS SESSION. FEEL FREE TO CALL OR FAX.

PHONE WK-277-7424 FAX 277-9768
HOME-337-0388

RESPECTFULLY,

A handwritten signature in cursive script, appearing to read "Eddie Burke", written over the word "RESPECTFULLY".

EDDIE BURKE.



FEB 05 1992

January 31, 1992

Representative Bettye Davis
Alaska State Legislature
Room 409
Juneau, Alaska 99811

Dear Representative Davis:

I would like to request your support for HB426 which will extend coverage of workers compensation for high school students in on-the-job training in for-profit businesses and companies. In my capacity as the Assistant Principal of the King Career Center in Anchorage for the past five years, I have been aware of several possible on-the-job training (OJT) sites that fell through for our students because employers were unwilling to accept these students without this coverage. We feel that we could expand our outreach for training locations in many areas for our young people if HB426 were made into law. Thank you for your support on this matter.

Sincerely,

Richard Krieger,
Assistant Principal

MARTIN LUTHER KING, JR. CAREER CENTER
ANCHORAGE SCHOOL DISTRICT
2650 E. NORTHERN LIGHTS BLVD. ANCHORAGE, ALASKA 99508-4119 (907) 278-9631

§ 23.30.237

GENERAL PROVISIONS

§ 23.30.240

Sec. 23.30.237. High school students in work-study programs as employees of the state. An individual who is enrolled for credit at a public high school in a course which combines academic instruction with work experience outside the school for a public or private non-profit employer is an employee of the state for the purposes of this chapter while the individual is performing the work experience. Weekly compensation for disability or death under this section may not be less than the initial payment of compensation under AS 23.30.175. (§ 1 ch 65 SLA 1980)

~~**Sec. 23.30.239. Sole proprietors and partners as employees.**~~

(a) A person who is a sole proprietor, or a member of a partnership, may elect coverage as an employee under this chapter by making written application to an insurer. The insurer may accept the application and fix an assumed monthly wage at which the person shall be carried on the payroll for purposes of this chapter.

(b) When the application is accepted, the person is subject to the provisions and entitled to the benefits of this chapter. The person shall promptly notify the insurer whenever there is a change in the status of the person as a sole proprietor or partner.

(c) Notwithstanding the provisions of AS 23.30.120(a), a person covered under (a) of this section bears the burden of proof of the validity of the claim.

(d) A person who has elected coverage under (a) of this section may cancel the election by giving written notice to the insurer. Notwithstanding AS 23.30.030(5), the cancellation becomes effective the day following the filing of notice with the insurer. (§ 2 ch 47 SLA 1986)

~~**Sec. 23.30.240. Officers of corporations, municipal corporations, and nonprofit corporations as employees.**~~ An executive officer elected or appointed and empowered in accordance with the charter and bylaws of a corporation, other than an official of a municipal corporation or a charitable, religious, educational, or other nonprofit corporation, is an employee of the corporation under this chapter. However, an executive officer of a corporation may waive coverage under this chapter, subject to the approval of the commissioner of labor, notwithstanding AS 23.30.245(b). Notwithstanding any other provision of this chapter, an executive officer of a municipal corporation or of a charitable, religious, educational, or other nonprofit corporation may be brought within the coverage of its insurance contract by the corporation by specifically including the officer in the contract of insurance. The election to bring an executive officer within the coverage continues in force for the period the contract of insurance is in effect. During that period an executive officer brought within the coverage of the insurance contract is an employee of the corporation under this chapter. (§ 2(8) ch 193 SLA 1959; am. ch 148 SLA 1962)

Although it is ambiguous, we are considering board members covered while in course & scope.

HB

435

(7) B

HOUSE COMMITTEE REPORT

Date Referred: February 21, 1992

FURTHER REFERRALS:

5-2-92
pls

Date of Committee Action: 4/29/92

The JUDICIARY Committee considered:

HB 435

HOUSE BILL NO. 435

REINSTATED AND SUCCESSOR NATIVE CORP.

"An Act relating to the involuntary dissolution of Native corporations; and providing for an effective date."

RECOMMENDATIONS:

be replaced with as HB 435 (Jud)

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 _____

zero fiscal note(s) Commerce 2/21/92

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
		<u>Dave Donley</u>		<input checked="" type="checkbox"/>	
		<u>Tom Lambert</u>		<input checked="" type="checkbox"/>	
		<u>Mark Rowley</u>		<input checked="" type="checkbox"/>	
		<u>Ferry Martin</u>		<input checked="" type="checkbox"/>	
		<u>Mike Miller</u>		<input checked="" type="checkbox"/>	
		<u>John Ellis</u>		<input checked="" type="checkbox"/>	
		<u>Henry Pat Varnell</u>			<input checked="" type="checkbox"/>

Dave Donley
CHAIRMAN'S SIGNATURE

FISCAL NOTE

No. 1

Bill Version: HB 435

(H) Publish Date: 2/21/92

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Revision Date: _____

Department Affected: Commerce & Econ. Dev.

Title: An Act relating to involuntary dissolution
of Native corporations

BRU: Banking, Securities & Corporations

Sponsor: Representative Foster

Component: _____

Requestor: _____

COMPONENT SERIAL NO.

1	2	3	3
---	---	---	---

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE FUND RESOURCE:	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year Impact: _____

ANALYSIS (Attach a separate page if necessary.)

Prepared By: Willis F. Kirkpatrick, Director

Phone: 465-2521

Division: Banking, Securities & Corporations

Date: _____

Approved by Commissioner: Glenn A. Olds

Agency: Department of Commerce & Economic Development

Date: 2-10-92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., and Impacted Agency(ies).

Page 1 of 1

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 435

Revision Date: _____
 Title: An Act relating to involuntary dissolution
of Native corporations
 Sponsor: Representative Foster
 Requestor: _____

Department Affected: Commerce & Econ. Dev.
 BRU: Banking, Securities & Corporations
 Component: _____

COMPONENT SERIAL NO.

1	2	3	3
---	---	---	---

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

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

REVENUE FUND RESOURCE:	0	0	0	0	0	0
------------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year Impact: _____

ANALYSIS (Attach a separate page if necessary.)

Prepared By: Willis F. Kirkpatrick, Director Phone: 465-2521
 Division: Banking, Securities & Corporations Date: _____
 Approved by Commissioner: Glenn A. Olds *Glenn A. Olds*
 Agency: Department of Commerce & Economic Development Date: 2-10-92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legls. Ofc., and Impacted Agency(ies).
 Page 1 of 1

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

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COMPONENT SERIAL NO.

1	2	3	3
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EXPENDITURES/REVENUES: (Thousands of Dollars)

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PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE FUND RESOURCE:	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: _____

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 Division: Banking, Securities & Corporations Date: _____
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 Agency: Department of Commerce & Economic Development Date: 2-10-92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legls. Ofc., and Impacted Agency(ies).
 Page 1 of 1

Alaska State Legislature

REPRESENTATIVE
RICHARD FOSTER
BOX 1028
NOME, ALASKA 99762



PO. BOX V
JUNEAU, AK 99811
(907) 465-3789

House of Representatives

TO: HOUSE JUDICIARY COMMITTEE
FROM: REPRESENTATIVE RICHARD FOSTER
SUBJECT: HOUSE BILL 435

HB 435 arose from a request for help from the Village of Hamilton. It's Native Corporation, Nunapiglluraq Inc., was involuntarily dissolved in 1989, due to its failure to submit a biennial report. The dissolution was not discovered until the corporation attempted to make a land transaction late last year.

Subsequent enquiries by my office discovered such dissolutions are not uncommon. In fact, at this time in the State of Alaska, 10 corporations have been involuntarily dissolved; 7 corporations have been dissolved but are still within the two year reinstatement period; and 23 are facing dissolution. In all probability, most of these are unaware of the change in status.

The problem appears to be a breakdown in communications. In most cases, corporations have failed to notify the State of changes to management and address. As a result, filing reminders and notices warning of dissolution have failed to reach the correct authorities.

HB435 gives the above mentioned corporations a one year "window" in which to file for reinstatement. They will be required to pay all fees and fines incurred during the lapse.

A similar bill was introduced in 1982. It was adopted as a temporary act. A copy will be provided in the committee packages.

In addition, I have engaged the support of the Alaska Federation of Natives. The Federation will inform all affected corporations of this "window", and assist them with the reinstatement requirements. It will also oversee future corporation filings and keep an updated list of managements.

I hope you will assist me in scheduling HB 435 for hearing as soon as possible.

Alaska State Legislature

REPRESENTATIVE
RICHARD FOSTER
BOX 1028
NOME, ALASKA 99762

P.O. BOX V
JUNEAU, AK 99811
(907) 465-3789



House of Representatives

TO: HOUSE LABOUR & COMMERCE COMMITTEE
FROM: REPRESENTATIVE RICHARD FOSTER
SUBJECT: HOUSE BILL 435

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A similar bill was introduced in 1982. It was adopted as a temporary act. A copy is provided in your packages.

In addition, I have engaged the support of the Alaska Federation of Natives. The Federation will inform all affected corporations of this "window", and assist them with the reinstatement requirements. It will also oversee future corporation filings and keep an updated list of managements.

Present today to testify on the bill's behalf are Michael Monagle of the Division of Banking, Securities and Corporations within the Department of Commerce and Economic Development, and Terri Bannister of Legislative Legal Services. On teleconference from Anchorage are Nunapiglluraq Corporation Attorney, Jerald Reichlin; and Lawrence Kimball of the Alaska Federation of Natives.

Your packages provide a fiscal note and an overview from D.C.E.D. Commissioner, Glenn Olds.

I hope you will support me in voting favorably for HB435.

Alaska State Legislature



REPRESENTATIVE
RICHARD FOSTER
BOX 1028
NOME, ALASKA 99762

PO. BOX V
JUNEAU, AK 99811

(907) 465-3789

House of Representatives

HOUSE BILL 435 TESTIMONY PARTICIPANTS

JUNEAU:

Michael Monagle, *Division of Banking, Securities & Corporations*
Department of Commerce & Economic Development

Terri Bannister, *Division of Legal Services*
Legislative Affairs Agency

ANCHORAGE:

Lawrence Kimball, *Alaska Federation of Natives*

Jerald Reichlin, *Legal Counsel*
Nunapiglluraq Incorporated

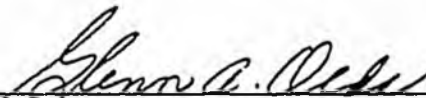
HB 435: An Act relating to the involuntary dissolution of Native corporations; and providing for an effective date.

The Department of Commerce and Economic Development, Division of Banking, Securities and Corporations, has no objection to the proposed legislation.

The department supports this legislation in recognition that corporate status for Native villages and regions is specifically called for in the terms and conditions of the Alaska Native Claims Settlement Act. The department acknowledges the unique inalienability of the ownership of Native Alaskans as shareholders in Native corporations.

The department concurs that corporations affected by HB 435 should pay the appropriate fees that would have been effective had they not allowed themselves to become delinquent, plus any penalties allowable under AS 10.06.633(e).

The department encourages the involvement of the regional corporations and other Native associations, such as the Alaskan Federation of Natives, in assisting the smaller village corporations in meeting their filing requirements.



Glenn A. Olds, Commissioner

Date: 2-10-92

CORRECTION

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

HB 435: An Act relating to the involuntary dissolution of Native corporations; and providing for an effective date.

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Glenn A. Olds, Commissioner

Date: 2.10.92

STATE OF ALASKA

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

DIVISION OF BANKING, SECURITIES AND CORPORATIONS

January 24, 1992

WALTER J. HICKEL, GOVERNOR

P.O. BOX 110907
 JUNEAU, ALASKA 99811-0907
 Banking & Securities: (907) 465-2834
 Corporation Section: (907) 465-2630

ANCHORAGE
 Corporation Information: (907) 563-2161

Post-It [®] brand fax transmittal memo 7671		# of pages	2
To	Martha Stewart	From	Mike Morrill
Co.	Sen Adams Off.	Co.	Corps Section
Dept.		Phone #	2570
Fax #	463-4867	Fax #	3257

Martha Stewart
 Senator Al Adams
 P.O. Box V
 Juneau, AK 99811

Dear Ms. Stewart:

RE: Reinstatement of ANSCA corporations

As conveyed by Larry Carroll, I have reviewed the proposed legislation and have no objections to the bill as drafted. As soon as a final draft is prepared we will prepare a position paper in support of the bill.

We would like to have some commentary entered into record encouraging the AFN and the regional native corporations to take a more active role in assisting the village corporations in meeting their reporting requirements.

The following native corporations would be subject to the proposed bill:

Atxam Corporation-	Involuntarily Dissolved	10/13/89
Tthteet'Aii, Inc.	" "	10/13/89
Nunapiglluraq Corporation	" "	10/13/89
Kugkaktlik, Ltd.	" "	10/13/89
Oscarville Native Corporation	" "	10/13/89
Tulkisarmute, Inc.	" "	10/13/89
Neets'ai Corporation	" "	12/02/81
Venetie Indian Corporation	" "	12/02/81
Kitoi, Inc.	" "	05/20/90
Nunivak Limited	" "	10/13/89

To illustrate the filing problem that the native corporations have, the following is a list of corporations which are either dissolved but within the reinstatement period, or active corporations not currently in compliance.

Newtok Corporation, Inc.	Involuntarily Dissolved	10/14/91
Cully Corporation	" "	10/14/91
Togiak Natives, Ltd.	" "	10/14/91
Twin Hills Native Corporation	" "	10/14/91
White Mountain Native Corp	" "	10/14/91
Ohog Incorporated	" "	10/14/91
The Grouse Creek Corporation	" "	10/14/91

STATE OF ALASKA

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

DIVISION OF BANKING, SECURITIES AND CORPORATIONS

WALTER J. HICKEL, GOVERNOR

P.O. BOX 110807

JUNEAU, ALASKA 99811-0807

Banking & Securities: (907) 465-2534

Corporation Section: (907) 465-2330

ANCHORAGE

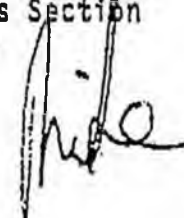
Corporation Information: (907) 583-2161

The following corporations are not dissolved, but they are not in compliance with the statutory reporting requirements. If they become six months delinquent, they too will become involuntarily dissolved.

Corporation Name	Scheduled dissolution date
Belkofski Corporation	08/01/92
Brevig Mission Native Corp	" " " 08/01/92
Chenega Corporation	" " " 08/01/92
Eklutna, Inc.	" " " 08/01/92
Isanotski Corporation	" " " "
Mendas Chax-aq Native Corp	" " " "
Gana-A' Yoo, Limited	" " " "
The King Cove Corporation	" " " "
Paimiut Corporation	" " " "
Pitka's Point Native Corporation	" " " "
Seldovia Native Association, Inc.	" " " "
Tanacross, Inc.	" " " "
Klukwan Corporation	" " " "
Gold Belt Incorporated	" " " "
Shee Atika, Inc.	" " " "
The Aleut Corporation	" " " "
Arctic Slope Native Corporation	" " " "
Koniag, Inc.	" " " "
Bristol Bay Native Corporation	" " " "
Calista Corporation	" " " "
Chugach Corporation	" " " "
Cook Inlet Region Inc	" " " "
Sealaska Corporation	" " " "

Please feel free to give me a call if you have any questions regarding this list.

Michael Monagle, Supervisor
Corporations Section



Alaska State Legislature

Senate District L
Al Adams



Official Business

WHILE IN SESSION
P.O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-3707

OUT OF SESSION
P.O. Box 333
Kotzebue, Alaska 99752
(907) 442-3245

January 24, 1992

Julie Kitka, President
Alaska Federation of Natives
1577 C Street, Suite 100
Anchorage, Alaska 99501

Dear Julie:

This session I will introduce legislation pertaining to Native corporations that have been involuntarily dissolved. This is being done on behalf of Nunapigiuraq Corporation in my district. Apparently if corporations fail to file information with the Department of Commerce past a two year window for delinquent filings, the corporation is dissolved, at least in the state's bureaucratic mind.

In seeking information from the Department of Commerce about other corporation's that might be affected, I was provided with the enclosed list. I am writing to determine if there is anything the Alaska Federation of Natives can do to assist these corporations in completing their filing.

The bill which will be introduced January 27th is enclosed for your review. It is similar to a bill that passed in 1982 that created a one year window period for these involuntarily dissolved ANCSA corporations to become reinstated. I expect the bill to pass but am concerned about the remaining corporations who might have no knowledge of this opportunity.

At a minimum, if I were provided with the names and addresses of those corporations in my Senate district I would be glad to assist them. I would also appreciate a brief letter of support from AFN to augment passage of the bill.

I appreciate any efforts you can extend in this matter and as always, it is a pleasure working with you.

Sincerely,

Senator Al Adams

H B

4 3 6

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 436 (L&C)

Revision Date: _____

Title: An Act relating to a person under age 21 soliciting . . .

Department Affected: Administration

BRU: Office of Public Advocacy

Component: Office of Public Advocacy

Sponsor: C. Davis

Requestor: _____

COMPONENT SERIAL NO.

		4	3
--	--	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

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

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: None.

ANALYSIS: (Attach a separate page if necessary.)

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

Phone: 279-7541
Date: April 8, 1992

Approved by Commissioner: Nancy Bear Usura
Agency: Administration

Date: 4/20/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 436 (L&C)

Revision Date: _____

Department Affected: Administration

Title: An Act relating to a person under age 21 soliciting . . .

BRU: Public Defender

Sponsor: C. Davis

Component: Public Defender

Requestor: _____

COMPONENT SERIAL NO.

1	6	3	1
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	*	*	*	*	*	*
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	*	*	*	*	*	*

CAPITAL	*	*	*	*	*	*
---------	---	---	---	---	---	---

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

GENERAL FUND	*	*	*	*	*	*
FEDERAL FUNDS	*	*	*	*	*	*
OTHER FUND SOURCE:	*	*	*	*	*	*
TOTAL	*	*	*	*	*	*

POSITIONS:

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

Estimate of current year impact: None.

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: John F. Salemi

Phone: 279-7541

Division: Public Defender

Date: April 8, 1992

Approved by Commissioner: Nancy Bear Usura

Agency: Administration

Date: 4/20/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 436 (L&C)

ANALYSIS: (continued)

This bill would make it a class C felony offense to furnish or deliver alcohol to a person under 21 years of age when acting with criminal negligence.

The fiscal impact of this bill would be significant, particularly in rural areas and smaller communities where it is easier to trace the path of alcohol. Phone calls to the outer offices revealed the following estimates with regard to numbers of furnishing alcohol charges in the last 12 months: Bethel--30; Kotzebue--5; Juneau--7; Kenai--3; Homer--12 plus a new sting operation on stores, numbers uncertain; Barrow--2-3; Anchorage--rare, Dillingham--1-2 per month; Nome--9. More serious consequences translates into more trials, more investigation, and more attorney time.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. H.B. 436

Revision Date: _____ Department Affected: Department of Corrections
 Title: "An Act relating to the penalty for providing alcohol to a minor." BRU: Statewide Operations
 Sponsor: Rep. C. Davis Component: Various
 Requestor: House Labor & Commerce COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	54.0	54.0	54.0	54.0	54.0	54.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	54.0	54.0	54.0	54.0	54.0	54.0

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

REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND	54.0	54.0	54.0	54.0	54.0	54.0
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	54.0	54.0	54.0	54.0	54.0	54.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.)
 Please see the attached Analysis.

Prepared By: Diane Schenker, Legislative Liaison Phone: 465-3376
 Division: Office of the Commissioner Date: 03/06/92
 Approved by Commissioner: Lloyd Hames, Commissioner
 Agency: Department of Corrections Date: 03/06/92

CONTINUATION OF FISCAL ANALYSIS

HB 436: An Act relating to the penalty for providing alcoholic beverages to a person under the age of 21; and providing for an effective date.

The bill would make it a Class C felony to provide alcohol to a person under age 21, if done with criminal negligence. Under current statutes, furnishing alcohol to a minor is a Class A misdemeanor.

Incarceration costs: A "snapshot" profile of offenders incarcerated on December 31, 1991 showed one prisoner whose most serious offense was furnishing alcohol to a minor. A study by the Alaska Judicial Council on mean sentence lengths (1984-1987) indicates that the mean sentence length for those incarcerated for this offense is 1.5 months, or 45 bed-days. The same study indicates that the lowest mean sentence length for any Class C felony under the same category of "other offenses" (as opposed to violent, property, substance abuse, sexual, etc.) was 7.5 months, or 225 bed-days. Thus it is assumed that raising the offense from a misdemeanor to a felony would require 180 additional bed-days per conviction. Subtracting one third of the sentence for statutory good time, this would result in an increase of 120 bed-days per offense. If such offenders could be housed in contract community residential center beds at an average statewide cost of about \$45 per day, this would cost approximately \$5,400 per offense.

The Department of Corrections has requested information from the Department of Law, the Alaska Judicial Council, and the Department of Public Safety on the number of convictions for this offense each year. This information is not available at present. The Department of Corrections has no record of most such offenses since the Department does not supervise misdemeanants on probation and many misdemeanants do not receive a sentence involving incarceration. It is assumed that there are at least 10 such offenses per year. Should information become available indicating there are more or fewer such offenses, this fiscal note will be revised.

Ten convictions per year at an additional cost of approximately \$5,400 would cost \$54,000 per year in contractual costs for community residential beds.

Further impact on the Department will result from changing the offense from a misdemeanor to a felony. Second-time felony offenders will be subject to presumptive sentencing, thus increasing the number of incarceration days per year by increasing sentence length for second offenders. Since the number of second-time offenders cannot be predicted, this impact cannot be measured.

CONTINUATION OF FISCAL ANALYSIS--HB 436

Community Corrections costs: With extremely rare exceptions, the Department does not complete presentence investigation reports for misdemeanants, but is required to do so for felons. A presentence investigation report requires approximately 18 hours of work by a probation officer. Ten additional reports would require 180 additional hours, or approximately 5 weeks of work by probation staff.

Also with extremely rare exceptions, the Department does not supervise misdemeanor probationers. The Department is required to supervise felons during the probation period imposed by a court following or in lieu of incarceration, as well as during the period of mandatory good time following release from incarceration. An initial intake appointment requires approximately 3.8 hours of work by a probation officer. Ten additional cases would require 38 additional hours of intake per year, or one additional week.

Assuming these offenders would require the minimum level of supervision required for an active case, each case would require approximately .8 hours per month of work by a probation officer. Ten cases would require 8 hours per month, or 96 hours per year, or 2.6 weeks per year.

If only ten cases occur each year, an additional 8.6 weeks of work would be required by probation staff. (8.6 weeks or 322.5 hours at \$18.04 per hour for a beginning probation officer = \$5,818 per year.) Since this amount of work would not be sufficient to justify the addition of a probation officer position, the additional workload will have to be absorbed by current staff by lessening the amount of time spent on other felony cases currently handled by Community Corrections.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 436

Revision Date: _____
 Title: "An Act relating to the penalty for providing alcoholic beverages to a person under the age of 21."
 Sponsor: C. Davis
 Requestor: House Labor and Commerce

Department Affected: Administration
 BRU: Public Defender Agency
 Component: Public Defender Agency

COMPONENT SERIAL NO.

1	6	3	1
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING

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

REVENUE FUND SOURCE:
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FUNDING: (Thousands of Dollars)

GENERAL FUND
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	..	.	.	.	.	.

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)
 Precise fiscal impact unknown. See attached.

Prepared by: John Salemi, Public Defender
 Division: Public Defender Agency

Phone: 279-7541
 Date: February 14, 1992

Approved by Commissioner: Nancy Bear Usera
 Agency: Administration

Date: 3/2/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 436

ANALYSIS: (continued)

This bill would make it a class C felony offense to furnish or deliver alcohol to a person under 21 years of age when acting with criminal negligence.

The fiscal impact of this bill would be significant, particularly in rural areas and smaller communities where it is easier to trace the path of alcohol. Phone calls to the outer offices revealed the following estimates with regard to numbers of furnishing alcohol charges in the last 12 months: Bethel--30; Kotzebue--5; Juneau--7; Kenai--3; Homer--12 plus a new sting operation on stores, numbers uncertain; Barrow--2-3; Anchorage--rare, Dillingham--1-2 per month; Nome--9. More serious consequences translates into more trials, more investigation, and more attorney time.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 436

Revision Date: _____
 Title: An Act relating to the penalty for providing alcoholic beverages to a person under 21.
 Sponsor: Davis and Koponen
 Requestor: House Labor and Commerce

Department Affected: Administration
 BRU: Office of Public Advocacy
 Component: Office of Public Advocacy

COMPONENT SERIAL NO.

		4	3
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

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

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year impact: None.

ANALYSIS: (Attach a separate page if necessary.)

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

Phone: 274-1684
 Date: _____

Approved by Commissioner: Nancy Bear Usual
 Agency: Administration

Date: 3/2/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 436

Revision Date: _____
Title: "...penalty for providing alcoholic beverages to a person under the age of 21..."
Sponsor: Representative C. Davis
Requestor: House Labor & Commerce

Department Affected: Department of Law
BRU: Prosecution
Component: All

COMPONENT SERIAL

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Expenditures/Revenues: (Thousands of Dollars)

85 through 91

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Please see the attached analysis.

Prepared by: Richard I. Peques, Director
Division: Administrative Services
Approved by Commissioner: Charles E. Cole, Attorney General
Agency: Department of Law

Phone: 465-3672
Date: March 9, 1992
Date: March 9, 1992

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HB 436

This bill amends AS 04.16.051 and AS 04.16.130(a) to raise the penalty for furnishing an alcoholic beverage to a person under the age of 21 years from a class A misdemeanor to a class C felony.

About 2,000 misdemeanor liquor violations are referred to the Department of Law for prosecution each year. Most of these are minor consuming complaints and about 10 percent, or 200 of these complaints, involve furnishing alcoholic beverages to minors. About one-half of this latter number of complaints, or 100, will include evidence sufficient enough to permit us to bring a felony prosecution.

Although bringing a felony prosecution is somewhat more time-consuming and costly than bringing a misdemeanor prosecution, when the work that will be caused by this bill is spread throughout the entire criminal division we cannot show a significant fiscal impact. However, in a time of substantially diminishing resources, such as now, we strongly caution against creating additional workload for our prosecutors. Any new workload can only be handled at the expense of decreasing prosecutorial efforts in other areas, such as violent crimes and drug trafficking.

ALASKA STATE LEGISLATURE

ELECTIVE DISTRICT 1

HYDER
KETCHIKAN
KUPREANOF
MEYERS CHUCK
PETERSBURG
SAXMAN
WRANGELL



HOME

P.O. BOX 5723
KETCHIKAN, AK 99901
PHONE 225-6304

DURING SESSION

P.O. BOX V
STATE CAPITOL BUILDING
JUNEAU, AK 99811
PHONE 465-3424

Representative Cheri L. Davis

MEMORANDUM

TO: Representative Dave Donley
FROM: Representative Cheri Davis *Cheri Davis*
DATE: March 27, 1992
RE: Scheduling of HB 436

Please accept this memorandum as my request for House Bill 436 to be heard in your committee.

House Bill 436 is legislation that would increase the penalty for providing alcoholic beverages to a person under the age of 21. Under current law, furnishing alcohol to a minor is a misdemeanor with a maximum penalty of 5 years in prison and a \$5,000 fine. The original legislation would have made furnishing a minor with alcohol a class "C" felony with a maximum penalty of 5 years in prison and a \$50,000 fine.

Before being passed out of Labor and Commerce, the original bill was amended to keep it a misdemeanor for the first offense and make it a felony on the second or subsequent offense. The labor and commerce CSHB 436 also would punish the minor who solicits the alcohol, making that act punishable as a misdemeanor.

Thank you.

ALASKA STATE LEGISLATURE

ELECTIVE DISTRICT 1

HYDER
KETCHIKAN
KUPREANOF
MEYERS CHUCK
PETERSBURG
SAXMAN
WRANGELL



IN KETCHIKAN

352 FRONT ST.
KETCHIKAN, AK 99901
PHONE 225-9449

DURING SESSION

P.O. BOX V
STATE CAPITOL BUILDING
JUNEAU, AK 99811
PHONE 465-3424

Representative Cheri L. Davis

SPONSOR STATEMENT HB 436

Mr. Chairman and members of the committee, I would like to thank you for hearing this bill today.

House Bill 436 is legislation that would change the penalty for providing alcoholic beverages to a person under the age of 21. This bill was drafted after the tragic deaths of two teenagers in an alcohol related accident in Ketchikan. An accident which was preceded by a 23-year-old allegedly furnishing the minors with alcohol.

Under current law, furnishing alcohol to a minor is a misdemeanor with a maximum penalty of one year in prison and a \$5,000 fine.

This legislation would make furnishing a minor with alcohol a class "C" felony with a maximum penalty of 5 years in prison and \$50,000 fine.

HB 436 would be beneficial in one aspect of the battle against the high incidence of alcohol abuse in our state. Stiffening the penalty for significant violations may enhance the deterrent effect of the present laws and enforcement efforts.

Again I thank you for hearing this bill today, and would be glad to try and answer any questions you may have.

MAR 17 Rec'd

AMENDMENT

3

OFFERED IN THE HOUSE

BY REPRESENTATIVE BRUCKMAN

TO: HB 436

Page 1, line 1, after "relating to":

Insert "solicitation of another person to purchase alcohol by a person under age 21 and to"

Page 1, after line 3:

Insert a new bill section to read:

"* Section 1. AS 04.16.020 is amended by adding a new subsection to read:

(c) A person under the age of 21 years may not solicit another person to purchase alcoholic beverages."

Page 1, line 4:

Delete "Section 1."

Insert "Sec. 2."

Renumber the following bill sections accordingly.

AMENDMENT

2

OFFERED IN THE HOUSE

TO: HB 436

BY THE HOUSE LABOR
AND COMMERCE COMMITTEE

Page 1, after line 11:

Insert a new bill section to read:

"* Sec. 3. AS 04.21.065(b) is amended to read:

(b) A warning sign required by (a) of this section must be at least 11 inches by 14 inches. The sign must read, in lettering at least one-half inch high and in contrasting colors, "WARNING: Drinking alcoholic beverages such as beer, wine, wine coolers, and distilled spirits or smoking cigarettes during pregnancy can cause birth defects. Also, a person who provides alcoholic beverages to a person under 21 years of age, if convicted under AS 04.16.051, could be imprisoned for up to five years and fined up to \$50,000." The license or permit holder shall display the signs in a manner that would make them conspicuous to a person who will be purchasing or consuming alcoholic beverages or smoking cigarettes on the licensed or designated premises."

Renumber the following bill section accordingly.

A M E N D M E N T /

OFFERED IN THE HOUSE

TO: HB 436

BY THE HOUSE LABOR

AND COMMERCE COMMITTEE

Page 1, line 5, after "section":

Insert "a second or subsequent time"

A M E N D M E N T 4

OFFERED IN THE HOUSE

BY REPRESENTATIVE CHOQUETTE

TO: HB 436

Page 1, line 2, after "21;":

Insert "to identification for purposes of civil liability for providing alcoholic beverages to another person; to identification for purposes of criminal liability for providing alcoholic beverages to a person under the age of 21;"

Page 1, after line 11:

Insert new bill sections to read:

"* Sec. 3. AS 04.21.020 is amended to read:

Sec. 04.21.020. CIVIL LIABILITY OF PERSONS PROVIDING ALCOHOLIC BEVERAGES. A person who provides alcoholic beverages to another person may not be held civilly liable for injuries resulting from the intoxication of that person unless the person who provides the alcoholic beverages holds a license authorized under AS 04.11.080 - 04.11.220, or is an agent or employee of such a licensee and

(1) the alcoholic beverages are provided to a person under the age of 21 years in violation of AS 04.16.051, unless the licensee, agent, or employee secures in good faith from the person a signed statement meeting the requirements of AS 04.21.050(a) or identification [, LIQUOR IDENTIFICATION CARD, OR DRIVER'S LICENSE] meeting the requirements of AS 04.21.050(a) or [AND] (b), that indicates that the person is 21 years of age or older; or

(2) the alcoholic beverages are provided to a drunken person in violation of AS 04.16.030.

* Sec. 4. AS 04.21.050(c) is amended to read:

(c) A licensee, or an agent or employee of the licensee, may not be charged for a violation of AS 04.16.051 - 04.16.052 if a signed statement as provided in (a) of this section is secured in good faith, or a valid driver's license or identification card described in (b) of this section, is presented indicating that the owner and possessor of the presented driver's license or

identification card is 21 or 16 years of age or over as appropriate. "

Renumber the following bill section accordingly.

Table B-11
Causes of Injury Death - Native

Causes of Injury Death	Male		Female		Unknown Sex		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Drowning	327	22.72	42	8.45	0	0.00	369	19.06
Suicide	313	21.75	52	10.46	0	0.00	365	18.85
Other Injuries	208	14.45	70	14.08	0	0.00	278	14.36
• Motor Vehicle	186	12.93	81	16.30	0	0.00	267	13.79
• Alcohol and Drugs	173	12.02	132	26.56	0	0.00	305	15.75
Homicide	142	9.87	65	13.08	0	0.00	207	10.69
Fire	57	3.97	39	7.85	0	0.00	96	4.97
Aircraft	33	2.29	16	3.22	0	0.00	49	2.53
Total	1,479	100.00	497	100.00	0	0.00	1,936	100.00
Percent of Total		22.37		7.73		0.00		30.09

Table B-12
Causes of Injury Death - Non-Native

Causes of Injury Death	Male		Female		Unknown Sex		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Drowning	690	18.97	46	5.20	0	0.00	726	16.24
• Motor Vehicle	676	18.86	261	29.49	0	0.00	937	20.96
Suicide	569	15.87	122	13.79	0	0.00	691	15.46
Other Injuries	520	14.50	109	12.32	0	0.00	629	14.07
Aircraft	466	13.00	67	7.57	0	0.00	533	11.92
• Alcohol and Drugs	342	9.54	137	15.48	0	0.00	479	10.72
Homicide	263	7.34	104	11.75	0	0.00	367	8.21
Fire	69	1.92	39	4.40	0	0.00	108	2.42
Total	3,585	100.00	885	100.00	0	0.00	4,470	100.00
Percent of Total		55.73		13.76		0.00		69.49

Table B-13
Causes of Injury Death - Unknown Race

Causes of Injury Death	Male		Female		Unknown Sex		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Drowning	8	53.34	1	9.09	0	0.00	9	33.33
Suicide	2	13.33	1	9.09	0	0.00	3	11.11
Other Injuries	2	13.33	2	18.18	0	0.00	4	14.81
• Motor Vehicle	2	13.33	0	0.00	0	0.00	2	7.41
Aircraft	1	6.67	1	9.09	0	0.00	2	7.41
Homicide	0	0.00	4	36.36	0	0.00	4	14.81
• Alcohol and Drugs	0	0.00	1	9.09	0	0.00	1	3.70
Fire	0	0.00	1	9.10	1	100.00	2	7.42
Total	15	100.00	11	100.00	1	100.00	27	100.00
Percent of Total		0.23		0.17		0.02		0.42

Table B-14
Causes of Injury Death - Total

Causes of Injury Death	Male		Female		Unknown Sex		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
	5,039	78.33	1,393	21.65	1	0.02	6,433	100.00

March 10, 1992

Jeanneane Henry
Jake Smith, age 15
Addy Smith, age 11
1038 Dunton
Ketchikan, Alaska 99901
907-225-2428

Representative Donley,

I am here to lobby in support of HB 436. My position on this bill comes from a personal family tragedy that could have been prevented. My oldest son, Joshua Smith, age 17 and Mike Nygard, also 17, were killed in a violent accident December 31, 1991. An adult purchased alcohol, a drug, for a group of teens ranging from 15 to 17 years old. Had a stricter law been in place, well advertised and enforced Joshua and Mike would be with us today. We did not even get to say good-bye to him. The only parts of Josh undamaged were his bladder, kidney, genitals and his right hand. I never thought this kind of tragedy could happen to our family.

These deaths are a direct result of an attitude toward the use of alcohol in our community, state and nation. We as a state have the highest rate of alcoholism in the nation. Why? How many youth must die before we begin to seriously address this and become responsible models for our youth to look to. The message we are sending is not a good one and it is obvious it is not working. The Congress of the United States says teens are not mature enough to use this drug. They can not obtain it unless an adult gives them access to it.

These are not the first in Ketchikan to die because of alcohol and unless we draw a line now they will not be the last. There are many adults who will buy for teens and some that will host drinking parties in their homes. It is well known that the present Class A misdemeanor does not hold the offender responsible. In Ketchikan this offense receives 30 days - 27 suspended.

When an adult can come into your family's life and provide the choice of a drug to your child, one that as a parent you would not give him or her, something is wrong with our present laws. My son's life is gone, our family will have to live with this the rest of our lives. We will never be the same. My son's rights to be a youth and be protected by mature adults have been violated, my rights as a mother have been violated, Jake and Addy's rights to be young and trusting of society have been violated. This tragedy has impacted the lives of the many people who love us. If HB 436 would save one life out of the 80% to 90% of kids in grades 11 and 12 who "party" it would be worth it. Since this accident the parties still go on.

Alcohol is a "Legal Drug" and needs to be dealt with as a drug and not a socially acceptable way for teens to have fun. I know this bill will not solve the problem but it is one step. Drinking among teens is an epidemic and if we are not part of the solution then we as adults are part of the problem. I urge you to pass HB 436 through your committee.

Sincerely,

Jeanneane Henry
Jeanneane Henry
Jake Smith
Jake Smith
Addy Smith
Addy Smith

Norman and Cara Nygard
44 Franklin Road STG
Ketchikan, Alaska 99901
907-225-5849

March 11, 1992

First the man takes a drink
Then the drink takes a drink
Then the drink takes the man.
Japanese proverb

Ladies and Gentlemen:

Hello. My name is Cara Nygard. My husband Norm, our son, Daniel, and I reside in Ketchikan, Alaska. Michael, our 17-year old son, was killed in an automobile/motorcycle collision as was his friend Joshua Smith. Autopsy reports revealed that both boys had consumed alcohol.

Michael enjoyed sports. He enjoyed baseball, soccer and basketball. We had discussed the effects of alcohol and its effects on a person's performance and judgment. Michael felt that if he drank or consumed drugs, he would not be able to perform to his full potential. He planned to serve 2 years in the Navy and then go on to an automotive school in Arizona. He was a warm and compassionate young man.

I don't feel that either of these young men would have made an effort to "seek out" alcohol. The alcohol was purchased by another 17 year old and was shared with other teenagers. The fact that alcohol is so easily obtained by minors needs to be addressed. Michael made a bad choice, nothing we do will bring him back, but we can attempt to keep this from happening to other minors and their families.

As legislatures, the State Constitution grants you the power to pass laws. The primary purpose of these laws is to define criminal behavior and establish criminal penalties. Criminal behavior is a public offense, it has the ability to touch each and every one of us. By controlling crime, we emphasize the protection of society and exercise control over actual or potential criminal offenders.

In calendar year 1991 in the District Court in Ketchikan, 2 counts of Minor in Possession were filed and along with 244 counts of Minor Consuming Alcohol. Do you have any idea how many individuals were charged with Furnishing Alcohol to A Minor? Four(4) The minors aren't going to tell where they got the alcohol or who purchased it for them. So, what is the answer? It is already a crime to furnish alcohol to a minor.

The answer is to provide a more severe penalty for any individual convicted of furnishing alcohol to any minor. By making furnishing a class C felony, a more severe criminal sanction or sentence may be imposed. A person convicted of a felony may be barred from certain fields of employment or from entering some fields of study. A felony offender's status as an alien in the U.S. might also be affected, or the offender might be denied the right to hold office, vote, or serve on a jury. These and other civil liabilities exist only when a person is convicted of a felony offense, not a misdemeanor.

I feel the key is to deter adults from furnishing alcohol to minors. Therefore, I urge you to support House Bill No. 436.

Thank you.





Alaskans for Drug-Free Youth

An Affiliate Member of the National Federation of Parents for Drug-Free Youth.

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April 10, 1992

Rep. Cheri Davis
Alaska State Legislature
Juneau, Alaska 99811

Dear Rep. *Cheri* Davis:

At their recent board meetings, both the Statewide board of Alaskans for Drug Free Youth and the Ketchikan affiliate board voted to support and encourage passage of CSHB436.

Please add both names to your list of supporters of this bill and let us know if we can be of any further assistance.

Sincerely,

Lynda G. Adams
Executive Director

c/o 2417 Tongass, #114
Ketchikan, AK 99901

Rep. Cheri Davis
Alaska State Legislature
P. O. Box V
Juneau, AK 99811

Dear Rep. Davis:

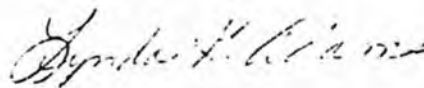
The Mayor's Task Force on Substance Abuse has recently endorsed support for HB 436. The Task Force has strived to eliminate the instances of illegal alcohol and other drug use and to support healthy lifestyles. In support of the Task Force's stance on underage drinking, we endorse HB 436.

The Task Force has always supported current law of furnishing alcohol to a minor, but also agrees with the new amendment that some responsibility lies with the person under the age of 21 who solicits another person to purchase alcohol. Alaska does not presently have a penalty for a minor who attempts to have an adult purchase liquor for a minor. There are such laws in other states, and the minor can also be held responsible. This could provide an added deterrent to minors purchasing alcohol.

The Mayor's Task Force on Substance Abuse also endorses an added amendment of a kegger registration section. This would provide identification of a keg which was found at a party where minors were present and drinking. The adult could be held responsible for furnishing that keg.

The Task Force supports passage of HB 436, and urges the legislature to pass this legislation this session.

Sincerely,



Lynda G. Adams, Vice-Chair
Mayor's Task Force on
Substance Abuse



**CITY OF
KETCHIKAN**

334 Front Street
Ketchikan, Alaska 99901
Phone 907-225-3111
Fax 907-225-5075

RECEIVED
2-4-92

January 30, 1992

Representative Cheri Davis
Alaska State Legislature
P.O. Box V
Juneau, Ak 99811

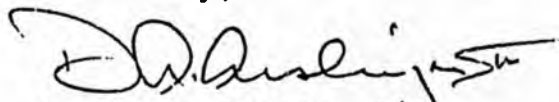
Dear Representative Davis:

Ms. Jeanneane Henry has informed me that you intend to introduce legislation which would increase the seriousness of the offense of furnishing alcoholic beverages to minors if the minor subsequently under the influence of that alcohol engages in criminal behavior or comes to harm.

I think that such legislation would prove to be of benefit in the battle against the high incidence of alcohol abuse in our state. Court rulings requiring specific mental states for conviction as well as the fact that both parties to the crime are willing participants who are generally uncooperative with authorities combine to make the crime of furnishing an extremely difficult offense to enforce. Stiffening the penalty for significant violations may enhance the deterrent effect of the present law and enforcement efforts. Given the potential consequences, it certainly would appear to be worth the effort.

If I can be of assistance to you in this matter, please contact me.

Sincerely,



D. A. Anslinger, III
Chief of Police

DAA:mp
PDLTR61/PDLTRFIL/POLLIB



STATE OF ALASKA
LEGISLATIVE AFFAIRS AGENCY
DIVISION OF PUBLIC SERVICES

DATE: March 27, 1992

Please accept the enclosed original(s) of written testimony for the House Labor & Commerce teleconference hearing that was scheduled on March 26, 1992.

A copy of this testimony was transmitted to your committee via fax on March 26, 1992.

Thank you,

A handwritten signature in cursive script, appearing to read "James R. Miller", written over a horizontal line.

KETCHIKAN LEGISLATIVE INFORMATION OFFICE
352 FRONT STREET
KETCHIKAN, AK 99901
225-9675



Alaska State Legislature

Please enter into the record my testimony to the Labor & Commerce Judiciary
 committee name Finance
 committee on H.B. # 436, dated March 26th 1992.
 bill/subject

I am a parent of 17 year old son and a 13 year old daughter. During the last five years my husband and I have encountered a problem of Adults providing alcohol to our son. We were very upset and called the authorities at different times to ask what we as parents could do. The process was very frustrating for us. One was that the minor had to testify against the provider. Most teenagers will not testify against the provider out of 1. fear 2. peer pressure 3. the loss of a future provider.

I believe that this Bill will send a strong message to those Adults that do provide alcoholic Beverages to minors - They will be convicted under a class "C Felony" Perhaps more adults will take a serious thought to ~~whether~~ the fact that they are not going to take the Risk. Let's send a stronger message to these violators - Gina M. Such -

Signed:

Testifier

Gina M. Such

Representing (Optional)

3349 South Tongass Ketchikan AK

Address

247-1223-

Phone No.



*Alaska Cabaret, Hotel,
Restaurant & Retailers Association*

13101, 1411 141100 • Anchorage, Alaska 99510
401 K Street • (907) 577-8124 • Telex (907) 277-8040

March 26, 1992

Representative David Finkelstein
Members of the House Labor and Commerce Committee
Alaska State Legislature
Juneau, AK

Dear Representative Finkelstein,

Today as you discuss House Bill 436, the problems associated with underage drinking in our society will be uppermost in your mind - problems with sometimes horrendous consequences. We, as an industry, share this concern and have resolved to do our part in seeking a resolution. Our policy statement on this issue is attached for your review.

We have been actively supporting both House Bill 444 and House Bill 445 which, as you will see from our policy statement, we believe will be major tools in fighting underage drinking. This legislation will be effective when it is enacted and we ask for your support.

House Bill 436, on the other hand, is much narrower in scope, directed only at the seller, not to the underage drinker. We do not believe that it would lessen any of the underage drinking problem, and question the wisdom of singling out one type of Title IV violation to be punished as a felony when all others remain misdemeanors. We oppose House Bill 436 on these grounds and ask that you consider our position. Thank you for your consideration.

Yours truly,

Carol Wilson
Executive Director