

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

7749 HOUSE • COMMUNITY & REGIONAL AFFAIRS •

HB

180

March 9, 1993

Representative Eileen MacLean
State Capital
Room 507
Juneau, AK 99801

Dear Representative MacLean:

We believe HB180 is a necessary change in Section 1 AS 18.56.300(b) regarding mandatory construction inspections that affect the entire state of Alaska. The change will mitigate the severe financial and procedural impact of the law on rural areas while still providing quality housing, health, and safety protection.

There are approximately 178 ICBO certified inspectors who graduated from a class put on in 1992 by AHFC in anticipation of this law. These inspectors are distributed through 33 communities around the state. These private inspectors may not provide their services at reasonable cost when considering the social need to provide modern housing in rural Alaska.

We see two problems with the existing statutes for rural home builders: 1) The high cost of a home builder supporting the inspection program, and 2) the required inspectors are limited narrowly to only ICBO inspectors. In outlying areas such as St. Paul, King Cove, or Nome, the cost of four on-site inspections is for round-trip airfares plus possibly room and board. Anchorage/St. Paul is currently \$1,054 round-trip. If a typical inspector charges \$1,800 for a house, the total bill could exceed \$7,800. Costs for on-site visits for appraisal, surveys, thermal standards, and environmental considerations are in addition to this.

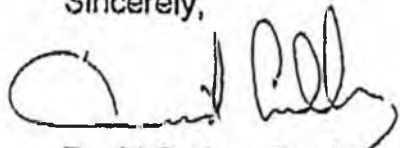
Secondly, by limiting the inspector pool to only ICBO inspectors, many qualified architects, engineers or other responsible persons are eliminated in assisting in the inspection process. Some of these local officials may be more experienced in local conditions than a newly created inspector flying out from an urban area. Many architects and engineers have frequent occasion to fly to rural areas to inspect projects and could add a home inspection at little extra cost.

Representative Eileen MacLean
March 9, 1993
Page Two

It is our understanding that the original legislation exempted DCRA's Rural Housing Program from the statute, but an unintended by-product of the merger of DCRA's rural housing program into AHFC was to make this law a fact-of-life for the entire state.

We believe the solution to this problem is through passage of house bill 180 as it is currently written and asks for the legislature's support of the bill.

Sincerely,

A handwritten signature in dark ink, appearing to read "David Cuday", written over a horizontal line.

David Cuday, President

gs

Sponsor Statement
HB 180
Rep. Eileen Panigeo MacLean

HB 180 relates to the residential housing inspection requirements of the Alaska Housing Finance Corporation. When DCRA's rural housing loan programs were merged into AHFC last year, they became subject to AHFC's inspection requirements as listed in AS 18.56.300(b). These requirements were never intended to apply to rural housing loan programs; in fact, AHFC's primary rural loan program (non-conforming housing) is specifically exempted in the statute.

Rural housing loans have been subject to the AHFC inspection requirements since July 1, 1992. These statutory requirements mandate a minimum of four site visits by a qualified inspector. Very few of these inspectors live in rural communities. The result is that a homeowner building a new house must pay for an inspector to fly in five times to review the progress of the project. If the inspector finds any problems during one of these site visits, additional inspection trips may be necessary.

Lending institutions have found that these requirements can add thousands of dollars to the price of a new home. This is an unnecessary and unfair burden on rural homeowners who already are faced with extremely high home construction costs.

While it would be simpler to exempt the former DCRA rural loans from such requirements, the housing inspection process can serve a useful purpose. It assures safe construction and offers lending institutions a level of comfort in financing rural projects. However, the key to assuring safe construction in rural areas without sending the price through the roof is flexibility in applying the inspection requirements.

HB 180 would provide this flexibility in the following ways:

- It broadens the pool of eligible inspectors statewide by allowing licensed architects and engineers to conduct the inspections. These professionals are clearly qualified to accomplish the task, and they often travel to rural areas to monitor construction projects.
- It allows AHFC to identify other qualified individuals in rural communities. A local contractor or journeyman in a trade might be obvious candidates to carry out part or all of a remote inspection.
- It authorizes inspection methods other than a physical site visit by an inspector. For example, AHFC could approve an inspection of footings and foundations based on videotape or photographs.

In addition, this bill authorizes AHFC to accept building methods or materials that may not meet state building codes if the corporation is satisfied that the code variation does not sacrifice health or safety. Such variations may help to remedy the rural disadvantage regarding available materials. If a building material were available that may not meet code but would stand up to an engineering review, then AHFC would be allowed to accept such equivalent substitutions.

HB 180 has the support of lending agencies around the state. AHFC agrees with the need for greater inspection flexibility. And builders appreciate the need for different inspection criteria in remote areas. The bill has a zero fiscal note from AHFC.

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 4, 1993

SUBJECT: Sectional summary of HB 180

TO: Representative Eileen MacLean
Attn: David

FROM: Theresa L. Bannister *TLB*
Legislative Counsel

You have requested a sectional summary of the above-described bill.

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

Section 1. Amends AS 18.56.300(b) (in the Alaska Housing Finance Corporation chapter) to

(A) allow additional persons (licensed architects and engineers, and other AHFC-approved persons) to perform in rural areas the inspections required by AS 18.56.-300(b);

(B) allow the inspector to use methods other than personal physical inspections to make the inspections in rural areas, if the methods are approved by the AHFC;

(C) authorize the AHFC to accept in rural areas variations from the applicable building code, if the inspector satisfies the AHFC that the variations don't adversely affect the structural integrity of the unit being inspected or the health and safety of the residents.

Section 2. Defines "rural area" for sec. 1.

If I may be of further assistance, please advise.

TLB:gc
93-193.glc

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. House Bill 180

Revision Date: February 25, 1993

Dept. Affected: Department of Revenue

Title: An Act relating to the residential housing inspection
requirement of the Alaska Housing Finance Corporation

BRU: Alaska Housing Finance Corp

Component: Alaska Housing Finance Corp

Sponsor: Representative MacLean

Requestor: Representative MacLean

COMPONENT SERIAL NO. 0110

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
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)

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year (FY93) impact: \$ 0

ANALYSIS: (Attach a separate page if necessary)

Alaska Housing Finance Corporation does not anticipate any increased cost with the proposed amendment to AS 18.56.300.

Prepared by:

Kay Murphy

Phone: (907) 581-1900

Division:

Alaska Housing Finance Corporation

Date: March 4, 1993

Approved by:

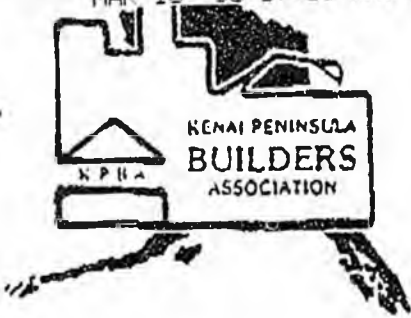
[Signature]

Date: 3/5/93

Agency:

REVENUE

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KENAI PENINSULA BUILDERS ASSOCIATION
Written Testimony
House Bill No.180

March 11, 1993

The Kenai Peninsula Builders Association is aware that the residential housing inspections required by Alaska Housing Finance Corporation are difficult and expensive for some outlying rural areas to comply with. House Bill 180 addresses this problem and while we support the reasoning of this bill, we can not support legislation which would allow inspections by anyone other than an ICBO certified inspector.

We feel that the intent of the existing statute which requires that inspections be made only by ICBO certified inspectors needs to be recognized and preserved. We strongly support the intent of the original legislation which requires ICBO certification for inspectors.

The Kenai Peninsula Builders Association agrees that the Alaska Housing Finance Corporation should be given the authority to deal with isolated problems of residential inspections in rural areas on a case-by-case basis.

EAGLE CONTRACTING CORPORATION

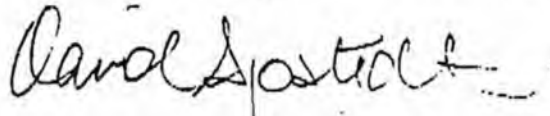
You've tried the rest now try the best.

March 10, 1993

RE: House Bill 180

This letter is to urge you to support HB 180. This bill would greatly benefit rural communities with regard to the expense of building.

Sincerely,



David Sjostedt
President

Sec. 18.56.220. Duty to advise about corporation's programs. The corporation shall make a reasonable effort, through seminars, training sessions, and other forms of technical assistance, to assist local governments, regional housing authorities, nonprofit organizations, and other organizations and individuals to understand the corporation's housing programs and the opportunities that exist to obtain financial assistance from the corporation. (§ 98 ch 4 FSSLA 1992)

Effective dates. — Section 152, ch. 4, FSSLA 1992 makes this section effective July 1, 1992.

Sec. 18.56.300. Construction standards for housing eligible for purchase of loans. (a) The corporation may not make or purchase a housing loan for residential housing the construction of which begins after June 30, 1992, unless the seller of the mortgage loan complies with the provisions of this section and unless

(1) the unit is in compliance with the construction codes of the municipality, if the unit is located within a municipality that has adopted and enforces construction codes and each of those codes meets or exceeds the comparable standards for similar housing established by the state building code; or

(2) the unit is in compliance with the comparable standards for similar housing established by the state building code

(A) if the unit is located

(i) within a municipality whose construction codes do not meet the standards for similar housing established by the state building code;

(ii) within a municipality that does not enforce construction codes; or

(iii) outside a municipality; or

(B) as to each specific code within the construction codes of the municipality that has adopted and enforces construction codes if the specific code does not meet or exceed the comparable standard for similar housing established by the state building code.

(b) As a condition of a commitment to purchase or approve a loan under this section for residential housing the construction of which begins after June 30, 1992, the corporation shall require inspection of the unit of residential housing that is the subject of the loan. The inspection must be performed by a municipal building inspector or by a person who is approved or certified to perform residential inspections by the International Conference of Building Officials or the International Association of Electrical Inspectors. The person who makes the inspection shall determine whether the construction conforms to relevant provisions of the construction codes of the municipality or of the state building code, as applicable, at each of the following stages of construction:

- (1) plan approval;
- (2) completion of footings and foundations;
- (3) completion of electrical installation, plumbing, and framing;
- (4) completion of installation of insulation;
- (5) final approval.

(c) A person may not bring an action for damages based on a duty imposed by (b) of this section to inspect a residential unit unless the action is for damages caused by gross negligence or intentional misconduct.

(d) This section does not apply to a ~~nonconforming~~ housing loan made or purchased by the corporation.

(e) in this section,

(1) "construction codes" means, with reference to a municipality, the building, mechanical, plumbing, and electrical codes, or any of them that have been adopted and are enforced by the municipality;

(2) "state building code" means

(A) for building standards, the standards set out in the version of the Uniform Building Code adopted by the Department of Public Safety under AS 18.70.080, including the provisions of that code applicable to buildings used for residential purposes containing fewer than four dwelling units, notwithstanding the exclusion of those buildings from the Department of Public Safety's jurisdiction made by AS 18.70.080(a)(2);

(B) for mechanical standards, the standards set out in the version of the Uniform Mechanical Code adopted by the Department of Public Safety under AS 18.70.080, including the provisions of that code applicable to buildings used for residential purposes containing fewer than four dwelling units, notwithstanding the exclusion of those buildings from the Department of Public Safety's jurisdiction made by AS 18.70.080(a)(2);

(C) for plumbing standards, the publications identified as the minimum plumbing code under AS 18.60.705; and

(D) for electrical standards, the minimum electrical standards prescribed by AS 18.60.580. (§ 2 ch 85 SLA 1990; am § 1 ch 29 SLA 1991; am §§ 1, 2 ch 52 SLA 1991; am § 99 ch 4 FSSLA 1992)

Effect of amendments. — The 1992 amendment, effective July 1, 1992, in section (d), inserted "nonconforming" and "or purchased" and deleted "under AS 18.56.106" from the end.

Sec. 18.56.390. Definitions for AS 18.56.010 — 18.56.390. In AS 18.56.010 — 18.56.390, unless the context clearly indicates a different meaning,

(1) "adjustable rate mortgage loan" means a mortgage loan with respect to which the interest rate varies or is expected to vary from time to time by reference to an index or formula or other reference point;

(b) The corporation shall implement the powers conferred by (a) of this section by adopting regulations under AS 18.56.088. (§ 2 ch 147 SLA 1988)

Revisor's notes. — Former AS 18.56.210 was renumbered as AS 18.56.900 in 1986.

Cross references. — For legislative findings and intent, see sec. 1, ch. 147, SLA 1988 in the Temporary and Special Acts.

Legislative history reports. — For legislative letter of intent relating to a legislative oversight committee in connection with AHFC activities under this section, see 1988 Senate Journal 3681.

Sec. 18.56.300. Construction standards for housing eligible for purchase of loans. (a) The corporation may not make or purchase a housing loan for residential housing the construction of which begins after June 30, 1992, unless the seller of the mortgage loan complies with the provisions of this section and unless

(1) the unit is in compliance with the construction codes of the municipality, if the unit is located within a municipality that has adopted and enforces construction codes and each of those codes meets or exceeds the comparable standards for similar housing established by the state building code; or

(2) the unit is in compliance with the comparable standards for similar housing established by the state building code

(A) if the unit is located

(i) within a municipality whose construction codes do not meet the standards for similar housing established by the state building code;

(ii) within a municipality that does not enforce construction codes;

or

(iii) outside a municipality; or

(B) as to each specific code within the construction codes of the municipality that has adopted and enforces construction codes if the specific code does not meet or exceed the comparable standard for similar housing established by the state building code.

(b) As a condition of a commitment to purchase or approve a loan under this section for residential housing the construction of which begins after June 30, 1992, the corporation shall require inspection of the unit of residential housing that is the subject of the loan. The inspection must be performed by a municipal building inspector or by a person who is approved or certified to perform residential inspections by the International Conference of Building Officials or the International Association of Electrical Inspectors. The person who makes the inspection shall determine whether the construction conforms to relevant provisions of the construction codes of the municipality or of the state building code, as applicable, at each of the following stages of construction:

(1) plan approval;

- (2) completion of footings and foundations;
- (3) completion of electrical installation, plumbing, and framing;
- (4) completion of installation of insulation;
- (5) final approval.

(c) A person may not bring an action for damages based on a duty imposed by (b) of this section to inspect a residential unit unless the action is for damages caused by gross negligence or intentional misconduct.

(d) This section does not apply to a housing loan made by the corporation under AS 18.56.106. *NON-CONFORMING HOUSING LOAN PLAN*

(e) In this section,

(1) "construction codes" means, with reference to a municipality, the building, mechanical, plumbing, and electrical codes, or any of them that have been adopted and are enforced by the municipality;

(2) "state building code" means

(A) for building standards, the standards set out in the version of the Uniform Building Code adopted by the Department of Public Safety under AS 18.70.080, including the provisions of that code applicable to buildings used for residential purposes containing fewer than four dwelling units, notwithstanding the exclusion of those buildings from the Department of Public Safety's jurisdiction made by AS 18.70.080(a)(2);

(B) for mechanical standards, the standards set out in the version of the Uniform Mechanical Code adopted by the Department of Public Safety under AS 18.70.080, including the provisions of that code applicable to buildings used for residential purposes containing fewer than four dwelling units, notwithstanding the exclusion of those buildings from the Department of Public Safety's jurisdiction made by AS 18.70.080(a)(2);

(C) for plumbing standards, the publications identified as the minimum plumbing code under AS 18.60.705; and

(D) for electrical standards, the minimum electrical standards prescribed by AS 18.60.580. (§ 2 ch 85 SLA 1990; am § 1 ch 29 SLA 1991; am §§ 1, 2 ch 52 SLA 1991)

Effect of amendments. — The first 1991 amendment, effective June 12, 1991, in subparagraph (e)(2)(C), substituted "the publications identified as the minimum plumbing code" for "the minimum plumbing code adopted by the Department of Labor."

The second 1991 amendment, effective June 16, 1991, in the first sentences of subsections (a) and (b), substituted "June 30, 1992" for "June 30, 1991."

Editor's notes. — Section 3, ch. 85, SLA 1990, as amended by § 4, ch. 52, SLA 1991, provides that AS 18.56.300(e)(2)(A) and (B) "are intended to assure that, for

purposes of determining whether housing the construction of which begins after June 30, 1992, meets the building and mechanical standards under AS 18.56.300(a) and (b), enacted by § 2 of this Act, the standards set out in each of the following fully apply to residences containing fewer than four dwelling units, even though those residences are excepted from regulation by AS 18.70.080(a)(2):

"(1) the Uniform Building Code, adopted for the state by 13 AAC 50.020(a);

"(2) the Uniform Mechanical Code, adopted for the state by 13 AAC 50.020(b)."

465-3799

Written Testimony
House Bill No.180

March 11, 1993
Steve Wisdom

The ~~Alaska Building Trades Association~~ ^{then out the state} worked hard with Alaska Housing Finance Corporation, bankers and other concerned people throughout the State of Alaska to bring this statute into existence. We feel one of the main purposes of this statute was to establish a bench mark by which the home buyer, lending institutes and contractors could be assured that homes meet minimum building ^{d safety} standards. That bench mark is that all homes be built to ICBO codes and that this be verified by a series of inspections by certified ICBO inspectors. To open the approved list of inspectors whole sale to all architects and engineers in effect guts the intent of the original statute. If all architects and engineers are so clearly qualified to do the inspections, then all that is currently required of them is to take the ICBO certification test. Clearly, some of them are qualified, but until they pass the test and become certified, are they different than the contractor who works with the building codes daily as well? Personally, I would not feel confident with a structural engineer inspecting the electrical or plumbing in my house. If architects and engineers are approved to do the inspections in non-rural areas, this would go against the original intent of the statute, eliminating the bench mark of ICBA certified inspectors.

I feel that the best approach to isolated problems with the inspections would best be dealt with on a case-by-case basis.

TESTIMONY ON H.B. - 180

MARCH 11, 1993

My name is Henry Huntington. I'm building my own house in Barrow. I started in June 1992. When I heard about the inspections, it sounded like a good thing - so I could make sure everything was okay with the construction. But then I found out that there was only one qualified inspector in Barrow. He didn't even want to do it, and would have charged \$2000 just to start with, if no re-inspections were needed. That was ridiculous. If I lived in Point Barrow, I'd have to fly him there at great expense, if he would even be willing to go there, which he probably wouldn't. The cost and the effort required were not worth the product. It is just another hoop to jump through that benefits only AHFC. It really is not appropriate in rural areas where inspectors are few and far between and building is enough of a pain as it is.

By contrast, I got an Energy Rating quickly and easily and for \$60. I was happy to do that, and it is good to know that my house is a 5-star. ~~That~~ That type of system makes much more sense, because it is useful to the homeowner at an affordable cost, and provides AHFC with the information they need. While the idea of checking construction to make sure it is adequate is a good one, without some way to provide for the inspection in a reliable and cost-effective manner, the law is inappropriate to rural Alaska.

H.B. 180 is a step in the right direction for helping rural Alaskans build quality homes with a minimum of regulatory cost and logistical burden.

GUINN BUILDING SERVICES
GENERAL CONTRACTOR
PO BOX 1021
BETHEL, AK. 99577
343-4513 FAX

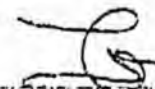
STATE OF ALASKA
RE: HB 180

SIRS:

I AM A GENERAL CONTRACTOR LIVING AND DOING BUSINESS HERE IN BETHEL, AK. I WOULD LIKE TO VOICE MY SUPPORT FOR HB 180 REGARDING THE LOOSENING OF INSPECTIONS ON STATE FUNDED CONSTRUCTION. THE COST OF LIVING AND DOING BUSINESS HERE IN BETHEL AND THE SURROUNDING AREA IS BAD ENOUGH WITHOUT THE PROHIBITIVE COSTS OF THESE INSPECTIONS. AS AN EXAMPLE, IF I WAS SHORT 2 PIECES OF SHEETROCK FOR A JOB TODAY, I CAN BUY THEM IN ANCHORAGE FOR \$9.00 EACH, BUT IT WILL COST ME \$25.00 EACH TO GET THEM HERE, FOR A TOTAL OF \$43.00 EA. IN SOME INSTANCES, THE COST OF THE INSPECTIONS MAY BE THE DIFFERENCE BETWEEN AN APPROVAL OR DENIAL OF FUNDS FOR A PROJECT. MANY TIMES THERE IS A COMPETENT ENGINEER OR CONTRACTOR IN TOWN OR CLOSE BY THAT CAN ATTEST TO THE QUALITY OF PHASES OF A BUILDING. ALSO, IF CHOSEN, THE USE OF VIDEO WILL GREATLY CUT DOWN THE COST OF THE PROJECT.

GENERALLY, THE QUALITY THE STATE IS TRYING TO ATTAIN ON THESE PROJECTS IS MORE THAN SATISFACTORY WHEN A LICENSED GENERAL CONTRACTOR IS HIRED. THE PROBLEMS ARISE WHEN A SPECIALTY CONTRACTOR WHO HAS NO KNOWLEDGE OF THE REGULATIONS, AND IS UNLICENSED TO DO THE TOTAL SCOPE OF WORK TRIES TO DO THE JOB. THE REGULATIONS THE STATE HAS ADOPTED PUT ALL CONTRACTORS ON AN EQUAL BASIS, AND SHOULD BE KEPT IN PLACE AND ADHERED TO.

SINCERELY,

 03-10-93

JIM GUINN, OWNER

TO: DAVE

FROM: BROOKE T. ADKINSON
PO BOX 1080
CORDOVA, AK. 99574

DATE: MARCH 16, 1993

RE: HB 180

PAGES: 4, INCLUDING COVER SHEET

HERE ARE THE QUESTIONS WHICH I PRESENTED TO YOU ON MARCH
12th & 15th.

PLEASE CONSIDER THESE QUESTIONS WHEN YOU ARE CONSIDERING
HB180.

THANK YOU.

BROOKE T. ADKINSON

March 15, 1993

Dear House Bill 180 Council members:

My name is Fred T. Adams, I am a second generation Alaskan and proud of it. I feel the concept of Alaska building in unital direction for quality building construction is essential for the long term social and economic health of our state. We must stop allowing twenty year churches and build one hundred year houses our grand children may enjoy. It is a win-win for all involved the owners, builders, financing at least from a quality built home. The long term Alaskan concept is a standard for all to follow a standard of the I.C.B.C. (International Conference of Building Officials) and let the Alaska Home Craftsmen Program enjoy success. Rather than diluting a quality inspection and product by letting contractors or journey-man sign off a job; let's initiate a program to have post secondary educational loans to help individuals get qualified for I.C.B.C. inspectors and

energy advisors.
 We must look long-term at this, the better quality of work is today, the more it will be worth tomorrow. It is a short term for these communities without a resident ICBC inspector facing high transportation costs should communicate together and employ a short term inspector among them all.

Maybe the present inspection costs for these areas (Peak) are extreme but consider that I learned home due to a dead shut in winter, improperly installed wood stove or carbon monoxide poisoning costs far more to society than the owner, insurance co, and banker all lose.

If I am at my arguments you are still considering passing HB 180 "plans" include an amendment mandating communities to use certified inspectors if there is no resident who becomes one in their town. If here in Colorado we have a certified inspector so you can remove us from your list. Thank you. Best

Done would tell you getting
 a ICBC certification is hard and
 costly. I would agree, but not
 impossible. I know because I
 am one # 55747 and #003 A.H.F.C.
 I too, was raised in the bush,
 started in construction as a laborer
 then carpenter, foreman, general contractor
 and finally an ICBC inspector and
 hopefully an engaged father soon.
 I admit it wasn't easy but
 nothing of value is. As for
 Sullivan and standing in front of
 me five hundred signs to take
 the first ICBC test. There are
 ninety eight million reasons to have
 ICBC certification for the state.
 If you want to have money the state
 construction workmanship - no inspection.
 Let's not do it again. Thank
 you for your time.

Sincerely

Richard A. Sullivan
 P.O. Box 1080
 Cordova, Alaska 99574
 (907) 424-5437.

National Bank of Alaska



Corporate Headquarters P.O. Box 100600 Anchorage, Alaska 99510-0600 (907) 276-1132

March 9, 1993

Representative Eileen MacLean
State Capital
Room 507
Juneau, AK 99801

Dear Representative MacLean:

We believe HB180 is a necessary change in Section I AS 18.56.300(b) regarding mandatory construction inspections that affect the entire state of Alaska. The change will mitigate the severe financial and procedural impact of the law on rural areas while still providing quality housing, health, and safety protection.

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We see two problems with the existing statutes for rural home builders: 1) The high cost of a home builder supporting the inspection program, and 2) the required inspectors are limited narrowly to only ICBO inspectors. In outlying areas such as St. Paul, King Cove, or Nome, the cost of four on-site inspections is for round-trip airfares plus possibly room and board. Anchorage/St. Paul is currently \$1,054 round-trip. If a typical inspector charges \$1,800 for a house, the total bill could exceed \$7,800. Costs for on-site visits for appraisal, surveys, thermal standards, and environmental considerations are in addition to this.

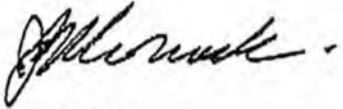
Secondly, by limiting the inspector pool to only ICBO inspectors, many qualified architects, engineers or other responsible persons are eliminated in assisting in the inspection process. Some of these local officials may be more experienced in local conditions than a newly created inspector flying out from an urban area. Many architects and engineers have frequent occasion to fly to rural areas to inspect projects and could add a home inspection at little extra cost.

Representative Eileen MacLean
March 9, 1993
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We believe the solution to this problem is through passage of house bill 180 as it is currently written and asks for the legislature's support of the bill.

Sincerely,



Jim McCormack
Vice President

gs

NCP

ARCHITECTS & PLANNERS

March 9, 1993

Ref: House Bill 180

Dear Legislator:

Post-It™ brand fax transmittal memo 7671		# of pages	
To	Eleonora MacLera	From	C. Porter
Co.		Co.	
Dept.		Phone #	562-2283
Fax #	463-3241	Fax #	

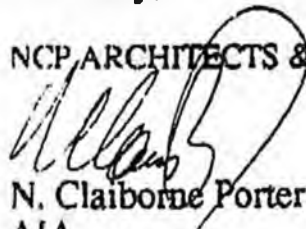
Recently I received a copy of HB 180 entitled "An Act Relating To The Residential Housing Inspection Requirements Of The Alaska Housing Finance Corp." As a registered architect in the State of Alaska and design professional involved in the inspection of the residential and commercial buildings, I find this change very positive. A request was made initially on HB 368 to include architects and engineers in that legislation, however, it was not done. Many different problems have been created by that omission and this is an attempt to clarify that oversight. This clarification is admirable and should be passed.

Lines 2 and 3 on page 2 do create an interesting set of circumstances for which further clarification are needed. The default position of HB 368 and HB 180 is that the Executive Director of Alaska Housing Finance Corp. is indeed the State Building Official and is the party that sets what body of codes that are to be enforced. In addition, there is no State Building Code for residential construction in the State of Alaska that is enforced by any agency as all of those agency's have been precluded by statute. Therefore, the Executive Director of Alaska Housing Finance Corp. is the defacto building official for this legislation and by the rules of the applicable codes has the authority to make changes and exceptions. That condition presently exist and will continue to exist based upon this legislation.

Finally let me state that the Architects I have spoken with are in favor of this modification to HB 368 and in favor of the passage of HB 180.

Sincerely,

NCP ARCHITECTS & PLANNERS


N. Claiborne Porter, Jr.
AIA

2 MR. FRED
BOX 324

STOUT
KOTZEBUE

OTZ TELEPHONE
AK 99752

O 02 HB 166
(907)442-3114

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93

LEGISLATIVE TELECONFERENCE NETWORK

LTN1405

16:51:52 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE

TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

SITE: LIO NOM VTS NOME

1 MR. MITCH BOX 1469	ERICKSON NOME	NBA AK 99762	T 01 HB 180 (907)443-2223
2 MR. CHARLIE BOX 415	WEISS NOME	OUTSIDERS CONST. AK 99762	T 01 HB 180 (907)443-5155
3 MR. MARVIN BOX 1701	HANEBUTH NOME	HANEBUTH BLDRS. AK 99762	T 01 HB 180 (907)443-5360
4 MR. JIM BOX 729	STIMPFL NOME	NEW FRONTIER RLT AK 99762	T 01 HB 180 (907)443-2002
5 MRS. FIRLE BOX 1469	REDBURN NOME	NBA AK 99762	O 01 HB 180 (907)443-2223
6 MR. RUDY BOX 1938	RUDISEL NOME	SELF AK 99762	T 01 HB 180 (907)443-2979

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93

LEGISLATIVE TELECONFERENCE NETWORK

JTN1405

16:51:52 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE

TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

SITE: LIO NOM VTS NOME

1 MR. MITCH BOX 1469	ERICKSON NOME	NBA AK 99762	T 01 HB 180 (907)443-2223
2 MR. CHARLIE BOX 415	WEISS NOME	OUTSIDERS CONST. AK 99762	T 01 HB 180 (907)443-5155
3 MR. MARVIN BOX 1701	HANEBUTH NOME	HANEBUTH BLDRS. AK 99762	T 01 HB 180 (907)443-5360
4 MR. JIM BOX 729	STIMPFL NOME	NEW FRONTIER RLT AK 99762	T 01 HB 180 (907)443-2002
5 MRS. FIRLE BOX 1469	REDBURN NOME	NBA AK 99762	O 01 HB 180 (907)443-2223
6 MR. RUDY BOX 1938	RUDISEL NOME	SELF AK 99762	T 01 HB 180 (907)443-2979

TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

SITE: LIO HOM VTS HOMER LTC

1	STEVE	WISDOM	KENAI PEN.BUILD	T 01 HB 180
	BOX 4184	HOMER	AK 99603	(907)235-5266
2	BILL	BLOOM	ADV.HOME.INSPECT	O 01 HB 180
	BOX 4194	HOMER	AK 99603	(907)235-4227

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1405

16:45:36 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE

TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

SITE: LIO HOM VTS HOMER LTC

1	STEVE	WISDOM	KENAI PEN.BUILD	T 01 HB 180
	BOX 4184	HOMER	AK 99603	(907)235-5266
2	BILL	BLOOM	ADV.HOME.INSPECT	O 01 HB 180
	BOX 4194	HOMER	AK 99603	(907)235-4227

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1405

16:47:06 N CONFERENCE DISPLAY PAGE - PARTICIPANTS BY SITE

TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

SITE: LIO KOD VTS KODIAK

1	SGT. NANCY	PERRY	KODIAK POLICE	O 02 HB 166
	217 LOWER MILL BAY RD.	KODIAK	AK 99615	(907)486-8000

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1405

16:47:06 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE

TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

SITE: LIO KOD VTS KODIAK

1 SGT. NANCY PERRY	KODIAK POLICE	0 02 HB 166
217 LOWER MILL BAY RD. KODIAK	AK 99615	(907)486-8000

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1405

16:48:31 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE

TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

SITE: LIO KOT VTS KOTZEBUE

1 MR. BENJAMIN PHILLIPS	OTZ TELEPHONE	0 02 HB 166
BOX 324	AK 99752	(907)442-3114
2 MR. FRANK STOUT	OTZ TELEPHONE	0 02 HB 166
BOX 324	AK 99752	(907)442-3114

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1405

16:48:31 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE

TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

SITE: LIO KOT VTS KOTZEBUE

1 MR. BENJAMIN PHILLIPS	OTZ TELEPHONE	0 02 HB 166
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MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93

LEGISLATIVE TELECONFERENCE NETWORK

LTN1405

16:52:32 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE

TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

SITE: LIO SOL VTS KEN/SOL

✓ 1 MR. PHILLIP REEVES KEN.PEN.BORO T 02 HB 166
144 N. BINKLEY SOLDOTNA AK 99669 (000)262-8609
✓ 2 MR. SILVER-JIM STROER KEN.PEN.BUILDERS T 01 HB 180
335 DOLCHOK SOLDOTNA AK 99611 (907)283-5661
3 MR. TONY DOYLE K.P.BUID. T 01 HB 180
7984 SPUR HWY. KENAI AK 99611 (907)283-3886
4 MRS. PAT VINCENT K.P.BUILD T 01 HB 180
BOX 1753 KENAI AK 99611 (907)776-8831

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93

LEGISLATIVE TELECONFERENCE NETWORK

LTN1405

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MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

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1 MR. PHILLIP REEVES KEN.PEN.BORO T 02 HB 166
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3 MR. TONY DOYLE K.P.BUID. T 01 HB 180

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
16:43:25 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE
TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED
SITE: LIO BAR VTS BARROW

1	HELEN BOX 1414	HUNTINGTON BARROW	SELF AK 99723	U 01 HB 180 (907)852-7879
2	MYRON BOX 1388	MCCUMBER BARROW	MCCUMBER CONSTR. AK 99723	T 01 HB 180 (907)852-6588
3	JIM BOX 69	STEVENS BARROW	NSB HOUSING DEPT AK 99723	T 01 HB 180 (907)852-0290
4	ROBIN BOX 209	HARRISON BARROW	NBA, BARROW BRCH AK 99723	T 01 HB 180 (907)852-6200
5	MICHAEL BOX 832	DANNER BARROW	SELF AK 99723	T 01 HB 180 (907)852-6100

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
16:45:00 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE
TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED
SITE: LIO GLN VTS GLENNALLEN

1	MR. ROCKY BOX 217	ANSELL COPPER CENTER	FIRE DEPT/EMS AK 99573	T 02 HB 166 (907)822-3671
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MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1405
16:45:00 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE
TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED
SITE: LIO GLN VTS GLENNALLEN

1	MR. ROCKY BOX 217	ANSELL COPPER CENTER	FIRE DEPT/EMS AK 99573	T 02 HB 166 (907)822-3671
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MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 01 PF2 NextC# ynnnn PF3 Exit PF4 Menu PF5 Update PF7 Bwd PF8 Fwd

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1405

16:41:30 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE

TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

SITE: LIO ANC VTS ANCHORAGE

1	_____	ROBERT	BREAN	AHFC		O 01 HB 180
	520 E 34TH		ANCHORAGE	AK	_____	(907)000-0000
2	_____	JIM	MCCORMACK	NBA		T 01 HB 180
	301 W NORTHERN LIGHTS		ANCHORAGE	AK	_____	(907)000-0000
3	_____	C.	PATE	NCP		T 01 HB 180
	118 E. INTL. AIRPORT		ANCHORAGE	AK	_____	(907)000-0000

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1405

16:41:30 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE

TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

SITE: LIO ANC VTS ANCHORAGE

1	_____	ROBERT	BREAN	AHFC		O 01 HB 180
	520 E 34TH		ANCHORAGE	AK	_____	(907)000-0000
2	_____	JIM	MCCORMACK	NBA		T 01 HB 180
	301 W NORTHERN LIGHTS		ANCHORAGE	AK	_____	(907)000-0000
3	_____	C.	PATE	NCP		T 01 HB 180
	118 E. INTL. AIRPORT		ANCHORAGE	AK	_____	(907)000-0000

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 09 PF2 NextC# ynnnn PF3 Exit PF5 Update PF7 Bwd PF8 Fwd PF12 Quit

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16:41:30 N CONFERENCE DISPLAY PAGE 05 - PARTICIPANTS BY SITE

TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

SITE: LIO ANC VTS ANCHORAGE

1	_____	ROBERT	BREAN	AHFC		O 01 HB 180
	520 E 34TH		ANCHORAGE	AK	_____	(907)000-0000
2	_____	JIM	MCCORMACK	NBA		T 01 HB 180

* LIO VTS	NAME	ADDRESS	CONTACT	TELEPHONE
VAL	COR CORDOVA	CORDOVA	ZZZ LORI DENSOW	907 424 6200
ZZZ	OF1 OFFNET 1	DUTCH HARBOR	RON ANDERSON	907 581 1373

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 05 PF2 NextC# ynnnn PF3 Exit PF4 Menu PF5 Update PF7 Bwd PF8 Fwd

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1404
 16:36:29 N CONFERENCE DISPLAY PAGE 04 - VOLUNTEER & OFF-NET SITES
 TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

* LIO VTS	NAME	ADDRESS	CONTACT	TELEPHONE
VAL	COR CORDOVA	CORDOVA	ZZZ LORI DENSOW	907 424 6200
ZZZ	OF1 OFFNET 1	DUTCH HARBOR	RON ANDERSON	907 581 1373

MSG: 1410 NO FURTHER INFORMATION

ENTER Pg# 05 PF2 NextC# ynnnn PF3 Exit PF4 Menu PF5 Update PF7 Bwd PF8 Fwd

03/11/93 LEGISLATIVE TELECONFERENCE NETWORK LTN1410
 16:37:11 N CONFERENCE DISPLAY PAGE 10 - FINAL STATS
 TCN 30348 T/C DATE: 03/11/93 TIME: 13:00 to 15:00 STATUS: 6 ADJOURNED

LIO VTS	NAME	STATUS	STARTED	ENDED	PARTICIPANTS
ANC	ANCHORAGE	3 STATS IN	13:00	15:00	3
BAR	BARROW	3 STATS IN	13:10	15:00	5
BET	BETHEL	2 NO INTEREST			0
FBX	FAIRBANKS	2 NO INTEREST			0
GLN	GLENNALLEN	3 STATS IN	13:00	14:12	1
HOM	HOMER LTC	3 STATS IN	13:00	15:00	2
JNU	JUNEAU	3 STATS IN	13:00	15:00	18
KOD	KODIAK	3 STATS IN	13:05	14:15	1
KOT	KOTZEBUE	3 STATS IN	13:00	14:15	2
MAT	MATSU	1 OUTSTANDING			0
NOM	NOME	3 STATS IN	13:00	14:55	6
SOL	KEN/SOL	3 STATS IN	12:42	15:30	4



HOUSE COMMUNITY AND REGIONAL AFFAIRS

SUBJECT OF MEETING:

HB 180
HB 166

DATE: 3/11/93

PLACE: Rm. 124

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
John George	AK ST Firefighters Assoc	9515 MORAINE WAY JUNEAU AK 99801		9-0172	—	(Y) N	HB 166
Larry Penning	City of JUNEAU	820 Glacier Ave JUNEAU AK 99801		586-5322		(Y) N	HB 166
Bob Curran	ANA	P.O. BOX 22184 JUNEAU AK 99802		364 3560		(Y) N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	

HB

198

SPONSOR STATEMENT

HB 198

"AN ACT RELATING TO THE ALASKA REGIONAL ECONOMIC ASSISTANCE PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE."

REPRESENTATIVE FOSTER

The ARDOR (Alaska Regional Development Organizations) program was established in statute in 1988, and with implementing regulations, became effective in early 1989. Thirteen ARDORS have since been designated, and it is anticipated a fourteenth ARDOR will be organized in the Matanuska-Susitna Borough.

Currently, the statute requires each ARDOR receive no more than \$50.0 per year which must be matched on a one-to-one basis with nonstate funds. HB198 will allow state grant funding of up to \$100.0 per ARDOR and authorizes the department to establish, by regulation, the amount of matching funds required based upon the capacity of each ARDOR to generate nonstate sources of funding.

The department envisions a matching fund formula easing the match requirements, and allowing rural areas access to the program. Rural ARDORS would be given the opportunity to lead their regions toward economic self-sufficiency thereby benefiting all of Alaska.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 198

Revision Date: N/A
 Title: Regional Economic Assistance Program
 Sponsor: Representative Foster
 Requestor: Representative Foster

Department Affected: Commerce and Economic Development
 BRU: Economic Development
 Component: N/A
 COMPONENT SERIAL NO. _____

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	750.0	750.0	750.0	750.0	0.0	0.0
MISCELLANEOUS						
TOTAL OPERATING	750.0	750.0	750.0	750.0	0.0	0.0

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

REVENUE FUND SOURCE:						
-----------------------------	--	--	--	--	--	--

FUNDING:

1002 Federal Receipts						
1003 GF Match						
1004 GF	750.0	750.0	750.0	750.0	0.0	0.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	750.0	750.0	750.0	750.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY 93) impact: N/A

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

Prepared by: Tom Lawson, Section Chief, Business & Regional Dev.
 Division: Economic Development

Phone: 465-2017
 Date: _____

Approved by Commissioner: Paul Fuhs
 Agency: Commerce and Economic Development

Date: 3/8/93

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FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 198

ANALYSIS: (continued)

This legislation amends the ARDOR (Alaska Regional Development Organizations) program, established in statute in 1988, to allow state grant funding of up to \$100.0 per ARDOR. It also authorizes the department to establish by regulation the amount of matching funds required based on the capacity of each ARDOR to generate money from nonstate sources. Currently, the statute (AS 44.33.026) requires that each ARDOR receive no more than \$50.0 per year which must be matched on a one-to-one basis with nonstate funds. A total of \$1,400.0/year would be necessary for the 13 designated ARDORs and the one anticipated new ARDOR being organized in the Matanuska-Susitna Borough. \$650.0 already exists in the Governor's FY 94 Operating Budget request. The ARDOR program sunsets July 1, 1997.

HB 198: "An Act relating to the Alaska regional economic assistance program."

The department is neutral on the passage of this bill.

The ARDOR (Alaska Regional Development Organizations) program was established in statute in 1988 and with implementing regulations became effective in early 1989. Since then 13 ARDORs have been designated, eight in the last two years. An anticipated fourteenth ARDOR is being organized in the Matanuska-Susitna Borough. Currently, the statute (AS 44.33.026) requires that each ARDOR receive no more than \$50.0 per year which must be matched on a one-to-one basis with nonstate funds. This legislation amends the statute to allow state grant funding of up to \$100.0 per ARDOR and authorizes the department to establish by regulation the amount of matching funds required based on the capacity of each ARDOR to generate money from non-state sources.

If this legislation is passed, the department envisions a matching fund formula that would ease match requirements and especially favor rural areas. A total of \$1,400.0/year would be necessary for the 13 existing ARDORs and one anticipated new ARDOR.

Paul Fuhs
Paul Fuhs, Commissioner

3/12/93
Date

dgl/116pp.ed

Sec. 44.33.025. Recording. [Repealed, E.O. No. 47, § 6 (1980).]

Sec. 44.33.026. Alaska regional economic assistance program.

(a) The department shall

(1) encourage the formation of regional development organizations by providing assistance in forming organizations to interested individuals, including information on how to qualify and apply for regional development grants and federal funding under 42 U.S.C. 3121 — 3246 (Public Works and Economic Development Act of 1965), as amended;

(2) assist an interested individual in establishing boundaries for a proposed organization to ensure that the region

(A) is of sufficient geographic size and contains a large enough population to form an economically viable unit with shared interests, resources, traditions, and goals;

(B) contains at least one municipality that serves as a regional center; and

(C) contains the entire area of each municipality included in the region;

(3) gather information about regional economic issues, international trade, and tourism from organizations;

(4) serve as liaison between organizations and other state agencies and encourage other agencies to make resources available to help accomplish goals of the organizations;

(5) assist each organization to

(A) provide services designed to encourage economic development to local communities and businesses;

(B) collect and distribute economic information relevant to the region;

(C) participate in state marketing campaigns and join state trade missions that are relevant to the region; and

(D) develop and implement strategies to attract new industry, expand international trade opportunities, and encourage tourism within the region.

(b) Subject to (c) of this section, the department may make regional development grants to organizations for projects the department determines will be of value in encouraging economic development. During a fiscal year the department may make no more than 15 grants and may only make grants to one organization from a particular region. An organization that is designated an economic development district under 42 U.S.C. 3171 qualifies for grants under this subsection. The department shall by regulation adopt procedures for applying for regional development grants, including application deadlines. The department may by regulation establish additional grant eligibility requirements.

(c) To qualify for a grant, a regional development organization must match the grant by providing an amount of money from nonstate

sources for the project that equals the amount of grant money to be used for the project. The total amount of grant money provided to an organization during a fiscal year may not exceed \$50,000.

(d) There is established in the department the regional development fund consisting of appropriations to the fund. Money from the fund may be used only for regional development grants.

(e) In this section

(1) "department" means the Department of Commerce and Economic Development;

(2) "regional development organization" or "organization" means a nonprofit organization or nonprofit corporation formed to encourage economic development within a particular region of the state that includes the entire area of each municipality within that region and that has a board of directors that represents the region's economic, political, and social interests. (§ 2 ch 94 SLA 1988; r § 3 ch 94 1988)

Postponed repeal. — Section 3, ch. 94, SLA 1988 repeals this section effective July 1, 1993.

Cross references. — For statement of legislative purpose, see sec. 1, ch. 94 SLA 1988 in the Temporary and Special Laws.

Secs. 44.33.030 — 44.33.060. Power development. [Repealed, ch 79 SLA 1983.]

Sec. 44.33.110. Civil Air Patrol. [Repealed, E.O. No. 33 (1968), current provisions, see AS 18.60.146.]

Article 2. Alaska Division of Tourism.

Section 119. Purposes	Section 124. Membership of the Tourism Marketing Committee
120. Alaska division of tourism	
122. Establishment of Tourism Coordinating Committee	135. Grants for promotion or development of visitor travel

Sec. 44.33.119. Purposes. The purposes of AS 44.33.119 — 44.33.135 and AS 44.33.700 — 44.33.735 are to

(1) encourage the expansion and growth of the state's visitor industry for the benefit of the citizens of the state;

(2) ensure that the economic benefits to be derived from tourism in the state are retained in the state, to the greatest extent possible;

(3) ensure that a maximum number of residents of the state are employed in the tourism industry;

(4) promote cooperation between the state and private sector in the planning and execution of a generic visitor marketing campaign in the public interest;

STATE STATUTE



HOUSE COMMUNITY AND REGIONAL AFFAIRS

SUBJECT OF MEETING:

DATE: 3/25/93

PLACE: Rm. 124

HB 220
HB 71
HB 93
HB 198

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Larry LaBelle ^x	Rep Foster	State Capitol Juneau, AK	99801		465-3789	(Y)	N HB 71 - HB 93 - HB 198
Jay Frank	State Farm Allstate	431 N. Franklin St			6-5777	(Y)	N HB 34
John						Y	N
CHRIS GATES, DIR.	DEPT OF COMMERCE	DIV OF ECONOMIC DEVELOPMENT PO BOX 110804			5 5467	(Y)	N HB 198
						Y	N
						Y	N
						Y	N
						Y	N
						Y	N
						Y	N
						Y	N

HB

206

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 5, 1993

FURTHER REFERRALS:

State Affairs

Date of Committee Action: 3-23-93

The COMMUNITY AND REGIONAL AFFAIRS Committee considered:

HB 206

HOUSE BILL NO. 206

ELECTIONS AND ELECTRIC COOP ELECTIONS

"An Act relating to the regulation of election campaigns, and providing for regulation by the Alaska Public Offices Commission of elections by electrical cooperatives."

RECOMMENDATIONS:

the same title

be replaced with C.S. for HB 206 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 ADMIT

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Jan Sanders</i>	✓	<i>Gov. P. Davis</i>	✓		
<i>Jim Bunde</i>	✓	<i>Harley Olberg</i>		✓	
<i>W.K. Williams</i>	✓				
<i>Scott Stee</i>	✓				

Harley Olberg
CHAIRMAN'S SIGNATURE

03/16/93
10:37:27

PUBLIC OPINION MESSAGE SYSTEM
MEMBER OFFICE WLS Willis

POMS100
LHSCJAS

From: Ms. Gaye Vaughan
144 N. Binkley

Soldotna

AK 99669

Tel: 262-8608

Bill# HB 206 Title: ELECTIONS AND ELECTRIC COOP ELECTIONS
Subject

OPPOSES THIS LEGISLATION

Message: I AM UNABLE TO ATTEND TELECONFERENCE 3-16-93. I WOULD URGE YOU TO DEFEAT HB206. APOC DOES NOT NEED ANY ADDITIONAL DUTIES SUCH AS THIS BILL WOULD GIVE THEM. THEY DO NOT FULFILL THEIR CURRENT ASSIGNED DUTIES. THEY ARE UNDER BUDGETED TO THE POINT WHERE THEY PAY NO (OR VERY LITTLE) ATTENTION TO MUNICIPAL COI AND CAMPAIGN DISCLOSURE. BEFORE ADDITIONAL DUTIES ARE ASSIGNED, PLEASE LOOK AT THEIR CURRENT DUTIES AND DO AN ASSESSMENT OF THEIR FUNCTION.

Entered By: LIOCALY on 3/15/93 PomID 7019 Distribution 7
MSG:

Enter Next Message PF4 Menu PF6 WasteBasket PF7 Previous POM PF10 BigWaste

8-LS0686J
Chenoweth
3/12/93

CS FOR HOUSE BILL NO. 206()
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE MULDER

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the regulation of election campaigns, and providing for
2 regulation by the Alaska Public Offices Commission of elections by certain
3 electrical cooperatives and by certain telephone cooperatives."

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

5 * Section 1. AS 15.13.010(a) is amended to read:

6 (a) This chapter applies

7 (1) in every election for governor, lieutenant governor, a member of the
8 state legislature, a delegate to a constitutional convention, or judge seeking electoral
9 confirmation;

10 (2) [. IT ALSO APPLIES] to every candidate for election to a
11 municipal office in a municipality with a population of more than 1,000 inhabitants
12 according to the latest United States census figures or estimates of population certified
13 as correct for administrative purposes by the Department of Community and Regional
14 Affairs unless the municipality has exempted itself from the provisions of this

1 chapter: a [. A] municipality may exempt its elected municipal officers from the
 2 requirements of this chapter if a majority of the voters voting on the question at a
 3 regular election, as defined by AS 29.71.800(20), or a special municipality-wide
 4 election called for that purpose, vote to exempt its elected municipal officers from the
 5 requirements of this chapter; the [. THE] question of exemption from the
 6 requirements of this chapter may be submitted by the governing body by ordinance or
 7 by initiative election; and

8 (3) to every candidate for election for a seat on the board of
 9 directors of an electrical cooperative if the cooperative furnishes electrical energy
 10 and power to at least 10,000 customers or of a telephone cooperative if the
 11 telephone cooperative furnishes telephone services to at least 10,000 customers [.

12 THIS CHAPTER DOES NOT PROHIBIT A MUNICIPALITY FROM REGULATING
 13 BY ORDINANCE CAMPAIGN CONTRIBUTIONS AND EXPENDITURES].

14 * Sec. 2. AS 15.13.010 is amended by adding a new subsection to read:

15 (c) This chapter does not prohibit a municipality from regulating by ordinance
 16 campaign contributions and expenditures in municipal elections.

17 * Sec. 3. AS 15.13.120(f) is amended to read:

18 (f) If, after being sworn into office, a person who was a successful candidate
 19 or the campaign treasurer or deputy campaign treasurer of a person who was a
 20 successful candidate is convicted of a violation of this chapter, proceedings shall be
 21 held and appropriate action taken in accordance with

22 (1) art. II, sec. 12 of the state constitution, if the candidate is a
 23 candidate for the state legislature;

24 (2) art. II, sec. 20 of the state constitution, if the candidate is a
 25 candidate for governor or lieutenant governor;

26 (3) AS 29.20.170, if the candidate is a candidate for the borough
 27 assembly;

28 (4) AS 29.20.280, if the candidate is a candidate for borough mayor;

29 (5) AS 29.20.170, if the candidate is a candidate for city council;

30 (6) AS 29.20.280, if the candidate is a candidate for city mayor;

31 (7) the provisions of the call for the constitutional convention, if the

1 candidate is a candidate for constitutional convention delegate;

2 (8) art. IV, sec. 10 of the state constitution, if the candidate is a
3 candidate for judicial retention;

4 (9) the articles of incorporation and bylaws of an electrical
5 cooperative or of a telephone cooperative whose elections are subject to regulation
6 under this chapter. if the candidate is a candidate for the board of directors of
7 the cooperative.

8 * Sec. 4. AS 15.13.130(1) is amended to read:

9 (1) "candidate" means a person

10 (A) who files for election

11 (i) to the state legislature;

12 (ii) [,] for governor;

13 (iii) [,] for lieutenant governor;

14 (iv) [,] for municipal office;

15 (v) [,] for retention in judicial office;

16 (vi) [, OR] for constitutional convention delegate; or

17 (vii) for a seat on the board of directors of an

18 electrical cooperative if the cooperative furnishes electrical energy

19 and power to at least 10,000 customers or of a telephone

20 cooperative if the cooperative furnishes telephone services to at least

21 10,000 customers; [,] or

22 (B) who campaigns as a write-in candidate for any of the

23 [THESE] offices set out in (A) of this paragraph;

24 * Sec. 5. AS 15.13.130 is amended by adding new paragraphs to read:

25 (8) "electrical cooperative" means a corporation incorporated under
26 AS 10.15 (Alaska Cooperative Corporation Act) or AS 10.25 (Electric and Telephone
27 Cooperative Act) and furnishing electrical power and energy to customers if the
28 articles or bylaws of the cooperative require

29 (A) membership in the cooperative as a condition of obtaining
30 the cooperative's services; and

31 (B) the election of the cooperative's directors by the

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cooperative's members;

(9) "telephone cooperative" means a corporation incorporated under AS 10.15 (Alaska Cooperative Corporation Act) or AS 10.25 (Electric and Telephone Cooperative Act) and furnishing telephone services to customers if the articles or bylaws of the cooperative require

(A) membership in the cooperative as a condition of obtaining the cooperative's services; and

(B) the election of the cooperative's directors by the cooperative's members.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 206

Revision Date: _____

Department Affected: Administration

Title: An Act relating to the regulation of election campaigns and providing for regulation by APOC and providing for electrical cooperatives.

BRU: Alaska Public Offices Commission

Sponsor: Representative Miller

Component: Alaska Public Offices Commission

Requestor: _____

COMPONENT SERIAL NO. 70

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	2.6	2.6	2.6	2.6	2.6	2.6
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	2.0	1.9	1.9	1.9	1.9	1.9
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	4.6	4.5	4.5	4.5	4.5	4.5

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:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	4.6	4.5	4.5	4.5	4.5	4.5
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	4.6	4.5	4.5	4.5	4.5	4.5

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 (FY93) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

See Attached.

Prepared by: Nancy Boornman, Executive Director
Division: Alaska Public Offices Commission

Phone: 270-4176
Date: _____

Approved by Commissioner: Nancy Bear Usera
Agency: Administration

Date: _____

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FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 206

This bill would require candidates for an electrical cooperative's board of directors to comply with the Campaign Disclosure Law, AS 15.13. Any group that took action to support or oppose these candidates would also be required to file reports and otherwise comply with AS 15.13. Based on information from APUC there are approximately 20 cooperatives that would fall under the law. Without reviewing bylaws and articles of incorporation, it is difficult to determine how elections are organized and when they are held. Many have annual meetings in March, April or May at which time newly elected board members would take office.

The commission has not had experience with non-governmental entities before so this is a new area. The closest analogy is in the regulation of municipal campaigns, candidates and groups. The commission has a policy that allows municipal candidates to file exemption forms if they do not intend to receive contributions exceeding \$1000 or make expenditures exceeding \$1000 during their campaign. If they do exceed this amount reporting requirements must be met. Groups taking action in support or opposition to these candidates must report at any monetary level. It is likely that the Commission will extend this \$1000 exemption policy to candidates for cooperative boards.

AS 15.13 will be more difficult to administer, at least initially, than it is to do so with municipalities for several reasons. No one entity regulates electrical cooperatives, these candidates are not accustomed to being regulated by the Alaska Public Offices Commission and a municipality, usually the municipal clerk, has responsibility under APOC regulations 2 AAC 50.360 to provide a list of candidates and mailing addresses within seven days after the deadline for filing. A similar provision placed in statute for electrical cooperatives would certainly make administration easier.

The Commission anticipates it will incur start up costs in connection with administering and enforcing the new provisions. Staff must revise forms, manuals and prepare training materials. The Commission will receive many questions and requests for written and oral advice. Procedures will have to be established with the cooperatives, candidates and APOC to insure that all regulated candidates are notified of the requirements each year. Training will have to be emphasized in the first few years to educate cooperative boards, candidates and groups active in cooperative elections. It is expected that at least one complaint will be filed each year alleging violations of the campaign disclosure laws.

This comes at a time when APOC staff and other resources are stretched thin and funding is at a maintenance level. Although an additional staff person is not necessary to accommodate these provisions, funds for printing of forms and manuals, conducting training, as well as overtime funds for staff to provide compliance assistance, training, to revise the manual and forms, draft advisory opinions and investigate complaints are needed. An estimated \$2000 is allocated for the first year for printing, training and materials and \$1900 each year thereafter. An estimated \$2600, or 130 hours at \$20 per hour, is allocated for overtime.

On Page 1, amend Section 1. line 14 to read:

unless the municipality, electrical cooperative or telephone cooperative has exempted itself from the provisions of this chapter; a

Currently state law provides a municipality with the option of exempting themselves from the provisions of the APOC chapter.

This amendment would extend the same option to the utilities. The board of directors of a member owned cooperative would have the flexibility to exempt the cooperative from the numerous requirements and bureaucracy of APOC regulation. They would also have the flexibility to establish their own election regulations, appropriately tailored to the type of campaigning which occurs in member owned cooperatives.

This April the member/owners of the Matanuska Electrical Association (which has in excess of 10,000 consumers) have three bylaws on the ballot which, if approved by the membership, would establish election regulations for their cooperative. Other telephone and electrical cooperatives have this option as well.

Members to vote on five 1993 ballot measures

continued from Page 1

sure bylaw is to let the members know who is contributing to campaigns," says a report by board President Gary Clouse and MEA counsel Andrew Hoge. "The members can then be the best judges of how contributions will influence their vote."

Clouse and Hoge were appointed to a two-person bylaw committee by the board to draft the proposed amendments in accordance with board guidelines.



Proposition 1

Proposition 1 requires a candidate to file three campaign finance reports: one 10 to 20 days before the election; another within 20 days after the election; and within 30 days of the end of the year. The candidate must report any advertising in the public media on his or her behalf, if known, and make a good faith effort to report who paid for the advertising and how much it cost. Any public advertising must indicate who is paying for it.

The proposition says a board member may vote on a matter affecting a contributor to his campaign, provided he discloses the contribution and has not made an improper commitment to the contributor.

If any director violates the rules noted above, the proposition directs the board to remove that director from the board. However, the board member would be given 30 days to correct any erroneous report.

Proposition 2

Proposition 2 requires anyone seeking to influence the outcome of an MEA election to register with the co-op, which will publish a list of registered individuals and

groups in its newsletter.

"In past elections, certain groups were involved in negative campaigning, but no clear identification of the group was known," the report by Hoge and Clouse says. "The co-op cannot control negative campaigning, but it can try to identify such groups so members can be aware of who is actively campaigning in MEA elections."

Proposition 3

Proposition 3 is designed to help candidates inform members about their positions on issues and to lessen the candidate's reliance on campaign contributions.

If this proposition passes, the Member Advisory Committee would be directed to come up with three to five questions to ask each candidate and forward them to the board of directors, which "may put them in an acceptable format." Candidates would have 10 days to submit answers — 200 words or less — to each question, which would then be published by MEA. The co-op would also publish 200-word statements from each candidate, twice the traditional length, in the official Annual Meeting notice sent to all members.

"The co-op is not attempting to regulate expenditures or how a campaign is conducted," attorney Hoge says. "Candidates are free to do door-to-door campaigning, meet with neighbors or civic groups or operate telephone banks, for example. On the other hand, the board believes any candidate should be given a fair opportunity to get his or her name and message to the members — which is why Proposition 3 is on the ballot."

Because state law forbids the co-op to oppose or support a candidate, candidates cannot address the candidacy of their opponents in the election material published by MEA.

The board will not try to restrict any candidate's message to members; on the other hand, Proposition 3 states that MEA will not publish profane, vulgar, inappropriate or defamatory language.

Hoge says, "The board has tried to balance the right of free speech, state law governing cooperatives and dealing with other issues such as libel, with its duty to inform its members about candidates and the election process."

Proposition 4

A fourth ballot measure, placed on the ballot by a vote at the 1992 annual membership meeting, states that board members and employees could not serve on the Nominating Committee, nor could their relatives. (At present, board members cannot serve on the committee.)

If Proposition 4 passes, the Nominating Committee will no longer have the option to select which applicants should be nominated by the committee. The committee would be required to nominate anyone who wished to run for the Board, after determining whether the candidate is a member of MEA, lives in MEA's service area and does not have a conflict of interest as defined in the Bylaws.

Proposition 4 also eliminates the requirement that at least two candidates must be selected to run for each seat.

Proposition A

A fifth measure on the ballot, also placed on the ballot by a vote at the last Annual Meeting, takes the form of an advisory vote, listed as Proposition A.

Your electric co-op presently awards \$10,000 in scholarships annually, using interest earnings from MEA funds deposited in the Alaska Rural Electric Cooperative Association Educational Foundation.

Proposition A asks, "Should the Board of Directors of MEA use unclaimed capital credits to establish a second educational fund, within the foundation, to send a student to a seminar on rural electrification, to a youth tour or for other educational purposes?"

Visit your friends at
MEA's Annual Meeting and
indoor picnic!



7 p.m. April
22 at Colony
High School
off the
Palmer-
Wasilla
Highway

Sponsor Statement
Representative Eldon Mulder

House Bill 206

House Bill 206 relates to the Alaska Public Offices Commission regulating elections by electrical cooperatives. The bill has been introduced as a measure to ensure greater accountability to the public.

The scope of electrical cooperatives elections has changed in recent years. These elections often run into the high thousands of dollars, yet the public presently has no way of knowing where the money is coming from. It is only appropriate for the public to know how these campaigns are being financed.

House Bill 206 would require candidates running for electrical cooperatives boards to disclose financial statements with the Alaska Public Offices Commission.

I hope House Bill 206 will have the Committee's support.

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

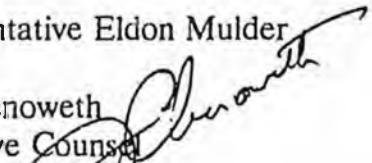
MEMORANDUM

March 9, 1993

SUBJECT: House Bill 206 -- sectional analysis (Work Order No. 8-LS0686(E))

TO: Representative Eldon Mulder

FROM: Jack Chenoweth
Legislative Counsel



Through staff, you have asked me to prepare a sectional analysis of this measure.

Substantively, the bill does no more than what the title says: it subjects to regulation by the Alaska Public Offices Commission elections for seats on boards of directors of electrical cooperatives.

Bill section 1: This bill section expands and reformats AS 15.13.010(a). The substantive addition appears on page 2, at lines 8 and 9, and incorporates within the statement of the scope of AS 15.13 the additional reference to campaigns of candidates for seats on boards of directors of electrical cooperatives. ^{1/}

Bill section 2: This bill section adds a new subsection, subsection (c), to accommodate the sentence that is proposed to be deleted at the end of bill section 1. The deletion and addition are intended to reformat the content of this section so that AS 15.13.010(a) reads a little easier.

Bill section 3: This bill section, an addition to AS 15.13.120(f), directs that, if a candidate for a seat on the board of directors of an electrical cooperative is successful in the election campaign and is subsequently "convicted of a violation of [AS 15.13]," the successful candidate is subject to whatever appropriate punitive action may be

^{1/} The additional language set out at line 14 of page 1 and carrying over to the top of page 2 is inserted only by way of introduction of the next following sentence of current law ("A municipality may exempt itself . . ."), and simply serves to affirm what is already presumed in the law--that a municipality may exempt itself from operation of the election campaign disclosure requirements.

Representative Eldon Mulder
March 9, 1993
Page 2

required by the articles of incorporation and bylaws of the electrical cooperative for whose board the candidate successfully sought election.

Bill section 4: The bill section, substantively, revises the definition of "candidate" in AS 15.13.130(1) to add a reference to a candidate for a seat on the board of directors of an electrical cooperative. As a technical matter, the format for the text of the definition is revised.

Bill section 5: The bill section, adding an additional paragraph to the list of terms defined in AS 15.13.130, supplies a definition to the term "electrical cooperative".

JBC:gc
93-215.glc

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. CSHB 206 (C&RA)

Revision Date: _____
Title: An Act relating to the regulation of election campaigns, and providing for regulation by APOC of elections by certain . . .
Sponsor: Representative Mulder
Requestor: _____

Department Affected: Administration
BRU: Alaska Public Offices Commission
Component: Alaska Public Offices Commission
COMPONENT SERIAL NO. 70

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	1.3	1.3	1.3	1.3	1.3	1.3
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	.6	.5	.5	.5	.5	.5
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	1.9	1.8	1.8	1.8	1.8	1.8

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

REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	1.9	1.8	1.8	1.8	1.8	1.8
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
	1.9	1.8	1.8	1.8	1.8	1.8

	0	0	0	0	0	0
	0	0	0	0	0	0
	0	0	0	0	0	0

act: 0

necessary.)

Phone: 276-4176

Date: _____

[Signature]
Date: 3.5.93

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CORRECTION

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

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. CSHB 206 (C&RA)

Revision Date: _____
Title: "An Act relating to the regulation of election campaigns,
and providing for regulation by APOC of elections by certain . . ."
Sponsor: Representative Mulder
Requestor: _____

Department Affected: Administration
BRU: Alaska Public Offices Commission
Component: Alaska Public Offices Commission
COMPONENT SERIAL NO. 70

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	1.3	1.3	1.3	1.3	1.3	1.3
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	.6	.5	.5	.5	.5	.5
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	1.9	1.8	1.8	1.8	1.8	1.8

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

REVENUE FUND SOURCE:	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	1.9	1.8	1.8	1.8	1.8	1.8
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	1.9	1.8	1.8	1.8	1.8	1.8

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 (FY93) impact: 0

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

Prepared by: Karen Boornab, Executive Director
Division: Alaska Public Offices Commission

Phone: 276-4176
Date: _____

Approved by Commissioner: Nancy Bear Usara
Agency: Administration

Date: 3.5.93

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FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. CSHB 206

This bill would require candidates for an electrical or telephone cooperative's board of directors to comply with the Campaign Disclosure Law, AS 15.13, if the cooperative serviced at least 10,000 customers. Any group that took action to support or oppose these candidates would also be required to file reports and otherwise comply with AS 15.13. According to information from the Alaska Public Utilities Commission, there are 5 electrical cooperatives and one telephone cooperative that meet these criteria. All have annual meetings in March, April or May at which time newly elected board members would take office.

The commission has not had experience with non-governmental entities before so this is a new area. The closest analogy is in the regulation of municipal campaigns, candidates and groups. The commission has a policy that allows municipal candidates to file exemption forms if they do not intend to receive contributions exceeding \$1000 or make expenditures exceeding \$1000 during their campaign. If they do exceed this amount reporting requirements must be met. Groups taking action in support or opposition to these candidates must report at any monetary level. It is likely that the Commission will extend this \$1000 exemption policy to candidates for cooperative boards.

AS 15.13 will be more difficult to administer, at least initially, than it is to do so with municipalities for several reasons. No one entity regulates electrical and telephone cooperatives, these candidates are not accustomed to being regulated by the Alaska Public Utilities Commission and a municipality, usually the municipal clerk, has responsibility under APOC regulations 2 AAC 50.360 to provide a list of candidates and mailing addresses within seven days after the deadline for filing. A similar provision placed in statute for electrical and telephone cooperatives would certainly make administration easier.

The Commission anticipates it will incur start up costs in connection with administering and enforcing the new provisions. Staff must revise forms, manuals and prepare training materials. The Commission will receive many questions and requests for written and oral advice. Procedures will have to be established with the cooperatives, candidates and APOC to insure that all regulated candidates are notified of the requirements each year. Provisions for monitoring or determining the number of customers will have to be arranged to insure that candidates for cooperative boards servicing at least 10,000 customers are included. Training will have to be emphasized in the first few years to educate cooperative boards, candidates and groups active in cooperative elections. It is expected that at least one complaint will be filed each year alleging violations of the campaign disclosure laws.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. CSHB 206 (C&RA)

ANALYSIS: (continued)

This comes at a time when Alaska Public Offices Commission staff and other resources are stretched thin and funding is at a maintenance level. Although an additional staff person is not necessary to accommodate these provisions, funds for printing of forms and manuals, conducting training, as well as overtime funds for staff to provide compliance assistance, training, to revise the manual and forms, draft advisory opinions and investigate complaints are needed. An estimated \$600 is allocated for the first year for printing, training and materials and \$500 each year thereafter. An estimated \$1,300, or 65 hours at \$20 per hour, is allocated for overtime.



HOUSE COMMUNITY AND REGIONAL AFFAIRS

DATE: ~~5/16/93~~ 5/17/93

PLACE: Rm. 124

SUBJECT OF MEETING:
 HB 180
 HB 206
 HB 26
 HB 1

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
JEFF OTTENSEN	DATPP	3132 C. J. Remmel	99501	789 0726	465 6794	<input checked="" type="radio"/> Y <input type="radio"/> N	IF QUESTIONS HB 26 HB 1
JERRY LUCKHAUPT	LEGAL SERVICES					<input type="radio"/> Y <input type="radio"/> N	FOR QUESTIONS IF ANY
GARY WILSON	FHWA	P.O. Box 021648 Tulane LA 99802-1648		789-9615	586-7430	<input type="radio"/> Y <input checked="" 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

209

HOUSE COMMITTEE REPORT

(7)

Date Referred: March 10, 1993

FURTHER REFERRALS:

State Affairs
Health, Education & Social Services
Finance

Date of Committee Action: 4-6-93

The COMMUNITY AND REGIONAL AFFAIRS Committee considered:

HB 209

HOUSE BILL NO. 209

COMMUNITY HEALTH AIDE GRANTS

"An Act relating to community health aide grants."

RECOMMENDATIONS: [] the same title
be replaced with _____ [] 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 _____

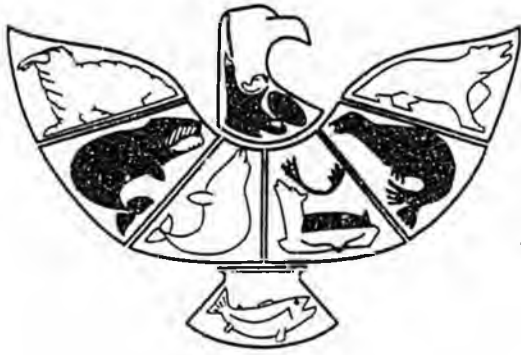
[] fiscal note(s) _____

[X] zero fiscal note HESS

[] zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>[Signature]</i>	✓				
<i>W.R. Williams</i>	✓				
<i>Ed Walker</i>	✓				
<i>Gov. N. Davis</i>	✓				
<i>Don Sanders</i>	✓				
<i>Hailey Olberg</i>	✓				

Hailey Olberg
CHAIRMAN'S SIGNATURE



Alaska Native Health Board

1345 Rudakof Circle, Suite 206
Anchorage, Alaska 99508

Phone: (907) 337-0028
FAX: (907) 333-2001

March 17, 1993

The Honorable Harley Olberg
Alaska State Legislature
State Capitol, Room 110
Juneau, AK 99801-1182

RE: House Bill 209

Dear Representative Olberg:

We would like to request that you schedule HB 209 for hearing by the Community and Regional Affairs Committee at the earliest possible date. House Bill 209 was introduced by the House Health, Education, and Social Services (HESS) Committee at the request of the Alaska Native Health Board (ANHB) to solve a very technical problem that has developed in the Community Health Aide Grants program, AS 18.28, which is administered by the Department of Health and Social Services (DHSS). The bill does not change the nature of the program or its cost to the State. It is supported by DHSS which helped us develop it. DHSS will be submitting a "zero" fiscal note, if they have not already.

The Community Health Aide Program is a critical component of the mostly federally funded rural health care system in Alaska. The Alaska Community Health Aide Grants program was enacted into statute in 1984. It provides grant funds for training and supervision of the community health aides who are for the most part the only health care providers in most of the villages throughout Alaska.

An enclosed one page article about the Community Health Aide Program describes it very well, although it fails to note that the health aides also serve non-Native rural residents who would otherwise not have access to primary and emergency health care when they live in rural and remote villages in the State. The program is almost entirely funded by federal dollars. Alaska contributes only by its limited support of training and supervision. The amount of the State's contribution is controlled by the ordinary budget process and is not affected by this bill.

KODIAK AREA NATIVE ASSOCIATION

ALEUTIAN/PRIPILOF ISLANDS ASSOCIATION
BRISTOL BAY AREA HEALTH CORPORATION
CHUGACHMIUT
COPPER RIVER NATIVE ASSOCIATION

REQUEST FOR HEARING

SOUTHCENTRAL FOUNDATION
TANANA CHIEFS CONFERENCE
TANANA REGIONAL HEALTH CORPORATION
UN-KUSKOKWIM HEALTH CORPORATION

The Honorable Harley Olberg
Page 2
March 17, 1993

When the program was established in 1984, eligibility for grants was limited to the regional and local Alaska Native health providers who were then providing services, and the level of grants was tied to the number of health aides in the system in 1984. In 1992, some of the villages in the Aleutian/Pribilof Islands Association (A/PIA) service area, which is immense and mostly impossible to reach except by travel through Anchorage, decided to form a new, more locally controlled health organization, Eastern Aleutians Tribes (EAT). EAT assumed responsibility for operating the federally supported health aide program for its villages after a very cooperative transfer from A/PIA, however it found itself unable to access the State DHSS grant funds because it was not in existence in 1984.

All of the Alaska Native regional health providers belong to ANHB. They asked us to take a leadership role in trying to amend this grant program to allow new providers to be eligible to receive grants. HB 209 accomplishes this without in any other way changing the program. The number of health aides upon which the grant amounts are awarded is still limited to the number providing services in 1984 and all other requirements of the program remain in place.

The Community Health Aide Program grants, in any given year, are restricted by the level of appropriation. That does not change in the bill. As a result, there is NO fiscal impact from the bill. All the grantees understand that each grantee may receive a slightly smaller grant than they have in previous years because a new grantee is added to the program, but they understand that this is the equitable thing to do.

House Bill 209 has received many committee referrals. It is critical that it pass this session to avoid disruptions in services provision and serious administrative problems for DHSS. Thus, an early hearing in the CRA Committee is crucial. ANHB's legal counsel, Myra Munson, is located in Juneau. She or her paralegal, Nancy Burns, will be contacting your staff soon to find out if you have any questions or need further information and to discuss scheduling the bill for hearing. If you have any questions in the meantime, Ms. Munson's address and phone number are 229 Fourth Street, Juneau, 586-5880. She will be available to provide whatever information or assistance may be needed throughout the session. Please contact her.

The Honorable Harley Olberg
Page 3
March 17, 1993

Thank you for consideration of our request. If we can be of help with other work of the CRA Committee, please be sure to contact us.

Cordially,

ALASKA NATIVE HEALTH BOARD

Ann Walker

Anne M. Walker *C.L.*
Executive Director

Enclosure

c: Representative Toohey
Representative Nicholia
Representative Williams

Community Health Aide Program

Winnie Reeve
Academic Coordinator, Community Health Aide Program

The Community Health Aide Program is a unique system of health care designed to provide village health care in Alaska's remote villages. The community health aides provide medical care under the supervision of referral physicians in each region of the state. They are taught to do a patient history, physical exam, assessment, and treatment plan using the *Community Health Aide/Practitioner (CHAP) Manual* published by the Alaska Area Native Health Service in 1987.

Community health aides manage the treatment and referral of common medical problems, medevac emergencies to the nearest referral hospital, provide monthly exams for pregnant women, provide well-child exams and immunizations, and follow up with patients with chronic illnesses. Using the *Community Health Aide/Practitioner Manual*, they assess and treat patients according to medical standing orders and refer patients on a daily basis to a referral physician over the telephone. CHAP administrators, CHAP field instructors, traveling field physicians, public health nurses, maternal and child health nurses, dentists, eye doctors, and other health care providers create a support system by on-going telephone contact and field trips.

Currently, there are approximately 440 community health aides serving a population of 42,722 Alaska Natives in 171 villages. They are employed by the regional Native corporations and in some cases by independent village contractors, funded by Indian Self-determination Act contracts with the federal government.

Five CHAP training centers provide the basic training courses leading to community health practitioner certification. These training centers are located at the Alaska Native Medical Center in Anchorage; the Norton Sound Health Corporation in Nome; the Kuskokwim Campus, College of Rural Alaska in Bethel; the North Pacific Rim Native Corporation in Seward; and the Southeast Alaska Regional Health Corporation in Sitka.

Community health aides attend three training sessions in one of the training centers. Each session is three to five weeks in length. Students practice the knowledge and skills learned during a 200-hour fieldwork experience in a village clinic after each session and complete a two-week preceptorship in a referral hospital or large village clinic. After the completion of community health practitioner certification, the title community health aide changes to community health practitioner.

The Community Health Aide Program is a collaborative program with the College of Rural Alaska of the University of Alaska Fairbanks. It is a multi-agency program including the Alaska Area Native Health Service, the Alaska Department of Health and Human Services, the five CHAP Training Centers, 11 Native corporations, and several independent village contracting agencies. Because the community health aides and practitioners are employed in rural communities, a CHAP academic coordinator is employed to serve the needs of the students, to represent the program within the university, and to coordinate

with the many agencies involved in CHAP training around the state.

Three statewide committees meet to discuss village health care needs, to revise the CHAP curriculum, and to address the concerns of the community health aides and practitioners. These committees are the Association of CHAP Directors, the Academic Review Committee, and the Statewide Community Health Aide Association. Current projects that are underway include the revision of the statewide basic training curriculum, the development of a new emergency care course, a review of the community health practitioner certification process, a revision of the certification examination, and planning for the eighth annual statewide CHAP Program Forum.

The state's Community Health Aide Program's mission to provide primary health care in Alaska's remote villages is exciting, challenging, and demanding, due to the continual need to teach and certify community health practitioners who can work safely and effectively in their home villages. It is also a challenge to provide the support needed for the students who work in the stressful situation of being a responsible health care provider in a setting that requires that they often care for their own families and friends.

The Alaska community health aides and practitioners are a wonderful loving community of individuals dedicated to serving their own people by stretching human physical, mental, emotional, and spiritual potential to the limit. Their work performance, strength of character, and love for the Alaska Native people can be an inspiration for us all.

POSITION PAPER

HOUSE BILL NO. 209

A Bill for an Act entitled: An Act relating to community health aide grants.

BACKGROUND

Since 1985, DHSS has been authorized to provide grants to help support training and supervision costs for community health aides (CHAs) employed by regional health organizations. CHAs are the only resident source of primary medical care for many small, rural Alaska villages.

Existing legislation provides a funding formula for these grants. Annual grants are based on total authorized funding prorated to participating regional health organizations on the basis of the formula.

DISCUSSION

In recent years there have been changes in the organizations sponsoring CHA programs with a trend toward organizations serving somewhat smaller regions and a greater amount of local control of programs. Under the existing statute, grants could be given only to organizations who employed health aides on July 1, 1984. The new language allows grants to be made to successor organizations which have taken over the provision of CHA services in specific communities. The bill does not change the funding limitations found in the current legislation nor does it alter the formula for distribution of funds actually appropriated.

POSITION

The Department supports enactment of HB 209. It would not be fair to restrict funding only to organizations which provided service in 1984 and to ignore developments and changes in the patterns of service provision in rural areas since that time. It is the department's understanding that current grantees also support HB 209.

Recommended By:

Peter M. Nakamura
Peter M. Nakamura, MD, MPH, Director
Division of Public Health

3/15/93
Date

Approved By:

Theodore A. Mala
Theodore A. Mala, MD, MPH, Commissioner
Department of Health & Social Services

3/18/93
Date

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 209

Revision Date: _____ Dept. Affected: Health and Social Services
 Title: Relating to Community Health Aide BRU: State Health Services
Grants Component: Community Health Grants
 Sponsor: House HES
 Requestor: House Community & Regional Affairs COMPONENT SERIAL NO. 299

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

REVENUE FUND SOURCE						
---------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: None

ANALYSIS: (Attach a separate page if necessary)

AS 18.28.010 (d) caps the total funding level for the grant program. The impact of HB 209 allows the department to award grants to new agencies without increasing or decreasing the total amount of funds in the component.

Prepared by: Peter M. Nakamura, MD, MPH
 Division: Division of Public Health

Phone: (907) 465-3090
 Date: _____

Approved by Commissioner: Theodore A. Mala, MD, MPH
 Agency: Department of Health & Social Services

Date: 3/18/93

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For further information, contact the Legislative Office

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 209

Revision Date: April 1, 1993 Dept. Affected: Health and Social Services
 Title: Relating to Community Health Aide BRU: State Health Services
Grants Component: Community Health Grants
 Sponsor: House HES
 Requestor: House Community & Regional Affairs COMPONENT SERIAL NO. 299

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	0.0
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

REVENUE FUND SOURCE						
---------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: None

ANALYSIS: (Attach a separate page if necessary)

AS 18.28.010 (d) caps the total funding level for the grant program. The impact of HB 209 allows the department to award grants to new agencies without increasing or decreasing the total amount of funds in the component.

Prepared by: Peter M. Nakamura, MD, MPH
 Division: Division of Public Health
 Approved by Commissioner: Theodore A. Mala, MD, MPH
 Agency: Department of Health & Social Services

Phone: (907) 465-3090
 Date: 4/1/93
 Date: 4/1/93

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ANALYSIS (cont.):

ASSISTANCE TO COMMUNITY HEALTH AIDE PROGRAMS
FORMULA FUNDING AS 18.28.010

Grantees	Full Formula	Full Formula	FY94 Gov	FY94 Gov
	Funding Level	Funding Level	Budget	Budget
	W/O HB 209	With HB 209	W/O HB 209	With HB 209
Aleutian Pribilof Island Assn.	\$78,000	\$54,000	\$70,080	\$46,699
Bristol Bay Area Health Corp.	\$326,000	\$326,000	\$292,900	\$281,921
Copper River Native Assn.	\$78,000	\$78,000	\$70,080	\$67,453
Kodiak Area Native Assn.	\$86,000	\$86,000	\$77,200	\$74,372
North Pacific Rim	\$62,000	\$62,000	\$55,700	\$53,617
North Slope Borough	\$126,000	\$126,000	\$113,200	\$108,963
St. George	\$8,000	\$8,000	\$7,200	\$6,918
Yakutat	\$8,000	\$8,000	\$7,200	\$6,918
Eastern Aleutian Tribes	\$0	\$54,000	\$0	\$46,699
Total	\$772,000	\$802,000	\$693,560	\$693,560

Formula funding for the community health aide grants is determined by AS 18.28.010 based upon the number of health aides recognized by the department on July 1, 1984. To be eligible to receive state funding, an agency must also have been providing health aide services under contract to the Alaska Area Native Health Services on July 1, 1984. The statute allows the department to distribute available funds on a pro rata basis to eligible organizations. The available funding for this program has been reduced to 90% of full formula level as a result of state wide budget reductions. HB 209 will amend the statute to allow new contractors to become eligible for funding. The available funding will continue to be distributed pro rata to all eligible organizations. The impact of this bill will be a redistribution of funds resulting in a reduction to 87% of full formula for each agency in this component in FY94.

Those organizations funded through the designated Budget Request Units (Tanana Chiefs Conference, Yukon Kuskokwim Health Corporation, Norton Sound Health Corporation, Maniilaq Association, and Southeast Alaska Regional Health Corporation) will not be impacted by HB 209.

the day-to-day operation and maintenance of a medical facility and over the development and implementation of long-range goals and objectives for the medical facility; it includes any person acting as an agent or representative of an operator;

(8) "property" means any real, personal, or mixed property, or any interest in it, including without limitation any real estate, appurtenances, buildings, easements, equipment, furnishings, furniture, improvements, machinery, rights-of-way, and structures, or any interest in any of these items;

(9) "revenue" means, with respect to any medical facility, the rent, fees, charges, interest, principal repayments, and other income or profit received or to be received, either directly or indirectly, by the authority from any source on account of the facility. (§ 1 ch 141 SLA 1978)

Revisor's notes. — Reorganized in 1986 to alphabetize the defined terms.

Chapter 28. State Assistance for Community Health Aide Programs.

Section	Section
10. Community health aide grants	40. Liability limitation
20. Qualifications	50. Regulations
30. Community health aide grant account	100. Definitions

Cross references. — For duty of health aides to report certain injuries, see AS 08.64.369.

Sec. 18.28.010. Community health aide grants. (a) A qualified regional health organization is entitled to a grant of \$30,000 each fiscal year for the training and supervision of at least three primary community health aides.

(b) During each fiscal year a qualified regional health organization or local health organization is entitled to a grant of \$8,000 multiplied by the number of primary community health aides who each week during the previous fiscal year averaged at least 20 hours of service paid for by the health organization, but not to exceed the number of primary community health aides who were employed by the health organization on July 1, 1984.

(c) A grant under (b) of this section may be used only for

(1) training of primary community health aides, including tuition and travel to training programs;

(2) supervision of primary community health aides, including travel for supervisors;

(3) alternate community health aides.

(d) The department shall compute and pay a grant under this section within the limits of appropriations made for the purpose. (§ 1 ch 44 SLA 1985)

Sec. 18.28.020. Qualifications. To qualify for a community health aide grant a regional or local health organization must

(1) have received money from the federal government for a community health aide program during the fiscal year for which the grant is sought;

(2) provide the services of community health aides on a nondiscriminatory basis for the benefit of the public;

(3) apply for the grant in accordance with application requirements of the department or negotiate a contract with the department in lieu of a grant if the regional or local health organization provides other contract services for the state; and

(4) supply information requested by the department. (§ 1 ch 44 SLA 1985)

Sec. 18.28.030. Community health aide grant account. (a) The community health aide grant account is established in the department. Money to carry out the provisions of this chapter shall be appropriated to the account and distributed as community health aide grants or to fund contracts entered into by the department under AS 18.28.020(3).

(b) Each fiscal year the department shall determine the amount of money needed to fund all grants under AS 18.28.010 and contracts under AS 18.28.020(3) during the next fiscal year and shall report that amount to the legislature. If the amount appropriated to the account is not sufficient to finance all grants and contracts, the money shall be distributed pro rata among qualified regional and local health organizations. (§ 1 ch 44 SLA 1985)

Sec. 18.28.040. Liability limitation. The state is not liable for any injury that may result from the use of money awarded by the state as a community health aide grant or paid by the state under a contract under this chapter. (§ 1 ch 44 SLA 1985)

Sec. 18.28.050. Regulations. The department may adopt regulations necessary to carry out the provisions of this chapter. (§ 1 ch 44 SLA 1985)

Sec. 18.28.100. Definitions. In this chapter

- (1) "alternate community health aide" means a person who assists the primary community health aide when necessary and acts in the absence of the primary community health aide;
- (2) "community health aide" includes a primary community health aide and an alternate health aide;
- (3) "department" means the Department of Health and Social Services;
- (4) "local health organization" means a nonprofit corporation or other entity that provides health services in a rural area that is less than 4,000 square miles;
- (5) "primary community health aide" means a person who has completed the first of three levels of community health aide training offered by the Norton Sound Health Corporation at the Nome Hospital, the Kuskokwim Community College in Bethel, the Alaska Area Native Health Service in Anchorage, or another accredited training center;
- (6) "regional health organization" means a nonprofit corporation or home rule borough that provided health aide services
- (A) under a contract with the Alaska Native Health Service that was in effect on July 1, 1984; and
- (B) in a rural area that is at least 4,000 square miles. (§ 1 ch 44 SLA 1985)

Chapter 31. Asbestos.**Article**

1. Asbestos Health Hazard Abatement Program (§§ 18.31.010 — 18.31.050)
2. Certification of Asbestos Workers (§ 18.31.200)
3. Miscellaneous Provisions (§ 18.31.500)

Editor's notes. — Section 3, ch. 71, SLA 1985 provides that this chapter "does not apply to work involving asbestos or the abatement of asbestos health hazards underway on October 1, 1985."

Article 1. Asbestos Health Hazard Abatement Program.**Section**

10. Program established
20. Duties of the Department of Labor
30. Duties of the Department of Education

Section

40. Duties of school officials
50. Repayment of grant funds



HOUSE COMMUNITY AND REGIONAL AFFAIRS

DATE: 4/6/93

PLACE: Rm. 124

SUBJECT OF MEETING:
 HB 173
 HJR 37
 HB 209

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Roger McKowan	Rep Hoffman			L	4453	(Y) N	HJR 37
Rick Ulrich	City of Bethel					(Y) N	HB 173
Deborah Erickson	DHSS/ Public Health	DHSS Health Program specialist II			x3090	(Y) N	HB 209
Ron Papenkopf	Juneau Youth Activities Group				586-2077	(Y) N	173
John Hansen	DCEO	Box D Juneau			5-2581	(Y) N	HB-173
Myla Munson	Alaska Native Health Board	229 4th St Juneau 99801			6-5980	(Y) N	HB 209
FEITH KELTON	ADEC					Y N	HJR 37
						Y N	
						Y N	
						Y N	
						Y N	