

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

7923 HOUSE LABOR & COMMERCE

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SHORETT & RIELY
REAL ESTATE APPRAISERS & CONSULTANTS
310 K Street, Suite 402, Anchorage, Alaska 99501-2046

ANCHORAGE (907) 276-1881
Anchorage Fax (907) 276-6403
SEATTLE (206) 441-4900
*** WAC *** (408) 294-6733

APPRAISER'S EXPERIENCE DATA

KEN E. KINCAID

Ken E. Kincaid, an Alaskan resident for 30 years, is the manager of the Alaska division of Shorett & Rieley, a real estate appraisal, market analysis and consulting firm. He is an MAI Candidate with the Appraisal Institute and, to date, has successfully completed all seven of the required courses which are "Real Estate Appraisal Principles" and "Basic Valuation Procedures", 1985; "Capitalization Theory and Technique Part A & B", 1986; "Case Studies", "Valuation Analysis of Report Writing" and "Standards of Professional Practice", 1987. He has also successfully completed a demonstration appraisal report for the Appraisal Institute.

Mr. Kincaid is a 1982 graduate of Merced College in Merced, California with an Associates Degree in computer science and accounting and is a 1984 graduate of California State University, Chico with a Bachelor of Science Degree in economics. He has a diversified background in commercial real estate appraisal. Property types upon which full narrative appraisals have been made include commercial and residential subdivision developments, apartments, warehouses, office buildings, shopping centers, hotels, restaurants, free-standing banks and various special purpose properties. He also completes and publishes a semi-annual Anchorage apartment survey. Mr. Kincaid has qualified as an expert witness in the State of Alaska Superior Court and U.S. Federal Bankruptcy Court in Anchorage, Alaska; Portland, Oregon; and Houston, Texas.

The following is a partial list of appraisal assignments he has completed since joining Shorett & Rieley:

Anchorage

Office Buildings

Realty Center Office Building
Crowntree Office Building
West Center Retail/Office Building

Ocean Technology Office Building
Dale Street Professional Building
Bank of the North Data Building

Retail Buildings

Diamond Center
Mukdoon Mall
Geneva Woods Shopping Center
Proctor's Grocery Retail Center
E Street Terrace

Northway Mall
Olympic Center @ 36th & Arctic
Independence Park Shopping Center
Creekside Village Shopping Center

Hotel Properties

Executive Suite Hotel (110 rooms)

Northern Lights Inn (142 rooms)

Industrial

Midtown Business Park
Alaska Steel Warehouse
Ship Creek Transfer Warehouse
Van Dusen Aircraft Hanger

B Street Industrial Park
K. & L Distributors
Skoglund Warehouse
Kenworth Alaska Building

Apartments

King Henry's Court (44 Units)
Nakchina Point (84 Units)
Susitna Ridge (88 Units)
Independence Park (84 Units)
Park Plaza (110 Units)
Arctic Gardens (60 Units)
Sunrise East (144 Units)

Eden Lane (72 Units)
College View (98 Units)
Caials Manor (164 Units)
Lakeshore Park (80 Units)
Lampighter Apartments (288 Units)
Polar Apartments (111 Units)
Fontaine Bleau (60 Units)

Eagle River

Area Realty Office Building
20 Acre Industrial Tract

Sherwood Arms Apartments
Frontier Mall

Mat-Su Borough

Westside Center
180 Acre Residential Subdivision
95 Acre Industrial/Residential Tract
The Shores of Ancient Tree Estates
Alaska Potato Chip Building

Phillips Plaza
Wasilla Business Park
Lake Lucille Lodge
Proposed Camal Nursing Home
First Interstate Bank Building

Kenai Peninsula

Rig Tenders, Niiskil Dock Facility
Kasilof Site Planning Report

Offshore Systems Dock Facility

Fairbanks

100 Unit Apartment Feasibility Study
C.J.M. Office/Warehouse

The Village Apartments (52 Units)
Chandalar Apartments (58 Units)

Seattle

Juanita Heights Office Building

Waterford Condominiums

RESUME OF EXPERIENCE AND BACKGROUND OF

GARY P. BADER
10701 Glazanof Drive
Anchorage, Alaska, 99516
W-265-8858, H- 346-2719

February 5, 1992

PERSONAL DATA

AGE 51, BORN IN KETCHIKAN ALASKA 1940
MARRIED, 5 CHILDREN
EXCELLENT HEALTH
ANCHORAGE YMCA BOARD MEMBER
SCIENCE ALLIANCE BOARD MEMBER
PAST ANCH. PROBLEM RESOLUTION CORP. BOARD MEMBER
PAST VICE PRESIDENT, ANCHORAGE NATIVE CAUCUS
SHAREHOLDER, SEALASKA CORPORATION
CURRENTLY RESIDE IN ANCHORAGE ALASKA

EDUCATION AND TRAINING

GRADUATE, JUNEAU HIGH SCHOOL, 1960
GRADUATE, RCA INSTITUTES SCHOOL OF ELECTRONICS, 1965
UNIVERSITY OF ALASKA, PERSONNEL RELATED COURSES

SIGNIFICANT WORK EXPERIENCE

4/65 TO 5/71: COMMUNICATIONS AND RADAR TECHNICIAN
FOR RCA MISSILE TEST PROJECT IN THE BAHAMAS AND WEST
INDIES.

5/71 TO 4/74: COMMUNICATIONS TECHNICIAN FOR RCA
ALASKA COMMUNICATIONS SYSTEM IN JUNEAU.

4/74 TO 8/74: OMBUDSMAN FOR RCA ALASCOM,
RESPONSIBLE FOR NONREPRESENTED EMPLOYEES.

8/74 TO 3/75: EMPLOYEE AFFAIRS ADMINISTRATOR FOR RCA
ALASCOM. RESPONSIBLE FOR EEO AND AAP'S.

3/75 TO 11/78: LABOR RELATIONS ADMINISTRATOR FOR RCA
ALASCOM. NEGOTIATED AND ADMINISTERED STATE WIDE
LABOR AGREEMENT WITH TEAMSTERS.

11/78 TO 7/79: MANAGER, EMPLOYEE RELATIONS FOR RCA
ALASCOM.

07/79 TO 6/81: LABOR RELATIONS MANAGER FOR ALYESKA
PIPELINE. APPROXIMATE \$500,000.00 BUDGET.

* SUCCESSFULLY MAINTAINED NONUNION STATUS OF 1300
MEMBER WORKFORCE DURING 2 MAJOR UNIONIZATION
ATTEMPTS.

* SUCCESSFULLY MANAGED EXTERNAL LABOR RELATIONS
DURING CONSTRUCTION OF 2 MAJOR PUMP STATIONS.

6/81 TO 4/90: HUMAN RESOURCES MANAGER FOR ALYESKA
PIPELINE. BUDGET VARIED FROM \$2,000,000 TO \$5,000,000.

* MANAGED THE SAFETY, HEALTH, AND FIRE PROTECTION
PROGRAM FOR 1300 EMPLOYEES ON 800 MILES OF PIPELINE.
SUCCESSFULLY REWROTE SAFETY-LOSS CONTROL PROGRAM
AND CONDUCTED EXTENSIVE SAFETY-LOSS AUDITS SYSTEM
WIDE.

* MANAGED ALYESKA'S EMPLOYMENT FUNCTION DURING
TIMES OF GROWTH AND DECLINE SUCCESSFULLY WITH NO
ADVERSE LEGAL DECISIONS BECAUSE OF ERRORS IN
EMPLOYMENT OR LAYOFF. MANAGED EEO AND AFFIRMATIVE
ACTION PROGRAMS.

* MANAGED ALYESKA'S PERSONNEL ADMINISTRATION
FUNCTION INCLUDING MOST EMPLOYEE RELATED POLICIES AND

PROCEDURES, A LARGE HOME SALE RELOCATION PROGRAM,
AND A CORP OF HR FIELD REPRESENTATIVES.

* MANAGED ALYESKA'S MEDICAL HEALTH PROGRAM INCLUDING
URBAN AND FIELD MEDICAL SUPPORT INCLUDING EMERGENCY
MEDICAL TECHNICIANS AT 11 LOCATIONS UNDER THE
AUSPICES OF A STATE LICENSED M.D.. IMPLEMENTED D.O.T.
REQUIRED DRUG TESTING COMPANY WIDE.

* MANAGED ALYESKA'S LABOR RELATIONS PROGRAM
INCLUDING MAINTENANCE OF NONUNION STATUS,
RESPONSIBLE FOR LINE WIDE MAINTENANCE LABOR
AGREEMENT, PROJECT LABOR AGREEMENT, AND ALL EMPLOYEE
RELATED LAW SUITS. 100% SUCCESS ON ALL LAW SUITS, EEO
CHARGES, ARBITRATIONS, AND EMPLOYEE PROBLEM
RESOLUTIONS.

5/90 TO PRESENT: CIVIC LIAISON MANAGER FOR ALYESKA
PIPELINE. \$2,200,000 BUDGET.

* RESPONSIBLE FOR ALYESKA'S REGIONAL CITIZENS
ADVISORY COUNCIL. THIS 17 MEMBER COUNCIL CONSISTS OF
ORGANIZATIONS FROM THE IMPACTED AREA OF THE EXXON
VALDEZ OIL SPILL. THE COUNCIL HAS RESPONSIBILITY FOR
OVERSEEING ALYESKA'S TERMINAL AND PRINCE WILLIAM
SOUND (PWS) OPERATIONS AS WELL AS THE PWS OIL SPILL
CONTINGENCY PLANS.

* RESPONSIBLE FOR THE DEVELOPMENT AND IMPLEMENTATION
OF THE COMMUNITY RESPONSE PROCESS UNDER THE PWS C-
PLAN INCLUDING CONTRACTING WITH 250 FISHING VESSELS,
THE HATCHERY PROTECTION PLAN, AND THE AREA RESPONSE
CENTERS.

* RESPONSIBLE FOR LIAISON WITH ALL COMMUNITIES
ALYESKA'S OPERATION EITHER DIRECTLY IMPACTS OR HAS
THE POTENTIAL OF IMPACTING.

Donald F. Hoff, Jr.
2438 First Avenue
Ketchikan, Alaska 99901
(907) 225-6376 (home)

*Resume File / Occupational
Safety + Health*

Job Objective

A position that offers an opportunity for growth, using my knowledge and experience to help our communities and the State of Alaska.

Experience

1985/Present

Self-employed, Kitschk-Hin Cleaning--proprietor
Janitorial services, building maintenance.
-Ketchikan Museum, library, health center, and Totem Heritage
-I.H.S Alaska Native Health Clinic
-First Bank, Totem Branch Bank
-R.D. Stone Investment Offices
These are our present accounts.

1983/1984

Hardrock Construction Co. Laborer
(road construction) My experience with this company was most valuable.
-blueprint reading
-150 hours plus, backhoe operator, (case 550)
-installing culvert
-reading and understanding slope stakes
-laying 6" PVC, waterline & installing hook-up
-bridge building
-safety meetings
-boom truck operator training
-work with drillers & powderman
-carpentry

1982/1983

I worked for Seley Co. and Seaward Shipyards, Ketchikan. It was a unique situation as a Welder, being traded back and forth between companies.
-all position welder, mild steel
-fabricator
-reading welding blueprints
-air arcing
-cutting torch
-heat shrinking
-hard facing
For these companies work on barges, fishing boats.

I had other jobs such as: Boxcar repair two (2) years. Building a sawmill by sections. Seven (7) months, this all happen in Springfield, Oregon.

Education

1980/1982

Lane Community College, Eugene, Oregon
Major Commercial Arts & Fine Art.

1979

Emergency Medical Tech. I
Eugene, Oregon. Red Cross Volunteer

Resume
Donald F. Hoff Jr.
Page 2

Education

1976 Ketchikan Community College
Welding School

Military Service

1973/1976 Quartermaster (Navigation department)
U.S. Navy

Affiliations

Currently I.R.A Tribal Councilman, Treasurer
Ketchikan Indian Corporation 1986-1987

1985/1986 Alaska Native Leadership Project participant
Tlingit/Haida Indians of Alaska member
Chairman of the Indian Child Welfare
Advisory Committee, Ketchikan Indian Corporation
Constitution Committee member, Ketchikan Indian Corporation
Founder of Mahoney Heights group, Alcoholic Anonymous

1978/1979 Iron Workers Union Local 518
Portland, Oregon

1976/1977 Pipeline Union, Tulsa, Oklahoma

Personal Data

Born in Ketchikan, Alaska, May 24, 1953. Married/two children.

References

Doris Volzke -- Alaska Human Rights Commission
Box 3089, Ketchikan, Alaska 99901 225-3378

Representative John Sund, Ketchikan
2336 Sixth Avenue, Ketchikan, Alaska 225-9292

Edward K. Thomas, President Tlingit/Haida Central Council
320 Willoughby Avenue, Juneau, Alaska 99802 586-1432



STATE OF ALASKA
OFFICE OF THE GOVERNOR
P.O. Box A
Juneau, Alaska 99811

*Personnel File /
All Labor Relations Act*

BOARDS AND COMMISSIONS RESUMÉ

INSTRUCTIONS

A separate application is required for each position for which you apply. Complete and specific answers will aid in rapid and accurate processing of your resumé. The initial determination of whether you qualify for the position specified will be based on this application.

Please type or print legibly in ink. Forward to the above address. Be sure your answers are true. A willfully false answer may result in your disqualification or removal from office if you are appointed.

Position for which I am applying:

Alaska Worker's Compensation Board

Please list any other board or Commission on which you serve:

NONE

Name

Darrell F. Smith

Previous Name (check under)

Mailing Address

610 West 54th. Street

Residence Address

8147 Lloyd dr.

City, State and Zip Code

Anchorage, Alaska. 99513

Anchorage, Alaska. 99502

Home Telephone

(907) 248-9548

Business or Message Telephone

(907) 562-2810

REPORT ADDRESS AND TELEPHONE CHANGES PROMPTLY

AS 39.05.100 requires that a person appointed to a board or commission be a registered voter before the last general election:

Are you a registered voter? YES NO

Voter Registration Number (Optional)

177859

Social Security Number (Optional)

549-48-2798

Have you ever been convicted of a misdemeanor within the past five years or a felony within the past ten years? YES NO

If "YES", explain the circumstances on a separate sheet of paper and attach it to this application. A conviction is not necessarily grounds for disqualification. The number of convictions, nature, recency and relationship to the board position applied for will be evaluated and a determination will be made after a review of all relevant facts.

A policy in the Governor's Office pertaining to boards and commissions is that a member attend at least 75% of the meetings. Are there any circumstances in either your professional or personal life which would prevent you from participating at the required authorized meetings? YES NO

If "YES", explain on a separate sheet of paper and attach to this application. *None, except for work scheduling.*

This position may require that the member travel to either urban or rural (or both) areas. Are there any circumstances which would prevent you from participating? *Same as above.*

CONFLICTS OF INTEREST: Certain Boards and Commissions require full disclosure of personal financial data under AS 39.50.010. If required for the Board or Commission for which you are applying, are you willing to do so? YES NO

Could you or any member of your family be affected financially by decisions to be made by the Board or Commission for which you have applied? YES NO If "YES", explain.

The Office of the Governor will not discriminate against an applicant for a Board or Commission based on Sex, Age, National Origin, Marital Status, Pregnancy, Handicap, Religion or Parenthood.

TRAINING EXPERIENCE (If Volume attached, not necessary to complete items A-D)

A. List any professional licenses, certifications, or registrations and dates obtained that may be used as qualifying criteria.

State of Alaska Journeyman Plumbers Lic. # 000006

Municipality of Anchorage Journeyman Plumber Lic. #JP-0427

International Foundation of Employee Benefits Plan # 066998 (labor trustee)

B. List both formal and informal education and training experiences: (Use additional paper if necessary)

1956 Graduate Anchorage High School

1962 Graduate Plumber Apprentice Training Program

C. List any community service positions, municipal government positions, state positions held, and list any awards received. These include both compensated and uncompensated positions (for example, president of a service organization or a mayor). Also include length of time served in the positions.

Executive Board Member Resource Development Council, 1987.

Department of Labor Seminar's. Federal 1985. State of Alaska 1986.

D. Employment work history: paid, unpaid or voluntary: (Use additional paper if necessary)

31 year member of Plumbers & Pipefitters Union Local 367. Of which, 19 year's as an officer, including 9 years as a Business Representative and 4 year's as the elected Business Manager.

Lobbied in Juneau and Washington D.C. on issues concerning labor including the recent changes to the Workmans Compensation Law this past session.

The Office of the Governor and the State of Alaska have an Affirmative Action Equal Employment Opportunity Program. To assist in the program, you are asked to voluntarily answer the following questions to provide the information necessary for reporting purposes. Under State and Federal law, the information you provide will not be used to illegally discriminate against you.

SEX Male Female
ETHNIC BACKGROUND White Black Hispanic Alaska Native Asian or Pacific Islander American Indian (partial)

Date of Birth July 25, 1937 Military Service (if applicable, give dates) California Nat. Guard 1953/55. Alaska Army Reserve 1956/62

CERTIFICATION: I swear that the information I have entered on this form is true to the best of my knowledge. I understand that if I deliberately conceal or enter false information on the form my application may be rejected, I may be removed from the list of eligible candidates or I may be removed from the position. I agree that the Office of the Governor may contact present or former employers or other persons who know me to obtain additional information about my skills and abilities. I understand that the information on this application is public information and may be released through a legal request for such information.

Signature in Ink

Date

August 2, 1988

Jerry Ray Mayfield:

Experience: Shop owner for ten years in Anchorage. Barber/stylist in Anchorage for sixteen years. Barber/stylist three years in Atlanta, Georgia. Barber/stylist for seven years in Ohio.

Training: Graduated from Cleveland Barber College. Completed numerous training seminars for advanced styling and cutting. Judged competitions for Pennsylvania, Ohio, West Virginia and Georgia.

Professional Goals: I would like to see the state keep high standards in all areas pertaining to the Beauty/Barbering

RESUME

Michelle A. Loptien

*P.O. Box 20426
Juneau, AK 99802
(907) 789-4930*

Objective:

To obtain a position in a field which would allow me to increase my knowledge and skills. To gain experience that will help me in the future.

Experience:

*July 1991
to
present*

*State of Alaska
Office of the Governor
P.O. Box 110001
Juneau, AK 99811-0001
Executive Secretary I
Preparing general correspondence for Press Secretary's signature, screening all calls for the Press Office, maintaining reading files for the Press Secretary, Deputy Press Secretary, and Audio-Visual Specialist and myself, arranging all travel accommodations in state, out of state and overseas for the Press Secretary, Deputy Press Secretary and Audio-Visual Specialist, sorting mail and distributing to the proper authorities, making calls to departments when the state flag is to be lowered, maintaining all newspaper and magazine subscriptions for entire office.*

January 1991
to
July 1991

State of Alaska
Office of the Governor
P.O. Box 110001
Juneau, AK 99811-0001
Support Tech II
Answering ten line phone, managing
filing system for all legislation,
coordinating luncheons for Governor
and legislators, running errands,
answering letters from the public,
organizing office space, equipment,
and supplies, assisted with typing
projects.

September 1987
to
January 1991

Juneau Drug Co.
202 Front Street
Juneau, AK 99801
Assistant Manager
Aid in pharmacy, filled and charted
unit dose medication for 35-40 nursing
home patients daily, supervised floor
and employees, entered all accounts
receivables in computer, all newspaper
and employee charges, handled cash
extensively, operated cash registers,
dealt with minor billing disputes, set
up make-up displays

Education:

September 1988
to
December 1988

Juneau-Douglas High School
Juneau, AK 99801
Graduated June 1988

September 1989
to
December 1989

University of Alaska Southeast
Juneau, AK 99801
Basic Computers CIS 101, English

September 1990
to
December 1990

University of Alaska Southeast
Juneau, AK 99801
Algebra, English, Sociology,
Psychology

University of Alaska Southeast
Juneau, AK 99801
Keyboarding

page 3 of 3

Personal:

*Born July 30, 1970
Orange County, CA
Member and Volunteer of Vietnam
Veterans of America, outdoor person,
love to read*

References:

*Michael Truax
(907) 780-4777*

*Laura Lee Nelson
(907) 586-1233*

*Jackie Brown
(907) 465-3500*



STATE OF ALASKA

OFFICE OF THE GOVERNOR
P.O. Box 110001
Juneau, AK 99811-0001

BOARDS AND COMMISSIONS RESUME

INSTRUCTIONS

A separate application is required for each position for which you apply. Complete and specific answers will aid in rapid and accurate processing of your resume. The initial determination of whether you qualify for the position specified will be based on this application.

Please type or print legibly in ink. Forward to the above address. Be sure your answers are true. A willfully false answer may result in your disqualification or removal from office if you are appointed.

Position for which I am applying: Architect Member - Alaska Board for Registration of Architect, Engineers and Land Surveyors

Please list any other Board or Commission on which you serve. None at present

Name: Michael Harry Schwartz

Previous Name Applied Under: N/A

Mailing Address: HCO2 Box 7410, Palmer, AK 99645

Residence Address: Mi. 3.5 Bodenbug Loop

City, State and Zip Code: Palmer, Alaska 99645

Home Telephone: (907) 745-3911

Business or Message Telephone: (907) 276-4218

REPORT ADDRESS AND TELEPHONE CHANGES PROMPTLY

AS 29.05.100 requires that a person appointed to a board or commission be a registered voter before the last general election.

Are you a registered voter? [X] YES [] NO

Voter Registration Number (Optional): 751179

Social Security Number (Optional): 574-18-0415

Have you ever been convicted of a misdemeanor within the past five years or a felony within the past ten years? [] YES [X] NO

If "YES", explain the circumstances on a separate sheet of paper and attach it to this application. A conviction is not necessarily grounds for disqualification. The number of convictions, nature, recency and relationship to the board position applied for will be evaluated and a determination will be made after a review of all relevant facts.

A policy in the Governor's Office pertaining to boards and commissions is that a member attend at least 75% of the meetings. Are there any circumstances in either your professional or personal life which would prevent you from participating at the required authorized meetings? [] YES [X] NO

If "YES", explain on a separate sheet of paper and attach to this application.

This position may require that the member travel to either urban or rural (or both) areas. Are there any circumstances which would prevent you from participating? NO

CONFLICTS OF INTEREST: Certain Boards and Commissions require full disclosure of personal financial data under AS 29.50.010. If required for the Board or Commission for which you are applying, are you willing to do so? [X] YES [] NO

Could you or any member of your family be affected financially by decisions to be made by the Board or Commission for which you have applied? [X] YES [] NO If "YES", explain. This board regulates my profession and decisions made by this board could impact my livelihood at least in the general sense.

The Office of the Governor will not discriminate against an applicant for a Board or Commission based on Sex, Age, National Origin, Marital Status, Pregnancy, Handicap, Religion or Parenthood.

TRAINING & EXPERIENCE. (If résumé attached, it is not necessary to complete items A-D)

A. List any professional licenses, certifications, or registrations and dates obtained that may be used as qualifying criteria:

Registered Professional Architect, State of Alaska, License No. A-5178 (27 Aug 81)
National Council of Architectural Registration Boards Certificate No. 36,214 (1988)
Certified Construction Specifier, Construction Specifications Institute (1992)

B. List both formal and informal education and training experiences: (Use additional paper if necessary)

Bachelor of Architecture Degree, University of Oregon 1973
Arctic Engineering Course, University of Alaska 1976
Continuing Education maintained by Independent Study

C. List any community service positions, municipal government positions, state positions held, and list any awards received. These include both compensated and uncompensated positions (for example, president of a service organization or a mayor). Also include length of time served in the positions.

See Attachment

D. Employment work history: paid, unpaid or voluntary: (Use additional paper if necessary)

See Attachment

The Office of the Governor and the State of Alaska have an Affirmative Action Equal Employment Opportunity Program. To assist in the program, you are asked to voluntarily answer the following questions to provide the information necessary for reporting purposes. Under State and Federal law, the information you provide will not be used to illegally discriminate against you.

SEX Male Female
ETHNIC BACKGROUND White Black Hispanic Alaska Native Asian or Pacific Islander American Indian

Date of Birth 21 Dec 1945 Military Service (if applicable, give dates) U.S. Army, Oct '66-Sep '68 Vietnam Service 1967-68

CERTIFICATION: I swear that the information I have entered on this form is true to the best of my knowledge. I understand that if I deliberately conceal or enter false information on the form my application may be rejected, I may be removed from the list of eligible candidates or I may be removed from the position. I agree that the Office of the Governor may contact present or former employers or other persons who know me to obtain additional information about my skills and abilities. I understand that the information on this application is public information and may be released through a legal request for such information.

Signature in Ink

Michael J. Schwartz

Date

14 Aug 92

Work History - Michael H. Schwartz

Period	Employer	Position
15 Sep '77 to present	Maynard and Partch 800 F Street Anchorage, AK 99501	Architect
May '74 to Sep '77	Rolland A Jones Consulting Engineer Kodiak	Structural Designer
Nov '73 to May '74	City of Kodiak City Engineer's Office	Construction Inspector
May '73 to Aug '73	Bohemia Homes Eugene, OR	Architectural Draftsman
Sep '70 to Apr '73	University of Oregon Campus Security Eugene, OR	Security Supervisor (Student Patrol)
May '70 to Sep '70	Brant Enterprises Eugene, OR	Architectural Draftsman
Nov '69 to May '70	Pinkerton's, Inc. Eugene, OR	Nightwatchman
May '69 to Aug '69	Alaska Railroad Whittier	Gandy Dancer
Oct '68 to May '69	N. Lights Philips 66 Anchorage	Pump Jockey
Oct '66 to Sep '68	U.S. Army S. Carolina, S. Vietnam	Infantryman, Personnel Specialist
May '65 to Aug '66	Henry G. Gain dba M/V Little Two Seldovia	Commercial Fisherman
Jan '65 to May '65	Wakefield Fisheries Seldovia	Crab Butcher
1964-65	Seldovia-Port Graham Consolidation Seldovia	Seamer Operator (Cannery)

Public Service Record - Michael H. Schwartz

All positions etc. listed are former, none held currently.

American Institute of Architects, Alaska Chapter, Central Section

One term - Vice-Chairman

One term - Secretary/Treasurer

Valley Professional Design Council

One term - President

Matanuska-Susitna Borough Parks and Recreation Advisory Board

Member 6 years including

One term - Chairman

One term - Vice-Chairman

Republican Party of Alaska, House District 16, Butte Precinct

Two terms District Treasurer

Four terms Precinct Committeeman

Delegate to State Convention 1976, 1980, 1988, Alternate 1992

Delegate to District Convention seven times

Palmer Soccer Club

Referee - Three years

Coach - one year

Palmer Little League

Assistant Coach - Two years

Berean Baptist Church, Kodiak

Deacon, two terms

Pioneer Peak Baptist Church, Palmer

Deacon, Four terms

RESUME

WILLIAM W. MENDENHALL
FOR
BOARD OF ARCHITECTS, ENGINEERS, & LAND SURVEYORS

NAME, ADDRESS, & PHONE: William W. Mendenhall
1907 Yankovich Road
Fairbanks, AK 99709-6540
(907) 479-2786

DATE OF BIRTH: March 29, 1923 in Indianapolis, Ind.

RESIDENCE IN ALASKA: 1948-50, 1953 to present, all in Fairbanks

EDUCATION: Cornell Univ., Ithaca, N.Y. Bachelor of Civil Engineering, 1949
Cornell Univ., Ithaca, N.Y. Master of Science, Major in Geodesy (precision surveys) and Photogrammetry, 1960.

MILITARY SERVICE: U.S. Army Air Corps 1943-46 1st Lt. as
Weather Officer (forecaster)
U.S. Army, Civilian with Corps of Engineers
in Europe

EMPLOYMENT: 1987-90 University of Alaska Fairbanks, Professor of
Civil Engineering, Emeritus. Taught part-time with
courses in surveying and photogrammetry.

1967-87 Univ. of Alaska (Fairbanks). Prof. of Civil
Eng. Taught surveying-type courses, as well as
statics, dynamics, strength of materials, etc.
Commuted to Anchorage and Juneau (once a week)
during some semesters to teach courses in Control
Surveys.

1960-67 Univ. of Alaska, Assoc. Prof. of Civil
Engineering. Courses similar to above.

1959-60 Graduate student at Cornell Univ. (on leave
of absence from Univ. of Alaska)

1957-59 Univ. of Alaska, Asst. Prof. of Civil Eng.
Courses similar to above.

1955-57 Univ. of Alaska, Instructor of Civil
Engineering. Courses similar to above.

1953-55 Philleo Engineering Service, Fairbanks. Did
subdivision layout and structural design.

1950-53 Civilian with Corps of Engineers in Europe

1950 Dravo Corporation, Pittsburgh, Pa. Construction Division. Worked on plans for dams, locks, and bridge foundations.

1949-50 U.S. Smelting, Refining, & Mining Co. (Fairbanks Exploration Co.) Thawing Asst. for dredging.

1948 (Summer only) U.S. Smelting, Refining, & Mining Co. Thaw point driver.

SELF-EMPLOYMENT: 1954-present. Mendenhall Aerial Surveys, Fairbanks.

This type of work has been (with a few exceptions) confined to the months of May through Sept. The principal type of project has been aerial photography and mapping, with a large amount of ground control surveying. Beside the aerial work, there have been many ground-type surveys, mostly long-range electronic surveys, but sometimes including lot surveys and subdivision projects.

PROFESSIONAL REGISTRATION: Territory or State of Alaska:

Civil Engineer #401

Land Surveyor #748

Mechanical Engineer #1403

(All registrations are by exam, including the Land Surveyor. Although many civil and mining engineers were "grandfathered in" as land surveyors, I was not one of these.)

CONSULTATION WITH BOARD OF ARCHITECTS, ENGINEERS, & LAND SURVEYORS:

For many years (approximately 20 years) I have been a consultant to the Alaska AELS Board. This has varied over the years. At first, I wrote the entire one (later two) day exams for LSIT and LS. Later, when Alaska used the exams as written by Oregon, I prepared and graded the "substitute" questions which related specifically to Alaska, rather than Oregon. When Alaska began using the the national exams, I wrote the one-hour Alaska portion. On some occasions I wrote the entire Alaska portion of the LS exam; other times I coordinated the writing and grading with others (usually in Anchorage.) About 1990 I ceased writing these exams; it is now done by Stan Sears.

At present, I have been appointed by the Alaska Society of Professional Engineers to be an "observer" whenever the Board meets in Fairbanks.

OTHER ACTIVITIES RELATING TO THE AELS BOARD:

As a young instructor at the Univ. of Alaska, I pushed the idea of requiring all civil engineering seniors to take the EIT exam. This became a requirement in 1960, and the Univ. of Alaska was the first college in the U.S. to require this

exam. Later, electrical and mechanical engineering followed suit. Still later, the School of Mines adopted the policy.

ORGANIZATIONS:

Alaska Society of Professional Engineers. Past positions include Pres. of Fairbanks Chapter, Vice-Pres. of the Alaska Chapter, and Treasurer of the Alaska Chapter.

American Society of Civil Engineers, Alaska Chapter. Past positions include Pres. of the Fairbanks Branch, and President of the Alaska Section. Fellow in national ASCE.

Alaska Society of Professional Land Surveyors. Have held all positions, including Pres., of the Fairbanks chapter.

American Congress on Surveying and Mapping (member.)

American Society of Photogrammetry and Remote Sensing (member.)

Fairbanks Community Hospital Foundation, Inc. Have been a trustee since its inception, and was President for three years.

Rotary Club of Fairbanks Sunrisers.

POLITICAL AFFILIATION:

I have been very active in the Republican Party since about 1957. I have been Precinct Committeeman since 1968. I have worked for political candidates for many years. In 1990 I campaigned for Rick Halford, and when he was defeated in the primary, I campaigned for Walter Hickel.

GENERAL STATEMENT:

Although I have three registrations, I have never used the M.E. license. Although I have done a few projects in civil engineering, about 95% of all my work has been in the field of surveying. Thus, I consider my primary registration to be that of Land Surveyor. Alaska statutes require one member to be a Land Surveyor. I feel that I fulfill that qualification.

Although unwritten, there is a "gentlemen's agreement" that there be a reasonable geographic distribution of members. If for any reason Pat Kalen is not reappointed, I feel that I could fulfill not only the geographical (Fairbanks) slot, but also the Land Surveyor requirement.

RESUME FOR PAUL E. HARTIG

HCO1 BOX 6177
PALMER ALASKA
99645

(907) 376-3495

PERSONAL

BIRTHDATE MAY 1 1952
MARRIED 17 YEARS
FOUR CHILDREN

WORK EXPERIENCE

MARCH 1990-PRESENT-OWNER OF PACE KITCHENS & INTERIORS-RETAIL &
CONTRACT CUSTOM CABINETS-INTERIOR DESIGN.

MARCH 1976-1990- VICE PRESIDENT/PRESIDENT TERRACE KITCHENS &
INTERIORS-MAUFACTURING OF CABINETS/WHOLESALE-
REPAAL-THREE RETAIL OUTLETS.

APRIL 1982-1980- OWNER ALASKA LANDS & INVESTMENTS 2 LARGE RES-
IDENTIAL SUBDIVISIONS, CRIMESONVIEW & MEADOW
VALLEY. THREE COMMERCIAL PARKS-TOWN & COUNTRY,
TERRACE PARK & MEADOW VALLEY.

FEB 1974-1976- TERMINAL MANAGER ROBERT DOWNS TRANSPORTATION,
MAJOR HAUL ROAD TRUCKING COMPANY DURING TRANS
ALASKA PIPELINE.

EDUCATION

1966 THRU 1970- ARCHBISHOP O'HARA HIGH SCHOOL GRADUATE.
COLLEGE PREF SCHOOL-KANSAS CITY, MO.

Paul E. Hartig

RESUME'

Richard S. Armstrong, P.E.

EDUCATION

MBA in Management, *Cum Laude*, 1974
Fairleigh Dickinson University, Rutherford, New Jersey

Bachelor of Science Mechanical Engineering, Top Third of Class, 1969
Fairleigh Dickinson University, Teaneck, New Jersey

EXPERIENCE SYNOPSIS

6/83 to Present President, RSA Engineering, Inc., Mechanical/ Electrical Engineering Consulting Firm
7/81 to 6/84 Director, Division of Design and Construction, State of Alaska, DOT/PF
6/79 to 7/81 Director, Division of General Design and Construction, State of Alaska, DOT/PF
3/78 to 6/79 Pipeline Services Supervisor, Alyeska Pipeline Service Company
1/77 to 3/78 Support Services Supervisor, Southern District, Alyeska Pipeline Service Company
6/75 to 1/77 Support Services Manager, Section One, Alyeska Pipeline Service Company
6/74 to 6/75 Camp Construction Superintendent, Glennallen Camp, Alyeska Pipeline Service Company
6/67 to 6/74 Unit Head, Quality Assurance Engineering, Singer-Kearfott Division
6/61 to 6/67 Senior Quality Control Analyst, Ford Motor Company

PROFESSIONAL LICENSES

Registered Professional Electrical Engineer, EE-6023, Alaska
Registered Professional Mechanical Engineer, ME-5023, Alaska
Registered Professional Electrical Engineer, E 011933, California
Registered Professional Mechanical Engineer, M 023484, California
Registered Professional Elec. & Mech. Engineer, #22358, Washington
Registered Professional Elec. & Mech. Engineer, PE-05896, Hawaii
Plumbing and Mechanical Administrator License, AA 481, Alaska

PROFESSIONAL AFFILIATIONS

Regional Vice Chairman, ASHRAE Society Energy and Technical Affairs (88-89, 89-90)
President (87-88), Vice President (86-87), Secretary (85-86),
Treasurer (84-85), Membership Chairman (83-85), American Society
of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE)
Professional Member, Construction Specification Institute (CSI)
Professional Member, International Conference of Building Officials (ICBO)
Professional Member, Association of Energy Engineers (AEE)
ASHRAE Task Group on Cold Climate Design (TGCCD) - Member
Research Chairman - ASHRAE TGCCD

Richard Armstrong Resume' - continued

RESEARCH PAPERS PUBLISHED

Design and Construction Problems in Bush Schools, March, 1980
Estimate Analysis, October, 1980

SEMINARS PRESENTED

Design Considerations for Residential Heating Systems in Arctic Regions, ASHRAE Summer Meeting, Vancouver, B.C., Canada, June, 1989

PROFESSIONAL EXPERIENCE

RSA Engineering, Inc.

President, Principal Mechanical Engineer, 1986 to Present

Provides day-to-day direction to staff of 18 engineers, designers, and clerical people in the operation of the corporation. Staff fluctuates up to 20 people using contract labor when required. As Mechanical Engineer of Record for the corporation, he personally oversees and stamps all mechanical design work. Projects cover the range of facilities including power plants, schools, commercial, industrial, institutional and residential.

RSA Engineering

Owner and Principal Engineer, 1983 to 1986

Performs mechanical and electrical designs for up to 100 projects per year, ranging from residential, commercial, retail, through complex recreational water park projects.

State of Alaska - Department of Transportation & Public Facilities

Director, Division of Design & Construction, Central Region, July, 1981 to August, 1984

Directed a 500 person division which designed, inspected and administered contracts for the construction of state highways, harbors, airports and public buildings in central Alaska. Administered over \$150 million in projects annually. Served as Contracting Officer for Central Region construction projects. Staff consisted of licensed professional engineers and architects, as well as subprofessional and support people. The majority of transportation related design work was performed in house, while consultants did most of the buildings designs.

Duties also included right-of-way acquisition and certification, legal actions involving right-of-way and construction, and contractor claim adjudication. Personnel records verify consistently outstanding performance in meeting goals and timetables.

Director, Division of General design and Construction, June, 1979 to July, 1981

Managed a 65 person division that administered design and construction contracts for public buildings statewide. Responsible for administration of architect/engineer (A/E) selection, design contracts, bidding and award of construction contracts, construction contract administration, construction inspection, design changes and claims adjudication. Established procedures for above functions and ensured they were followed.

Richard Armstrong Resume' - continued

Responsible for planning, coordinating, reviewing and monitoring work performed by the three regions (Southeast in Juneau, Central in Anchorage and Interior in Fairbanks) as well as Headquarters in Anchorage. Expedited the design phase which got construction contracts advertised and built on schedule.

Alyeska Pipeline Service Company

Pipeline Services Supervisor, March, 1978 to June, 1979

Managed all aspects of pipeline support services for the Alyeska Pipeline, which included living facilities for Pump Stations 3, 4, 5, 6, 10 and 12. Functioned as Alyeska's representative for maintenance and catering contractors. Prepared detailed requests for contract, budget documents and manloading projects. Ensured that the living facilities were maintained to code.

Support Services Supervisor, Southern District, January, 1977 to March, 1978

Responsible for overall management of all support facilities and services at Pump Stations 10, 12 and Glennallen Southern District Headquarters. This involved camp maintenance and operation, communications, warehousing, transportation, medical services, security, catering and equipment control. A smooth transition from construction to operations and pipeline start-up was accomplished.

Support Services Manager, Section One, June, 1975 to January, 1977

Responsible for the management of construction and maintenance of four Alyeska Pipeline Construction camps: Sourdough, Glennallen, Tonsina and Sheep Creek. Supervised all work for Phase II of camp construction, including generator installation, sewer plant expansion, housing modules, offices, fuel areas and kitchens.

Camp Construction Superintendent, Glennallen Camp, June, 1974 to June, 1975

Oversaw for all phases of construction of the Glennallen Pipeline Camp. Determined priorities, initiated or approved all camp related field engineering changes, established contractor manloading, committed schedules and provided management direction to camp construction contractors. Frequently redesigned mechanical and electrical systems to match field conditions or changed requirements.

Singer-Kearfott Division

Unit Head, Quality Assurance Engineering, June, 1967 to June, 1974

Supervised 12 quality assurance engineers who were responsible for assembly and test of inertial guidance systems used by the military and space programs. Responsible for the development of computer programs written for automated resistance and continuity tests, linear programming for test scheduling and statistical data analysis.

Ford Motor Company

Senior Quality Control Analyst, June, 1961 to June, 1967

Analyzed quality control trends in the production of Ford trucks. Acted as quality liaison for Ford's larger customers. Analyzed quality claims and determined corrective action to reduce defects.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
Poult A
Juneau, Alaska 99811

BOARDING AND COMMISSIONS RESUME

INSTRUCTIONS

A separate application is required for each position for which you apply. Complete and specific answers will aid in rapid and accurate processing of your resume. The initial determination of whether you qualify for the position specified will be based on this application.

Please type or print legibly in ink. Forward to the above address. Be sure your answers are true. A willfully false answer may result in your disqualification or removal from office if you are appointed.

Position for which I am applying:

COMMISSIONER, ALASKA PUBLIC UTILITIES COMMISSION

Please list any other board or commission on which you serve:

NONE

Name JAMES E. CARTER, SR.		Previous Name Applied Under N/A
Mailing Address Post Office Box 212		Residence Address 36875 Chisulna Drive
City, State and Zip Code Kenai, Alaska 99611		
Home Telephone (907) 283-9272		Business or Message Telephone Same + FAX (907) 283-2618

REPORT ADDRESS AND TELEPHONE CHANGES PROMPTLY

AS 39.05.100 requires that a person appointed to a board or commission be a registered voter before the last general election:

Are you a registered voter? YES NO

Voter Registration Number (Optional) 00879196 Social Security Number (Optional) 220-18-4318

Have you ever been convicted of a misdemeanor within the past five years or a felony within the past ten years? YES NO
If "YES", explain the circumstances on a separate sheet of paper and attach it to this application. A conviction is not necessarily grounds for disqualification. The number of convictions, nature, recency and relationship to the board position applied for will be evaluated and a determination will be made after a review of all relevant facts.

A policy in the Governor's Office pertaining to boards and commissions is that a member attend at least 75% of the meetings. Are there any circumstances in either your professional or personal life which would prevent you from participating at the required authorized meetings? YES NO
If "YES", explain on a separate sheet of paper and attach to this application.

This position may require that the member travel to either urban or rural (or both) areas. Are there any circumstances which would prevent you from participating? NO

CONFLICTS OF INTEREST: Certain Boards and Commissions require full disclosure of personal financial data under AS 39.50.010. If required for the Board or Commission for which you are applying, are you willing to do so? YES NO

Could you or any member of your family be affected financially by decisions to be made by the Board or Commission for which you have applied? YES NO If "YES", explain.

THE
FOLLOWING
DOCUMENTS
ARE
POOR
ORIGINAL
COPIES

Resume of
JAMES E. CARTER, SR.
Post Office Box 212
Kenai, Alaska 99611

Objective: Continue to provide a professional leadership role in government, industry, private, non-private corporations as best meets their needs commensurate with my experience and background.

Synopsis: Over forty-five years of employment and volunteer comprehensive involvement in Alaska with notable accomplishments. Example:

Federal Aviation Administration -- Selection of sites and the budgeting and allocation of millions of dollars for the construction of airports, aviation communications, and air traffic control facilities, housing, and hiring of personnel, including Alaska Natives, to provide appropriate aviation services in rural and urban Alaska. In a further complex role was Liaison/Special Assistant to Commanding General Alaskan Command/NORAD Region, assisted with strategic planning National Defense and Air Defense activities. Top Secret/Crypto Clearance.

Civil Air Patrol - Auxiliary U. S. Air Force -- Coordinated and organized an all volunteer Search and Rescue effort consisting of some 450 private and commercial aircraft owners throughout Alaska (Neighbors Helping Neighbors) thus saving the U. S. Government millions of dollars in the allocation of aircraft and personnel to Alaska. Trained selected youth in Aerospace/Aviation matters. History tells us these efforts were successful gaining considerable National and State recognition.

Kenai Peninsula Borough -- Temporary Special Assistant to Mayor during change of Administration, major objective: to determine if there was a satisfactory management organization in place; elimination, change in personnel; amend or develop administrative and policy statements; restructure some management activities and personnel.

Kenai Peninsula Economic Development District, Inc. (EDD) -- Successful in obtaining approval from Federal/State/Borough in organizing the EDD, only such organization in Alaska, Board of Directors 51% public, 49% private, objective to obtain federal assistance for public projects, creation of new jobs and/or job retention focusing on developing new or strengthening existing businesses, promote through varied means the development of undeveloped and underutilized resources in the Borough and State, bringing foreign interest and tourism to the Peninsula; the State ARDOR program was patterned in part after the EDD mandates.

Cook Inlet Regional Citizens Advisory Council, Inc. (CIRCAC) -- Immediate past President and Principal in forming CIRCAC as required under Section 5002, Title V, Oil Pollution Act of 1969 - Active in bringing local public and special interest citizen involvement where crude oil tankers operate and offshore and onshore oil facilities are located in Cook Inlet, in reviewing contingency plans, make recommendations as pertains to spill prevention, safety, and response and environmental issues, promoting a forum of obtaining consensus between industry and citizens rather than confrontation, obtain in an atmosphere of cooperation appropriate funding of CIRCAC from industry as provided for in the Law - definitely some of the most challenging work.

Prime activities required partial contacts and meetings to include Congressional Delegation, U. S. Coast Guard, U. S. Department of Transportation, Alaska State Agencies, Alaska State Legislatures, U. S. Economic Development Administration, Local Borough and various municipal governments, U. S. Air Force and others.

Have always strived to be informed, to be professional, to have a positive rapport at all levels of contact, to provide responsible management including personnel supervision, budgeting and the like.

Recognition:

Bronze Bust (Wall), Hall of Honor, U. S. Air Force Museum, Wright Patterson Air Force Base, Ohio.
Air Force Secretary-Civilian Exceptional Service Award
State of Alaska-Alaska National Guard Distinguished Service Award
USAF-CAP-USAF Distinguished Service Award (2)
Anchorage-Anchorage Chamber of Commerce Gold Pan Award
Highlighted in "Arctic War Birds," a book written by Steve Mills
Chosen U. S. Department of Transportation Retiree of the year - 1973

Other:

FAA Certificate of Achievement - Administrator - 1977
Letter of commendation from the late Senator E. L. Bartlett - 1960
(2) Joint Resolutions from Alaska State Legislature for Community Service - 1964, 1973
Outstanding Wing Commander for Year 1970
CAP Exceptional Service Award - 1955
State of Alaska Certificate of Commendation - Governor Egan - 1973
Certificate of Commendation from USAF CINCAL - 1973

Organizations:

Present: President, Kenai Peninsula Caucus

Past: Chairman, 1991 United Way Fund Drive - Kenai Peninsula
President, Cook Inlet Regional Citizens Advisory Council (CIRCAC)
President, Kenai Chamber of Commerce
State Commander, Civil Air Patrol-USAF, Alaska (14 years - Rank of Colonel)
Director, Alaska State Chamber of Commerce
Member, City of Kenai Resource Development Commission
Member, City of Anchorage Parking Commission

Other: Eiks
CS's
Pioneers of Alaska
Air Force Association
National Association of Retired Federal Employees

Employment:

Federal Aviation Administration - 1948-1978 (32 years)
Flight Service 1948-1953
Air Traffic Control 1953-1963
Chief, Military Liaison to Alaskan Command/NORAD 1963-1971
Chief, Plans, Programs, Evaluations 1971-1973
Chief, Air Space, Procedures 1973 - 1973
(Retired on early out program - Grade GS-15)

Semi-Retired 1978-1987
Management family business activities

Kenai Peninsula Borough - 1987
Special Assistant to the Mayor

Kenai Peninsula Borough Economic Development District, Inc. - 1988-1991
Executive Director

Semi-Retired - 1991-Present

References:

Mr. John Williams, Mayor
City of Kenai
210 Fidalgo Street
Kenai, Alaska 99611

Mr. Don Gilman, Mayor
Kenai Peninsula Borough
144 North Sinkyey
Soldotna, Alaska 99669

Mr. Jack Brown, Executive Director
People Count, Inc.
Box 310
Kenai, Alaska 99611

FEDERAL AVIATION ADMINISTRATION (FAA)

MORE DEFINITIVE EXPLANATION OF BUSINESS ADMINISTRATION EXPERIENCE

It was in the capacity of Chief, Plans, Programs, Evaluations and Chief, Air Space, Procedures of the FAA Alaskan Region that, in my opinion, qualifies me to apply for the "five years experience in Business Administration in lieu of degree" for the October 1992 potential vacancy on the APUC Commission.

The FAA management positions afforded me the opportunity to administer a wide range of the Agency's business, some of which were:

A. Developed the FAA Alaska Region, Air Traffic, annual budget submission for staffing, both administrative and operational; for a full-range of transportation needs from airport facilities requirements and aircraft needs for air traffic system checks to that of forecasting costs for personnel travel; for equipment requirements from long line to wireless communication systems and sophisticated radar computers to automated weather monitors; and other resources required for the FAA to provide a safe and efficient operation in Alaska.

B. Managed a team of technical personnel; plan, organize, direct, control and coordinate the work of the team engaged in executing various programs. On call assignments could consist of updating long-range goals/planning, revising personnel and equipment needs due to a reduced fiscal note or determining the need to close a facility, re-assignment of personnel and the like.

C. Managed an evaluation process designed to provide a complete and updated analysis of the quality of services provided to the public from the many FAA facilities in the State. A team of evaluators travelled the Region on a continuous basis.

D. Managed an ongoing Public Relations program throughout the State with major industry users as well as individual users of FAA services. Objective was to seek input as to how we might better serve them. Their influence and input were always most useful in making system improvements.

A. List any professional licenses, certifications, or registrations and dates obtained that may be used in qualifying for this position.

PLEASE SEE RESUME ATTACHED

C. List any community service positions, municipal government positions, race positions held, and list any awards received. These include both compensated and uncompensated positions (for example, president of a service organization or a mayor). Also include length of time served in the positions.

PLEASE SEE RESUME ATTACHED

D. Employment work history: paid, unpaid or voluntary; (use additional paper if necessary)

PLEASE SEE RESUME ATTACHED

The Office of the Governor and the State of Alaska have an Affirmative Action Equal Employment Opportunity Program. To assist in the program, you are asked to voluntarily answer the following questions to provide the information necessary for reporting purposes. Under State and Federal law, the information you provide will not be used to illegally discriminate against you.

SEX

Male

Female

ETHNIC BACKGROUND

White

Black

Hispanic

Alaska Native

Asian or Pacific Islander

American Indian

Date of Birth

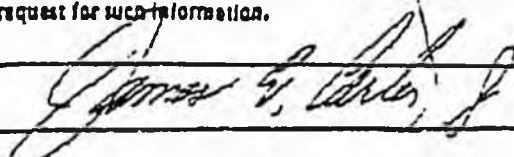
11-17-27

Military Service (if applicable, give dates)

1943-1946, United States Coast Guard

CERTIFICATION: I swear that the information I have entered on this form is true to the best of my knowledge. I understand that if I deliberately conceal or enter false information on the form my application may be rejected, I may be removed from the list of eligible candidates or I may be removed from the position. I agree that the Office of the Governor may contact present or former employers or other persons who know me to obtain additional information about my skills and abilities. I understand that the information on this application is public information and may be released through a legal request for such information.

Signature in ink



Date

9-23-92

Post-It™ brand fax transmittal memo 7671		# of pages <u>2</u>
To	From	
Co.	Co.	
Dept.	Phone #	
Fax # <u>465-6790</u>	Fax #	

P.O. Box 1264
 Kenai, AK 99611
 February 16, 1993

Representative Bill Hudson, Chair
 Labor & Commerce
 Room 17, Capitol
 Juneau, Ak 99801-1182

FAX # 465-6790

Dear Representative Hudson,

RE: confirmation of the Governor's Appointment of James Carter to
 the Alaska Public Utilities Commission

We believe there is a potential Conflict of Interest regarding this appointment and that conflict needs to be resolved before you confirm Mr. Carter to the Alaska Public Utilities Commission.

Mrs. James (Sue) Carter is a member of the Board of Directors of the Homer Electric Association, Inc. Since AFUC is the regulator for the utilities in this State, including electrical utilities, we feel it would be improper for Mr. Carter to be involved in regulatory decisions for a utility of which Mrs. Carter is a Board Member.

The Carter's answer is that Mr. Carter would not vote on issues involving Homer Electric Association, Inc. However, all of the Railbelt Utilities (electric) from Homer to, and including, Fairbanks are tied together in various agreements and contracts. Therefor we feel Mr. Carter would be restricted from involvement in matters concerning Golden Valley Electric, Chugach Electric, Matanuska Electric, Alaska Electrical Generation & Transmission Cooperative, Inc., Anchorage Municipal Power, Seward Electric, Fairbanks Municipal Utilities and Homer Electric Association. We believe Mr. Carter's effectiveness on the Alaska Public Utilities Commission would be severely limited.

We do not have a problem with Mr. Carter's appointment to the Alaska Public Utilities Commission if Mrs. Carter were to resign from the Homer Electric Association Board of Directors; lacking that we feel Mr. Carter should decline the Appointment to the Alaska Public Utilities Commission. There are just too many areas for Conflict of Interest to arise and we believe Homer Electric Association Ltd. members (consumers) will suffer as a result. We question how effective Mr. Carter would be as a Alaska Public Utilities Commission member if he were precluded from any involvement in the oversight needed on the electrical utilities of the Railbelt.

We have been in contact with the Ombudsmans Office and they referred us to your Committees. Therefor we direct our concerns over this appointment to the Labor & Commerce Committee, to you as Chair and to your Committee members.

Thank you for addressing our concerns.

Sincerely

Glenn D. Schrader

Glenn D. Schrader

Telephone: 283-4359

- Dick N. Dykstra* Box 7168 N. Kiki Alaska. 99635 - Ph. 776-8868
- Glennis Hart* PO BOX 4164 Soldotna AK Ph 262-7348
- Jennifer McGrady* HC-01 Box 160-3 Kenai AK 283-3993
- Keith E. Hush* HC-01 Box 1430 Kenai AK 776-8357
- George Gernchar* P.O. Box 8202 N. Kenai 776-5520
- Greg Hampton* 11823 Kenai Hwy #76 KENAI 283-4500
- John W. Cason* PO Box 3348 Kenai, 283-9546
- Jimmi Lund* PO Box 3831 Soldo 283-9571
- Paula Knowles* HC-01 Box 164 Kenai AK 99611 776-8209
- Ed Karen* 3800 East Hoffman Rd 99516 345-2918
- Jean Schrader* Box 1264 Kenai AK. 99611 283-4359

Organizational

meeting

1-19-93



Official Business

Alaska State Legislature

HOUSE OF REPRESENTATIVES

State Capitol
Juneau, AK 99801-1182

House Labor & Commerce Committee

MEMORANDUM

January 19, 1993

TO: House Labor & Commerce Committee

FROM: Representative Bill Hudson, Chair *BH*
House Labor & Commerce Committee *by [signature]*

SUBJECT: Organizational Meeting

Welcome to the first meeting of the House Labor and Commerce Committee. I am looking forward to working closely with each of you this session toward well-organized and productive meetings. What follows are general committee etiquette and a statement of goals to get us started.

Committee staff will try to make available to all committee members committee packets, proposed committee substitutes, and amendments 24 hours in advance of our meetings or as soon as possible. As you know, we will hereafter meet at 3 PM, Tuesday and Thursday. This means your committee folders should be ready by 3 PM the day prior to each committee meeting. If you would like your files early, please have your staff members come to this committee room to pick up your folders. In practice, some materials will almost always be late.

I would also ask committee members to provide copies of all proposed amendments to the chairman in advance. When legislation passes out of the committee, please remember to sign the committee report before you leave the committee room. If you are not in the room to sign the report, it will be your responsibility to go to the clerk's office to sign it.

Committee members may take their committee folders with them after the committee adjourns; however, you are responsible for bringing the information back with you when the legislation is heard before the committee again. We will not be able to furnish new committee folders each time.

If committee members sponsor legislation referred to the House Labor & Commerce Committee, please submit a request in writing if you wish the bill to be scheduled for a hearing.

Sue Gullufsen, Committee Secretary, will be recording each meeting for House Records. To make her job as easy as possible, please remember to speak clearly into the microphones and to keep extemporaneous noise at a minimum. The microphones are very sensitive and the sound of tapping pens and pencils, crumpling and shuffling of papers, whispering, etc., is magnified by the microphones and makes it difficult for the committee secretary to take accurate minutes. Also, during teleconferences, please remember to turn the microphone on when you wish to speak and turn it off when you are finished.

Finally, please direct your questions of witnesses "through the chair." This will also be of help to the committee secretary.

I know we are all excited about getting started and making our mark on improving the state's economic future. To help us determine where we are now, the Committee has scheduled overviews with the Departments of Labor and Commerce. Both will take place at the Departments' offices in Labor on Thursday, January 21, and in the State Office Building, Department of Commerce, on Tuesday, January 26.

To promote job creation in Alaska, it is my personal goal to conduct a small business review. I am interested in working with the business community to address problems they have had doing business in Alaska, specifically, with regard to regulations that may be making it inordinantly difficult for them to make a go of it. I'd also like to review recommendations made by the small business community in their 1989 Governor's Conference on Small Business, Final Report to Governor Steve Cowper. A copy of their top 20 recommendations is attached for your review. While some of these concerns may have been addressed, others, such as workers' compensation and unwieldy regulations, could still use some work.

I believe we have a wonderful opportunity to show our support and commitment to our business community through working with them to address these very legitimate concerns. I welcome your ideas.

BH:lsg

TOP 20 PROBLEMS AND RECOMMENDATIONS ^{1,2}

1A. PROBLEM: ECONOMIC POLICY

Alaska lacks a long term economic development policy for both human and natural resources.

RECOMMENDATIONS

1. The State should establish and implement a statewide economic development planning process involving both the public and private sectors that will develop central and regional economic development plans for the highest and best use of resources. This process should:
 - a. Ensure the sustained future economic welfare of the entire state;
 - b. Help keep Alaska's wealth in the state;
 - c. Be all-inclusive for development of renewable and non-renewable resources; and
 - d. Serve as a guide to the Administration and Legislature.

The economic development plans produced by this process should be, to the extent possible, brief action documents, flexible enough to respond to changing conditions and new administrations, involve industry groups that will be affected, have regional components prepared by Alaska Regional Development Organizations (ARDORs), and be done as soon as possible.

The lead agency for development of the plans should be the Division of Business Development, Department of Commerce and Economic Development, in conjunction with a statewide Economic Policy Task Force appointed by the Governor.

2. Elements of an Economic Development Policy
 - a. Fisheries policy that would support management of the fisheries resource for the Alaska people. The policy would include increased state funding for fisheries enforcement and management agencies in addition to the domestic observer programs. The policy needs to emphasize the needs of coastal communities for capital to build infrastructure, so that products can be processed on shore in Alaska. The state policy should include the quick processing (mandatory time limit) of the raw fish tax to allow communities to continue to develop their infrastructure which results in the growth of fisheries activities. To implement this policy, there needs to be a cabinet level fisheries person who would be responsible for coordinating all government agencies, individuals and foreign nations in fisheries activities as well as involving Alaskans in the planning process at all levels. This economic policy should look at fishing areas as permanent industrial bases that can be developed and managed. Further, the state needs to develop policy that protects fisheries from impacts of oil, gas and mineral development.

- b. Transportation policy that would enhance economic development through infrastructure such as ports, roads, airports, docks and free trade zones. The state also has a huge investment in the Alaska Marine Highway System (AMHS) which it needs to market and operate for maximum use. There should be a mechanism in the policy for the state to allow or encourage the privatization of some of the profitable runs in the AMHS.
- c. Resource development policy that does not give away the state's resources without receiving any revenue from them (the current exception: oil). Emphasis should be on renewable resource development as a priority. For example: development of a policy on tourism that focuses on infrastructural support which in turn encourages investment in tourism in rural Alaska, such as grants to communities for Visitor Information Centers that campaign in favor of local attractions.
- d. Human resources policy that places emphasis on local hire, especially in rural areas.

1B. PROBLEM: ENVIRONMENT/WASTE

There is no safe way to dispose of waste products (including, but not limited to hazardous wastes, oily wastes, solid wastes, and waste products off boats) in the State of Alaska. Proper statutes of limitation are not in place, and we are at the mercy of the Court System. Liability insurance costs discourage small businesses from getting involved in the hazardous waste disposal business.

RECOMMENDATIONS

- 1. a. Design and construct environmentally safe hazardous waste treatment, disposal and recycling facilities in various regions of the State.
- b. Make it a policy that fishing vessels and processors and all other generators of large quantities of waste disposing of wastes in shoreside community landfills must certify (on approved Environmental Protection Agency (EPA) and/or Department of Environmental Conservation (DEC) approved containers prior to disposal; lack of certification as above may force denial of onshore landfill facilities, with subsequent penalties to be imposed on communities by the state or federal government.
- 2. Recommend that the state identify means to lower insurance rates because liability insurance costs discourage small businesses from getting involved with hazardous waste business.
- 3. The state and federal governments need to recognize and assume the responsibility for the disposal of solid and hazardous waste - this includes providing the facilities and the technology for dealing with solid and hazardous waste. For example, many small areas do not have adequate landfills to deal with waste products off boats as required by the Marpol Agreement.
- 4. The state needs to assist in the education of communities on various types of hazardous wastes, storage, and disposal such as outreach seminars, education for communities through training programs (CHME through the Alaska Health Project).

5. Support House Bill 220 which would:
 - a. Assist the owners of underground storage tanks to comply with Federal and State requirements governing their tanks.
 - b. Provide a means for owners of underground storage tanks to obtain affordable liability insurance which currently is not available to small businesses.
 - c. Provide funding to assist owners of leaking underground storage tanks with the cost of upgrading or replacing their tanks and the costs of cleaning up contamination related to their tanks.
6. a. The state should develop a recycling and waste reduction policy, economic incentives, financial assistance, and technical information, that will assist rural Alaska communities in disposing of wastes cost effectively.
 - b. Assist in funding transportation for recyclables.
 - c. Encourage businesses in a waste reduction program-Waste Reduction Assistance Program (WRAP).
7. Upon discovery of contaminants, the state shall take immediate steps to protect public wells and water systems at State expense.

1C. PROBLEM: INSURANCE/BONDING

Worker's Compensation:

1. Costs too much.
2. Small businesses are unable to self-insure, therefore, are locked into classification rates.
3. Lacks employee responsibility for an accident and does not allow the employer a defense and involvement in the claim process.
4. Difficult for small businesses to obtain information on the operations of the worker's compensation system.
5. Current rate classifications systems are often inaccurate and inappropriately determined.
6. Worker's compensation does not adequately address needs of many Alaskan occupations, i.e. self-employed boat owners as well as crew members.
7. Worker's compensation insurance does not preclude law suits of parties other than the employer to supplement or substitute for the relief available under the Workman's Compensation System.

RECOMMENDATIONS


1. **Develop an insurance pool.** Name a task force of small business owners to advise boards and review the process of setting rates.
2. **Take care of our own problems by providing a safe work environment.** A merit system should be initiated for the employer and employee. The State Division of Insurance shall review high rates in all areas of insurance and recommend and implement changes.
3. a. **Develop appropriate rating of all job classifications to allow for actual job performance while protecting insurance industry exposure to claims.**
 - b. Increase funding for fraud investigations.
 - c. Require frequent and periodic medical reviews.

- d. Support tort reform.
 - e. Work to place disabled workers into vocational rehab programs at the earliest possible time. This may require increased funding to training programs.
 - f. Give incentives to industry for providing employee safety training; and
 - g. Increased training to prevent on the job injuries.
4. Develop workers' compensation rate system to more adequately classify workers' categories and review process to assure reasonable rates commensurate with risks and experience.
 5. Worker's Compensation Rate Classifications be clearly defined to represent the actual tasks performed and an appeal system be available to businesses. Total compensation for an on-the-job injury shall be limited to the amount established by the Workmen's Compensation System for that injury regardless of the ultimate source of compensation.
 6. Reasonable coverage and rates need to be provided under Worker's Compensation. Coverage needs to be provided for work performed on or off the boat regardless of time frame, i.e. 24 hour fishing period and/or season.

4A. PROBLEM: FINANCE

Small business requires better access to loans from \$10,000 to \$100,000.

RECOMMENDATIONS

- 
1. The State guaranteed loan program should be simplified and have less costly documentation process.
 2. The State needs to provide for the dissemination of information broadly throughout the state. This can be done through:
 - a. Local workshops, seminars;
 - b. Low cost computer networking;
 - c. Use of local facilities, schools, libraries, etc.;
 - d. PSA announcements;
 - e. Mailings etc. through business license mailing; and
 - f. Installing an 800 number.
 3. The State should provide incentives to banks to make \$10,000 - \$100,000 loans to small businesses in rural communities.
 4. Support House Bill 123 which would:
 - a. Increase the current AIDA loan guarantees to 80%;
 - b. Require AIDA to share in 80% of the collection and foreclosure expenses;
 - c. Let the banks control the collection and foreclosure status of the loans; and
 - d. Raise the current 2% level for delinquency so the local banks can participate in the loan program.

4B. PROBLEM: REGULATIONS/PAPERWORK

Regulations, in general, are difficult to read and understand. Many times an agency implements regulations which are contrary to or fail to follow the apparent intent of the legislature. This often results in the formulation and establishment of regulations which respond to motivations and agendas contrary to or not in accordance to what the legislature had intended.

RECOMMENDATIONS

1. SJR3 proposes a constitutional amendment that would permit the legislature to repeal any regulations adopted by a state agency when the regulation does not reflect the intent of the law passed by the legislature. SJR3 should be brought out of committee and passed into law by the House, Senate and Governor before the end of the current session.
2. To ensure that all existing and new regulations will be scrutinized for their appropriateness and effectiveness, a sunset date of five to seven years should be applied to all regulations.
3. Establish a Regulatory Review Commission to review all existing regulations affecting small business in Alaska for appropriateness and effectiveness. The top 20 issues of this initial Governor's Conference on Small Business will provide the basis for the initial review process. This initial review process will complete its work by June 30, 1991, with the results presented to the second Governor's Conference on Small Business in September, 1991.
4. Regulations covering a new law should be issued within 90 days as some new laws are passed for a specific purpose and regulatory interpretation often impacts the small business for whom the law was passed.
5. Include in the regulatory review commission small business representatives composed of owners and representatives to:
 - a. Review existing rules, regulations and forms to suggest adaptations more appropriate to small businesses. Emphasis should be on simplification, combining related forms, simultaneous due dates, increased consistency between state and federal forms, and increased computer compatibility.
 - b. Each government agency must make a special effort to educate small business owners about existing state rules and regulations.
 - c. Mandate follow-up review of implemented rules by small business advisory group(s).
 - d. Interpretation of rules must be consistent where conditions are the same.
 - e. The number of regulations which must be followed in order to assure the communal health, safety, and welfare should be kept to an absolute minimum.
 - f. The legislature should, when drafting laws, determine the effect of the proposed law on small businesses; and
 - g. All agencies must, when promulgating regulations, review them for conflicts with other agency regulations prior to adoption. Regulations must also be reviewed in light of their effect on small business.

6. a. Provide a clearinghouse/marketing center for small businesses.
- b. Coordinate federal, state, regional and municipal agency service to eliminate undue duplication of services.
- c. Simplify regulation and application procedures by streamlining operation and agency mandates.
7. Agencies and legislators need to use common sense in their approach to regulations.
8. A person will be assigned to each ombudsman's office to deal with regulatory concerns of small business and will only be assigned to tasks addressing small business concerns.
9. a. Provide a clearinghouse/marketing center for small businesses.
- b. Coordinate federal, state, regional and municipal agency service to eliminate undue duplication of services.
- c. Simplify regulation and application procedures by streamlining operation and agency mandates.

4C. PROBLEM: FINANCE

Small businesses need better access to equity capital.

RECOMMENDATIONS

1. The state should try to maximize their contacts to influence and encourage investments in Alaska using state funds and Permanent Fund Investments as leverage.
2. The state should support the role of the Alaska Science & Technology Foundation in providing seed capital for economic development.
3. Use of Uniform Limited Offering Registration (U.L.) similar to Washington State.
4. The state should implement an investment network such as Washington State's investment network (WIN) to match businesses in need of capital with investors.

7. PROBLEM: PAYROLL COSTS/BENEFITS

There is an increasing trend in Congress and legislature to mandate benefits that will adversely affect small businesses. Small businesses will have a problem if the following occur:

1. Mandatory health insurance.
2. Increasing minimum wage.
3. Parental (men and women) leave and continuing medical benefits with extended leave/leave without pay benefits.

RECOMMENDATIONS

1. Impress on legislators that mandated benefits and insurance must be discouraged. The two types of mandated benefits involved are as follows:

- a. Those that require all employers to provide a certain level of benefits such as health insurance.
 - b. Those that require all employers to provide certain benefits such as health insurance (i.e. maternity, psychological health benefits, etc.)
2. The state needs to raise its deductible on health coverage and require employees to bear a portion of the cost of dependent coverage. The state needs to take an active role as coordinator in forming a group insuring pool for health care for its citizens.
 3. Mandated benefits must be discouraged. A 20% to 30% rate increase for health insurance in one year simply is prohibitive. Many small business employers would be put out of business if required to carry health insurance. Both are harmful to small business.

The first type is harmful to small business because of the onerous expense it creates for the employer with no lower cost alternatives. For example, in many cases employers would not be able to continue in business if required to provide health insurance for all of their employees. This is especially true for start-up businesses and business hit hard by economic difficulties.

The second type of mandated insurance coverage adds significantly to the cost of insurance. This in turn forces employers to drop coverage because the mandated coverage is so expensive, even though they may be willing and able to provide less comprehensive coverage.

Legislators and the administration should instead be encouraged to enact legislation which would help reduce the cost of benefits; which would encourage more employers to cover their employees. For example, measures should be explored which will help reduce health care costs shifting created by uncompensated care.

8. PROBLEM: GOVERNMENT COMPETITION WITH THE PRIVATE SECTOR

There are many public services that could be provided better and less expensively by the private sector. State financed non-profits compete with for-profit businesses on state, local, private and federal contracts. Also, non-profit organizations compete with private small business to provide services and goods.

RECOMMENDATIONS

1. Establish a private/public commission (Mini-Grace Commission) to review and evaluate commercial enterprises operated and services provided by the state government. This commission would then mandate the state to make public the cost of these various projects to see if the private sector can do them more economically by contracts with small business firms.

This commission should consist of at least 12 members with 6 representatives from the small business sector and 3 representatives from the financial community. It is recommended these 9 be appointed to the commission by the Governor from a list of representatives prepared by the delegates to the Governor's Conference on Small Business. The other 3 representatives

would be appointed by the Governor from various branches of the state government.

As the individual projects are studied, evaluated and selected as candidates for a cost comparison study, the approved projects would then be put out for competitive bidding by small business firms, with the state also submitting a sealed bid. The bids would be opened at a public bid opening and the low bidder, be it the state or a small business firm, being awarded the contract to provide the service. If the state is the low bidder, the service would continue to be performed by the state. Otherwise, it would be awarded to the small business firm. The specific details in implementing this procedure would be worked out within state guidelines and coordinated with the appointed representatives on the established commission.

This commission is a very fair and impartial means of reducing state in-house costs and letting private firms prove they can perform a service more efficiently than the state.

2. Privatization of potential income producing enterprises or portions thereof owned by State and local governments should be considered. Examples which should be considered are utilities, agriculture, housing, finance, transportation, printing, publishing, maintenance, human resource development training/and management, recreation, health care, mental health care, tourism, corrections, and real estate.
3. Federal and state governments should stop the practice of giving grants to non-profits rather than contract with existing businesses who can provide the same services.
4. Reinforce the need for the Federal Government to avoid issuance of grants that compete with private enterprises.
5. a. Recognize that geographic isolation and historically small private sector have created a situation in which state and local governments provide some services more typically filled by private businesses (e.g. document copying, FAX transmission, engine and machine repairs, etc.) We must adhere to the principle that state or local governments and agencies that derive their funding from such governments are put in place to provide necessary public services and not to act as surrogate businesses.
b. Limit and/or restrict government agencies from competing with small business, with oversight to be provided by a small business advocacy commission whose charge would be to:
 - (1) Prohibit unfair competition in which non-profit, tax-exempt organizations use their tax-exempt status and other advantages in selling products and services also offered by small business;
 - (2) Draft legislation to Congress forbidding direct competition by public agencies or public-funded agencies in providing unrelated services;
 - (3) Draft legislation with similar provisions in a state income tax bill;
 - (4) Review the nature and scope of commercial activities by public agencies and non-profit entities and determine the impact of these on small businesses in the state; and
 - (5) Draft regulations for the IRS with greater specificity.

- c. Definitively state in statutes that non-profit agencies providing services not directly related to their main purpose and which are identified as being in direct competition with an existing business or hindering the establishment of a new profit-making business, must either cease providing that particular service to the public or must pay taxes on those services as "unrelated profit-making ventures."
- 6. The state should stop competing and contract to private labs with the state being more aware of private services that are available and not duplicate.

9. PROBLEM: EDUCATION/TRAINING

There is a lack of networking between the education sector and the small business sector as to what programs are needed, the ability of businesses to train employees or have apprentice programs.

RECOMMENDATIONS

- 1. Provide funding and/or tax credits for an apprentice training program to assist small business to develop an effective and more productive work force.
- 2. The State Board of Education and State Vocational Education Board should be separated into two boards to better service Alaskan students.
- 3. The state funded SB191 program similar to the "Job Training Partnership Act" (JTPA) should be expanded with an emphasis on the private sector designing and delivering the training through the RFPO process.

10. PROBLEM: TRANSPORTATION/MARKETING

The state does not have a transportation policy.

RECOMMENDATIONS

- 1.
 - a. Develop a transportation policy that includes highways, ports, airports, barge service and the railroad; and
 - b. Establish one commission each for DOT, Alaska Marine Highway System, and airports similar to the Alaska Railroad to set policy and long range goals. Each should have their own budget with income generated remaining in the department directly related - i.e. gas tax to DOT, airport fee to airports, etc.
- 2. The Alaska Marine Highway System serves as a vital link to the continental surface transportation network:
 - a. Provide year-round marine highway service to Kodiak, Prince William Sound, Dutch Harbor and all other coastal communities presently served in Southwest Alaska, without lapse.
 - b. The Alaska Marine Highway System should request proposals for emergency replacement vessels immediately upon scheduling of refurbishment.
 - c. Extend the AMHS to include service to Western Alaska.

- d. Transfer terminal operation leases and port powers to local government.
 - e. Seek repeal of the Jones Act.
3. Construct a direct transportation link between Nome and Fairbanks. Develop year-round barge service among Anchorage, Kenai Peninsula and Dutch Harbor.
 4. Airline competition to Southeast Alaska, specifically a Juneau/Vancouver link, opens the Vancouver market to all of Alaska and similar increased competition and service in rural Alaska.
 5. Local communities should work with state to develop infrastructure at airports, terminals, parking, cargo and cold storage facilities so that they can sell space with guaranteed availability.
 6. Expand and improve the ground transportation system to provide better access and resource development.
 7. Promote deep water port facilities throughout all coastal regions for expanded tourism, employment and resource development.

11. PROBLEM: REGULATIONS/PAPERWORK

Field regulators or low level personnel have the power to put constraints on permits or even put you out of business by over-regulation. Their attitude is not to help you solve problems but to create them. Regulators have too much control over businesses with regulations. They can tell you what you can and cannot do with your own business. There is too much "government regulation." There are often differences between regulations in various agencies in applying their regulations to the same situation.

RECOMMENDATIONS

1. Regulators should attempt to help businesses resolve problems. Their enforcement activities should be restricted to taking actions on those items specifically prohibited or restricted by a current valid regulation.
2. A person will be assigned to each ombudsman office to deal with regulatory concerns of small businesses and will only be assigned to tasks addressing small business concerns.
3. Each application for permit, regulatory decision or appeal should have a reasonable fixed time for completion by the agency.
4. An appeal process should be established for regulatory decisions. The body hearing the appeal should not be made up of only the regulators.
5. The governor should appoint staff in his office with the authority to facilitate and resolve any discrepancies or differences in the application of different regulations to a specific situation.

12. PROBLEM: PROCUREMENT

There is inconsistency of bidding and contracting procedures between state-funded agencies, for example, Legislative Affairs, Alaska Housing Finance Corporation, Alaska Energy Authority, line agencies, University of Alaska, school districts.

RECOMMENDATIONS

1. All state funded agencies charge a handling fee to out-of-state bidders requesting bid packets.
2. All state funded agencies stop advertising outside Alaska--local (in Alaska) advertising only.
3. Bid prices must be FOB destination to show full price of item with shipping costs.

Concern was expressed about the State procurement procedures often having the state taking delivery of goods in an area convenient for out-of-state vendors, for example, a Seattle warehouse, even though the final destination is in Alaska. This procedure works to the benefit of out-of-state vendors since they can make local deliveries very easily. In-state vendors have no opportunity to use their expertise in expediting the goods to Alaska destinations.

If the cost of getting the goods to final destination were included in the bid prices, then in-state vendors could be more competitive. The state would also save money since the freight cost would be part of the competitive bids.

4. The state should adopt consistent bidding and contracting procedures for all state funded agencies.

13. PROBLEM: INSURANCE/BONDING

The cost of health and other insurance and bonding is prohibitive for most small businesses. At the same time, the level of health care coverage provided by the state sets an unrealistic expectation for the work force and causes a high level of turnover for small businesses.

RECOMMENDATIONS

1. Organize and set up pools for self-insurance.
2. Risk pooling legislation should be encouraged.
3. Measures should be explored which help reduce health cost-shifting created by uncompensated care.
4. Mandated insurance benefits/coverage must be discouraged.
5. Tort reform should be encouraged where appropriate to help lower costs.
6. Increase bond requirements to \$50,000 for a general contractors license.

7. Require the principal(s) of a company to pass a written competency test to obtain a general contractors license.
8. Eliminate the requirement for bonding where no reason for bonding exists.
9. Small state and local construction projects (less than \$100,000) should allow exemption of contract bonding requirements.
10. Streamline the bonding process to reduce time and cost to small business.
11. Divide large state funded jobs into phases in order that more Alaskan businesses may qualify for bonding.

14. PROBLEM: ECONOMIC POLICY

The State of Alaska does not have a central repository of business information, access to existing business information nor a mechanism to disseminate business information to small businesses. The lack of information and business data on finance, marketing, international trade and other business topic hampers small business development and success.

RECOMMENDATIONS

1. Establish a data base on regional basis for use statewide.
2. The state must make a concerted effort to information relevant to small businesses. Suggestions include mailings enclosed with business renewals licenses, worker's compensation forms, PSA's, etc.

15. PROBLEM: EDUCATION/TRAINING

Curriculum is lacking on basic skills and general business education. Employees do not always know how to be good employees. They lack good work habits like getting to work on time, writing, math skills, etc. There is not always a positive and productive employer/employee relationship. There is a lack of entrepreneurial education in the schools. Young people are not understanding business and self-employment.

RECOMMENDATIONS

1. A statewide conference entitled "The Development of Alaska's Workforce - A Course of Action" should be undertaken within the coming year (before November 30, 1990). The conference should address:
 - a. School curriculum, offerings and expectations for our young people;
 - b. Professional training, in-service training and qualifications of our educators;
 - c. Network public institutional and private educators (trainers, consultants, private training organizations and professional organizations) to address human resource development on a macro-level. Address the need to educate, prepare, train, develop and support the need for improved human resource development in Alaska;
 - d. The role of business in education;

- e. Training and development of Alaska's workforce by non-public institutions, resources, consultants and trainers. Regulatory guidelines, fiscal responsibility and institutional needs, among many other topics to be addressed;
 - f. The training and development of entrepreneurs in Alaska; and
 - g. Distance delivery of business education, economic development, plus knowledge about Alaska's diverse economic conditions, role in the economy of the US, Pacific Rim, and the international trade scene.
2. Training programs must be developed for the following:
 - a. For employees on how to be employees;
 - b. For employers on how to build a positive and productive employee/ employer relationship; and
 - c. Continuous skill training and human development.
 3. Entrepreneurship and small business development courses should be offered in schools. These should include implementing model curriculum and school-based enterprises and include appropriate in-service education.
 4. Information on existing programs should be more accessible.

16. **PROBLEM: TRANSPORTATION/MARKETING**

There is an inadequate effort by the State to market both the natural and human resources of Alaska and to attract business to Alaska.

RECOMMENDATIONS

1. Need sufficient funding for the Department of Commerce and Economic Development to develop a marketing plan designed to market both natural and human resources in Alaska.
2. Need to develop favorable southbound freight rates between Anchorage and the Seattle area to help market Alaska goods.
3. Recommend aquaculture/mariculture be allowed in Alaska.
4. To market Alaska as a tourism destination to overcome the negative impact of the oil spill:
 - a. Market the strengths of the affected and unaffected areas;
 - b. Accommodations for tourists and prevent loss of visitors (whose spaces were taken by clean-up crews);
 - c. Return rental, gas, and grocery prices back to "normal" (pre-oil spill);
 - d. Periodic inspections of impacted areas;
 - e. Promote awareness through litter clean-up;
 - f. Correspond with news media from affected areas.
5. The state needs to have a central position to distribute information to small businesses.

6. a. Involve people with knowledge in a specific regional market; and
b. "Buy Alaska" and "Alaska Grown" are good examples of good marketing.
7. a. Make sorted labels available to everyone;
b. The brochure rack at the Anchorage airport should be available to everyone, not just Anchorage Visitor and Convention Board members; and
c. Name a task force to evaluate the competence of existing agencies and to look at combining services pertaining to small businesses to assist with finance and marketing.
8. The state needs to educate small business about programs that are available.
9. State dollars are being spent in the Lower 48, not in Alaska with Alaskan film companies and Alaskan talent.
10. Once marketing has attracted a company to Alaska business plan review by regulatory agencies must be faster so the project can start in a timely manner.
11. Seek repeal of the Jones Act to facilitate development and transportation from foreign ports utilizing foreign bottoms.

17. PROBLEM: INTERNATIONAL TRADE

There is a lack of State government assistance in support of aggressively promoting awareness, marketing, and facilitating international trade. Information is not being disseminated in a timely and useful manner. Small businesses are not being made aware of the sources and types of assistance available from both State and Federal agencies. Small business is not involved in the planning and implementation of foreign trade missions. The activities and destinations of foreign vessels within the 200 mile zone are not being monitored and made available to small business. The infrastructure necessary to engage in foreign trade is not being developed.

RECOMMENDATIONS

1. Implement foreign trade information system as developed by Washington State.
2. The central places in state government (Anchorage and elsewhere in Alaska) where small businesses can get information on import/export needs to be more aggressively advertised.
3. Promote a state-wide regional customs office to provide better training opportunities for resources and services.
4. The existing State Office of International Trade needs more funding for overseas offices and personnel.
5. The State Trade Office needs to develop more information on European trade.

6. The state should encourage export trading of natural resources that have no value added. The state should encourage imports from Europe and Asia to our trade zones for value added assembly and manufacture of products destined for us consumers.
7. The state must include the private sector in the international trade development process.
8. a. The Governor, Legislature and Alaska Congressional delegation must be more forceful about getting high seas fish interception piracy stopped; and
b. Funding for enforcement must be increased.
9. The 200 mile limit should be more forcefully monitored by the Coast Guard, including advising port of call of each ship and to which country and port it will return.
10. Use Alaskan cities as receiving, storage and transport areas for goods. Develop foreign trade zones.

18. PROBLEM: ECONOMIC POLICY

Attractions, facilities and access are inadequate to meet the demands of tourists to various regions of our State. In addition, there is a lack of marketing to attract visitors to these regions as destinations.

RECOMMENDATIONS

1. The State should provide additional:
 - a. turnouts, camping areas;
 - b. restrooms, reststops;
 - c. historic markers;
 - d. access to rivers, lakes and other attractions;
 - e. accessibility for the physically handicapped; and
 - f. land available for private development of tourist accommodations.
2. Seek cooperative ventures between the public and private sectors to develop and improve tourism opportunities in the various regions of Alaska and market them.
3. Market Alaska as a year round destination with increased emphasis on shoulder and winter seasons.
4. Alaska needs an increase in the state tourism marketing budget, implemented by Alaskan advertising and marketing agencies.

19. PROBLEM: PAYROLL/BENEFITS

Small businesses have a hard time competing with wages and benefits offered by local and state governments and agencies funded by those governments, such as school districts and grant recipient agencies. This makes it difficult to get and keep good employees.

RECOMMENDATIONS

1. a. Policy setting bodies need to be educated with "hard-number" charts and valid examples of employees and their training lost to public sector jobs; and
 - b. State and local wage negotiators must put any wage/benefit increase for state employees to voter approval.
 - c. Comp time should be allowed as a substitute for overtime pay for small business.
 - d. State employees should be paid wages and benefits based upon the prevailing wages and benefits in the local area to private sector employees doing similar work.
2. Lengthen the vesting requirements for retirement and health benefits for state employees.
 3. State needs to raise its deductible on health coverage and reduce its level of health coverage.

20. PROBLEM: PAYROLL COSTS/BENEFITS

The required use of Davis-Bacon (Title 36) wages cause a conflict between employees paid D-B wages and employees who are not and do not reflect the reality of wages paid at the private, state and federal levels at the same job classifications. These wages make it impossible for small businesses to hold employees.

RECOMMENDATIONS

1. Employees knowingly accepting less than the prevailing wage should not be allowed to collect back wages, and all certified payroll should include employee's signature on the first payroll that they in fact, are receiving wages as stated;
2. The State of Alaska should add more crafts/job classification to reflect actual work being performed;
3. The State of Alaska should require uniform interpretation for Department of Labor rules to be the same in all regions of the state; and
4. The Department of Labor should modify the current Davis-Bacon system and average wages from all sources of employment to determine current prevailing wages.

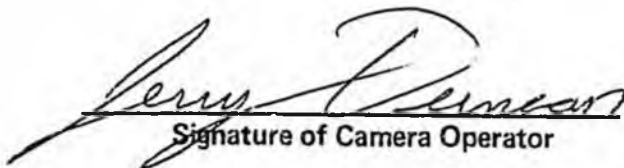
-
1. It should be noted that some of these problems might have previously been addressed by either the administration or legislature. But they were voted in the top 20 because Delegates felt that the previous whole or partial solution did not fully address or solve the problem.
 2. Text in parentheses after a problem or recommendation is added for clarification of intent.

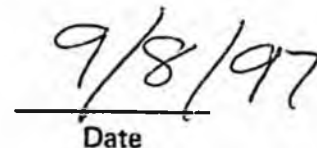


RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.


Signature of Camera Operator


Date

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Date Referred: March 26, 1993

FURTHER REFERRALS:

Judiciary

Date of Committee Action: 4/06/93

Finance

The LABOR AND COMMERCE Committee considered:

SSHB 12

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 12 GROUP HEALTH INS. FOR SMALL EMPLOYERS

"An Act relating to health insurance for small employers; and providing for an effective date."

RECOMMENDATIONS:

be replaced with CS SS HB 12 (L+C) [X] the same title [] a new title

[] have attached amendments(s)

[] do pass

[] do not pass

[X] no recommendations

[] individual recommendations

[] additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

[] fiscal impact _____

[] fiscal note(s) _____

[] zero fiscal note _____

[X] zero fiscal note(s) DCED

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>[Signature]</i>	✓	<i>James J. Porter</i>		✓	
<i>[Signature]</i>		<i>Joseph [Signature]</i>		✓	
<i>W.K. Williams</i>	✓	<i>Bill Hudson</i>		✓	

Bill Hudson
CHAIRMAN'S SIGNATURE

ALASKA STATE LEGISLATURE

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& SOCIAL SERVICES
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ECONOMIC TASK
FORCE

REPRESENTATIVE BETTYE DAVIS
DISTRICT 21

MEMORANDUM

TO: REP. BILL HUDSON, CHAIR
HOUSE LABOR & COMMERCE COMMITTEE

FR: REP. BETTYE DAVIS *BD*

DT: MARCH 25, 1993

RE: SCHEDULING OF SSHB 12

I respectfully request that SSHB 12, "Relating to health insurance for small employers" be scheduled at your earliest convenience. I have attached a copy of the bill, sponsor statement and pertinent background information for your review.

If you have any questions, please feel free to contact me or Renee Chatman of my staff at x3875. Thank you.



ALASKA STATE LEGISLATURE

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MINORITY WHIP
CHAIR
CHILDREN'S CAUCUS
HEALTH, EDUCATION
& SOCIAL SERVICES
STATE AFFAIRS
ECONOMIC TASK
FORCE

REPRESENTATIVE BETTYE DAVIS DISTRICT 21

SPONSOR STATEMENT FOR SSHB 12 Small Employer Health Insurance Reform

SSHB 12 promotes the availability of health insurance coverage for small employers and reforms the small employer health insurance market. Without requiring additional state expenditures, it provides:

- * Guaranteed availability - All small employer groups would be able to obtain private health insurance regardless of the health risk they represent (see Sec. 21.56.140(a)).
- * Coverage of whole groups - Coverage must be available to entire groups. Neither an employer nor an insurer could exclude individuals having high medical risks from the group's coverage (see Sec. 21.56.150(6)).
- * Renewability of coverage - Individuals in employer groups and employer groups themselves would be assured at the time of renewal that their coverage would not be canceled because of deteriorating health (see Sec. 21.56.130).
- * Continuity of coverage - Once a person is covered and has satisfied a plan's preexisting condition requirements, he or she would not have to meet those requirements again when changing jobs or when the employer changes carriers (see Sec. 21.56.150(2)).
- * Premium pricing limits - The bill limits how much insurance companies could vary their rates for groups similar in geography, demography, and plan design. It also limits increases in rates (see Sec. 21.56.120).

Based on model legislation drafted by the National Association of Insurance Commissioners, SSHB 12 would improve the overall fairness and efficiency of the small employer health insurance market. It enjoys support from the National Federation of Independent Business, the Alaska State Chamber of Commerce, the Alaska State Hospital and Nursing Home Association, and other organizations.



FISCAL NOTE

Spon. Sub.
BILL NO. HB 12

STATE OF ALASKA
1993 LEGISLATIVE SESSION

Revision Date: _____
Title: Health Insurance for Small Employers
Sponsor: Reps. B.Davis, Ulmer, Nordlund, Brice
Requestor: _____

Department Affected: Commerce and Economic Development
BRU: Insurance
Component: Operations
COMPONENT SERIAL NO. 354

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
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

FUNDING:

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 (FY 93) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact.

Prepared by: Joan Brown, Administrative Officer
Division: Insurance

Phone: 465-2597
Date: March 1, 1993

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

Date: _____

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Sponsor Substitute for HB 12: "An Act relating to health insurance for small employers and providing for an effective date."

The department is neutral on this legislation.

One of the more challenging issues facing this country and Alaska is the ever-increasing number of small employers unable to afford health care insurance. This bill would address small employers who have been unable to purchase health care.

The bill sets up a reinsurance pool for insurers writing small employers health insurance in the state. In order for the bill to be effective, certain provisions have to be met. First, health is not a term defined in Title 21; the appropriate term is disability. Second, the division of insurance cannot be a member of the reinsurance board and be a regulatory agency for the pool. This creates a conflict for the division. The authority of the director should be for approval only and not for appointment. The pool and coverages they provide should be exempt from the mandatory coverages in Title 21. The pool shall be subject to the marketing and financial sections of Title 21. The pool should not be subject to a subsidy from the legislature or exempt from taxation.

Additionally, 21.56.010 should clarify if hospital and medical service corporations and health maintenance organizations, as defined in 21.87 and 21.86, respectively, are included in membership. They are included on the board.

Section 21.56.060 should state that the committee be made up of the members approved in Section 21.56.020. The director should only have the authority to approve so not to cause a conflict. The cross-section of members in Section 21.56.020 is adequate enough to establish the appropriate benefit plan committee and would help expedite selection and implementation of the pool.



Paul Fuhs, Commissioner

3-1-93

Date

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FORCE

REPRESENTATIVE BETTYE DAVIS DISTRICT 21

M E M O R A N D U M

SUBJECT: Sectional Analysis of SSHB 12

TO: Members, House Health, Education, and Social Services Committee

FROM: Representative Bettye Davis

What follows is a sectional analysis of the above described bill. As a preliminary matter, please note that a sectional analysis 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 - Purpose.

Section 2 - Adds a new section to AS 21.36 (Trade Practices and Frauds) that prohibits violations of the fair marketing standards established under Sec. 21.56.180.

Section 3 - Excludes AS 21.56 (Small Employer Health Insurance chapter) from the unfair discrimination provision of the Trade Practices and Fraud law (AS 21.36.090).

Section 4 - The five-year sunset provision for Section 3.

Section 5

Sec. 21.56.010 - Creates the Small Employer Health Reinsurance Association as a nonprofit incorporated legal entity and requires membership of all insurers offering health benefit plans in the state.

Sec. 21.56.020 - Establishes the board of directors of the association and provides for specific board representation and organization.

Sec. 21.56.030 - General powers of the association.

Sec. 21.56.040 - Requires the association to submit a plan of operation to the director of the division of insurance. Requires members to comply with the plan and requires the plan to establish certain procedures.



Sec. 21.56.050 - Establishes specific provisions that apply to reinsurance provided by a member to employees or dependents of employees of a small employer. Establishes a methodology for determining premium rates to be charged for reinsuring small employers and individuals covered under this section. Requires the association to report to the director of the division of insurance the association's net loss for the previous calendar year. Requires association to establish a formula by which to make assessments against reinsuring insurers. Sets provisions for determining assessments.

Sec. 21.56.060 - Establishes, in the association, the Health Benefit Plan Committee composed of members representing specific groups. Specifies what the committee must do and allows the committee to recommend certain cost containment features.

Sec. 21.56.070 - Requires the board to issue a report every two years on the effectiveness of the association.

Sec. 21.56.080 - Exempts the association from the Administrative Procedure Act (AS 44.62).

Sec. 21.56.090 - Exempts the association from payment of taxes, except for real or personal property taxes.

Sec. 21.56.100 - Provides immunity from civil actions filed against a member of the association for a negligent act on behalf of the association.

Sec. 21.56.110 - Establishes when an individual or health group benefit plan is subject to AS 21.56 and provides that other laws requiring coverage, reimbursement, utilization, or consideration of a specific health care practitioner do not apply to a health benefit plan provided to a small employer. Treats certain insurers as one insurer for purposes of applying the restrictions on health benefit plans issued under AS 21.56.

Sec. 21.56.120 - Establishes provisions restricting the premium rate for a health benefit plan. Requires small employer insurers to disclose certain information relating to premium rates and health benefit plans. Requires small employer insurers to describe in detail their rating practices and renewal underwriting practices, file an actuarial certification with the director of the division of insurance, and make certain information available to the director upon request. Allows the director to adopt regulations relating to rating practices.

Sec. 21.56.130 - Requires renewability of health benefit plans and provides under what conditions a plan would not be renewable. Prohibits certain small employer insurers who do not renew a health benefit plan from writing a new business in the state for five years. Specifies when provisions apply to an insurer operating in an established geographic service area.

Sec. 21.56.140 - Except as provided under Sec. 21.56.160, requires small employer insurers to offer a basic health benefit plan and a standard health benefit plan. Requires insurers to file health benefit plans with the director of the division of insurance. Allows the director to disapprove those plans that do not comply with AS 21.56.

Sec. 21.56.150 - Requires health benefit plans for a small employer to contain certain provisions.

Sec. 21.56.160 - Exempts a small employer insurer from providing coverage under certain conditions.

Sec. 21.56.170 - Provides when a small employer insurer may cease to do business in the small employer market.

Sec. 21.56.180 - Establishes fair marketing standards for small employer insurers.

Sec. 21.56.190 - Provides for adoption of regulations requiring small employer insurers to reissue terminated coverage.

Sec. 21.56.250 - Definitions.

Section 6 - Provides that a health maintenance organization is subject to the small employer health insurance provisions in AS 21.56.

Section 7 - The five-year sunset provision for Section 6.

Section 8 - Provides that a hospital or medical service corporation is subject to the small employer health insurance provisions contained in AS 21.56.

Section 9 - The five-year sunset provision for Section 8.

Section 10 - Transition section in regards to premium rate restriction.

Section 11 - Transition section in regards to association's plan of operation, a small employer insurer's basic and standard health benefit plans, an insurer's filing net insurance premium earned from certain health insurance plans, and when the Health Benefit Plan Committee shall submit health benefit plans.

Section 12 - Repealer clause for sunset provision.

Section 13 - Five-year sunset of effective date clause.

Section 14 - Effective date.

SSHB 12

Small Employer Health Insurance Reform

Highlights

	<u>SSHB 12</u>
<u>Availability</u>	Guaranteed issue Sec. 21.56.140(a)
<u>Group Size</u>	2-25 Sec. 21.56.250(25)
<u>Case Characteristics</u>	Geography, age, sex, and other objective criteria but does not include claim experience, health status, or duration of coverage Sec. 21.56.250(7)
<u>Rating Restrictions</u>	An insurer's rates for similar groups may not vary from applicable index rate by more than 35% Sec. 21.56.120(a)(1)
<u>Transitional Period</u>	3 years Sec. 10. PREMIUM RATE RESTRICTION (page 27, lines 13-28); Sec. 21.56.120(a)(2)

SSHB 12

Renewal
Rating

Trend plus 15% plus
changes in case
characteristics

Sec. 21.56.120(a)(3)

Renewability

Guaranteed renewable
except "for cause"

Sec. 21.56.130

Whole Groups

Must take whole group

Sec. 21.56.150(6)

Continuity of
Coverage

Plans must credit the
time a person was co-
vered under a previ-
ous employer-based
plan if the coverage
was continuous

Sec. 21.56.150(2)

Reinsurance

Mandatory prospect-
ive. Insurers must
participate in the
reinsurance mechan-
ism.

Sec. 21.56.010

Reinsurance
Price

150% for whole groups
500% for individuals

Sec. 21.56.050(b)

Cost Sharing

First \$5000 of claims

Sec. 21.56.050(a)(5)

SSHB 12

Assessments

5% of the premium of small employer market

Sec. 21.56.050(d)(6)

Industry Rating

A rate factor may not vary by more than 15% from arithmetic average of highest and lowest rate factors associated with all industry classifications.

Sec. 21.56.120(a)(6)

Reinsurance Board

9 members selected by participating members, subject to approval by director. At least six members shall be small employer insurers. At least one member shall be insurer principally in small employer market; one principally in large employer market; one to represent a health maintenance organization, one to represent a hospital or medical service corporation.

Sec. 21.56.020

Health Benefit Plan Committee

7 members selected by director. Includes representatives of insurers, small employers, employees of small employers, health care providers, and agents or brokers.

Sec. 21.56.060(a)

Insurers With
Restricted
Charters, e.g.,
Fraternal
Benefits Or-
ganizations

SSHB 12

Guarantees issue only
to those permitted by
charter (e.g., the
Lutheran Brotherhood)

Sec. 21.56.160(a)(5)

COMPREHENSIVE SMALL EMPLOYER PACKAGES

	CALIFORNIA	CONNECTICUT
Availability	Guaranteed issue of small employer products (group size 5-50 by 7/1/93; 4-50 by 7/1/94; 3-50 by 7/1/95); (1992 H.R. 1672) §10700(x), 10705(b)h	Guaranteed issue §38a-552, 5682(b)
Group Size	3-50 §10700(x)	1-25 §38a-564(4)
Individual Policies	Individual policies sold to small employers meeting certain requirements are subject to this Act §10702	Insurers may issue individual special health care plans subject to the laws applicable to individual health insurance, provided such policies shall be identical to individual special health care plans made available by the Health Reinsurance Association. §38a-552, 566
Case Characteristics	Includes age (7 categories), geography (9 regions), family composition (4 categories), and plan design which are used to determine the standard employee risk rate §10700(w)	Appears to include everything except claims experience §38a-564(27)
Rating Restrictions	Premium rates may not vary from the standard employee risk rate by more than 120% nor less than 80% until July 1, 1996; effective July 1, 1996, premium rates may not vary from the standard employee risk rate by more than 110% nor less than 90% §10700(v), 10714	Premium rates may not exceed 200% of the lowest new business rate for the same or similar case characteristics §38a-567(2)
Transitional Period	See above	5 years; after July 1, 1995, rating restrictions will be applied to plans issued prior to July 1, 1990 §38a-567(5)
Renewal Rating	10% permitted for risk adjustment factors; renewal rates are effective for at least six months §10714(b)(1)(2)	Trend plus 20% plus changes in case characteristics §38a-567(6)
Renewability	Guaranteed renewable except "for cause" §10705(b), 10713	Guaranteed renewable except "for cause" §38a-567(3)
Whole Groups	Carriers are required to take the whole group §10707	Cannot exclude eligible employees or dependents on the basis of an actual or expected health condition §38a-567(4)
Continuity of Coverage	Preexisting condition limitation of 6 months; credit shall be given if a person was covered under qualifying previous coverage if previous coverage was continuous 30 days prior to the new coverage, exclusive of applicable waiting periods; if employment is terminated or employer's contribution toward the coverage has terminated, there is a 90-day period allowed for continuity of coverage §10706, 10708(a,b), 10709(a)	Preexisting condition limitation of 12 months; credit shall be given if a person was covered under qualifying previous coverage if previous coverage was continuous 30 days prior to the new coverage, exclusive of applicable waiting periods §38a-567(1,2)
Reinsurance type	Prospective/with opt out §10719, 10720(d)	Prospective/mandatory (effec. 5/1/91) §38a-569
Reinsurance Price	No provision	Whole Group: 150% Individual: 500% §38a-569(c)
Cost Sharing	No provision	\$5000 for all plans except those which supplement the basic hospital or hospital surgical plans, in which case the deductible is \$2000 §38a-569(b1)
Assessments	No cap §10721	(1) Apportioned among all members in proportion to their respective shares of the total premiums earned from small group plans, (2) apportioned among all members in proportion to their respective shares of total premiums earned from other plans; members' assessments cannot exceed 40% of the total assessment for the first year, 50% for the second §38a-569 e(2)
Other	Establishes a purchasing pool for small employers §10730	
Effective Date	July 1, 1993, but see phase-in effective dates above	July 1, 1990

	DELAWARE	FLORIDA
Availability	Guaranteed issue (groups of 2-25) §7207(a)3	Guaranteed issue with cap (group size 3-25) (1992 SB 2390) §627.6699(3)r, (5)a
Group Size	1-25 §7202(cc)	1-25 §627.4106(2)a
Individual Policies	Does not apply to individual health policies §7203	With regard to rating and renewability provisions, does not apply to individual policies if the insurer certifies to the department that the policy was issued in good faith with no knowledge or intent that the policy is paid by or the premiums are reimbursed by a small employer §627.4106(4)
Case Characteristics	Demographic or other objective characteristics of small employer as considered by carrier in determination of premiums; Claims experience, health status, and duration of coverage are not case characteristics; small employer carrier shall not use characteristics other than age, gender, industry, geographic area, family composition, unhealthy lifestyle choices, and group size without prior approval of Commissioner §7202(g), 7204, 7205(4)	Demographic or other objective characteristics of small employer as considered by carrier in determination of premiums; Claims experience, health status, and duration of coverage are not case characteristics §627.4106(2)e
Rating Restrictions	Index rate for one class of business may not exceed the index rate for any other class of business by more than 20%; for a class of business, the premium rates charged small employers with similar benefit plans shall not vary from the index rate by more than 35%, with an additional combined variation of no more than 10% for gender and geography, and the actuarially justified adjustment for age and family composition, provided that the carrier file age and family composition tables with the Commissioner §7205(1,2)	Index rate for one class of business may not exceed the index rate for any other class of business by more than 20%; for a class of business, the premium rates charged small employers with similar case characteristics shall not vary from the index rate by more than 25% §627.4106(5)1,3
Transitional Period	For plans delivered or issued for delivery prior to the effective date of this chapter, a premium rate may have a one-year transition period §7205(7)	5 years §627.4106(9)
Renewal Rating	Trend plus 15% plus changes in case characteristics §7205(3)6	Trend plus 15% plus changes in case characteristics §627.4106(5)b
Renewability	Guaranteed renewable except "for cause" §7206	Guaranteed renewable except "for cause" §627.4106(6)
Whole Groups	Carriers must offer coverage to all eligible employees and dependents §7207(e)	Carriers must offer coverage to all eligible employees and dependents §627.6699(5)e(7)
Continuity of Coverage	Preexisting condition limitation of 12 months; credit shall be given if a person was covered under qualifying previous coverage if previous coverage was continuous 60 days prior to the new coverage, exclusive of applicable waiting periods §7207(c)	Preexisting condition limitation of 12 months; credit shall be given if a person was covered under qualifying previous coverage if previous coverage was continuous 30 days prior to the new coverage, exclusive of applicable waiting periods §627.6699(5)e(1)(2)
Reinsurance type	Prospective/with an opt-out §7210	Prospective/with an opt-out §627.6699(8)
Reinsurance Price	Whole Group: 150% Individual: 500% §7210(n)4	Whole Group: 150% Individual: 500% §627.6699(8)h(1)a,b
Cost Sharing	\$5,000 plus 10% of the next \$50,000 §7210(L)2b, (L)3e	\$5000 per year plus 10% of incurred claims during a calendar year §627.6699(8)9(4)
Assessments	Formula to be set by Board but must be 50% - 150% of carrier's proportional share of all reinsuring carriers' small employer premiums; maximum amount shall be 5% of total premiums earned in previous year from small employer plans §7210(L)2(b), L(3)c	1st tier: an amount not to exceed 5% of small employer premiums; 2nd tier, if necessary: an amount not to exceed .5% of premiums collected on all health benefit plans issued by small and large group carriers §627.6699(8)J(2)
Other	Allows reinsurance of existing business §7210(n)3	Carriers paying 2nd tier assessments will receive a credit for assessments paid to the Florida Risk Pool §627.6699(8)J(2)b
Effective Date	January 4, 1993	October 1, 1992 (rating & renewability provisions 10/1/91)

	HAWAII	IOWA
Availability	State run, employment based program; all residents are eligible	Guaranteed issue §513B
Group Size	No provision	1-25; however, must have at least 2 participating employees at the date of issue of health benefit plan §513B.2(12)
Individual Policies	No provision	Does not apply to individual policies which are subject to policy form and premium rate approval §513B.3
Case Characteristics	No provision	Case characteristics include age, industry classification, geographic area, family composition, and group size; gender may be used provided the insurance division has conducted an independent, actuarial study that determined use of gender to be actuarially justified; other case characteristics shall not be used without prior approval of commissioner §513B.2(4)
Rating Restrictions	No provision	Index rate for one class of business shall not exceed the index rate for any other class of business by more than 20%; for a class of business, the premium rates charged small employers with similar case characteristics shall not vary from the index rate by more than 25% §513B.4
Transitional Period	No provision	3 years §513B.4
Renewal Rating	No provision	Trend plus 15% plus changes in case characteristics §513B.4
Renewability	No provision	Guaranteed renewable except "for cause" §513B.5
Whole Groups	No provision	Must offer to whole group, except as permitted with regard to late enrollees §513B.7A(3)e
Continuity of Coverage	No provision	Preexisting condition limitation of 12 months; credit shall be given if a person was covered under qualifying previous coverage if previous coverage was continuous 30 days prior to the new coverage, exclusive of applicable waiting periods §513B.7A(3)3
Reinsurance Type	No provision	Prospective/with an opt-out §513b.7(D)
Reinsurance Price	No provision	Whole Group: 150% Individual: 500% §513B.7(D)9(b)
Cost Sharing	No provision	\$5,000 and 10% of the next \$50,000 of incurred claims during a calendar year; liability maximum of \$10,00 in any one calendar year with respect to any reinsured individual §513B.7(D)8(D)
Assessments	No provision	Formula to be set by Board but must be 50% - 150% of carrier's proportional share of all reinsuring carriers' small employer premiums; amount shall be 5% of total premiums earned in previous year from small employer plans §513B.7(D)11(2)
Other	Employees required to pay 1.5% of wages, or half the premium whichever is less; employer provide the balance for each employee working more than 20 hours per week; dependent coverage is optional; unemployed residents above poverty level pay a small fee for doctor visits and a portion of the premium with the remainder being funded by the State; poor are covered by Medicaid	
Effective Date		July 1, 1992

	KANSAS	MAINE
Availability	Guaranteed issue (group size: 3-25) (1992 SB 561) §4(b), 12(a)	Guaranteed issue (1992 HP 507) §2808-B 4(A)
Group Size	1-25 §3(2)	1-24 §2808-B 1(D)
Individual Policies	Individual policies issued to individuals and dependents totally independent of any group, association, or trust arrangement shall not be subject to this Act §4(a), 4(o)3(e)	No provision §2808-B(7)
Case Characteristics	Case characteristics include the geographic area, age and sex, industry classification, number of employees and dependents, family composition, and other objective criteria as may be approved by the commissioner; claims experience, health status, and duration of coverage are not case characteristics §3(e)	A carrier may not vary the premium rate due to the health status, claims experience or policy duration of the eligible group; age, gender, industry, and geography within the bands; family status, smoking status, participation in wellness programs, and group size may be used outside rate bands §2808-B 2(B)
Rating Restrictions	Index rate for one class of business shall not exceed the index rate for any other class of business by more than 20%; for a class of business, the premium rates charged small employers with similar case characteristics shall not vary from the index rate by more than 25% §7(1)(2)	Premium rates for age, gender, industry, and geographic area may not vary by +/- 50% of the community rate until 7/14/94, +/- 33% of the community rate until 7/14/95, +/- 20% of the community rate until 7/14/96, +/- 10% of the community rate until 7/14/97, and 0% of the community rate by 7/14/97; restrictions are repealed 7/14/94 unless continued or modified §2808-B 2(D)
Transitional Period	3 years §7(6)	None
Renewal Rating	Trend plus 15% plus changes in case characteristics §7(3)(b)	No provision
Renewability	Guaranteed renewable except "for cause" §5(e)	Guaranteed renewable except "for cause" §2808-B (4)B
Whole Groups	Prohibits carrier from excluding any employee or dependent on the basis of an actual or expected health condition §5(c)6(a)	(1990 - applies to all groups) Prohibits carriers from excluding any person from group; all new eligible employees must be added; may reject group until guaranteed issue is effective §2829-B
Continuity of Coverage	Preexisting condition limitations of 12 months and waiting periods not to exceed one year; waiting periods may be waived if individual was covered by a group policy prior to the effective date of coverage with no gap in coverage §5(a)(b)	(1990 - applies to all groups) Requires continuity for any person eligible for coverage in prior 3 months in a group replacement situation or for person moving from individual to group or group-to-group coverage; limit on 10% on premium rate increases for preexisting conditions during first 12 months of employment; preexisting condition limitations of 6 months for individual policies, except up to 24 months for any condition that as of the effective date of coverage requires ongoing medical treatment (H 1641) §2849-2(B)B,6 §2850(2)
Reinsurance Type	Prospective/with an opt-out §11(a)	Requires the Bureau of Insurance to report to the Banking and Insurance Committee on or before January 1, 1993, on reinsurance models with opt-out §5
Reinsurance Price	To be established by the reinsurance board §13(g)6	No provision
Cost Sharing	\$10,000 plus 10% of the next \$50,000; maximum in one calendar year shall not exceed 20% of total premiums §11(h)6(f)	No provision
Assessments	Not to exceed 5% of small employer plan premiums; second tier not to exceed 1% of total premium upon which assessment is based §11(k)2(c)	No provision
Other	Must reinsure the entire group; all carriers, whether reinsuring or not, subject to second tier assessment §11(k)2(b)	Marketing standards: superintendent will develop standardized plans §2808-B (8)
Effective Date	July 1, 1992	July 15, 1993 (for rating and guaranteed issue)

	MASSACHUSETTS	MINNESOTA
Availability	Guaranteed issue; however, until December 31, 1994, a carrier can limit the guaranteed issue requirement to 90 consecutive days a year; certain association groups are exempted from all but the reinsurance portion of the bill (1991 HB 6307) §2(b), 4(a)1	Guaranteed issue of all products sold in small employer market (1992 HB 2800, SB 2603) §3 subd. 1, 4 subd. 1
Group Size	1-25 §1	7-29 §subd. 26
Individual Policies	Does not apply to individual policies §2(a)	All provisions except guaranteed issue apply to individual policies §12 subd. 1,2,6 subd. 27(i)(ii)
Case Characteristics	Age, sex, rate basis type, industry, number of eligible persons, and participation rate of a group §1	Relevant characteristics of small employer as determined by carrier in determination of premiums; claims experience, health status, industry, duration of coverage, and gender are not case characteristics §2 subd. 6, 3 subd. 4
Rating Restrictions	Premium rates are limited to a 2-1 rate band; however, the following adjustments are permitted outside that band: benefit level, geography +/- 20%, group size +/- 5%, wellness discount -5%, phase out adjustment for experience and duration rating on existing business to reach +/- 15% by 12/31/94, age +/- 33% until 12/31/93 §3(a)1, 3(a)3(4), 3(a)7	Rates must not vary by more than +/- 25% of the index rate for same or similar coverage; inside the rating band, variations can be based only on health status (includes refraining from tobacco use or other actuarially valid lifestyle factors), claims experience, industry, and length of time employer has been covered; adjustments outside the band: age +/- 50%, geography +/- 20%, rate cells are permitted based on number of adults and children covered under the policy §8 subd. 2,3,4,5,6
Transitional Period	Phase out of rating restrictions §3(a)8	None
Renewal Rating	Trend plus 10% plus changes in case characteristics §3(b)	No provision
Renewability	Guaranteed renewable except "for cause" §4(b)(1)-(3)	Guaranteed renewable except "for cause" §3 subd. 5
Whole Groups	Prohibits policies from excluding eligible employees or eligible dependents on the basis of an actual or expected health condition of such person §5(a)	Application must include all eligible employees §4 subd. 1
Continuity of Coverage	Preexisting condition exclusion of 6 months; credit shall be given if a person was covered under qualifying previous coverage if previous coverage was continuous 30 days prior to the new coverage and if previous coverage was reasonably actuarially equivalent to new coverage §5(h)	Preexisting condition exclusion of 12 months; requires credit for time covered under qualifying prior coverage; permits 18 month preexisting condition limitation for late entrants §3 subd.4
Reinsurance Type	Prospective/mandatory for commercials §8	prospective/with an opt-out §13, 18(1)
Reinsurance Price	Whole Groups: 150% Individuals: 500% §8(1)(2)	Whole Groups: 150% Individuals: 500% §21(1)
Cost Sharing	\$5,000 §8	\$5,000, plus 10% of the next \$50,000 §20(1)
Assessments	5% of small employer premiums; if inadequate, other funding sources will be recommended §8(7)	Initially, \$100; in addition, not to exceed 4% of the member's small group market premium (if it is determined that premium charges are insufficient to cover the losses) §22(2)(3)
Other		Loss ratios: Initially 65% for individual policies, 75% for group policies; increases by 1% per year to 70% and 80%, respectively §8(1)
Effective Date	April 1, 1992	Most provisions July 1, 1993

	MISSOURI	NEW HAMPSHIRE
Availability	Guaranteed issue (1992 SB 796) §6	No provision (1992 HB 321)
Group Size	3-25 §1(28)	2-50 §420-F:1(XI)
Individual Policies	No provision §2(1)(2)(3), 3	Does not apply to individual health policies which are subject to policy form and premium rate approval §420-F:2(I)(II)
Case Characteristics	Relevant demographics of small employer as considered by carrier in determination of premiums; claims experience, health status, and duration of coverage are not case characteristics §1(9), 4(10)	Relevant demographics of small employer as considered by carrier in determination of premiums; claims experience, health status, and duration of coverage are not case characteristics §420-F:1(IV)
Rating Restrictions	Index rate for one class of business shall not exceed the index rate for any other class of business by more than 20%; for a class of business, the premium rates charged small employers with similar case characteristics shall not vary from the index rate by more than 25% §4(1)(2)	Rates charged during a rating period to small employers with similar case characteristics for same or similar coverage shall not vary from the index rate by more than 30% §420-F:3(I)a
Transitional Period	3 years §4(3)b	5 years §420-F:3(I)(3)a
Renewal Rating	Trend plus 15% plus changes in case characteristics §4(3)b	Trend plus 15% plus changes in case characteristics §420-F:3(I)2
Renewability	Guaranteed renewable except "for cause" §5	Guaranteed renewable except "for cause" §420-F:4
Whole Groups	Insurer must cover the whole group §6(5)a	Insurer must cover the whole group §420-F:4
Continuity of Coverage	Preexisting condition limitation of 12 months; credit shall be given if a person was covered under qualifying previous coverage if previous coverage was continuous 30 days prior to the new coverage, exclusive of applicable waiting periods §6(2)(2)	Preexisting condition limitations consistent with insurance department rules
Reinsurance Type	Prospective/mandatory with an opt-out after three years §7(1)	No provision
Reinsurance Price	Whole Group: 150% §7(9)2	No provision
Cost Sharing	\$5,000 plus 10% of the remaining incurred claims; maximum limit of \$25,000 §7(8)3	No provision
Assessments	Formula to be set by Board but must be 50% - 150% of carrier's proportional share of all reinsuring carriers' small employer premiums; maximum amount shall be 5% of total premiums earned in previous year from small employer plans §11(2)b, 11(3)c	No provision
Other		
Effective Date	Guaranteed issue and continuity of coverage provision effective July 1, 1994; all other sections effective July 1, 1993	January 1, 1993

	NEW JERSEY
Availability	Continuous open enrollment (guaranteed issue) §3b
Group Size	2-49 §1
Individual Policies	Applies to all health benefit plans covering eligible employees of one or more small employers §2
Case Characteristics	Prohibits the use of age, sex, health status, residence or occupation with community rating. §1
Rating Restrictions	Rates may not exceed 4 times the base premium rate charged to the lowest-rated group. Plans must be community rated by 1/1/97. 1/1/94 to 12/31/95, premium rates charged to highest rated group shall not be greater than 300% of rate charged to lowest rated group. 1/1/96 to 12/31/96 greater than 200%. §9
Transitional Period	Policies whose term extend beyond 12/31/93. Policies contracted on or after 1/1/94. §9(h)(i)
Renewal Rating	Beginning 1/1/95 may make informational filing with commissioner of increase or decrease provided the loss ratio not be less than 75% of the premium. §9g
Renewability	Guaranteed renewable except "for cause" §7
Whole Groups	Must offer coverage to all employees and their dependents. Cannot exclude based on actual or expected health condition. §2
Continuity of Coverage	Generally no preexisting condition limitation. Pre-ex may apply to a group of 2-5 if the period is 180 days forward and 6 months back, however, if 10 or more late enrollees request coverage pre-ex does not apply. Credit shall be given if a person was covered under qualifying previous coverage if previous coverage was continuous 30 days prior to the new coverage, exclusive of applicable waiting periods. §6
Reinsurance Type	Prospective §12
Reinsurance Price	Whole Group: 150% Individual: 500% §20
Cost Sharing	Receive reimbursement in accordance with standards developed by board. §19a
Assessments	Apportioned among all reinsuring members in proportion to their respective shares of the premiums earned from small group plans. Additional assessments of all members not to exceed 1% of premiums. §21c
Other	No pre-ex permitted - see continuity of coverage. Some carriers paying 2nd tier assessments will receive a credit. §21c
Effective Date	

	NEW YORK	NORTH CAROLINA
Availability	Continuous open enrollment (guaranteed issue) (1992 A 12350-A) §3231	Guaranteed issue §58-50-125(d)
Group Size	3-50 for open enrollment §3231	3-25 §58-50-110(22)
Individual Policies	Must be community rated and must be offered through open enrollment §3231	Does not apply to individual health policies §58-50-115
Case Characteristics	Prohibits the use of age, sex, health status, or occupations; geography is permitted on a county-wide (or larger) basis; Since not prohibited, presumably group size, participation, wellness, and other case characteristics are permitted §3231(a,b)	Relevant demographics of small employer as considered by carrier in determination of premiums; claims experience, health status, and duration of coverage are not case characteristics §58-50-110(6)
Rating Restrictions	No statutory restrictions on permitted case characteristics, but Department has rate approval authority for initial rates §3231(c)(e)	Index rate for one class of business shall not exceed the index rate for any other class of business by more than 25%; for a class of business, the premium rates charged small employers with similar case characteristics shall not vary from the index rate by more than 35% §58-50-130(b)1,2
Transitional Period	The one-year delay in effective date is viewed as the transition period	3 years §58-50-130(b)7
Renewal Rating	Prior rating approval; beginning April 1, 1994, rates shall be deemed approved if policy has an anticipated loss ratio of not less than 75% §3231(a), 3231(2)a	Trend plus 15% plus changes in case characteristics §58-50-130(b)3(b)
Renewability	Coverage may not be terminated due to claims experience §3231	Guaranteed renewable except "for cause" §58-50-130a(3)
Whole Groups	Carriers must offer coverage to all employees and their dependents §3231	No provision
Continuity of Coverage	Plans must credit the time a person was covered under previous health insurance plan or benefit arrangement if the previous coverage was continuous to a date not more than 60 days prior to the effective date of new coverage §3232(a), 4318(e)	Preexisting condition limitation of 12 months; credit shall be given if a person was covered under qualifying previous coverage if previous coverage was continuous 30 days prior to the new coverage, exclusive of applicable waiting periods §58-50-130
Reinsurance Type	Regulations shall include reinsurance or pooling process designed to share the risk of high claims costs; cost variations based on demographic factors and possible adverse selection §3233(e)	Prospective/with an opt-out §58-50-150
Reinsurance Price	No provision	Whole Group: 150% Individual: 500% §58-50-150(g)2(g)
Cost Sharing	No provision	\$5,000 plus 10% of the next \$50,000 §58-50-150(g)2(c)
Assessments	No provision	First 3 years: 50% - 150% of amount it would have been had assessments been based on proportional relationship of small carrier's total premiums; not to exceed 4% §58-50-150(i)
Other	1 and 2 live employers must be classified in either the individuals or small groups rating category by the insurer §3231(b)	
Effective Date	Community rating and open enrollment take effect April 1, 1993; continuity of coverage takes effect January 1, 1993 §21	January 1, 1992

OHIO	
Availability	Modified open enrollment. Carriers must open enroll 1/2 of 1% of total block of business.
Group Size	2-50 §3923.5E
Individual Policies	Subject to law if any portion of the premium or benefits is paid by the employer, or any individual is reimbursed for any portion of the premium. §3924.02(A)
Case Characteristics	Geography, age, sex and industry classification. Does not include claims experience, health status or duration of coverage. §3924.03(E)
Rating Restrictions	Premium rates for small employer plans with similar case characteristics may not vary from the midpoint rate for those small employers by more than 35% of that midpoint rate. §3024.04
Transitional Period	Rates that exceed rate band may not use experience.
Renewal Rating	Trend plus 15% changes in case characteristics. §3924.04(C)
Renewability	Guaranteed renewable except "for cause." §3924.03(C)
Whole Groups	Cannot exclude eligible employees or dependents on the basis of an actual or expected health condition. §3924.03(F)
Continuity of Coverage	Preexisting condition limitation of 12 months relating to conditions 6 months before coverage. Waiting periods shall not be more than 90 days. Plans shall credit the time a person was covered under a previous health plan for 30 days prior to the effective date of the new coverage, exclusive of any applicable waiting period. Late enrollees may be excluded up to 24 months. §3924.03 (A)(B)
Reinsurance Type	§3924.07
Reinsurance Price	Whole Group: 150% Individual: 500% §3924.12(A)
Cost Sharing	
Assessment:	Apportioned among all members in proportion to their respective shares of the total premiums earned from small group plans. Assessment will not exceed 1%. §3924.13(B)
Other	
Effective Date	

	OREGON	RHODE ISLAND
Availability	Guaranteed issue (1991 SB 1076) §6(4)	Guaranteed issue (groups of 3-25) (1992 H 9011 Sub. A) §27-49-8(A)
Group Size	3-25 §3(25)	1-50 §27-49-4(AA)
Individual Policies	Applies to individual policies providing health benefits covering one or more employees of a small employer; provisions of OR 742.005 do not apply to individual policies subject to this law §5(1)(2)	Does not apply to individual health policies. §27-49-4
Case Characteristics	Geography and differences in family size and composition §7(6)b	Relevant demographics of small employer as considered by carrier in determination of premiums; claims experience, health status, and duration of coverage are not case characteristics §27-49-3(F)
Rating Restrictions	Premium rates may not vary from the geographic average rate by more than 33% except that the premium rate may be adjusted to reflect the provision of additional benefits not covered by the basic health care plan and differences in family size and composition §7(6)b	Index rate for one class of business shall not exceed the index rate for any other class of business by more than 20%; for a class of business, the premium rates charged small employers with similar case characteristics shall not vary from the index rate by more than 25% §27-49-6(1,2)
Transitional Period	Effective on the date the reinsurance pool becomes operational §7(10)a	3 years §27-49-6(7)
Renewal Rating	Trend plus 15% plus adjustments to reflect provision of benefits not required to be covered by basic health care plan §7(6)c(B)	Trend plus 15% plus changes in case characteristics §27-49-6(3)b
Renewability	Guaranteed renewable except "for cause" §7(4)	Guaranteed renewable except "for cause" §27-49-7
Whole Groups	Prohibits carriers from excluding individuals on the basis of actual or expected health condition §7(3)	Carriers are required to take the whole group §27-49-8c(5a)
Continuity of Coverage	Preexisting condition limitation of 6 months; credit shall be given if the person was covered under a previous group or individual plan if the previous coverage was continuous 30 days prior to the new coverage, exclusive of applicable waiting periods §7(1)(2)	Plans must credit the time a person was covered by qualified previous coverage provided the coverage was continuous; qualified previous coverage is defined as Medicare, Medicaid, employer-based health insurance, or individual insurance providing similar or exceeding benefits. §27-49-8(c)
Reinsurance Type	Prospective/with an opt-out §10,11	Prospective/with an opt-out §27-49-11
Reinsurance Price	Existing business: none Whole Group: 150% Individual: 300% §11(8)a,b	Whole Group: 150% Individual: 500% §27-49-11(9)5(2)
Cost Sharing	\$5,000 plus 15% of the next \$100,000 §11(7)d	First \$5,000 of reinsured claims §27-49-11(9)(4A)
Assessments	Maximum assessment is 4% of small employer premium plus 1% of members' total health insurance premiums §11(12)c	5% of total premiums earned in small employer market §27-49-11(L)(3c)
Other		Standard and economy health benefit plans are included within the law and are based on Rhode Island's low-cost limited mandated benefit law. Copayment, deductibles, and coinsurance are outlined. §27-49-12
Effective Date	On or after the date the Oregon Small Employer Reinsurance Pool becomes operational	July 21, 1992

	SOUTH CAROLINA
Availability	No provision
Group Size	1-25 §38-71-920(1)
Individual Policies	Does not apply to individual health policies subject to policy form and premium rate approval §38-71-930(A,B)
Case Characteristics	Relevant demographics of small employer as considered by carrier in determination of premiums; claims experience, health status, and duration of coverage are not case characteristics §38-71-920(5)
Rating Restrictions	Index rate for one class of business shall not exceed the index rate for any other class of business by more than 20%; for a class of business, the premium rates charged small employers with similar case characteristics shall not vary from the index rate by more than 25% §38-71-940
Transitional Period	5 years §38-71-940(A)4
Renewal Rating	Trend plus 15% plus changes in case characteristics §38-71-940(A)3(B)
Renewability	Guaranteed renewable except "for cause" §38-71-950
Whole Groups	Prohibits carriers from excluding any individual from the group; however, in groups of 10 or less, evidence of individual insurability may be required §38-71-730(3)
Continuity of Coverage	Preexisting condition limitations of 12 months; credit shall be given for time served under a prior plan if the coverage is selected when the person first becomes eligible and the coverage is continuous; service waiting periods are not considered to interrupt continuous service §38-71-730(4)
Reinsurance Type	No provision
Reinsurance Price	No provision
Cost Sharing	No provision
Assessments	No provision
Other	
Effective Date	January 1, 1992

	TENNESSEE	VERMONT
Availability	Guaranteed issue (1992 SB 2578) §8(E)	Guaranteed issue §4080a(4)d(1)
Group Size	3-25 §3(24)	1-49 §4080a(1)
Individual Policies	Does not apply to individual policies §6(a,b)	May not offer a health benefit plan or insurance policy to individual employees or members of a small group as a means of circumventing the act §4080a(4)h(3)m
Case Characteristics	Relevant demographics of small employer as considered by carrier in determination of premiums; claims experience, health status, and duration of coverage are not case characteristics §3(6)	The following risk classification factors are prohibited: demographic rating, including age and gender, geographic area rating, industry rating, medical underwriting and screening, experience rating, tier rating, or durational rating; Commissioner may by rule permit carriers to use one or more risk classifications §4080a(h)1
Rating Restrictions	Index rate for one class of business shall not exceed the index rate for any other class of business by more than 25%; for a class of business, the premium rates charged small employers with similar case characteristics shall not vary from the index rate by more than 35% §9(b)	Premiums may not deviate by more than +/- 20% of the community rate filed by the small employer carrier §4080a(h)2
Transitional Period	3 years §9(b)7	In force business will not be subject to the provisions of the Act until the later of the date of renewal, anniversary, or July 1, 1992 §5112(6)b
Renewal Rating	Trend plus 15% plus change in case characteristics 9(b)3(B)	No provision
Renewability	Guaranteed renewable except "for cause" §9(3)	Must guarantee rates for six months; must guarantee acceptance §4080a(k)
Whole Groups	No provision	Carrier must take entire group §4080a(a)4(d)
Continuity of Coverage	Preexisting condition limitation of 12 months; plans shall credit the time person was covered under a previous group health benefit plan if previous coverage was continuous 30 days prior to the new coverage §9(1,2)	Preexisting condition limitation of 12 months; limitation shall be waived if there is evidence of substantially equivalent continuous coverage during previous 9 months §4080a(g)
Reinsurance Type	Prospective/with an opt-out §13(o)	Prospective/mandatory for commercials; participants must guarantee solvency w/out limitation on a pro-rata basis §4080a(o)
Reinsurance Price	Whole Group: 150% Individual: 500% §13(g)2(e)	No provision
Cost Sharing	\$5,000 plus 10% of the next \$50,000 §13(g)2(e)	No provision
Assessments	Capped at 5% of small employer premiums; formula to be set by board but must be 50% to 150% of carrier's proportional share of all reinsuring carriers' small employer premiums §13(h)2,4	No provision
Other	Guaranteed issue requirement suspended if assessment cap is reached §13(h)4	Participation requirement = 75% of employees; most provisions do not apply to registered carriers who on 1/1/91 and thereafter have written or collected less than \$100,000 in annual gross premiums for group health benefit plans §4080a(1)h(3)l
Effective Date	July 1, 1992; January 1, 1993 for preexisting condition and guaranteed renewable provisions	July 1, 1992