

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

8493 SENATE STATE AFFAIRS

SEXUALITY EDUCATION IN THE CHURCH

The church faces a serious challenge in sexuality education. The problems are all around the church, both in society and in its membership. Teen pregnancy is at epidemic proportions; the incidence of sexually transmitted disease is on the rise; and today HIV infection is spreading more rapidly through heterosexual contact and IV drug use than through homosexual contact.

A study done by Josh McDowell found that by age 16, more than half of youth in evangelical churches will have engaged in fondling and/or sexual intercourse. One youth worker stated that parents in his church had no idea that almost all the teens in the youth group were sexually active.

Sexuality in the context of the church refers to the biblical view of the integration of body, mind and spirit (I Thessalonians 5:23). What happens in one dimension of people's lives affects the other dimensions, and affects interpersonal relationships.

In creation, sexuality was one of God's marvelous gifts to human beings. Somehow femaleness and maleness reflect aspects of the character of God and are intrinsically good. The Bible reveals that the purposes of sexuality are procreation and the joyful expression of oneness and interdependence.

God has revealed in His Word patterns for the expression and experience of human sexuality. Violation of these patterns accounts largely for the epidemic of HIV infection. The challenge for the church is to apply His Word in today's society. Yet the message for moral standards that people receive is often ambiguous and morally confusing.

The church's mandate is to proclaim clear moral standards on sexuality. As in all important areas of life, God has revealed model patterns for the expression and experience of our sexual natures. These patterns promote



The messages from television, school sex education and peers can make it difficult to make decisions based on biblical values and moral absolutes.

health, maturity, family integrity, and community. When persons depart from the model pattern and violate clear biblical parameters, they risk unhealthy physical, emotional, spiritual and interpersonal consequences.

The church should courageously and responsibly exemplify and proclaim the biblical standards of sexuality and human love. It is the church leaders' responsibility to make the appropriate moral stances clear, to humbly admit areas where clear answers are elusive, to promote maturity in relationships, and to balance the presentation of moral absolutes with the availability of forgiveness and healing in Christ.

PROBLEMS AND CONCERNS

Much of the education the church historically has given consisted of a list of "dos" and "don'ts". Sexuality education programs need to address the common problems that people face in their daily lives.

1. Singles face:

- a) Pressure from the media and peers to have sex outside of marriage. This pressure relentlessly erodes personal standards. Under current conditions it is easy to rationalize by saying, "... it's not so wrong, everyone is doing it."
- b) Internal pressures from their sex drive, loneliness or lack of self-esteem to fill their needs through sexual intimacy, often believing this will bring them love. They sometimes lack practical skills or motivation for coping with these pressures.
- c) The lack of an alternative social system in which to interact where norms of chastity are promoted and honored.

2. Marriage does not necessarily eliminate the need for sexuality education. Some marital situations that cause concern are:

- a) Hurting or broken relationships that tempt a spouse to find solace and intimacy outside of marriage. This is now a heightened concern since promiscuity is a risk behavior for HIV transmission. Indeed, an HIV-positive spouse often does not know he or she has been infected.

Teens need help in developing social support systems that encourage chastity and promote healthy lifestyles.



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- b) A growing number of married couples are discovering that a spouse is HIV-positive and yet has not practiced sexually responsible behavior. Furthermore, some spouses, even after knowing they are infected, do not inform their partners of that infection.
 - c) Succumbing to the temptation of pornography is widespread among persons who are married, but is not openly recognized and confronted. In some instances it can lead to sexual activity outside of marriage. Incidents involving prominent Christian leaders are only a small indication of a larger problem. Sexual encounters under these circumstances present a high risk for HIV infection.
 - d) Disruptive changes in career or other crises often lead to disoriented behavior, including sexual experimentation outside of marriage.
 - e) Divorce has become prominent even among church members. Persons who are in one of the stages of divorce face strong temptations for extramarital sexual intimacy.
3. Given these problems and concerns, why have churches not had a greater impact on problems related to sexuality? Leaders need to evaluate the effectiveness of sexuality education programs. Following are reasons why some churches have not been effective in sexuality education.
- a) Occasional negative repercussions from parents when church leaders attempt to deal seriously with sexuality education become insurmountable roadblocks to otherwise valuable programs.
 - b) No sexuality education is given at all, for teens or adults, except for an occasional cursory statement.
 - c) The tendency is to present education on sexuality only from a negative standpoint, thus attempting to change behavior out of fear of consequences.
 - d) An educational program that only addresses the physical aspects of sex, while ignoring its emotional, mental and spiritual aspects, falls short of providing needed answers.
 - e) Educational programs are presented from a married adult's point of view and do not stimulate genuine interaction from single teens and adults.
 - f) Educational messages are given in harsh, legalistic terms.
 - g) There is often a lack of any teaching on the biblical basis for sexuality, either out of the belief that someone else will do it, or out of simple neglect.
 - h) Churches have not developed a statement about the biblical view of sexuality that staff and lay leaders can use as a foundation for educational programs. For example, many churches have never given youth leaders a statement on biblical sexuality that they can use in teaching the youth group.

By creational intent, sexuality is an intrinsic and important aspect of humanness that includes physical, emotional, mental, social and spiritual dimensions of persons. These dimensions are intimately and necessarily inter-related. In the biblical view, sexuality serves several purposes, and the person preparing a sexuality education program must grapple with these purposes. Some churches may be silent on the topic, but Scripture is not.

POLICY GUIDELINES

The church has a mandate to proclaim clear moral standards in all areas of life, including sexuality. In light of the often ambiguous and morally confusing message from public schools and the mass media, and the lack of sexuality education in the home, churches can make a significant contribution to the moral development and health of society.

Here are some of the key decisions that have to be made in developing church policies and plans. Along with the list of decisions are some guidelines that can help all involved think through the issues.

DECISION #1

Guidelines

Decide on a definition of the purpose of sexuality.

1. Begin with Genesis 1, and God's statement that what He created was good. View sexuality from its purpose at creation, not just within the context of the Fall.
 2. Regard sexuality as multidimensional, including the physical, emotional, mental, spiritual and interpersonal aspects.
 3. Balance the positive and negative messages about sexuality. Recognize that sex is intrinsically moral.
 4. Include clear statements about the moral standard for sexual activity. Back up the standards with Scripture.
 5. Include the dimension of grace, that God forgives all sins, including sexual sins.
 6. Some of the purposes that could be listed include: procreation (Genesis 1); pleasure and physical gratification (Song of Solomon, 1 Corinthians 7); a witness to human finiteness and our need for interdependence (Ephesians 5, Song of Solomon); a symbol of the self-sacrificing commitment to a relationship that exists between Christ and His Church (Ephesians 5).
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DECISION # 2

Guidelines

Define problems, questions and concerns that the congregation has regarding sexuality. Knowledge of what people in the congregation are thinking and feeling is necessary before proceeding with a specific educational program.

1. Refer to the problems, questions and concerns listed earlier in this chapter as a starting point for discussions.
 2. Use a brainstorming format for getting information from church committees, youth groups, elders, deacons, etc. This format will give much more dynamic information than a survey.
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DECISION # 3

Guidelines

Define the core beliefs that are to be communicated about sexuality.

In other words, make a list of the key things to know and act on, and incorporate it into the educational program. Refer to the purpose statements and to the list of problems, questions and concerns written in Decisions #1 and #2. In particular, the purpose statements will establish the rationale for some of the beliefs that are communicated about sexuality.

1. Brainstorm to generate a list of key thoughts about sexuality. From this master list select the points that are most important to communicate - fundamental principles that everyone should know. Some statements may seem obvious, but include them anyway. Do not assume that everyone in the church knows and accepts what leaders believe to be important.

By age 16, more than half of teenage youth in evangelical churches have engaged in fondling and/or sexual intercourse.

That's just one of the alarming facts discovered in research commissioned by the Josh McDowell Ministry. Eight U.S. evangelical denominations conducted the research between June and August 1987.

Of the teenagers surveyed, 82 percent stated they attend church weekly; 79 percent said they are actively involved in the church's youth program; and 82 percent stated that they know Jesus Christ as their personal Savior. The research discovered that:

36 percent were not able to state that sexual intercourse was unacceptable before marriage.

55 percent could not state that they believed fondling breasts was morally unacceptable behavior before marriage.

68 percent said they attended at least one R-rated film and 10 percent attended at least one X-rated film within the last six months.

Churched youth spend an average of 4.9 hours per day or 34 hours per week watching TV and listening to the radio and/or albums/tapes.

The median amount of time devoted to talking about things that really matter to the teen is less than two minutes per day with the father and less than four minutes per day with the mother.

The study revealed the teens' primary source of information about sex. Out of ten, the church ranked last and the Bible ranked seventh. At the other extreme, movies and television, supplemented by friends and parents, were in the top categories.

The research pointed to the importance of Christian commitment in protecting teens from premarital sexual activity. It found that born-again Christians and those who stated that the Bible was important to them were less than half as likely as other teens to have intercourse. In addition, it found that sexual contact was much less likely among teens who had close relationships with their fathers.

Josh McDowell Ministries

"Why Wait?" Survey

2. Make the belief statements positive and caring, and ones which communicate forgiveness. The church has tended to communicate that sexual sins are inherently worse than other sins.
3. The most difficult beliefs to write will be those related to chastity. Chastity in this document refers to faithfulness to the biblical standard for sex in relationships, to purity of thought and intent, and to avoidance of anything that cheapens or debases the self and others. It is more than abstinence from sexual activity outside of marriage. It is a matter of living in the fullness of life as God intended. People will need to think through the biblical standards and match those with the conditions and standards that exist in today's society. In the context of this document, remember that with each

additional sexual partner a person has, that person increases the possibility of contracting HIV infection. There is a need to define a clear position on chastity in reference to the following areas:

- a) Singles. Define the standard of conduct your church believes in for unmarried teens, for unmarried adults and for divorcees. Include the biblical basis for this standard.
- b) Married couples. Define the standard of conduct your church believes in regarding sexuality and monogamy and include the biblical basis for this standard.

DECISION # 4

Determine what audiences to address in the sexuality education program and the extent to which the emotional, mental, physical and spiritual aspects of sexuality will be included.

In planning the educational program, it is helpful to first identify the audiences, for example; pre-teens, teens, young adults, single adults, married couples, divorcees, etc. Then refer to the work already done in Decisions #2 and #3 and match the problems, questions and concerns, and the core beliefs to the appropriate audience. This will help define the objectives of an education program.

Another aspect of the planning process is the fit between the sexuality education program with ongoing educational programs in the church. The most effective way to create a good fit will be to integrate sexuality education with existing programs. One-time educational events on HIV and sexuality will have little impact. Look for ways to regularly include sexuality education in the existing education curriculum.

Guidelines for Singles

1. Education about HIV is important even in areas where HIV infection and AIDS do not appear to be prevalent. With the large numbers of North Americans, including church members, who have multiple sexual partners, the conditions are set for the epidemic to spread.
2. Education about HIV is done most effectively in the context of education about sexuality. The only sure way to prevent the spread of HIV is to abstain from sex or maintain a mutually faithful monogamous relationship. Thus, the broader issues related to sexuality need to be addressed.
3. Recognize that singles face great pressures to be sexually active. Educational programs must be designed to respond to the deep and genuine pressures that singles face.
4. Train singles in the development of skills which will help them live in chaste relationships. Skills are needed in areas of personal discipline, relationships with the opposite sex, and developing intimate relationships without sex.
5. Help singles develop social support systems that encourage and honor chastity and promote healthy lifestyles.
6. Work toward opening communication between churches. Build and expand the network of social relationships among singles from a variety of churches.
7. In premarital counseling prepare couples to develop a complete relationship, emotionally, physically, psychologically and spiritually.
8. Review in individual premarital counseling sessions the presence of risk factors in each person. If risk factors are present, encourage the person involved to seek professional help in determining their HIV status.

Couples should know before marriage if HIV transmission is possible. The presence of HIV should not necessarily prevent a couple from getting married. That is the couple's decision based on knowledge. Knowing their HIV status, however, does enable them to plan how to prevent infecting the partner and prevent rearing an HIV-infected child.

9. Set up a referral network to deal with problem-based areas that may arise in the course of sexuality education. Problems that may arise, in addition to HIV infection, are sexual abuse, incest and other sexually transmitted diseases.
1. Provide education for married couples on personal intimacy and faithfulness in marriage. All married couples should know about the danger of HIV infection from sex outside of marriage.
2. Regarding the use of condoms as a preventive measure, scientific studies now make it clear that condoms cannot guarantee safety. The failure rates of condoms in protecting against unwanted pregnancies, syphilis, gonorrhea, and genital herpes as well as HIV infection vary from 5 to 30 percent. The church should offer the moral and spiritual guidance for setting the standard of faithfulness in marriage relationships.
3. The above information should be made clear to everyone who has a leadership position in church education programs.
4. Provide education to HIV-positive married couples (where one or both partners are infected) on how the infection may affect their sexual relationship.
5. Set up support groups for couples who face HIV infection. They need emotional, spiritual and physical support.
6. Where one spouse is HIV-positive, promote full disclosure of the infection to the other spouse, and where appropriate to an expanded, caring community.

Guidelines for Married Couples

1. Ensure that church-sponsored educators are of the highest integrity, thoroughly trained, comfortable with the subject matter in all its diversity, and handle their own sexuality with maturity and wisdom.
2. Ensure that church-sponsored educators understand teenagers' and single adults' diverse attitudes towards sex and that the educators be able to talk about sex in their language.
3. Use educational materials that are culturally relevant, which speak the audience's language and are realistic about current sexual behavior. Additionally, use identifiable role models appropriate to the audience's age group (refer to Appendix B for recommended resources).

Guidelines for Church Educators

VII

RISK BEHAVIORS

Early in the HIV epidemic, risk of contracting the virus was described in terms of "risk groups" such as homosexuals, IV drug users, and hemophiliacs. Today, risk for acquiring HIV infection is defined in terms of risk behaviors. While a certain percentage of HIV infection will occur through blood products and from infected mother to baby (non-behavioral modes of transmission), the overwhelming majority of cases will occur through specific sexual or IV drug use behaviors.

"Risk behaviors" is a more appropriate definition of the problem in that many people participate in risk behaviors who would not envision themselves as part of

the originally designated risk groups. Risk behaviors for contracting HIV include: intimate sexual contact with multiple partners (heterosexual or homosexual) or with a single HIV-positive partner, and sharing of IV drug needles and paraphernalia.

PROBLEMS AND CONCERNS

Dealing with risk behaviors is a complex task. Accurate risk assessment is often blurred by one's participation in multiple risk behaviors, the preconception that one's behavior must be addictive or promiscuous to be risky, or the perception that one type of sexual orientation is exclusively risk-prone, i.e., homosexuality.

In reality, anyone - of any age, race, or sexual orientation - who has had one or more sexual partners whose HIV status is unknown, has participated in risk behavior. Anyone who has shared IV drug paraphernalia - not just needles - with one other person whose HIV status is unknown has participated in risk behavior.

The perception that those at risk must be drug addicts or excessively promiscuous is false. Risk behavior includes occasional recreational IV drug use and the occasional "one-night stand." The more potential exposures to HIV one has through risk behavior, however, the greater the risk of contracting the virus.

Dealing with these behaviors from a ministry standpoint involves: understanding the role addiction plays in risk behaviors; evaluating behaviors in terms of origin and treatment; overcoming prejudices related to specific behaviors; equipping people with the tools and support to break the cycle of risk behavior; and employing prevention methods to discourage the initial participation in risk behaviors.

A fundamental principle in dealing with risk behaviors related to HIV and AIDS is that the behaviors that put someone at risk for contracting the virus must be dealt with as a separate issue from HIV and AIDS. Risk behaviors and AIDS/HIV are two distinct issues. Church leaders need to demonstrate Christlike leadership in this area, distinguishing between the value of the person created in God's image and his or her risk behavior, understanding that such behavior can today have fatal consequences.

POLICY GUIDELINES

The following decisions and guidelines for dealing with risk behavior in the local church cover four specific areas: addictive behavior, multiple sexual partners, IV drug abuse, and homosexuality.

A

ADDICTIVE BEHAVIOR

Addictive behavior is evident in many areas of American culture today. IV drug use and sexual promiscuity are two such behaviors that put people at risk for contracting HIV infection. The following decisions and guidelines provide a structure for dealing with most types of addictive behavior, which can be expanded upon and specified to address individual addictions.

DECISION #1

Gain a full understanding of the underlying causes and effects of addictive behaviors.

Guidelines

1. Research root causes of addiction, including: peer pressure, media messages, low self-esteem, fear, guilt, depression, loneliness, anger, hopelessness, boredom, and biological predisposition. Invite a counselor or representative from local or regional groups dealing with addiction to present basic facts to church staff and lay leaders.

2. Learn about long-term effects of addictive behavior on the individual, on one's family, friends and co-workers.
3. Evaluate church attitudes and programs in terms of their sensitivity to needs or concerns of those dealing with addictive behavior.
4. Study the relationship of addictive behavior to HIV infection.



Helping youth understand the causes of addictive behavior is one step in safeguarding them from drug abuse.

Learn to recognize symptoms of addictive behavior and act promptly.

DECISION #2
Guidelines

1. Acknowledge that members of the congregation, both teens and adults, are struggling with various forms of addiction.
2. Consult literature and local experts regarding telltale signs of addictive behavior, such as: secrecy, withdrawal, lack of concentration, changes in personality, change of friends, loss of interest in most activities, etc. Symptoms change as the stages of addiction progress.
3. Develop a plan of action to deal with addictive behavior. Time is a key factor in helping someone break the cycle of addiction. The earlier someone gets assistance, the better. Train specific staff members and/or lay leaders who can immediately become involved and supportive as soon as action is appropriate.
4. Identify local counselors or organizations to use as referrals or as consultants.

Understand the factors that inhibit people from seeking assistance, and evaluate church programs for attitudes or actions which discourage openness about addictive behaviors.

DECISION #3

Guidelines

1. Understand factors which keep people from seeking help for behavior, such as: denial, fear of rejection, and lack of access to help.
2. Examine attitudes conveyed in sermons or other programs, or that are evidenced by church leaders or congregation members that inhibit openness among members: prejudice, judgmental attitudes, intolerance of failure, a view of weakness or failure as lack of spiritual commitment, etc.

DECISION #4

Guidelines

Develop a program for treatment and care that addresses medical intervention, emotional support and spiritual care issues.

1. Recognize that addictions can be a medical problem when related to drugs and alcohol, and are not always behavioral choices.
2. Recognize that treatment for most addictions will be a lifelong process of progress and regression.
3. Study the effectiveness of different treatment programs available for replication and referral. Understand the different settings in which specific approaches are appropriate.
4. Foster an atmosphere in which those involved in addictive behavior will be loved, accepted, and can seek help without retribution.
5. Organize and train support groups or "buddies" to provide spiritual and emotional support for individuals with addictions, as well as for their families.
6. Encourage involvement in local groups specializing in addictive behaviors, such as Alcoholics Anonymous, Narcotics Anonymous, Teen Challenge, Youth Guidance, etc.
7. Learn to recognize signs of relapse and be prepared to deal with the situation quickly. Understand situations which present extra pressure and can undermine recovery, such as undue stress, lack of support, holidays, feelings of failure, etc.
8. Understand that this behavior is not an isolated part of the person's makeup. Treatment and support must deal with the whole person, not just the symptoms that are seen through specific behavior.

DECISION #5

Guidelines

Develop attitudes and programs within the church aimed at preventing addictive behavior.

1. Discuss the issue in sermons, Sunday school, youth groups, singles meetings and in any other appropriate setting, helping people understand causes and effects of addictive behavior.
2. Encourage all who are dealing with personal or family problems to seek counsel in an effort to keep them from compounding.
3. Develop ministries which offer practical assistance, not just spiritual platitudes, for those seeking help in troubling times.
4. Discuss the "weaknesses" and "failures" of biblical characters and other Christians who have experienced and overcome addictions, to offer encouragement to those who are struggling.
5. Focus programs on helping people be honest with themselves, understanding their weaknesses so they can recognize when they should seek help from the church rather than from behaviors which can become addictive.
6. Educate parents and lay leaders about their role in prevention:
 - a) Teach standards of right and wrong and demonstrate them through example.
 - b) Help others resist peer pressure by knowing their friends, talking to them about interests and problems, and supervising activities when appropriate.

- c) Be knowledgeable about drugs and signs of drug use. When symptoms are observed, act quickly.
- d) Offer unconditional love.
- e) Maintain strong family relationships.
- f) Discuss ways to resist peer pressure through role-playing and developing refusal skills.

B

More than two-thirds of all persons with AIDS to date contracted HIV through multiple sexual contacts. Increasingly, the virus is being seen among heterosexual youth, putting them at great risk. Some researchers say that in the 1990s, teenagers are positioned like gay men at the beginning of the AIDS epidemic. The number of full-blown AIDS cases was relatively low, but there were increasing signs that HIV was rapidly spreading (7).

**MULTIPLE
SEXUAL PARTNERS**

Establish support systems for those attempting to modify risky sexual behavior.

DECISION #1

Guidelines

- 1. Encourage parents and friends to attempt to motivate the individual to change and provide him or her with practical, tangible support.
- 2. Discuss with the family various ways they can be supportive and encourage them to focus on their own emotional and spiritual health.
- 3. Suggest individual and family counseling.
- 4. Identify a church lay leader or counselor to provide support for the individual and keep him or her accountable for sexual behavior.

Educate the persistently sexually active individual about the risks involved.

DECISION #2

Guidelines

- 1. Discuss the emotional and spiritual results of continued sexual promiscuity: guilt, emotional detachment, loss of self-respect, loneliness, undermining of future relationships, alienation from God and friends.
- 2. Discuss physical consequences of sexual promiscuity, including:
 - a) Pregnancy.
 - b) Increased risk of cervical cancer, particularly among teenage girls.
 - c) Sexually transmitted diseases.
 - d) HIV infection and AIDS.
- 3. Educate individuals to the facts about condom use for protection against HIV infection and other sexually transmitted diseases. Scientific studies show the following facts about condoms: (8) (9)
 - a) Failure rates in protecting against unwanted pregnancy, syphilis, gonorrhea, genital herpes and HIV infection vary from 5 to 30 percent, most studies placing failure rate consistently around 17 percent. Condoms fail for the following reasons:
 - 1) Variable quality in manufacturing process.
 - 2) Disintegration during use caused by petroleum-based lubricants.
 - 3) Improper, late application and/or early removal caused by lack of knowledge, over-excitement, or impaired judgment due to alcohol or drug use.

- 4) Air bubbles trapped inside during application.
 - 5) Tears caused during application.
 - 6) Disintegration over time when exposed to temperatures in excess of 90 degrees.
 - 7) Natural membrane condoms, as opposed to latex condoms, can be permeated by the HIV.
- b) Condoms cannot be viewed as fail-safe protection against AIDS and other sexually transmitted diseases, or for preventing pregnancy.

C

DRUG ABUSE

Drug abuse has been called America's number one problem. It affects nearly every community in America. Every age, race, economic level and religious faith are represented among those who abuse drugs.

DECISION #1

Guidelines

Gain an understanding of the process of drug addiction, the underlying causes and the extent of the problem in your community.

1. Learn about various drugs available, what they are called, how they are used, and their effect on users.
2. Talk with school officials and police authorities to ascertain the extent of the drug problem in your area, the ages of those involved, and the kinds of drugs most readily available.
3. Discuss underlying causes of addiction with counselors and experts (see Section A).

The church can benefit from education about drug abuse: how does it start, what are its effects, and what can be done for prevention and treatment?



Educate the local church to facts about drug abuse, its effects, treatments, and prevention.

DECISION #2

1. Focus on drug abuse in youth programs and parents' Sunday school classes to educate them on the issue and how to deal with it.
2. If the church is not already involved with a ministry to drug abusers on some level, consider inviting a representative to speak on the issue.
3. Sponsor a seminar on drug abuse for churches in your community that are anxious to have tools and training to address the problem.
4. Learn about drug awareness and prevention programs in local schools or other organizations. Offer to cooperate and make educational opportunities known to the congregation.
5. Educate the congregation about the atmosphere which supports prevention efforts. Encourage responsible, loving, Christlike behavior which will foster communication and acceptance of every individual, including their weaknesses (see Section A).

Guidelines

D

In the United States, the HIV epidemic was first visible in the homosexual community. Quickly AIDS was pegged a "gay disease," making it easy for many to disregard the issue.

**HOMOSEXUALITY/
BISEXUALITY**

Today, however, HIV has moved well beyond the IV drug and homosexual communities. The AIDS epidemic of the 1990s will not only continue to be of epidemic proportions among homosexuals, but also among blacks, Hispanics, and sexually active teens and young adults.

The church cannot ignore its responsibility to minister to the homosexual community, both related to AIDS and apart from it. It is important to remember that AIDS and homosexuality are separate issues which must be dealt with individually in light of Scripture.

The following statements and guidelines are offered to assist with that process.

Make a commitment to understand the causes of homosexuality.

DECISION #1

1. Consult literature and experts to understand the prevalent theories on the causes of homosexuality. Most commonly stated theories include:
 - a) Genetic/medical: genetic factors or pre- or post-natal hormonal influences may provide a predisposition for homosexuality, but no research exists that asserts such hormonal imbalances are present for all homosexuals.
 - b) Family dynamic: some researchers indicate that homosexuality results from dysfunctional parent-child relationships. A disturbed father-son relationship may result in the son's homosexual attraction to males; with his longing for closeness, he may turn to other males. Evidence indicates that this dynamic in mother-daughter relationships may influence lesbianism.
 - c) Chosen behavior/acquired lifestyle: this theory suggests that early experiences and social conditioning shape one's sexual orientation. Children who are homosexually seduced or experience puberty while still primarily influenced by strong same-sex peer relationships may continue to define themselves as homosexual.

Guidelines

- d) Personal responsibility: while external factors operate to shape one's homosexual orientation, none of these factors are strictly determinative. At some point in development, the individual's own choice plays a role in embracing homosexuality.
- 2. Invite counselors of those involved in the homosexual community to address church staff and lay leaders on the issues involved. One excellent resource is the Exodus International network of ministries.

DECISION #2

Guidelines

Recognize and address attitudes in the congregation that are obstacles to ministry.

- 1. Acknowledge concerns, fears, and prejudices concerning homosexuality, bisexuality that exist in the congregation, such as homosexual influence and recruitment; fear of catching HIV; prejudice against homosexuals and former homosexuals, etc.
- 2. Address attitudes toward homosexuality in a seminar or adult Sunday school class series including:
 - a) Biblical teaching on homosexuality.
 - b) Biblical teaching on forgiveness and redemption.
 - c) Biblical teaching on the church as a redemptive community.
- 3. Invite a representative from a ministry to the homosexual community to address congregational concerns and offer ideas for overcoming prejudices.
- 4. Church leaders can help change attitudes and prejudices through modeling Christlike behavior, demonstrating a love for all regardless of their age, race, sexual orientation, economic or social status.

DECISION #3

Guidelines

Provide counseling and ministry for homosexuals in the local church and community.

- 1. Educate lay leaders and counselors to the issues involved with counseling the homosexual/bisexual.
- 2. Learn about local and regional ministries that the local church can support and refer people to for assistance.
- 3. Work with families of homosexuals/bisexuals - parents, wives and children - to foster a loving, supportive atmosphere, and offer constructive ideas to strengthen the family unit.

VIII

ISSUES RELATING TO AIDS/HIV IN THE CHURCH

After extensive studies of HIV infection, no evidence exists that the HIV virus is spread by casual contact. Casual contact is defined as everyday contact from door handles, toilet seats, shaking hands, sitting next to someone, and touching objects after another person.

A

HEALTH CONCERNS

Nor is there evidence of spread with routine household contacts, such as the contacts between parents and children.

Finally, there is no evidence which indicates that HIV can be transmitted during the preparation or serving of food and beverages.

HIV-positive persons have at times been limited from participating in activities associated with the exercise of their faith, e.g., communion, because of health concerns of others in the congregation. Laboratory and epidemiologic evidence indicate that sexually transmitted and blood-borne infections are not transmitted during food preparation and service. No instances of HIV transmission have occurred in such settings.

Despite the lack of evidence for transmission of HIV through the above means, many persons have concerns about contracting HIV through non-intimate activities.

"The right to know" - knowing a particular individual's HIV status - is a recurrent concern as well, the fundamental point being that not knowing about a person's HIV status exposes others to the risk of HIV infection.

PROBLEMS AND CONCERNS

Key areas to consider as you develop your health policy guidelines are suggested here.

POLICY GUIDELINES

Church leaders can best handle fears that arise within a congregation related to health concerns about HIV infection by addressing those fears.

DECISION # 1

To deal with fears within a congregation about contracting HIV infection from casual contact, pastors and church leaders need to:

Guidelines

1. Facilitate discussion of fears so that they can be recognized, voiced, and resolved in an open, caring atmosphere.
2. Recognize and resist the implementation of precautions for which there is no medical need. They will reinforce irrational fears and inhibit ministry.
3. Be aware that irrational fears can be one way of cloaking prejudice, yet understand that a fear of the unknown is common to all of us.
4. Assess the level of distrust of medical or public health authorities and the basis of that distrust within their congregations.
5. Provide education regarding transmission of AIDS/HIV.

Consider what, if any, special precautions need to be taken for HIV-positive individuals in the church.

DECISION #2

1. Pastors and church leaders should allow HIV-positive persons to fully participate in all normal activities associated with the exercise of their faith.
2. Sanitary precautions are useful in preventing the spread of infectious diseases in general. In the following areas, these general guidelines can apply.
 - a) Nursery - Gloves should be used while changing diapers or when exposed to any body fluids of children with HIV infection. Hands should always be washed after gloves are removed, even if the gloves appear to be intact (10). Some churches may choose to use them for all children, a precaution not only related to HIV but to other communicable diseases as well.

Guidelines

b) Food service:

- 1) Persons with HIV need not be restricted from working in a food service area unless they have evidence of other infection for which any food service worker should be restricted (e.g., tuberculosis).
- 2) Follow recommended standards of good personal hygiene and food sanitation.
- 3) Avoid injury to hands when preparing food. For both aesthetic and sanitary considerations, any food contaminated with blood should be destroyed.

c) Cleaning:

- 1) Dishwashing cycles commonly used are adequate to clean dishes and glassware.
- 2) Surfaces exposed to blood and body fluids should be cleaned with a detergent or a 1:10 solution of a household bleach with water.

B

**CONFIDENTIALITY
VERSUS OPENNESS**

A church wrestling with AIDS/HIV issues must deal with the controversial issue of confidentiality versus openness. On one hand there is the right to privacy on the part of the individual concerned. This privacy protects the individual from discrimination and irrational fears. The opposing perspective is that society has the right to protect its people as well as help those in need. The guidelines suggest the advantages of each position which must be considered in making a decision on the level of openness chosen.

PROBLEMS AND CONCERNS

The issue is complex, with each side having valid points. Church leaders need to encourage HIV positive individuals within the congregation to select the level of openness most appropriate for that stage of their illness. Further, church leaders need to stay informed of state and federal laws pertaining to confidentiality so they can correctly advise individuals coming to them for counsel and avoid potential legal liability for violating rights of confidentiality.

POLICY GUIDELINES

Churches need to seek a degree of confidentiality that respects both the right to privacy of the individual and the obligation of the church to protect the congregation from HIV infection, and respond appropriately to a member in need.

DECISION #1

Decide on the advantages of openness with regard to HIV in the congregation.

Guidelines

Openness with regard to HIV status has a number of advantages. Some of those advantages which should be considered when making a decision on the level of openness that is desirable include:

1. The individual may receive greater support from others.
2. There is a reduction in stress and fear of the unknown.
3. The quality of life can be improved through the spiritual, emotional, and material support of others.
4. The ill person is better able to prepare for the limitations of his or her illness and death.
5. Openness helps to remove the stigma surrounding HIV infection.
6. Openness provides an opportunity for others to learn about HIV illness.

7. Openness provides greater opportunities for ministry and to assist in the emotional well-being of the individual with HIV/AIDS.
8. When openness does not exist, information circulated by rumor often causes a response of panic.

Determine aspects of confidentiality a church should consider with regard to HIV in the congregation.

DECISION # 2

Confidentiality with regard to HIV status has advantages as well as being a legal right.

Guidelines

1. The dignity of the infected individual can be protected.
2. By maintaining confidentiality, the individual is less likely to suffer from irrational discrimination in an uneducated congregation or be subjected to unjustified fear and rejection.
3. Confidentiality is a legal right.
 - a) Does the church leader have the written consent of the individual to inform others?
 - b) How can church leaders help the infected person inform family, friends, sexual partners, and members of the congregation?

C

Inappropriate attitudes and behaviors distort a Christian's understanding of the facts about HIV, the desire to learn the facts, and a compassionate response to those who test HIV-positive or have AIDS. Sensitive church leaders need to assess and deal with counterproductive elements within their congregations in a timely way. Prepared with correct information, church leaders can open discussion so that key issues are recognized, voiced, and resolved within a caring environment.

**DEALING WITH
NEGATIVE ATTITUDES
AND BEHAVIORS**

Negative attitudes and behaviors most often arise from the lack of valid knowledge and take a variety of forms. Frequently there are irrational fears of contracting HIV through casual contact or fears of those with HIV. These fears lead to loss of objectivity, stereotyping, and false assumptions.

PROBLEMS AND CONCERNS

Additionally, there are prejudices, particularly against those individuals who have engaged in behaviors that put them at risk, such as promiscuous heterosexual activity, homosexuality, and intravenous drug abuse. Aversion to homosexuality, promiscuity, and drug abuse often hampers education and ministry related to the HIV epidemic.

Church leaders can help their congregations to discuss the scriptural position on these issues. They can also help the congregation learn to separate HIV infection from behaviors, and to separate the needs of suffering people from the political agendas of some AIDS groups with which they likely do not agree.

When not addressed, these negative attitudes and behaviors diminish the vitality of the church as the body of Christ, alienate persons with AIDS/HIV in the congregation, and immobilize the church in its efforts to serve those with AIDS/HIV.

POLICY GUIDELINES

DECISION #1

Guidelines

Deal with negative attitudes and behaviors in a congregation.

1. Address and deal with fears, understanding some are rational and some are irrational. Utilize knowledgeable professional resources in the community. It is useful in the training of individuals to have exposure to those who are personally dealing with AIDS.
2. To counter prejudice and aversion to risk behaviors, leaders can focus on:
 - a) God's instruction to distinguish between the value of persons created in His image and their sinful behavior.
 - b) God's command to reach out to all individuals in need, including those involved in nonbiblical sexual activity and drug abuse.
 - c) God's call to the church to be a nurturing community where all sinners can find love and support in dealing with temptation.
 - d) The scriptural command to speak the truth in love and minister to all who are impacted by this pandemic.

1. October 1990 Centers for Disease Control **HIV/AIDS Surveillance Report**.
2. 1989 Centers for Disease Control **Morbidity and Mortality Weekly Reports**.
3. **Report of the Presidential Commission on the Human Immunodeficiency Virus Epidemic**, June 1988, p. xvii.
4. **The Washington Post**, February 1, 1987, "Map of AIDS' Deadly March Evolves from Hepatitis Study," by Cristine Russell, p. 1.
5. Because all food and blood products have been screened for HIV since 1985, HIV transmission related to transfusions is extremely rare today, about 1 in 40,000. **Washington Times**, August 26, 1989, "44% Fear AIDS Lurks in Blood Supply," by Joyce Price.
6. Margaret A. Fischl, et al. "Heterosexual Transmission of Human Immunodeficiency Virus (HIV): Relationship of Sexual Practices to Seroconversion." **III International Conference on AIDS, June 1-5, 1987, Abstracts Volume**, p. 178.
7. **New York Times**, October 8, 1989, "AIDS Spreading in Teen-Agers, a New Trend Alarming Experts," by Tina Kolata, p. 1.
8. Centers for Disease Control **Morbidity and Mortality Weekly Report**, Vol. 39, No. 9, March 11, 1988.
9. **US Medicine**, "HIV Warning Issued on Condom Reliance," March 1989.
10. Centers for Disease Control **Guidelines for Prevention of Human Immunodeficiency Virus and Hepatitis B Virus to Health Care and Public Safety Workers**, February 1989, The Health Omnibus Program Extension Act, 1988, Section 3.

APPENDIX A FOOTNOTES

American Red Cross, National Headquarters, AIDS Education Program, 17 and D Sts. N.W., Washington, D.C. 20006; 202/639-3246. Produces pamphlets and videos, conducts workshops on general AIDS/HIV education, youth prevention and workplace education.

APPENDIX B RESOURCES

GENERAL AIDS/HIV INFORMATION

AGENCIES/SERVICES

Morbidity & Mortality Weekly Report, published by CDC, Superintendent of Documents, Government Printing Office, Washington, DC 20402-9371; 202/783-3238. Annual domestic rate (1st class) \$70, (3rd class) \$55.

National AIDS Information Clearinghouse, P.O. Box 6003, Rockville, MD 20850; 800/458-5231. Maintains databases of educational materials and services; sends government pamphlets and AIDS/HIV conference calendar out free.

BOOKS/PAMPHLETS

Advice for Life: A Woman's Guide to AIDS Risk and Prevention by Chris Norwood (1987) Pantheon Books, 201 E. 50th St., New York, NY 10022. Paper. 192 pages. \$5.95.

AIDS: A War We Can Win by David Pence, M.D., The Committee to Stop AIDS, P.O. Box 10517, Minneapolis, MN 55458. Paper. 12 pages. \$2.00.

AIDS: The Ultimate Challenge by Elisabeth Kubler-Ross, M.D. (1987) MacMillan Publishing Co., 866 Third Ave., New York, NY. Hardcover. 329 pages. \$17.95.

AIDS/HIV News, Americans for a Sound AIDS/HIV Policy, P.O. Box 17433, Washington, DC 20041; 703/471-7350. Published six times per year containing AIDS/HIV news and research, and ASAP organization news.

Answers About AIDS, American Council on Science and Health, 1995 Broadway, 16th Fl., New York, NY 10023-5860; 212/362-7044. 51 pages.

Coping With AIDS: Psychological and Social Considerations in Helping People With HTLV-III Infection. National AIDS Information Clearinghouse, P.O. Box 6003, Rockville, MD 20850; 800/458-5231. Booklet. Free.

Crisis: Heterosexual Behavior in the Age of AIDS by William H. Masters, M.D., Virginia E. Johnson, and Robert C. Kolodny, M.D. (1988) Grove Press, Inc., 920 Broadway, New York, NY. Hardcover. 243 pages. \$15.95.

Go Toward the Light by Chris Oyler (1988) Harper and Row Publishers, Inc., 10 53rd St., New York, NY 10022. Hardcover. 246 pages. \$15.95.

Preventing AIDS: A Practical Guide for Everyone by Joseph F. Benza and Ralph D. Zumwalde (1987) JALSCO, P.O. Box 30226, Cincinnati, OH 45230. 85 pages. \$9.95.

Report of the Presidential Commission on the HIV Epidemic (1988), order #040-000-00529-3, Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. \$11.00.

Scientific American, October 1988 issue, 415 Madison Ave., New York, NY 10017; 212/754-0550. \$2.95.

Surgeon General's Report on AIDS (1987) National AIDS Information Clearinghouse, P.O. Box 6003, Rockville, MD 20850; 800/458-5231. Booklet. Free.

Understanding the Immune System by Lydia Woods Schindler, NIH Publication No. 88-529, U.S. Dept. of Health and Human Services, Washington, D.C. 20201. 35 pages.

What You Should Know About AIDS, National AIDS Information Clearinghouse, P.O. Box 6003, Rockville, MD 20850; 800/458-5231. Brochure. Free.

HIV INFECTION AND THE CHURCH

BOOKS/PAMPHLETS

AIDS: A Christian Response (Study Guide for Adults) by Howard E. Mueller (1987) Concordia Publishing House, 3558 S. Jefferson Ave., St. Louis, MO 63118-3968; 314/664-7000. Paper. 6 lessons, 39 pages. \$2.95.

The AIDS Epidemic: Balancing Compassion & Justice by Glenn G. Wood, M.D. and John E. Dietrich, M.D. (1990) Multnomah Press, Portland, OR 97220; 800/547-5890. Paper. 417 pages. \$9.95.

AIDS and the Positive Alternatives by Margaret White, M.D. (1988) Zondervan Publishing House, 1415 Lake Dr., S.E., Grand Rapids, MI 49506; 616/459-6900. Paper. 118 pages. \$7.95.

AIDS Resource Kit, MAP International, P.O. Box 50, Brunswick, GA 31521-0050; 800/225-8550. Contains: "AIDS and the International Organization: Policy Development Guidelines," \$4.75; "AIDS Resource Guide," \$2.75; "Dr. C. Everett Koop Transcript of AIDS Address to MAP Board of Directors," \$5.75; "Dr. C. Everett Koop Video Interview." Complete Kit, \$35.00.

AIDS Task Force resource pack for congregations containing lists of resources and bibliographies. National Council of Churches, 475 Riverside Dr., Room 572, New York, NY 10115; 212/870-2421. \$5.00.

Christians in the Age of AIDS: How We Can Be Good Samaritans Responding to the AIDS Crisis by Shepherd and Anita Smith (1990) Victor Books, 1825 College Ave., Wheaton, IL 60187; 708/668-6000. Paper. 197 pages. \$9.95.

Critical Issues: AIDS/Acquired Immune Deficiency Syndrome, The Christian Life Commission of the Southern Baptist Church, P.O. Box 25266, Nashville, TN 37202-5266. Pamphlet. 14 pages. Single copy free.

How Will I Tell My Mother? by Jerry Arterburn (1988) Thomas Nelson Publishers, P.O. Box 14100, Nashville, TN 37214-1000; 615/889-9000. Paper. 178 pages. \$7.95.

In Sickness and in Health: A Story of Love in the Shadow of AIDS by Shirleen Perry with Gregg Lewis (1989) InterVarsity Press, P.O. Box 1400, Downers Grove, IL 60515; 312/964-5700. Hardcover. 201 pages. \$14.95.

Nothing Can Separate Us from the Love of God: Help from the Scriptures for Coping with AIDS (available in English and Spanish), American Bible Society, 1865 Broadway, New York, NY 10023; 212/581-7400. Pamphlet. 27 pages. \$.75.

Responding to the Challenge of AIDS: A Resource Guide for Congregations, Mennonite Mutual Aid, P.O. Box 483, Goshen, IN 46526; 800/348-7468. Pamphlet. 15 pages. \$2.00.

The AIDS Crisis: The Facts and Myths about a Modern Plague by Andres Tapia (1988) InterVarsity Press, P.O. Box 1400, Downers Grove, IL 60515; 312/964-5700. Paper. 31 pages. \$1.95.

When AIDS Comes to Church by William E. Amos, Jr. (1988) Westminster Press, 925 Chestnut St., Philadelphia, PA 19107; 215/928-2733. Paper. 132 pages. \$9.95.

You Can Protect Yourself and Your Family from AIDS by Clif Cartland (1987) Fleming H. Revell Company, 184 Central Ave., Old Tappan, NJ 07675; 201/768-8060. Paper. 191 pages.

A Realistic Look at AIDS: Interview with Robert R. Redfield, Jr., M.D. by James Dobson (1988) Focus on the Family, 801 Corporate Center Dr., Pomona, CA 91768; 714/620-8500. Tape CS 420. \$5.00.

AUDIOTAPES

NAE AIDS Conference Tape Series: (1) AIDS: Understanding the Epidemic; (2) The Government's Response to the Epidemic; (3) AIDS Ministry and Community-Based Organization Models; (4) AIDS Ministry and Community-Based Organization Models—tape 2; (5) The AIDS Epidemic: A Challenge to the Church. National Association of Evangelicals, P.O. Box 28, Wheaton, IL 60189; 312/665-0500. 5 tapes for \$22.50; \$5.00 apiece.

National Conference on HIV '89: Focus on HIV and the Religious Community: (1) Care Models and Ministering to Those in Need; (2) Developing Church Policy; (3) "Joining Hands to Fight a Common Enemy," Frank Young, M.D., Ph.D.; "The AIDS Epidemic and Your Local Church," Rev. Lon Solomon; (4) "The Challenges the Epidemic Poses to Minority and Inner City Communities," Eunice Diaz; (5) "Update on the Medical Status of the HIV Epidemic and Symptomatic AIDS," Lt. Col. Robert R. Redfield, Jr., M.D. ASAP, P.O. Box 17433, Washington, D.C. 20041; 703/471-7350. Suggested contribution: 5 tapes for \$25.00; \$6.00 each.

VIDEOTAPES

A Christian Response to the AIDS Crisis (1989) The Church of the Nazarene, 6401 The Paseo, Kansas City, MO 64131. \$24.99.

AIDS: Anatomy of a Crisis by Dr. D. James Kennedy, Coral Ridge Ministries, P.O. Box 40, Ft. Lauderdale, FL 33308; 305/772-0404. 58 minutes. \$30.00.

In Sickness and in Health (1989) InterVarsity Press, P.O. Box 1400, Downers Grove, IL 60515; 312/964-5700. 35 minutes. \$19.95.

The AIDS Crisis and the Church, EcuFilm, 810 12th Ave., S., Nashville, TN 37203; 800/251-4091. Two-part series. 30 minutes each, produced by the United Methodist Church. Contains interviews with Surgeon General Koop, Ryan White and Methodist theologians on the AIDS crisis. Discussion guide included. Two 30-minute sessions. \$39.95.

SEXUALITY AND AIDS EDUCATION

BOOKS/PAMPHLETS

A Gift for All Ages by C. Penner and J. Penner (1986) Word Books, P.O. Box 1790, Waco, TX 76703; 817/772-7650. 224 pages. \$9.95.

AIDS and the Education of Our Children: A Guide for Parents and Teachers, U.S. Department of Education, Consumer Information Center, Dept ED, Pueblo, CO 81009. Booklet. 28 pages. Free.

AIDS and Young People by Robert Redfield, M.D. and Wanda Kay Franz, Ph.D. (1988) Regnery Gateway, Inc., 1130 17th St., N.W., Ste. 601, Washington, D.C. 20036; 800/448-8311. (Also available through Sex Respect, P.O. Box 97, Golf, IL 60029-0097.) Easy-to-understand presentation of HIV infection facts, including emphasis on skills to avoid risk behavior. Recommended for seventh grade and up. Booklet. 32 pages. \$3.50 (quantity discounts available).

AIDS Prevention Guide, National AIDS Information Clearinghouse; 800/458-5231. For parents and other adults concerned about youth. Free.

Before I Was Born by Carolyn Nystrom (1984) Crossway Books, 9825 Roosevelt Rd., Westchester, IL 60153; 312/345-7474. Grades 1-3. Hardcover. \$8.95.

Concordia Sex Education Series, 6-book series presents a Christian perspective on human sexuality for children of all ages. **Each One Specially**, ages 3-5; **I Wonder Why**, ages 6-8; **How You Got to Be You**, pre-teens; **The New You**, adolescents; **Lord of Life, Lord of Me**, older teens; **Sexuality: God's Precious Gift to Parents and Children**, reference book for parents and children. Filmstrips and audio-cassettes supplement the books. Concordia Publishing House, 3558 S. Jefferson Ave., St. Louis, MO 63118-3968; 800/325-3040.

David Has AIDS by Doris Sanford (1989) Multnomah Press, 10209 S.E. Division St., Portland, OR 97266; 503/257-0526. Hardcover. 32 pages. \$6.95.

Eros Defiled by John White (1977) InterVarsity Press, P.O. Box 1400, Downers Grove, IL 60515; 312/964-5700. Paper. 169 pages. \$6.95.

Guidelines for Effective School Health Education to Prevent the Spread of AIDS, U.S. Dept. of Health and Human Services, January 29, 1988, National AIDS Information Clearinghouse, 800/466-7590. Booklet. 14 pages. Free.

How to Teach Your Child about Sex by G. Kitterman (1981) Fleming H. Revell Co., 184 Central Ave., Old Tappan, NJ. 07675; 201/768-8060.

Plague in Our Midst: Sexuality, AIDS and the Christian Family by Gregg R. Albers, M.D. (1988) Huntington House, Inc., P.O. Box 53788, Lafayette, LA 70505; 800/572-8213. Paper. 174 pages. \$7.95.

Purity Makes the Heart Stronger by Julia Duin, Servant Books, P.O. Box 7455, Ann Arbor, MI 48107. \$6.95.

Raising a Child Conservatively in a Sexually Permissive World, by S. Gordon and G. Gordon (1986) Simon & Schuster, New York, NY. 224 pages. \$5.95.

Reducing the Risk: School Leader's Guide to AIDS Education, AIDS Education Dept., National School Boards Association, P.O. Box 17316, Baltimore, MD 21203; 703/838-6722. Paper. 44 pages. \$2.25.

Resources related to homosexuality, Exodus International, P.O.Box 2121, San Rafael, CA 94912.

Sexual Sanity by Earl D. Wilson (1984) InterVarsity Press, P.O. Box 1400, Downers Grove, IL 60515; 312/964-5700. Paper. 141 pages. \$5.95.

The Sexual Christian by Tim Stafford (1989) Victor Books, 1825 College Ave., Wheaton, IL 60187; 312/668-6000. Hardcover. 197 pages. \$12.95.

The Snare by Lois Mowday (1988) NavPress, P.O. Box 6000, Colorado Springs, CO 80934; 800/366-7788. Hardcover. 236 pages. \$12.95.

What about AIDS? by Rodney L. Rathmann (1988) Concordia Publishing House, 3558 S. Jefferson Ave., St. Louis, MO 63118-3968; 314/664-7000. Designed for junior and senior high teens. Workbook. 15 pages. \$1.95.

Where Does a Mother Go to Resign? by Barbara Johnson (1979) Bethany House, 6820 Auto Club Rd., Minneapolis, MN 55438; 612/829-2500. Paper. 154 pages.

Who Made Me? by Malcolm and Meryl Doney (1987) Zondervan Publishing House, 1415 Lake Dr., S.E., Grand Rapids, MI 49506; 616/459-6900. Hardcover. 38 pages. \$9.95.

How to Help Your Child Say "NO," Josh McDowell Ministries, "Why Wait?," Box 1000, Dallas, TX 75221. \$5.00.

AUDIOTAPES

Maximum Dating, Josh McDowell Ministries, "Why Wait?," Box 1000, Dallas, TX 75221. \$5.00.

"NO" - The Positive Answer, Josh McDowell Ministries, "Why Wait?," Box 1000, Dallas, TX 75221. \$5.00.

The Need to Educate Youth With a Clear Message of Prevention by Peggy Markell, R.N., Americans for a Sound AIDS/HIV Policy, P.O. Box 17433, Washington, D.C. 20041; 703/471-7350. Suggested contribution. \$6.00.

Where Youth Are Today by Josh McDowell explains the pressures facing youth today related to pre-marital sex. "Why Wait?," Box 1000, Dallas, TX 75221. \$5.00.

AIDS: Learn and Live, Teen-Aid, Inc., N. 1330 Calispel, Spokane, WA 99201; 509/328-2080. Presents HIV infection facts, interviews man with AIDS and widow of AIDS patient. Discussion on condoms focuses on unreliability for safety. Encourages waiting for sexual intimacy until marriage. Designed for teenage audience. 25 minutes. \$50.00, free 2-week preview policy.

VIDEOTAPES

AIDS: What You Should Know, Merrill Publishing Co., 1300 Alum Creek Dr., Columbus, OH 43216; 800/848-1567. Presents HIV infection facts, inter-

views AIDS patient being treated with AZT. Discusses pressures on teens to engage in sex. Promotes abstinence. No discussion of condoms. Designed for seventh grade and up. 20 minutes. \$57.00, free preview policy.

Ask Me About AIDS, Odyssey in Learning Corp., 3 Barkers Dr., Washington Crossing, PA 18977; 215/493-1675. Animated program begins with story of Pandora. Pandora appears to three children and wants to know about AIDS. They tell her what they learned in class. Only body fluid mentioned specifically is blood. Includes curriculum guide for eight sessions and student blackline masters. Designed for second and third grades. 15 minutes. \$150.00 to purchase; \$10.00 to preview.

The Chastity Challenge, Respect Inc., P.O. Box 349, Bradley, IL 60915. Two-part video with Colleen Kelly Mast is recorded live before 2500 teens and adults. Teaches chastity from Christian perspective. Teens perform skits demonstrating communications/interaction skills. Includes discussion guide and Bible references. 60 minutes.

Everyone Is Not Doing It, Project Respect, Box 97, Golf IL 60029; 312/729-3298. Four-part video can be used for teacher training or directly with students. Contains four classroom presentations on chastity. Discussion guide included. 4-tape set, \$128.50. Introductory tape only, \$28.50.

God's Way or Man's Way, Christian Schools International, P.O. Box 8709, Grand Rapids, MI 49508; 616/957-1070. Explains the basic medical facts about HIV infection, stresses "holy sexuality" for prevention, not condoms. Encourages Christians to be compassionate toward those infected. 16 minutes.

How to Help Your Child Say "No" to Sexual Pressure, Josh McDowell Ministries, "Why Wait?," P.O. Box 1000, Dallas, TX 75221; 214/234-0645. Eight 30-minute video segments with Josh McDowell for Christian parents. Includes discussion guide and hand-outs. 30 minutes per tape. \$159.00 for 8-tape set. Preview policy.

Just Wait, Womanity, 1700 Oak Park Blvd., Room C-4, Pleasant Hill, CA 94523; 415/943-6424. Fast-paced video showing highlights of interviews with teens on their views of sexuality. \$35 for rental or purchase.

"No" the Positive Answer, Josh McDowell Ministries, "Why Wait?," P.O. Box 1000, Dallas, TX 75221; 214/234-0645. Four-part program for teens with Josh McDowell on chastity. Features skits, music, discussion and activities. Includes leader's manual and youth magazine. \$75.00.

The Sexual Puzzle, Josh McDowell Ministries, "Why Wait?," P.O. Box 1000, Dallas, TX 75221; 214/234-0645. Presents the choices teens face and portrays how sexual intimacy gets its best start in caring values, responsible actions, and a healthy self-acceptance. 31 minutes. \$29.95.

The Springtime of Your Life: Helping Today's Teens Say No, Foundation for the Family, P.O. Box 11555, Cincinnati, OH 45211; 513/661-2709. Stresses chastity by describing 17 reasons why it is unwise to get involved sexually before marriage. Includes discussion guide, script booklet, pro-chastity brochures for teens, brochures for parents. 27 minutes. Purchase or rental, \$95.00.

Who Do You Listen To? by Josh McDowell Ministries, Gospel Films, P.O. Box 455, Muskegon, MI 49443; 800/253-0413, in MI 800/632-0319. 35 minutes. \$39.95. Rental available.

AIDS Prevention Program for Youth, American Red Cross. Available through local chapters or National Headquarters, Washington, D.C. 20006. Designed for junior and senior high youth to reduce their risk of contracting HIV by saying no to sex and no to drugs. Package includes: 29-minute video "A Letter from Brian," a student workbook, a teacher's/leader's guide, a parent's brochure, a 16-minute video with former Surgeon General Koop, and a discussion guide. Free.

CURRICULA

Don't Let AIDS Catch You!: Teacher's Guide to AIDS Education, American Institute for Teen AIDS Prevention, Inc., P.O. Box 10852, Ft. Worth, TX 76114; 817/237-0230. Goal is to protect teens from HIV infection by convincing them to postpone sex until marriage and to abstain from using drugs. Videotape, \$30. Teacher's Guide, \$5. Student brochures, \$.12 (quantity discounts available).

Love and Life: A Christian Sexual Morality Guide for Teens by Colleen Kelly Mast, Ignatious Press, 15 Oakland Ave., Harrison, NY 10528. Christian version of Sex Respect, teaching chastity. Includes AIDS supplement. Parent and student workbooks available. Teacher's Guide, \$10.95 (includes student pages).

Me, My World, My Future, Sexuality Commitment and Family and Parent Workshop, Teen-Aid, Inc., N. 1330 Calispel, Spokane, WA 99201; 509/328-2080. Curricula for junior and senior high, coordinated with a parent program. Strong emphasis in junior high on skill development for healthier relationships. Teacher's Manual, \$54.95. Junior High student book, \$3.95. Parent workshop, \$65.00.

Sex Respect: The Option for True Sexual Freedom, Project Respect, P.O. Box 97, Golf, IL 60029-0097; 312/729-3298. Curriculum for public schools teaching chastity from a public health perspective. Includes AIDS supplement. Parent and student workbooks available. Teacher's Guide, \$12.95 (includes student pages). Student workbook, \$7.95. Parent's Guide, \$8.95.

CompCare Publishers, 2415 Annapolis Ln., Minneapolis, MN 55441; 800/328-3330. Publish materials on all aspects of addiction and recovery.

ADDICTION AND AIDS AGENCIES/SERVICES

Hazelden Educational Materials, P.O. Box 176, Center City, MN 55012-0176; 800/328-9000. Publish materials on all aspects of addiction and recovery.

National Clearinghouse for Alcohol and Drug Information, P.O. Box 2345, Rockville, MD 20852. Catalog available. Up to 10 publications free per order.

The Addictive Personality: Understanding Compulsion in Our Lives by Craig Nakken, Harper and Row, New York. Paper. \$7.95.

BOOKS/PAMPHLETS

Changing Your Thought Patterns by George Sanchez, NavPress, P.O. Box 6000, Colorado Springs, CO 80934; 800/366-7788. Booklet.

Drug-Proof Your Kids: A Prevention Guide and Intervention Plan by Stephen Arterburn and Jim Burns (1989) Focus on the Family Publishing, Pomona, CA 91799. Paper. 187 pages. \$7.99.

Drugs, Sex and AIDS, American Red Cross, 1730 D St., N.W. Washington, D.C. 20006; 202/737-8300. Pamphlet. Free.

Facts about AIDS and Drug Abuse, National AIDS Information Clearinghouse, P.O. Box 6003, Rockville, MD 20850; 800/458-5231. Pamphlet. Free.

A Family Like Yours: Breaking the Patterns of Drug Abuse by James L. Sorensen and Guillermo Bernal, Harper and Row, New York. \$15.95.

Help Your Children Say No to Drugs by John Q. Baucom, Ph.D. (1987) Zondervan Publishing House, 1415 Lake Dr., S.E., Grand Rapids, MI 49506; 616/459-6900. Paper. 204 pages. \$7.95.

Hooked on Life: How to Recover from Addictions and Codependency by Stephen Arterburn and Tim Timmons (1985) Thomas Nelson Publishers, P.O. Box 14100, Nashville, TN 37214-1000. Paper. 219 pages. \$8.95.

How to Say No to a Stubborn Habit by Erwin W. Lutzer (1979) Victor Books, 1825 College Ave., Wheaton, IL 60187; 312/668-6000. Paper. 143 pages. \$5.95.

What Works: Schools Without Drugs, U.S. Dept. of Education, Pueblo, CO 81009; 800/624-0100. Paper. 77 pages. Up to 10 copies free.

Raising Drug-Free Kids in a Drug-Filled World by William Mack Perkins and Nancy McMurtie-Perkins, Harper and Row, New York. Hardcover. \$9.95

Smoke Screen by Betsy Tice White (1989) Abingdon Press, P.O. Box 801, Nashville, TN 37202; 615/749-6451 or 800/251-3320. Paper. 288 pages. \$10.95.

Stage II Recovery: Life Beyond Addiction by Earnie Larsen, Harper and Row, New York. Paper. \$7.95.

Stage II Relationships: Love Beyond Addiction by Earnie Larsen, Harper and Row, New York. Paper. \$7.95.

When Society Becomes an Addict by Anne Wilson Schaef, Harper and Row, New York. Hardcover, \$15.95. Paper \$8.95.

Your Child and Drugs: Help for Concerned Parents by Ross Campbell, M.D. (1988) Victor Books, 1825 College Ave., Wheaton, IL 60187; 312/668-6000. Hardcover. 151 pages. \$10.95.

AUDIOTAPES

Treating IV Drug-Abusing, HIV-Positive Persons by Beny Primm, M.D., ASAP, P.O. Box 17433, Washington, D.C. 20041; 703/471-7350. Suggested contribution, \$6.00.

SCHOOL AND COMMUNITY RESOURCES

American Council on Drug Education (ACDE), 5820 Hubbard Dr., Rockville, MD 20852; 301/984-5700. Organizes conferences; develops media campaigns; publishes books, newsletters, and education kits for physicians, schools, libraries; produces films.

Families in Action, 3845 N. Druid Hills Rd., Ste. 300, Decatur, GA 30033; 404/325-5799. Publishes **Drug Abuse Update** newsletter.

The Just Say No Foundation, 1777 N. California Blvd., Ste. 210, Walnut Creek, CA 94596-4112; 800/258-2766 (California residents call 415/939-6666). Provides materials needed to start "Just Say No" clubs.

Narcotics Education, Inc., 6830 Laurel St., NW, Washington, D.C. 20012; 800/548-8700 (Washington, D.C. area call 722-6740). Publishes books, pamphlets, teaching aids, posters, audiovisuals.

National Federation of Parents for Drug-Free Youth (NFP), 8730 Georgia Ave., Ste. 200, Silver Spring, MD 20910; 800/554-KIDS (Washington D.C. area call 585-KIDS). Helps organize local parent groups, conducts conferences, offers resources.

Parents' Resource Institute for Drug Education, Inc. (PRIDE), Woodruff Bldg., Ste. 1002, 100 Edgewood Ave., Atlanta, GA 30303; 800/241-9746. Consults with parent groups, school personnel and youth groups; provides drug use survey; conducts conferences; publishes newsletter and other resources; produces audio-visuals.

Toughlove, P.O. Box 1069, Doylestown, PA 18901; 215/348-7090. National self-help group for parents, children, and communities. Publishes a newsletter and books; conducts workshops.

Alcoholics Anonymous. Local groups have been established in most communities. Check the telephone directory.

Caron Foundation (Chit Chat Farms), Box A, Galen Hall Rd., Wernersville, PA 19565; 215/678-2332. A 28-day in-patient program which accepts HIV-positive persons. A detox facility is available for 3 to 14 days prior to the four-week program, when needed.

Hazelden Foundation, Center City, MN; 800/262-5010. A nationally known in-patient treatment facility that accepts medically stable AIDS and HIV-positive patients. Hazelden has been a pacesetter in the substance abuse field, offering a full range of books, pamphlets and tapes related to addictions of all types. Contact the publications department at 800/328-9000.

Minirth Meier Clinic, Medical and Counseling Centers, P.O. Box 1925, Richardson, TX 75085; 800/232-9462. Psychiatric and counseling centers provide comprehensive hospital and out-patient mental health care. Clinic doctors and therapists provide professional medical care and counseling for a variety of problems, including substance abuse. All doctors and therapists on the professional staff are Christian. AIDS and HIV-positive patients are included in all programs. Case-by-case, patients are placed in the facility and program best suited to their needs.

Narcotics Anonymous. Local groups have been established in most communities across the nation. Check the telephone directory.

Palmer Drug Abuse Program, 3300 North A St., Bldg. 8, Ste. 204, Midland, TX 79705; 915/687-4311. Free program supported by private donations, located mainly in southwestern, western and midwestern states. A long-term out-patient counseling program with daycare capability based on the 12 steps of Alcoholics Anonymous. Also maintains parent groups.

RAPHA, 8876 Gulf Freeway, Ste. 340, Houston, TX 77017; 800/227-2657. A Christ-centered program using the 12 steps of Alcoholics Anonymous. In-patient and out-patient programs for adults and adolescents are offered in eight locations throughout southern United States. Persons with AIDS and HIV infection are accepted. Each patient is treated on an individual basis regarding placement in the program.

Rosary Hall, St. Vincent Charity Hospital and Health Center; 216/363-2580. The first in the Cleveland area and one of the first in the nation to assist persons in overcoming alcohol and drug abuse problems. It served as a model for treatment centers around the nation. AIDS and HIV-positive patients are accepted into programs, which include detox in the acute care section of the hospital; two-week inpatient programs; and five-week outpatient programs.

REHABILITATION PROGRAMS

Straight, Inc., P.O. Box 21686, St. Petersburg, FL 33742; 813/576-8929. Long-term, highly structured outpatient programs based on the 12 steps of Alcoholics Anonymous. Based on family involvement, positive role modeling, close supervision and a 24-hour drug free environment.

Teen Challenge, Inc., 1525 N. Campbell Ave., Springfield, MO 65802. Christian-oriented residential program with facilities across the nation. Occupational skills are taught. (Most local hospitals either maintain substance abuse programs or make referrals to programs in their geographic area.)

**COUNSELING ISSUES
BOOKS**

Because You Care: Practical Ideas for Helping Those Who Grieve by Barbara Russell Chesser (1987) Word Publishing, P.O. Box 1790, Waco, TX 76703; 817/772-7650. Paper. 196 pages. \$8.99.

Counseling the Terminally Ill and Grieving by Gregg R. Albers, M.D. (1989) Word Publishing, P.O. Box 1790, Waco, TX 76703; 817/772-7650. Hardcover. \$12.99.

Disappointment With God by Philip Yancey (1988) Zondervan Publishing House, 1415 Lake Dr., S.E., Grand Rapids, MI 49506; 616/459-6900. Hardcover. 260 pages. \$14.95.

Gaining Through Losing by Evelyn Christenson (1980) Victor Books, P.O. Box 1825, Wheaton, IL 60187; 312/668-6000. Hardcover. 180 pages. \$6.50.

Help for Bereaved Parents by Mildred Tengbom (1981) Concordia Publishing House, 3558 S. Jefferson Ave., St. Louis, MO 63118-3968; 314/664-7000. Paper. 55 pages. \$2.95.

Helping People Through Grief by Delores Kucning (1987) Bethany House Publishers, 6820 Auto Club Rd., Minneapolis, MN 55438; 612/829-2500. Paper. 272 pages.

The Spiritual Needs of Children by Judith Allen Shelly (1982) InterVarsity Press, P.O. Box 1400, Downers Grove, IL 60515; 312/964-5700. Paper. 148 pages. \$4.95.

When Someone Asks for Help by Everett L. Worthington, Jr. (1982) InterVarsity Press, P.O. Box 1400, Downers Grove, IL 60515; 312/964-5700. Paper. 239 pages. \$9.95.

When Someone You Love Is Dying by Ruth Kopp, M.D. (1980) Zondervan Publishing House, 1415 Lake Dr., S.E., Grand Rapids, MI 49506. Paper. 238 pages. \$9.95.

When They All Go Home: What to Do After the Funeral by Robert V. Dodd (1989) Abingdon Press, 201 Eighth Ave., S. Nashville, TN 37202; 615/749-6451. Paper. 32 pages. \$2.25.

When You Are Terminally Ill: Preparing to Face Death by Robert V. Dodd (1989) Abingdon Press, 201 Eighth Ave. S., Nashville, TN 37202; 615/749-6451. Paper. 32 pages. \$2.25.

Where Is God When It Hurts? by Philip Yancey (1977) Zondervan Publishing House, 1415 Lake Dr., S.E., Grand Rapids, MI 49506; 616/459-6900. Paper. 187 pages. \$6.95.

Additional resources are available through both Americans for a Sound AIDS/HIV Policy (ASAP), P.O. Box 17433, Washington, D.C. 20041, 703/471-7350, and MAP International, P.O. Box 50, Brunswick, GA 31521-0050, 912/265-6010.

APPENDIX C GLOSSARY

AIDS - Acquired Immune Deficiency Syndrome, the end-stage of disease caused by the Human Immunodeficiency Virus and characterized by the breakdown of the body's immune defense. The Centers for Disease Control's definition of AIDS can be found in the January 1, 1988 Centers for Disease Control Morbidity and Mortality Weekly Report.

Antibody - A molecule produced by the body's immune system in response to an antigen, which carries the property of combining specifically with the antigen which induced its formation.

Antigen - A molecule which induces the formation of an antibody.

Cohort - A group of similar individuals studied over time.

Co-factors - Factors which can influence an individual's likelihood of becoming ill or influence the progression of disease.

Discordant Couple - A couple in which one partner is HIV positive and one is HIV negative.

Dynamic Infectivity - A theory which states that the longer a person is infected with HIV, the more infectious they become to others through increased amounts of virus present in body fluids.

HIV - Human Immunodeficiency Virus, the virus that breaks down the body's immune system and causes AIDS.

Macrophage - A large and versatile immune cell that devours antigen-presenting cells, and is an important source of immune secretions.

Monocyte - A large phagocytic white blood cell which, when it enters tissue, develops into a macrophage.

Opportunistic Infection - An infection caused by an organism that rarely causes disease in persons with normal immune systems, but attacks immunocompromised patients. Infections common in patients with AIDS include toxoplasmosis, pneumocystis carinii pneumonia, cytomegalovirus, and tuberculosis.

Parenteral - Taken into the body other than through the digestive tract, as by intravenous or intramuscular injection.

Perinatal - Occurring near the time of birth.

Seroconversion - The initial development of antibodies specific to a particular antigen.

Seropositive - Condition in which antibodies to a specific antigen are found in the blood.

Seroprevalence - Prevalence for specific antigen based upon blood serum tests.

T cell - Small white blood cells that orchestrate and/or directly participate in the immune defenses. Also known as T-lymphocytes, they are processed in the thymus and secrete lymphokines.

Vaccine - A substance that contains antigenic components from an infectious organism. By stimulating an immune response (but not disease), it protects against subsequent infection by that organism.

ACKNOWLEDGEMENTS

Americans for a Sound AIDS/HIV Policy and MAP International wish to acknowledge the following people for articulating the guidelines in this book.

Education and Policy Committee Members

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Bemidji, Minnesota

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Centers for Disease Control
Atlanta, Georgia



Prevention of HIV infection through effective education in the church is one way of ensuring that future generations will be protected from the scourge of AIDS.

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AIDS/HIV Policy

Americans for a Sound AIDS/HIV Policy is a broad-based citizens organization which encourages a strong public health response to contain the spread of AIDS and HIV. Seeking to balance the needs of infected individuals with those who are infected, ASAP has promoted five basic tenets since its inception in 1987: the value of early diagnosis; limiting the spread of the epidemic through traditional public health intervention, such as confidential and voluntary partner notification programs; a compassionate response to anyone infected or ill; the development of treatments, vaccines, and hopefully a cure; and access to health care. Because the religious community in America can lend a compassionate hand while sending strong messages of sexual responsibility to its youth and adults alike, ASAP has sought to involve this vital part of society to help as America responds to AIDS.

MAP International is a non-profit global organization, a leader in promoting health care and development for needy people in the developing world.

Since 1954, MAP has provided more than \$400 million in donated medicines and supplies through 650 mission hospitals and clinics in 80 countries in Africa, Asia and Latin America.

MAP is also an innovator in community health development, providing consultation in projects to improve water supplies and sanitation, food production and health education.

MAP's programs for health and development include training for international health workers through seminars and workshops in the U.S., and on-site consultations in training and administration for agencies with medical and development projects in the developing world.

The MAP Learning Resource Center (LRC) is a special collection on community health development in developing nations. The LRC has more than 3,000 books and 175 periodicals, as well as extensive special interest files. A professional librarian is available to respond to information requests by mail, telephone, or personal visit to the LRC.

Americans for a Sound AIDS/HIV Policy
P.O. Box 17433
Washington, D.C. 20041
703/471-7350

MAP International
P.O. Box 50
Brunswick, GA 31521-0050
912/265-6010

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MAP INTERNATIONAL
Health for the World's Poor

MAP International
P.O. Box 50
Brunswick, GA 31521-0050
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HB

328

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

No. 2
 Bill Version: CSHB 328(FIN)
 (H) Publish Date: 4/18/94

Revision Date: 04/18/94 Dept. Affected: Public Safety
 Title: "An Act relating to the use of credit cards for motor vehicle transactions" BRU: Motor Vehicles
 Component: Field Services
 Sponsor: Representative Martin
 Requestor: (H)FIN COMPONENT SERIAL NO. 501

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL	225.0	225.0	225.0	225.0	225.0	225.0
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	225.0	225.0	225.0	225.0	225.0	225.0
CAPITAL						
REVENUE FUND SOURCE:						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	225.0	225.0	225.0	225.0	225.0	225.0
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	225.0	225.0	225.0	225.0	225.0	225.0

Estimate of current year (FY 94) impact: \$ _____

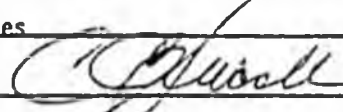
POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

This bill allows the division to accept credit cards for payment of all fees. The division collects \$30,000,000 in total revenue annually. Based on information provided by local large retailers, approximately 50% of their customers use credit cards for purchases. The estimated fee to be paid to credit card companies is 1.5% which would equate to an annual cost of \$225,000.00.

COMMITTEE COPY

Prepared By: Juanita Hensley Phone: 465-2650
 Division: Motor Vehicles Date: 04/18/94
 Approved by Commissioner:  Date: 04/18/94
 Agency: Richard Y. Burton, Dept. of Public Safety

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

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HB

347

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

MAR 28 1994

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

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

MEMORANDUM

March 28, 1994

SUBJECT: Long-term plans of state agencies (CSHB 347(FIN))

TO: Representative Sean Parnell

FROM: Tamara Brandt Cook
Director *TBC*

Here is the sectional summary you requested.

Sec. 1. Requires each principal department of the executive branch, the court system, and the University of Alaska to develop a long-range plan by October 1 of each year. The plan covers a six year period and addresses items specifically listed. The director of OMB is required to develop forms for use in preparing the plans. Agencies are required to work with OMB to develop goals and measures of workload and results for use in the plans. The goals for the executive branch are subject to approval by OMB. By May 1 of each year OMB must provide information about the state's economy and population with forecasted changes. The governor is to provide an explanation of statewide goals the governor supports.

The Legislative Budget and Audit Committee and OMB must review each plan. After the review OMB must compile a single long-term plan for the judicial and executive branches of state government. The compiled plan is due for delivery by December 15 of each year. The governor and the legislature are directed to consider the plan when developing the state budget. The legislative auditor is directed to consider the degree to which an agency conforms to the plan in performance audits. The LBA Committee and OMB are directed to evaluate laws that require state agencies to perform functions, provide services, or compile planning information. Recommendations for legislation needed to eliminate duplication must be submitted to the legislature by December 15 of each year.

Sec. 2. The provision of this Act apply only in 1995 and thereafter. In 1995 only three principal departments shall issue long-term plans.

TBC:gc
94-222.glc

F I S C A L N O T E

REQUEST:

Revision Date:
Title: An Act relating to
long-term plans
Sponsor: Parnell
Requestor: House Finance Committee

Dept. Affected: Office of the Governor
BRU: All Agencies
Components:

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	50.0	50.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants, Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	50.0	50.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES						
--------------------	--	--	--	--	--	--

FUNDING: (THOUSANDS OF DOLLARS)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	50.0	50.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1006 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	50.0	50.0	0.0	0.0	0.0	0.0

ESTIMATE OF ANY CURRENT YEAR (FY 94) COST \$

POSITIONS:

Full-Time	0	0	0	0	0	0
Part-Time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Rep. Ron Larson, Co-Chair *R. Larson* 465-3878
 Rep. Eileen MacLean, Co-Chair *EPM* Phone: 465-4833
 Division: House Finance Committee Date: 3/22/93
 Approved By: _____
 Agency: _____ Date: _____

DIVISION OF LEGAL SERVICES

**LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

MAR 28 1994

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TBC:gc
94-222.glc

Alaska State Legislature

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SEAN R. PARNELL



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STATE CAPITOL
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HOUSE OF REPRESENTATIVES

SPONSOR STATEMENT

HOUSE BILL 347

"An Act relating to long-term plans of certain state agencies"

With declining state revenues, the governor and the legislature need a more rational, objective mechanism for establishing funding priorities. Those funding priorities should reflect a long-term focus on performance and accountability for expenditures.

House Bill 347 requires state government to engage in long-range planning. Second, it provides for the establishment of performance measures by which the Governor and Legislature can evaluate an agency's achievement of its goals and objectives under the long-range plan, assisting the Governor and Legislature to make better informed fiscal decisions. Third, the bill provides for reporting to the public of the long-range plans and agencies' performance measures and results.

The Office of Management and Budget (OMB) will spearhead the administrative oversight function for the agencies' long-range planning effort. In the first year, three agencies will be chosen by OMB to participate in the new planning process, and the following year the rest of the agencies will come on line.

The development of long-term plans would follow this five point timeline.

(1) At the beginning of the calendar year, the Governor will develop statewide goals for strategic planning purposes. These goals will be used in developing agency goals.

(2) By May 1 of each year, the Governor issues state goals for long-term planning and the Office of Management and Budget (OMB) will provide economic and population data and forecasts to all departments.

(3) By July 1 of each year, OMB will review and approve the agencies' goals. OMB will develop forms and instructions for developing the long term plans and work with the agencies to develop measures of workload and results.

(4) By October 1 of each year, each agency will issue their long-term plan. The plan will cover six years from date of issue and include: a statement of goals; an analysis of workload and results of agency programs; an identification of the people served by the agency, their needs and how each will change; an analysis and projection of agency resources and how they are used; an explanation of expected changes in the agency due to new state or federal laws; the strategy for achieving the goals of the agency and improving program functions; and other information necessary for the long-term plan.

The Legislative Budget & Audit (LB&A) and OMB will review each plan, hold hearings and request additional agency information if necessary, in order to determine how each agency can best serve its consumer group.

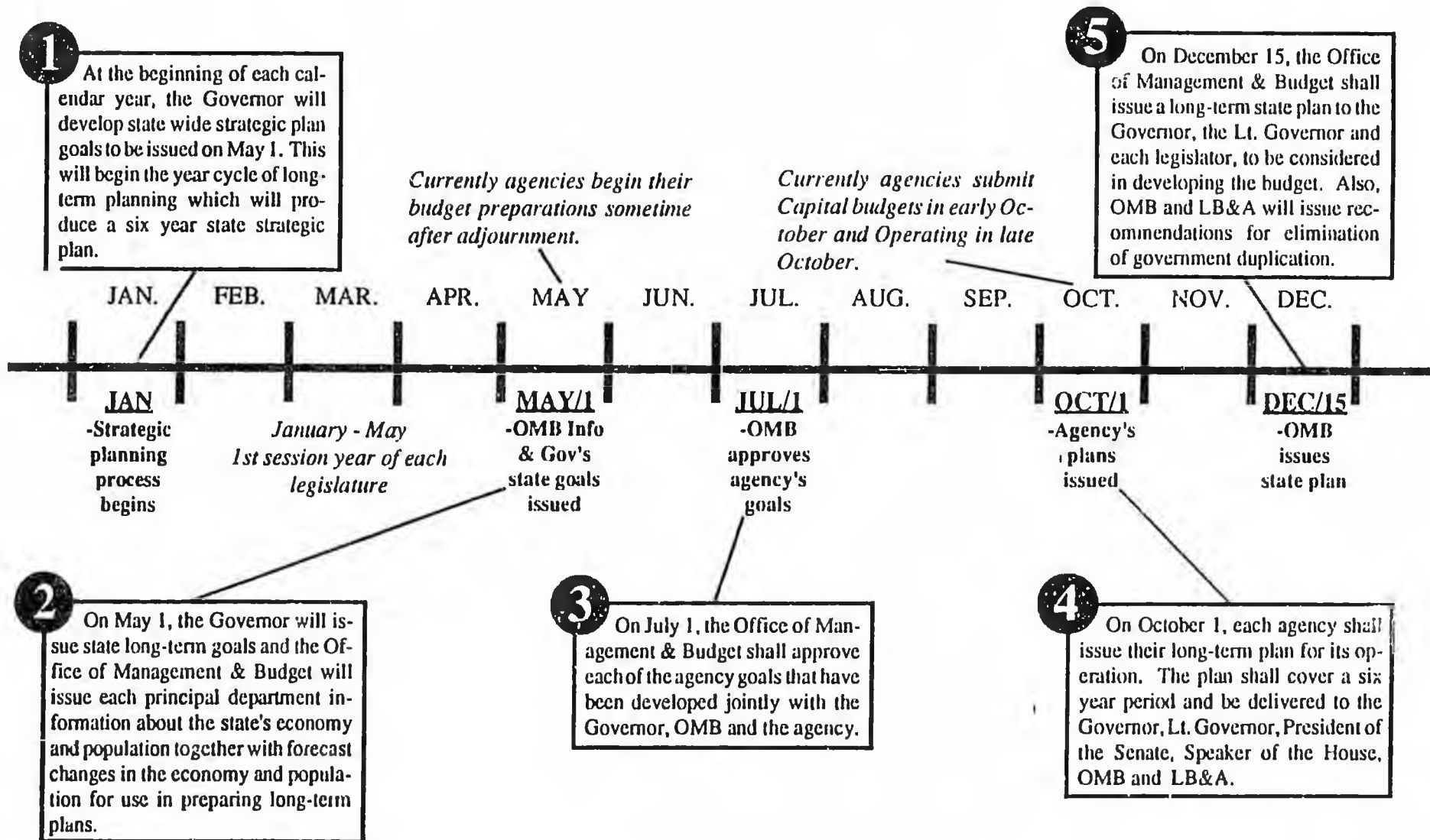
(5) By December 15 of each year, OMB shall compile a comprehensive six year state long-range plan of the agencies. Any duplication of services or inefficiencies of service could then be examined and proposed to the legislature for elimination or improvement.

By requiring long-range agency plans consisting of goals, performance measures, and reporting of results, and utilizing them yearly in the budget process, we can better prioritize our use of state funds and reshape government so it is more mission driven and customer oriented (i.e. citizen oriented). I urge your support of HB 347.

HB 347 LONG-TERM PLANNING TIME LINE

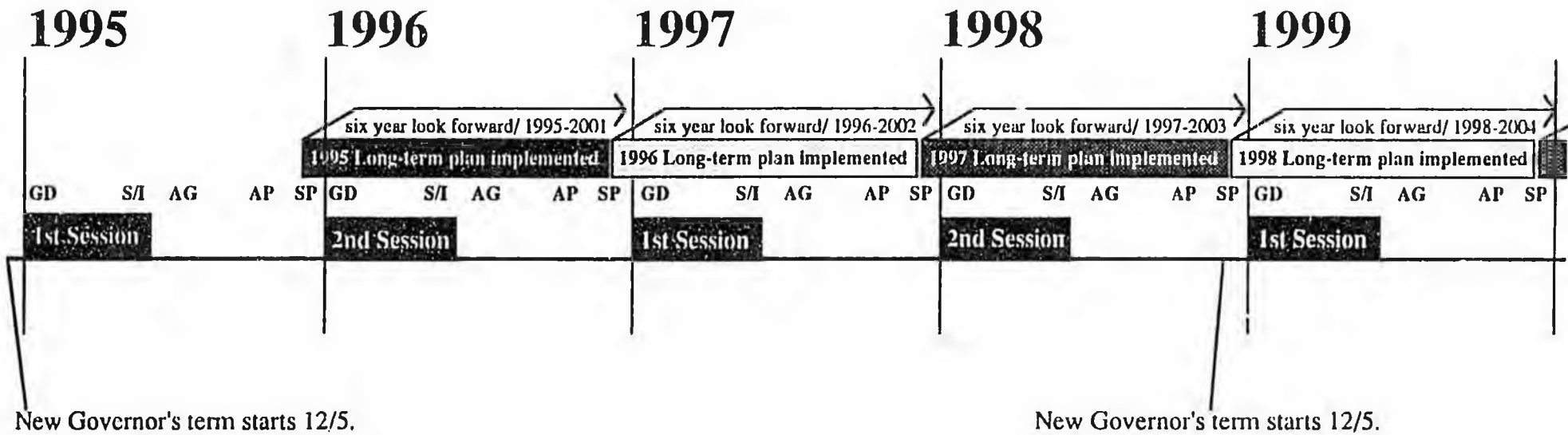
(1 year formation process)

During each year the following long-term planning procedures will be implemented to develop a six year strategic plan. The plans will be used in each year's budget preparation process. In the first year, only three agencies will participate and the remainder will come on line the second year.



HB 347 LONG-TERM PLANNING TIME LINE

(5 YEAR WINDOW)



LEGEND

GD = 1/1 Governor begins developing state wide goals
 S/I = 5/1- Governor's state plan & OMB info issued
 AG = 7/1- Agency goals approved by OMB
 AP = 10/1- Agency plans issued
 SP = 12/15- State plan issued by OMB

*Distributed by: Senator
Pearce*

Alaska State Legislature

REPRESENTATIVE
SEAN R. PARNELL



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While in session
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JUNEAU, ALASKA 99801-0182
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HOUSE OF REPRESENTATIVES

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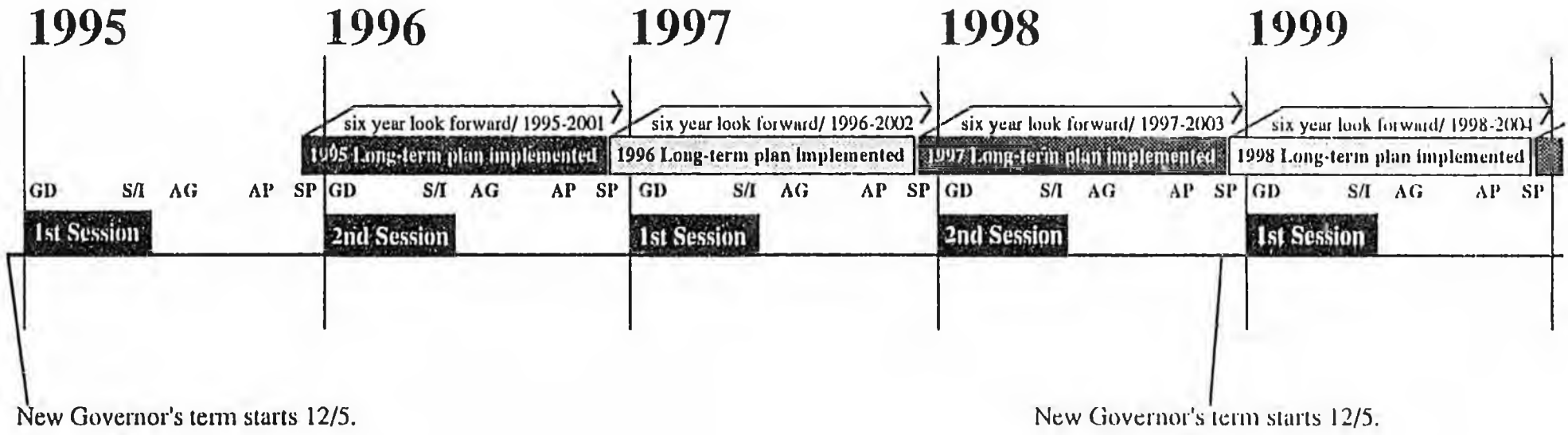
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HB 347 LONG-TERM PLANNING TIME LINE

(5 YEAR WINDOW)



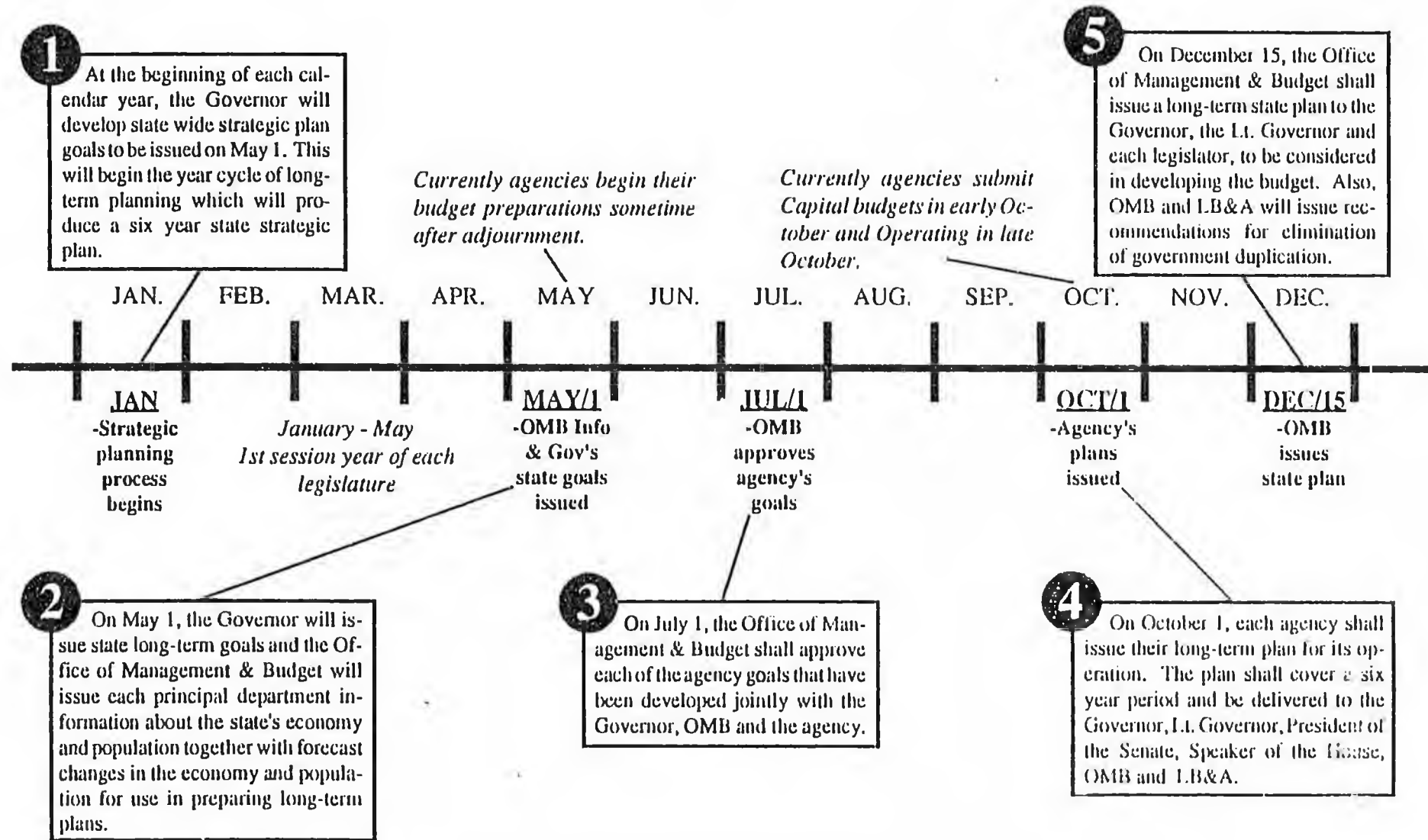
LEGEND

- GD = 1/1 Governor begins developing state wide goals
- S/I = 5/1- Governor's state plan & OMB info issued
- AG = 7/1- Agency goals approved by OMB
- AP = 10/1- Agency plans issued
- SP = 12/15- State plan issued by OMB

HB 347 LONG-TERM PLANNING TIME LINE

(1 year formation process)

During each year the following long-term planning procedures will be implemented to develop a six year strategic plan. The plans will be used in each year's budget preparation process. In the first year, only three agencies will participate and the remainder will come on line the second year.



FISCAL NOTE

REQUEST:

Revision Date:
Title: An Act relating to
long-term plans
Sponsor: Parnell
Requestor: House Finance Committee

Dept. Affected: Office of the Governor
BRU: All Agencies
Components:

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	50.0	50.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants, Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	50.0	50.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES						
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FUNDING: (THOUSANDS OF DOLLARS)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	50.0	50.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/MHTIA	0.0	0.0	0.0	0.0	0.0	0.0
Other	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	50.0	50.0	0.0	0.0	0.0	0.0

ESTIMATE OF ANY CURRENT YEAR (FY 94) COST \$

POSITIONS:

Full-Time	0	0	0	0	0	0
Part-Time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Rep. Ron Larson, Co-Chair *R. Larson* 465-3878
 Rep. Eileen MacLean, Co-Chair *EPM* Phone: 465-4833
 Division: House Finance Committee Date: 3/22/93
 Approved By: _____
 Agency: _____ Date: _____

COMMITTEE COPY

GENERAL APPROPRIATIONS ACT, 1993
STATE OF TEXAS

EXCERPT FROM TEXAS DEPARTMENT OF PUBLIC SAFETY

TEXAS RIVER COMPACT COMMISSIONERS
(Continued)

C.1.1. Strategy: ANNUAL ACCOUNTING		
Develop and implement an annual accounting system of water deliveries to each compacting state.	\$ 33,662	\$ 33,662
Outputs:		
Number of Users of Texas' Water Apportioned by the Red River Compact	250	250
D. Goal: RIO GRANDE RIVER COMPACT		
The Rio Grande River Compact Commission will ensure delivery of Texas' equitable share of quality water from the Rio Grande River and its tributaries as apportioned by the Rio Grande Compact.		
D.1. Objective:		
Ensure delivery of Texas' share of water from the Rio Grande River		
Outcomes:		
Percent of Texas' equitable share of quality water received annually as apportioned by the Rio Grande Compact	95%	95%
D.1.1. Strategy: ANNUAL ACCOUNTING		
Prepare and resolve the annual accounting of water deliveries to Texas by New Mexico and Colorado as apportioned by the Rio Grande Compact.	\$ 162,911	\$ 162,211
Outputs:		
Number of Acre Feet of Quality Water Received by Texas as Apportioned by the Rio Grande Compact	750,500	750,500
E. Goal: SABINE RIVER COMPACT		
The Sabine River Compact Commission will ensure delivery of Texas' equitable share of quality water from the Sabine River and its tributaries as apportioned by the Sabine River Compact.		
E.1. Objective:		
Ensure delivery of Texas' share of water from the Sabine River		
Outcomes:		
Percent of Texas' equitable share of quality water received annually as apportioned by the Sabine River Compact.	100%	100%
E.1.1. Strategy: ANNUAL ACCOUNTING		
Prepare and resolve the annual accounting of water deliveries and diversions by Texas and Louisiana as apportioned by the Sabine River Compact	\$ 54,534	\$ 54,534
Outputs:		
Number of Acre Feet of Quality Water Available to Texas as Apportioned by the Sabine River Compact	1,037,300	1,037,300
F. Goal: SEC 146, 1993 SALARY HIC		
Section 146, 1993 Salary Increase	\$ 5,688	\$
Grand Total, TEXAS RIVER COMPACT COMMISSIONERS		
	\$ 393,157	\$ 393,769
Schedule of Exempt Positions		
Red River Compact Commissioner	\$24,225	\$24,225
Rio Grande Compact Commissioner	41,195	41,195
Sabine River Compact Commissioner	(2) 8,488	(2) 8,488
Canadian River Compact Commissioner	10,767	10,767
Pecos River Compact Commissioner	20,247	20,247

TEXAS RIVER COMPACT COMMISSIONERS
(Continued)

Administrative and Support Cost as a Percent of Expenditures:		
Canadian River Compact	5.1%	5.1%
Pecos River Compact	2.6%	2.6%
Red River Compact	8.0%	8.0%
Rio Grande River Compact	1.2%	1.3%
Sabine River Compact	4.5%	4.5%

1. Article V Exemption, Leave Provisions. It is specifically provided that the Red River Compact, Sabine River Compact, Canadian River Compact and Pecos River Compact Commissioners are exempt from Article V, provisions concerning, Employees Working Hours and Holidays, and, Employees Vacation and Leave, provisions of this Act

DEPARTMENT OF PUBLIC SAFETY

	For the Years Ending	
	August 31, 1994	August 31, 1995
A. Goal: PROMOTE TRAFFIC SAFETY		
To promote traffic safety.		
A.1. Objective:		
Reduce death, injury & economic loss by containing traffic death rate		
Outcomes:		
Annual Texas Rural Traffic Death Rate	2.2	2.2
A.1.1. Strategy: HIGHWAY PATROL		
Supervision of traffic on rural highways by uniformed officers.	\$ 84,001,551	\$ 83,823,203
Outputs:		
Traffic Law Violator Contacts	1,070,355	1,121,925
Rural Traffic Accidents Investigated	48,498	48,498
Efficiencies:		
Average Cost of Patrolling a Mile of Rural Highway	117	116
A.1.2. Strategy: PATROL COMMERCIAL TRAFFIC		
Supervision of commercial and "for hire" traffic on rural highways by uniformed officers.	\$ 15,310,665	\$ 15,055,355
Outputs:		
Traffic Law Violator Contacts	394,937	394,937
Commercial Vehicles Placed Out of Service	29,983	29,983
A.1.3. Strategy: DRIVER LICENSE & RECORDS		
Ensure the competency of Texas drivers through testing of new drivers, determining the eligibility of renewal applicants, and through the improvement or delicensing of problem drivers.	\$ 59,501,166	\$ 54,094,579
Outputs:		
Number of Examinations Administered	5,704,377	5,704,377
Number of Drivers Licenses Issued	4,317,936	4,381,203
Number of Driver Records Established and Maintained	11,366,181	11,499,761

DEPARTMENT OF PUBLIC SAFETY
(Continued)

A.1.4. Strategy: BREATH & BLOOD TESTING

Operate a scientific breath alcohol and blood testing program statewide. Supervise and maintain this program, train operators, and testify to its validity in court.

\$ 1,620,257 \$ 1,592,527

Outputs:

Number of Breath Alcohol Tests Supervised 45,000 45,000

Number of Blood Alcohol and Toxicology Cases Completed 5,225 5,225

A.1.5. Strategy: VEHICLE INSPECTION

Administer the state's vehicle inspection program.

\$ 8,244,413 \$ 7,686,483

Outputs:

Number of Inspection Stations Supervised 9,598 9,790

Number of Inspectors Supervised 30,498 31,107

Number of Inspector Certifications Suspended/Revoked 295 295

A.1.6. Strategy: TRAFFIC ACCIDENT RECORDS

Administer the traffic accident records system for the State of Texas.

\$ 2,296,812 \$ 2,282,702

Outputs:

Number of Accident Reports Processed 450,000 450,000

Number of Reports and Summaries Prepared 110,000 110,000

Efficiencies:

Average Cost per Accident Report Processed \$ 11 \$ 11

A.1.7. Strategy: EDUCATION & TRAINING

Provide appropriate alcohol, drug, traffic safety, and crime prevention educational programs for the citizens of Texas and provide operational and technical training for law enforcement, emergency management, and support personnel in the state.

\$ 3,956,094 \$ 3,914,394

Outputs:

Number of Alcohol, Drug, Traffic Safety and Crime Prevention Programs Conducted 7,374 7,374

Number of Personnel Instructed 8,500 8,500

Number of Traffic Safety Literature Items Produced 131,060 131,060

Total, Objective A.1: Reduce death, injury & economic loss by containing traffic death rate

\$ 174,931,272 \$ 168,449,623

Total, Goal A: PROMOTE TRAFFIC SAFETY

\$ 174,931,272 \$ 168,449,623

B. Goal: PREVENT & DETECT CRIMES

To promote the preservation of the peace and the prevention and detection of crime.

B.1. Objective:

Reduce death, injury, & economic loss by working to reduce crime

Outcomes:

Annual Texas Crime Index Rate 7,806 7,794

B.1.1. Strategy: NARCOTICS ENFORCEMENT

Administer the Narcotics enforcement program.

\$ 23,182,099 \$ 24,568,320

Outputs:

Number of Criminal Investigations of Narcotics Violations Conducted 4,529 5,049

Number of Arrests for Narcotics Violations 1,657 1,777

Efficiencies:

Average Cost of Criminal Investigation 4,933 4,933

DEPARTMENT OF PUBLIC SAFETY
(Continued)

B.1.2. Strategy: VEHICLE THEFT ENFORCEMENT

Administer the Motor Vehicle Theft enforcement program.

\$ 4,432,811 \$ 4,829,822

Outputs:

Number of Criminal Investigations for Motor Vehicle Theft Conducted 1,224 1,117

Number of Arrests for Motor Vehicle Theft 614 646

Efficiencies:

Average Cost of Criminal Investigation 1,165 1,175

B.1.3. Strategy: CRIMINAL INTELLIGENCE

Administer the Criminal Intelligence enforcement program.

\$ 6,559,237 \$ 6,483,758

Outputs:

Number of Criminal Investigations in Criminal Intelligence Conducted 3,205 3,205

Number of Criminal Intelligence Arrests 281 281

B.1.4. Strategy: TEXAS RANGERS

Administer the Texas Rangers enforcement program.

\$ 6,123,476 \$ 6,243,321

Outputs:

Number of Criminal Investigations 4,878 4,878

Number of Traffic Actions 323 323

B.1.5. Strategy: PUBLIC SECURITY/PARKING

Provide appropriate security for public officials and property during the period 1992 through 1998.

\$ 9,396,878 \$ 9,303,853

Outputs:

Number of Parking Transactions 50,256 50,256

Hours of Security Provided 372,233 381,184

B.1.6. Strategy: TECHNICAL ASSISTANCE

Provide high quality and timely technical assistance programs to requesting criminal justice agencies in Texas during the period 1992 through 1998.

\$ 6,764,814 \$ 6,160,618

Outputs:

Number of Drug Cases Examined 24,401 24,401

Number of Criminalistics Cases Worked 4,500 4,500

B.1.7. Strategy: OPERATIONAL ASSISTANCE

Provide high quality and timely operational assistance programs to requesting criminal justice and other authorized agencies and entities during the period 1992 through 1998.

\$ 11,461,688 \$ 11,534,658

Outputs:

Number of Law Enforcement or Emergency Aircraft Hours Flown 4,164 4,164

Number of Criminal History Inquiries From Authorized Agencies/ Entities Processed 1,171,000 1,230,301

Number of Fingerprint Cards Processed Through Automated and Manual Systems 643,000 643,000

Total, Objective B.1: Reduce death, injury, & economic loss by working to reduce crime

\$ 67,821,025 \$ 69,144,372

Total, Goal B: PREVENT & DETECT CRIMES

\$ 67,821,025 \$ 69,144,372

C. Goal: DISASTER RESPONSE

To respond in a timely fashion to emergencies and disasters and administer a comprehensive emergency management program.

DEPARTMENT OF PUBLIC SAFETY
(Continued)

C.1. Objective:

Reduce death, injury & economic loss through emergency management

Outcomes:

Percentage of Jurisdictions Receiving Planning Guidance and Assistance in Emergency Preparedness 39% 39%

Percentage of Jurisdictions Receiving Recovery and Mitigation Assistance 57% 57%

C.1.1. Strategy: PLANNING ASSISTANCE

Provide emergency management planning assistance and guidance to state agencies and local governments in Texas. \$ 2,651,937 \$ 2,646,127

Outputs:

Number of Planning Documents Processed 2,139 2,139

Number of Student Hours of Emergency Management Instruction Provided 17,100 17,100

C.1.2. Strategy: RECOVERY & MITIGATION

Process and monitor all requests and applications for recovery and mitigation assistance based upon requirements and procedures. \$ 884,752 \$ 883,092

Outputs:

Number of Jurisdictions Assisted 767 767

Average Cost per Assistance Request Processed 1,989 1,989

C.1.3. Strategy: RESPONSE COORDINATION

Review and coordinate emergency and disaster response operations. \$ 527,149 \$ 526,319

Outputs:

Number of Emergencies Incidents Coordinated 745 745

Number of Local Governments Assisted 521 521

Total, Objective C.1: Reduce death, injury & economic loss through emergency management \$ 4,064,838 \$ 4,055,538

Total, Goal C: DISASTER RESPONSE \$ 4,064,838 \$ 4,055,538

D. Goal: SEC 146, 1993 SALARY INC Section 146, 1993 Salary Increase \$ 4,742,024 \$

Grand Total, DEPARTMENT OF PUBLIC SAFETY \$ 251,558,159 \$ 241,649,533

Method of Financing:

State Highway Fund No. 1006 \$ 213,632,378 \$ 205,768,333

Operators and Chauffeurs License Fund No. 099 12,500,000 11,043,996

State Parking Fund No. 125 295,000 295,000

Motor Vehicle Inspection Fund No. 274 12,000,000 11,423,680

Criminal Justice Planning Fund No. 421 4,813,177 4,813,177

Motorcycle Education Fund No. 501 850,034 844,528

Federal Funds 6,066,671 6,066,671

All-Terrain Vehicle Safety Fund No. 398 4,000 4,000

DEPARTMENT OF PUBLIC SAFETY
(Continued)

Appropriated Receipts 58,927 58,927
Emergency Contracts 1,137,972 1,137,972
Earned Federal Funds 200,000 193,249

Total, Method of Financing \$ 251,558,159 \$ 241,649,533

Schedule of Exempt Positions

Director \$84,660 \$84,660

Bond Debt Service \$ 436,918 \$ 438,510

Administrative and Support Cost as a Percent of Expenditures 9.0% 9.0%

Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Equipment Lease Purchase Program" or for items with an "AMELPP" notation shall be expended only for the purpose of making lease purchase payments to the Texas Public Finance Authority pursuant to V.T.C.S., Art. 601(d), Sec. 9A.

	1994	1995
a. Acquisition or Lease-Purchase of Land and other Real Property	\$ 300,000	\$ 460,000
b. Construction of Buildings and Facilities	7,300,000	3,000,000
c. Repairs or Rehabilitation	1,000,000	1,000,000
d. Acquisition or Lease-Purchase of Information Resource Technologies	9,848,915	\$ 5,403,000
e. Transportation Items	6,408,522	5,948,522
f. Purchase or Lease-Purchase of Capital Equipment and Items	2,374,802	2,120,800
g. Capital Security Equipment	248,000	110,000

Total, Capital Budget \$ 27,370,244 \$ 18,072,322

Method of Financing (Capital Budget):

State Highway Fund No. 1006 \$ 20,345 \$ 16,191,322

Criminal Justice Planning Fund No. 421 1,350,000 1,390,000

Operators and Chauffeurs License Fund No. 099 675 451,000

Total, Method of Financing (Capital Budget) \$ 22,370,244 \$ 18,072,322

2. Sale of Vehicles. Funds derived from the sale of passenger vehicles of the Department of Public Safety are hereby reappropriated to the Department of Public Safety and are to be deposited in appropriate where like purchases can be made per Article 601b, V.A.C.S.

3. Abandoned Vehicles. Funds accruing to the department under the provisions of Article 4477-9a, Section 501 et seq. are hereby appropriated to the department for use in the administration of the Act.

DEPARTMENT OF PUBLIC SAFETY
(Continued)

4. **Unexpended Vehicle Appropriations.** Any unexpended balance in funds appropriated for automobile purchases in the various strategies and identified in capital budget, for the 1994 fiscal year are hereby reappropriated for the 1995 fiscal year.
5. **Controlled Substances.** All amounts received under Chapter 481, Health and Safety Code and deposited to the credit of the Controlled Substance Fund No. 198 are hereby appropriated to the Department of Public Safety to be used for law enforcement purposes. Any funds unexpended at the close of each fiscal year are reappropriated for the following year.
6. **Academy Costs.** The Department of Public Safety may charge employees and students of the DPS Academy for tuition, lodging, and meals at such prices as may be set by the department. Such funds as received are hereby appropriated to cover the expenses entailed in providing such students and employees their lodging, meals, incidental expenses, and to pay visiting instructors.
7. **Clothing Allowance.** All commissioned officers holding an exempt position and other required uniform personnel are to receive a clothing and cleaning allowance of \$500 per year. Those commissioned officers who are not provided a uniform shall receive a clothing and cleaning allowance of \$1,200 per year.
8. **Witness Fees.** From the appropriations made herein the Department of Public Safety may pay the witness fees and travel expenses of out-of-state witnesses, subject to the advance, written approval of the District Attorney for the county having venue over the law violation under investigation.
9. **Medical and Funeral Costs.** Monies appropriated above may be expended for drugs, medical, hospital, laboratory and funeral costs of law enforcement employees or other employees performing duties involving unusual risk when injury or death occurs in the performance of such duties. It is the intent of the Legislature that monies appropriated above shall not be expended for drugs, medical, hospital, laboratory or funeral costs of employees who are not actively engaged in the performance of law enforcement or other hazardous duties or of law enforcement employees when injury or death occurs in the performance of clerical or office duties as distinguished from law enforcement or other duties involving unusual risk. Monies appropriated above may also be expended for physical examinations and testing when such examinations and tests are a condition of employment or exposure to infectious diseases or hazardous materials occurs in the line of duty.
10. **Aircraft Authority.** The Department of Public Safety is authorized to own, maintain and operate helicopters in performance of its responsibilities. In addition to authority to own, maintain and operate aircraft under the provisions of Section 411.013 of the Government Code, and Article V, Section 20 of this Act, the department is authorized to own, maintain and operate any aircraft seized pursuant to authority contained in Chapter 481, Health and Safety Code or under any other statute authorizing the Department to own, maintain, or operate seized aircraft. The department is directed to submit, as part of its Annual Report, details on the acquisition and disposition of seized aircraft.
11. **Purchase of Evidence.** From the amounts appropriated for the support and maintenance of the Department of Public Safety, an amount not to exceed One Million Dollars (\$1,000,000) each year of the biennium, exclusive of amounts forfeited to the Department of Public Safety by any court of competent jurisdiction and amounts received from the United States government derived from the forfeiture of monies and property, is hereby designated for the purchase of evidence and/or information and surveillance expenses deemed necessary by the Department of Public Safety; and accountability for expenditures as set forth above shall be governed by such rules and regulations as the Director of the Department of Public Safety

DEPARTMENT OF PUBLIC SAFETY
(Continued)

- may recommend, subject to review and approval by the State Auditor. Such amounts may be maintained in cash to facilitate the purchase of evidence, information and/or surveillance expense.
12. **Driver License Facilities.** It is the intent of the Legislature that the driver license facilities and personnel provided for in this Act be dispersed over the entire State in both rural and urban areas, and that driver license service to counties with populations equal to or less than 50,000 shall not be reduced below the service levels currently provided by the Department of Public Safety.
 13. **Marked Vehicles.** None of the funds appropriated hereinabove may be expended for the salaries of personnel operating motor vehicles used to stop and actually arrest offenders of highway speed laws unless such vehicles are patrol vehicles of the standard black and white color, plainly marked with the department's insignia.
 14. **Aviator Reimbursement.** From the amounts appropriated above, an amount not to exceed \$10,000 each year of the biennium may be used only for aviator search, rescue or disaster-related functions, limited to reimbursements for actual costs of aircraft operation to include fuel, oil and routine maintenance costs incurred by trained and certified private volunteer aviators using privately-owned aircraft in state authorized flight operations. The reimbursement shall not exceed the rate of \$60.00 per flying hour, when such aircraft costs are not reimbursable by other governmental agencies in accordance with Chapter 418 Government Code.
 15. **Gasoline Contingency.** In addition to funds appropriated above and contingent upon certification by the Comptroller of Public Accounts, the Department of Public Safety is hereby appropriated up to \$40,000 annualized per year from State Highway Fund No. 006 for each cent increase in the average gasoline cost per gallon to the department above \$90 per gallon.
 16. **Disaster Relief Funds.** In addition to the appropriations otherwise provided in this Act, there is hereby appropriated to the Department of Public Safety any federal funds, including those authorized under the Disaster Relief Act of 1974, received by the department either directly or as agent of the Governor. Such funds may be used for any purpose for which the federal grant, allocation, aid, or payment was made or for any purpose for which the funds they replace were appropriated, and funds otherwise appropriated to the department may be used in carrying out the department's duties.
 17. **Texas Rangers.** It is the intent of the Legislature that the Texas Rangers shall be a separate division of the Department of Public Safety and the Senior Captain of the Texas Rangers shall report directly to the Director of the Department of Public Safety.
 18. **Appropriations of Receipts - Parking Violation Revenues.** The Texas Department of Public Safety shall collect a \$10.00 (Ten Dollars) fine for all parking violations on state-owned property in the Capitol Complex. All revenue received from parking violations shall be deposited to the General Revenue Fund and is hereby appropriated for use by the Department of Public Safety for Capitol Police Security and parking for the 1994-95 biennium.
 19. **Appropriation of Parking Fees.** All parking fees collected by the Texas Department of Public Safety pursuant to Art. 601b, Sec. 4 12(c), V.T.C.S., shall be deposited by the department into the State Parking Fund No. 125 to be used by the department, according to general law, for the operation, maintenance and improvement of state parking facilities, temporary or permanent. The department may expend these funds only to the extent

DEPARTMENT OF PUBLIC SAFETY
(Continued)

identified in Article I of this act. This fund shall serve as a method of finance for parking operations in the Capitol Complex. The Texas Department of Public Safety shall deposit all funds to the State Treasury, except for a \$500 petty cash account for payment of refunds. This account shall be administered in accordance with approved procedures established by the Comptroller of Public Accounts. Any unobligated balances shall remain in the fund, available for appropriation by the Legislature in subsequent years for the same purpose and subject to the same restrictions.

20. **Security -- Aircraft Pooling Board.** The Texas Department of Public Safety shall be responsible for the security of state owned real property and facilities acquired for use by the Aircraft Pooling Board and shall recover costs through fees charged to the Aircraft Pooling Board.
21. **Seized Assets Report.** The Department of Public Safety shall file with the Governor and the Legislative Budget Board, no later than October 1 of each year, a report detailing the acquisition and use of seized assets. The report shall contain, at a minimum, the following information: the court in which the case was adjudicated, the nature of the assets, the value of the assets, and the actual or intended use of the assets.
22. **Disposition of Seized Funds.** The Department of Public Safety is hereby directed to deposit all funds currently held, or obtained in the future pursuant to seizure actions or judicial forfeiture according to rules and procedures developed by the State Treasurer. DPS shall cooperate with the State Treasurer in developing agreements and procedures for the deposit of seized state funds in accounts with the State Treasurer.
23. **Promotion Examination.** It is the intent of the Legislature that the Department of Public Safety obtain the services of a qualified and appropriate consultant, within the first year of the biennium, for the purposes of updating and validating the Department's written promotion exam. The Department shall report the findings of the consultant to the Governor, Lieutenant Governor, and the Speaker of the House of Representatives.
24. **Salary Provision -- H.B. 9 Transfer of Personnel.** It is the intent of the Legislature that any commissioned peace officer transferred from the Driver's License Service or the Motor Vehicle Inspection Service to another Service within the Department, in compliance with H.B. 9, 72nd Legislature, First Called Session, shall not receive a decrease in salary as a result of the transfer. It is further the intent of the Legislature that applicable salary levels be reinstated in cases where such transfers have resulted in a reduction in salary.
25. **Polygraph Examinations.** None of the funds appropriated herein above may be expended for polygraph testing of commissioned law enforcement officers of the Department of Public Safety, unless requested by the officer.
26. **Sunset Contingency.** Funds appropriated above for fiscal year 1995 for the Department of Public Safety are made contingent on the continuation of the Department of Public Safety by the Legislature. In the event the agency is not continued, the funds appropriated for fiscal year 1994 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.
27. **Encumbered Balances -- AFIS.** Any encumbered balances remaining as of August 31, 1993, not to exceed \$6,336,254, in the appropriation made out of the State Highway Fund No. 006 to the Department of Public Safety in Article VII of S.B. 222, Seventy-first Legislature, Regular Session, and identified in rider provision 3 on page 1-269 of that Act, are hereby reappropriated to the Department of Public Safety for the fiscal year beginning September 1, 1993. Funds appropriated pursuant to this provision may be expended only for

DEPARTMENT OF PUBLIC SAFETY
(Continued)

the completion of the contract for the Automated Fingerprint Identification System (AFIS) consistent with the provisions of Rider 3, page 1-269, S.B. 222.

28. **Contingency Appropriation Senate Bill 1.** Contingent upon the enactment of Senate Bill 1, Seventy-third Legislature, Regular Session, or similar legislation relating to administrative license revocation, there is hereby appropriated to the Department of Public Safety \$2,202,590 for fiscal year 1994 and \$3,506,853 for fiscal year 1995. Appropriations are made out of the Operator's and Chauffeur's License Fund No. 099 from reinstatement fees collected pursuant to the Act, and from the State Highway Fund No. 006 for the purpose of implementing the provisions of the Act. Appropriations made from State Highway Fund No. 006 shall be expended only to the extent necessary, in the absence of sufficient reinstatement fee revenue in the Operator's and Chauffeur's License Fund No. 099. The Department of Public Safety is hereby authorized to transfer the appropriations made pursuant to this provision to the appropriate strategies.
29. **Contingency Appropriation for Senate Bill 510.** Contingent upon the enactment of Senate Bill 510, Seventy-third Legislature, Regular Session, or similar legislation, the Department of Public Safety is hereby appropriated \$574,519 out of the State Highway Fund No. 006 and \$56,942 out of the Operator's and Chauffeur's License Fund No. 099 for fiscal year 1994, and \$537,592 out of the State Highway Fund No. 006 and \$45,751 out of the Operator's and Chauffeur's License Fund No. 099 for fiscal year 1995 for the purpose of implementing the provisions of this Act. The Department of Public Safety is hereby authorized to transfer the appropriations made pursuant to this provision to the appropriate strategies listed above.
30. **Contingency Appropriation for Senate Bill 536.** Contingent upon the enactment of Senate Bill 536, Seventy-third Legislature, Regular Session, or similar legislation, the Department of Public Safety is hereby appropriated the additional fee revenue collected pursuant to the provisions of that Act in an amount not to exceed \$146,794 for fiscal year 1994 and \$135,124 for fiscal year 1995 for the purpose of implementing the provisions of that Act. The Department of Public Safety is hereby authorized to transfer the appropriations made pursuant to this provision to the appropriate strategies listed above.
31. **Contingency Appropriation for House Bill 945.** Contingent upon the enactment of House Bill 945, Seventy-third Legislature, Regular Session, or similar legislation, the Department of Public Safety is hereby appropriated the additional revenue collected pursuant to the provisions of that Act in an amount not to exceed \$774,192 out of the Motor Vehicle Inspection Fund No. 274 for fiscal year 1994 and \$729,404 out of the Motor Vehicle Inspection Fund No. 274 for fiscal year 1995 for the purpose of implementing the provisions of that Act. The Department of Public Safety is hereby authorized to transfer the appropriations made pursuant to this provision to the appropriate strategies listed above.
32. **Contingency Appropriation for House Bill 1776.** Contingent upon the enactment of House Bill 1776, Seventy-third Legislature, Regular Session, or similar legislation, the Department of Public Safety is hereby appropriated the fee revenue collected pursuant to the provisions of that Act in an amount not to exceed \$5,217,390 out of the Handgun License Account in the General Revenue Fund No. 001 for fiscal year 1994 and \$2,938,542 out of the Handgun License Account in the General Revenue Fund No. 001 for fiscal year 1995 for the purpose of implementing the provisions of that Act. The Department of Public Safety is hereby authorized to transfer the appropriations made pursuant to this provision to the appropriate strategies listed above.

* See Veto Proclamation

Amendment_____ by Representative Parnell
to CSHB 347(FIN)

Amend in each instance:

delete "court system"; insert "judicial branch"

Amendment_____ by Representative Parnell
to CSHB 347(FIN)

Amend Section 1, line 7 on page 3:

inserting after "... government."

"The compilation shall include the plan for the judicial branch as
submitted"

7/1
adopted
unanimous
consent

HB

351

April 13, 1994

Dan P. Saunders
PO Bcx 3554
Palmer, Alaska 99645

Honorable Lt. Governor Jack Coghill
Office of the Lt. Governor
Capitol Building
Juneau, Alaska

Dear Lt. Governor Coghill:

I am a retired law enforcement officer with a total of 38 years of honorable service as a commissioned state, federal, and metropolitan officer. These years of service consisted of undercover narcotics investigation, criminal investigations in four different states, and Special Agent-Investigator for the F.A.A. Security Division in Alaska. My last seven years of service was as a criminal fraud investigator for the Alaska Department of Commerce. I have been an Alaska resident since February, 1961.

During my years of interviewing and interrogating convicted burglars, rapists and occasional murderers, one thing became obvious from their first-hand testimony to me. These hoodlums all had the same worry--that of running into an armed law abiding citizen or homeowner. They had no fear of a police officer whatsoever, and they have even less fear today, but each in his own words said he would avoid any town or neighborhood where the

citizens were believed to be armed. THEY STILL HAVE THAT SAME FEAR TODAY!

There is something else in present day Alaska that bothers me just as much. Our crime rate will never recede until our so-called prosecutors stop taking the "pansy" approach and accepting a guilty plea for reduced charges. Some of our Superior Court judges with who I am acquainted do a wonderful job in prosecuting felons, but their job would be a lot easier if the prosecutors would quit seeking TV coverage and start working on these felony cases as they are paid to do.

Please instruct the Department of Law in Juneau to stop wasting their time in complaining and generating "white papers," and start cracking down on felons so that our wives, our children, and grandchildren won't have to cower in fear because they can't defend themselves. I am a grown man who has learned a lot about the mentality and thought process of those who rape, rob, and murder innocent people. This is not "jolly Olde England" or some republic in revolt, but is a land where our Bill of Rights guarantees us the right to defend ourselves.

Keep up the good work.

Respectfully,



Dan P. Saunders, ret.



JOHN B. COGHILL
LIEUTENANT GOVERNOR

STATE OF ALASKA

P. O. Box 110015
JUNEAU, ALASKA 99811-0015
(907) 485-3520

APR 22 1994

M E M O R A N D U M

To: The Honorable
Senator Robin Taylor

From: John B. Coghill, Lieutenant Governor

Date: April 19, 1994

Subject: Letter from Mr. Dan Saunders, support for HB 351.

I am forwarding the attached letter from Mr. Dan Saunders, retired law enforcement officer, to your attention. Mr. Saunders writes in support of HB 351.

I believe Mr. Saunders expresses the experience and observations of many police officers. He clearly states the concerns of many police officers regarding the trauma and victimization that he and other officers are rarely able to prevent.

Thank you for taking the time to consider implementing his concerns into legislative policy.

April 22, 1994

The Honorable
Senator Loren Lemman
State Capitol Room 118
Juneau, AK 99802-1182

Dear Senator Lemman:

Re: CS for HB351

I just wanted to relay a few words of encouragement as you begin to work on HB351, and hope that you get it to the Governor in a timely manner for his signature.

I have had police experience in a state that has a carry law, and in nearly 8 years experience there, never saw it to be the problem the Alaska Department of Public Safety (DPS) tries to implicate that it will be in Alaska.

With the help of the DPS, the House of Representatives had a great time amending this bill to the point that some parts of it are outlandishly ridiculous.

DPS has computer ability at this time to determine within minutes if a person has a felony background. I.e: Brady Bill checks. They do not need an indeterminate amount of time to conduct "background" checks. This smells like a harassment technique, and the time factor they can build in will only cause them to make the cost higher.

I would like to point out some other areas of concern that I have with this bill:

1) Beginning at Line 25, page two- the Department of Public Safety (DPS) wants two sets of fingerprints "submitted on FBI cards." If this requirement remains, DPS should be required to take them in their office. In many areas it will be impossible to find someone who is qualified to take fingerprints other than a DPS member who is academy trained to do so. DPS distrusts the citizens of Alaska so much that I would think they should be concerned that someone might somehow tamper with the fingerprint cards if they are taken by a third party.

2) The photograph requirement is carrying things a bit far when DMV has photos available and/or the ability to take them. Couldn't this be a source of revenue for DMV if the photo requirement is really necessary? They sure need the money. Say, \$8.00 for two photos.

3) Lines 9 and 10 of page 3, "or other agency necessary to make a determination concerning the application." How ambiguous can they get? This is an open ended statement that could hold up an application for ever.

4) Lines 20 and 21 of page 4, "is a resident of the state and has been for the 90 days immediately preceding the application for a permit; this appears to be an overt

Senator Loren Leman Page 2 HB351

attempt to prevent any reciprocity or cooperation with other states. In many states it is only necessary to show your permit from your home state to qualify for a permit in that state. And several states will honor permits from another state.

5) Lines 8 and 9 of page 5, **"has demonstrated competence with handguns as provided in AS 18.65.715."** This in entering the civil liability aspect of the responsibilities of the permittee and is not appropriate in the bill.

6) Lines 29 to 31 of page 5 and lines 1 to 3 of page 6, **"a statement that the applicant understands that a background investigation may be conducted....."** This authorizes troopers to go door to door in your neighborhood to gather information as to your suitability. This bill should specifically restrict DPS to use of their records, and the computer nets available to them to run wants, warrants and records checks.

7) Lines 16 to 18 of page 10--**all text relating to financial institutions as prohibited places to carry a concealed weapon.** In my case, my bank is 200 yards away. I often walk to the bank carrying large sums of money. It is possible that there may have been many instances when the people in the bank didn't know I was carrying a gun. If this had happened and I had been careless with it, then there would have been cause for concern.

8) **Take out the local exemption language.**

9) Lines 4 and 5 of page 13. **Delete "derringer or other miniature handgun"** from the restricted list. These are rather ridiculous to carry, but there are circumstances when they may be appropriate. We do have some t-shirt weather in Alaska when a derringer would not be inappropriate.

10) **Please don't leave us at the mercy of DPS as to the cost of a license.**

Carry bills are not the answer to the crime problem, but they have been proven in nearly 40 states to be no problem. Further, they have saved lives.

Many of the states that allow concealed carry have an application process that assumes a person with a clean record is not a criminal. Vermont would be the best example to follow, but if we can't do a Vermont system, I would suggest Florida as an example to follow.

Thank you for your consideration for this letter. If I can provide any further information in this matter, please call.

Sincerely,

Duane Buell
PO Box 32319
Juneau, AK 99801

Day phone 789-9785
Eve Phone 780-4489

April 26, 1994

Senator Loren Leman, Chairman
State Affairs Committee
State Capital
Juneau, AK 99801-1182

FAX #465-3810

RE: House Bill 351
Concealed Hand Gun Legislation

Dear Senator Leman,

I am writing to encourage you and your committee members to expedite approval on the above referenced House bill currently under consideration in your Senate committee. As you know, this bill has extensive support from Alaskans.

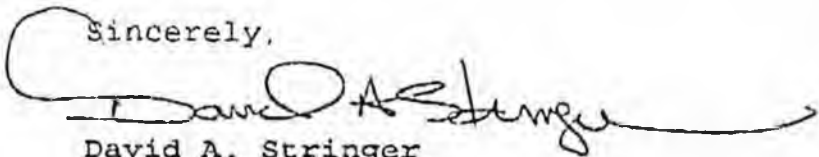
I have no problem with permit issuance contingent upon a background check, firearm instruction, testing or even range qualification. Presumably there will be a fee requirement to cover the expenses of such and presumably there will be periodic renewal requirements to insure continuing qualifications.

Those requirements, diligently administered, should put critics at ease and lessen their fears. Their notion that responsible law abiding citizens will be gun slingers and resolve conflicts by shoot-out is ludicrous. Such irresponsible action could be done today except that law abiders aren't concealing weapons and are not given to resolving conflicts in that fashion. Only the law breakers do that and they could care less about abiding by any laws.

It's strictly a matter of self defense. We know that the police cannot be at all places at all times and prevent crime. They can only respond after the fact. We all know of situations where crimes could have been prevented if victims had possessed firearms to defend themselves.

Thank you for your consideration to this matter.

Sincerely,



David A. Stringer
3035 Seawind Drive
Anchorage Alaska 99516

cc: Senator Mike Miller
Senator Robyn Taylor
Senator Jonny Ellis
Senator Jim Dunkin

STATE OF ALASKA

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

P.O. BOX 111200
JUNEAU, ALASKA 99811-1200
PHONE: (907) 465-4322

April 26, 1994

The Honorable Robin Taylor
Alaska State Legislature
State Capitol (MS 3100)
Juneau, AK 99801-1182

Dear Senator Taylor,

I appreciated your comments on extending the period of time that a concealed handgun permit would be valid to five years, so that the person's drivers license could be flagged in some way. I think that having some sort of identifying mark on the driver's license is a very good idea. However, there are some draw backs to extending the permit time to five years. With the driver's license and the permit being the same document a difficulty arises when the license or the permit is suspended or revoked and the other is not. While there will be occasions that both the license and the permit will be suspended or revoked at the same time and there will be occasions when this will not be the case.

Another concern involves the initial issuance of a ccw permit and making it's expiration date coincide with the expiration date of the driver's license, some initial permits would be valid for fewer than five years. The renewal of a license and ccw permit will also cause some difficulty if the person does not start the renewal process in a timely manner. A person can renew their driver's license on the day before it expires, that will not be possible with a ccw permit. Lastly the Division of Motor Vehicles, advises that altering the driver's license will have major fiscal impact on them.

Through the regulation process the department can achieve the positive aspects of identifying a ccw permit holder on their driver's license without the drawbacks of using the same document. The Department envisions a process where a tamper resistant sticker would be placed on the driver's license when the applicant came into pick up their permit.

Also for your information, according to a 1990 study by the Oregon State Police of the 50 states, 35 issued concealed weapons permits. The survey reported the duration of permits for 32 states. Most of the states have a period of one or two years.

- | | |
|----------------------------|--------------------------|
| a. five years -- 5 states | d. two years -- 8 states |
| b. four years -- 3 states | c. one year -- 10 states |
| c. three years -- 6 states | |

The Honorable Robin Taylor
April 26, 1994
Page 2

Please feel free to contact me if you have any questions about this information or if you have any other suggestions.

Sincerely,

A handwritten signature in cursive script that reads "Daniel W. Swackhammer".Handwritten initials "fo" in cursive script.

C. E. Swackhammer
Deputy Commissioner
Alaska Department of Public Safety

CS/dl

Gun bill fires through Senate

By KRISTEN SEINE
Of The Star Staff

If - or when - House Bill 351 passes, criminals might just want to think twice before mugging, robbing, raping, or car-jacking Alaska residents. They'll never know if their intended victim might turn the tables on them with a legally concealed weapon.

That's one of the arguments being promulgated by proponents of the bill, which was introduced by Rep. Jeannette James, a Republican from North Pole. It's apparently a pretty persuasive argument, because the bill has passed the House floor twice now.

The first time the bill was voted on, on April 18, it passed 31-7. Then the vote was reconsidered - "they always reconsider bills," says Portia Babcock, aide to Sen. Loren Leman (R-Anchorage) - the next day, and it passed 33-4. One of those who changed their minds was Rep. David Finkelstein (D-Anchorage).

Finkelstein said on Thursday that he still has some concerns

about concealed weapons, and those expressed by police officers and state troopers weighed most heavily with him. However, he said, "there is a strong case to be made" for allowing concealed weapons. "It was the debate on the last day that swayed me," Finkelstein said,



adding that "the degree to which there are going to be requirements - that they (permit holders) be registered, finger-printed, and show pretty extensive knowledge of gun safety and marksmanship" made the difference. "It was one of the most prolonged debates we've ever had," he noted.

The bill is now going through the Senate, and is scheduled for a

public hearing (listen-only) on Monday, April 25, from 9 to 11 a.m. in the Senate State Affairs Committee - chaired by Sen. Leman. "we will be proposing a few changes," Babcock said, "deleting some pretty ridiculous restrictions - for example the one that says if you got any misdemeanor while holding you permit and gun, it can be taken away for five years...people forget that simply driving with expired tags on you car is a misdemeanor. I don't think that was the intent there."

Babcock says it is likely the bill will move quickly through the State Affairs Committee, on to the Senate Finance Committee, and to a vote on the Senate floor. "We're hoping for a House concurrence," she said, on the changes, "so it won't have to go into conference committee."

A similar municipal ordinance is scheduled for continued public hearing at next Tuesday's Anchorage assembly meeting, and a high turn-out is expected for that also.



*Quoth the raven...
An intrepid raven tried to ord
tree behind the Star Publishin
weren't very intimidated. The r
to a tree with smaller inhabita*

COMMUNITY COUNCIL NEWS

Thursday, April 28

Birchwood Community Council:

The council will meet at 7 p.m. at the Birchwood Elementary School library. After the monthly status reports, Rosa Garner, municipal ombudsman, will give members an overview of what the ombuds-

gravel haul this summer as well as residential development within the former Powder Reserve lands. Attendance is requested, as this April meeting "will set the tenor for the remainder of the year." For more information, contact chair Dan Fickett at 688-3875 or Robbi Wells

Scenic Park Area Community Council:

The council is scheduled to meet at 7:30 at Scenic Park School, but does not meet every month. For more information, contact chair Gordon Nelson at 333-2697 or Dee Hubbard at 337-6370

Labor union's cl:

"It's all a bunch of lies. Blatant manager Bruce Scott late Thursday advertisement placed by VALUE, had spent "more than \$100,000" o
The cooperative has been forc

8-LS1471NW ✓
Luckhaupt
4/23/94

SENATE CS FOR CS FOR HOUSE BILL NO. 351(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVES JAMES, Bunde, Olberg, Sanders

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to permits for the carrying of a concealed handgun; providing
2 for local option elections in municipalities and established villages to prohibit the
3 possession of a concealed handgun under a permit; and relating to the possession
4 of weapons; and providing for an effective date."

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

6 * Section 1. AS 11.61.220(b) is amended to read:

7 (b) In a prosecution under (a)(1) of this section, it is an affirmative defense
8 that the defendant, at the time of possession, was

9 (1) in the defendant's dwelling or on land owned or leased by the
10 defendant appurtenant to the dwelling; [OR]

11 (2) actually engaged in lawful hunting, fishing, trapping, or other lawful
12 outdoor activity that necessarily involves the carrying of a weapon for personal
13 protection; or

1 (3) the holder of a valid permit to carry a concealed handgun under
2 AS 18.65.700 - 18.65.790, the deadly weapon concealed was a handgun as defined
3 in AS 18.65.790, and the possession did not occur in a municipality or established
4 village in which the possession of concealed handguns is prohibited under
5 AS 18.65.780 -18.65.785.

6 * Sec. 2. AS 11.61.220(e) is amended to read:

7 (e) For purposes of this section, a deadly weapon on a person is concealed if
8 it is covered or enclosed in any manner so that an observer cannot determine that it
9 is a weapon without removing it from that which covers or encloses it or without
10 opening, lifting, or removing that which covers or encloses it; a deadly weapon on
11 a person is not concealed if it is an unloaded firearm encased in a closed
12 container designed for transporting firearms.

13 * Sec. 3. AS 11.61.220(f) is amended to read:

14 (f) For purposes of (a)(2) and (e) of this section, a firearm is loaded if the
15 (1) firing chamber, magazine, clip, or cylinder of the firearm contains
16 a cartridge; and
17 (2) chamber, magazine, clip, or cylinder is installed in or on the
18 firearm.

19 * Sec. 4. AS 18.65 is amended by adding new sections to read:

20 ARTICLE 9. PERMIT TO CARRY A CONCEALED HANDGUN.

21 Sec. 18.65.700. PERMIT TO CARRY A CONCEALED HANDGUN. (a) The
22 Government shall issue a permit to carry a concealed handgun to a person who

23 (1) applies in person at an office of the Alaska State Troopers;

24 (2) qualifies under AS 18.65.705;

25 (3) submits a completed application on a form provided by the
26 department. that provides the information required under AS 18.65.705 and 18.65.710
27 and is executed under oath;

28 (4) submits two complete sets of fingerprints on Federal Bureau of
29 Investigation approved fingerprint cards that are of sufficient quality so that the
30 fingerprints may be processed;

31 (5) submits evidence of competence with handguns as provided in

1 AS 18.65.715;

2 (6) provides two frontal view color photographs of the person taken
3 within the preceding 30 days that include the head and shoulders of the person and are
4 of a size specified by the department;

5 (7) shows a valid Alaska driver's license or identification card at the
6 time of application;

7 (8) does not suffer a physical infirmity that prevents the safe handling
8 of a handgun; and

9 (9) pays the application fee required by AS 18.65.720.

10 (b) The department shall either approve or reject an application for a permit
11 to carry a concealed handgun under (a) of this section within 15 days of receipt of
12 permit eligibility information from the Federal Bureau of Investigation or other agency
13 necessary to make a determination concerning the application. The department shall
14 request permit eligibility information under this subsection within five days of the
15 receipt of the application. The department shall notify the applicant in writing of the
16 reason for a rejection.

17 (c) A person whose application is rejected under this section may appeal the
18 rejection decision to the commissioner. A person may seek judicial review of the
19 decision of the commissioner under AS 44.62.560 - 44.62.570.

20 (d) A permit issued under (a) of this section is valid for four years from the
21 date of issue. The permit must specify the action types and maximum calibers of
22 handgun described in the permittee's certificate of competency under AS 18.65.715 but
23 may not specifically identify a handgun by make, model, or serial number.

24 Sec. 18.65.705. QUALIFICATIONS TO OBTAIN A PERMIT. A person is
25 qualified to receive and hold a permit to carry a concealed handgun if the person

26 (1) is 21 years of age or older;

27 (2) is eligible to own or possess a firearm under the laws of this state
28 and under federal law;

29 (3) has not been convicted of and is not currently charged under a
30 complaint, information, indictment, or presentment with a felony under the laws of this
31 state or a similar law of another jurisdiction;

1 (4) has not been convicted, within the five years immediately preceding
2 the application, of, and is not currently charged under a complaint, information,
3 indictment, or presentment with, any of the following misdemeanor offenses or similar
4 laws of another jurisdiction:

5 (A) AS 11.41.230, 11.41.250, 11.41.270;

6 (B) AS 11.46.315, 11.46.320, 11.46.330, 11.46.430, 11.46.484;

7 (C) AS 11.51.130;

8 (D) AS 11.56.330, 11.56.350, 11.56.380, 11.56.545, 11.56.700,
9 11.56.710, 11.56.740, 11.56.780, 11.56.790, 11.56.800, 11.56.805;

10 (E) AS 11.61.110, 11.61.120, 11.61.210, 11.61.220, 11.61.240;

11 or

12 (F) AS 11.71.050, 11.71.060;

13 (5) has not been convicted of two or more class A misdemeanors of
14 this state or similar laws of another jurisdiction within the five years immediately
15 preceding the application:

16 (6) has not within the 10 years immediately preceding the application
17 been adjudicated a delinquent for a felony offense of this state or another jurisdiction;

18 (7) is not now suffering, and has not within the five years immediately
19 preceding the application suffered, from a mental illness as defined in AS 47.30.915;

20 (8) has not been adjudicated as mentally incapacitated by a court of this
21 state, another state, territory, or jurisdiction, or of the United States, unless the
22 guardianship or similar arrangement has been closed or terminated and five years have
23 elapsed since the closure or other termination;

24 (9) is a resident of the state and has been for the 90 days immediately
25 preceding the application for a permit;

26 (10) has not been discharged from the armed forces of the United
27 States under dishonorable conditions;

28 (11) is not an alien who is residing in the United States illegally or a
29 former citizen of the United States who has renounced the person's citizenship;

30 (12) is not an unlawful user of, or addicted to, a controlled substance;

31 (13) is not now the subject of an injunction under AS 25.35.010 -

1 25.35.020 unless the injunction has been dissolved or has expired;

2 (14) is not now in and has not in the three years immediately preceding
3 the application entered an alcohol treatment program;

4 (15) is not now in and has not in the three years immediately preceding
5 the application entered a substance abuse treatment program; and

6 (16) has demonstrated competence with handguns as provided in
7 AS 18.65.715.

8 Sec. 18.65.710. APPLICATION FOR PERMIT TO CARRY A CONCEALED
9 HANDGUN. (a) The application for a permit to carry a concealed handgun must
10 contain the following information:

11 (1) the applicant's name, physical residence, mailing address, place and
12 date of birth, physical description, including height, weight, race, hair color, and eye
13 color, Alaska driver's license or identification card number, and the city and state of
14 each place the applicant has resided in the five years immediately preceding the
15 application;

16 (2) a statement that the applicant qualifies under AS 18.65.705;

17 (3) a statement that the applicant has been furnished with a copy of
18 AS 18.65.700 - 18.65.790, has read those sections, and understands them;

19 (4) a statement that the applicant desires a permit to carry a concealed
20 handgun for a lawful purpose, which may include self-defense;

21 (5) a sworn statement by the applicant that all statements, answers, and
22 attachments to the application are true and complete;

23 (6) a conspicuous warning that the application is executed under oath
24 and that an applicant who supplies a false statement, answer, or document, in
25 connection with the application that the applicant does not believe to be true, may be
26 prosecuted for perjury under AS 11.56.200 and, if found guilty, may be punished for
27 violation of a class B felony, and that in such cases the permit shall be revoked and
28 the applicant may be barred from any further application for a permit; and

29 (7) a statement that the applicant understands that a permit eligibility
30 investigation may be conducted as a part of the application process, that this may
31 involve computerized records searches, and that the applicant authorizes the

1 investigation.

2 (b) An application under (a) of this section may not inquire of an applicant
3 about or require the submission of information beyond that described in that
4 subsection. As part of an application under (a) of this section, the department may not
5 inquire of an applicant as to any firearms owned by the applicant.

6 Sec. 18.65.715. DEMONSTRATION OF COMPETENCE WITH
7 HANDGUNS. (a) An applicant for a permit to carry a concealed handgun shall
8 provide a certificate of successful completion of a handgun course that is approved by
9 the department. The certificate must state the action type and caliber of handgun or
10 handguns the applicant has demonstrated competence with and that the applicant may
11 be permitted to carry. A permittee may only carry as a concealed handgun an action
12 type of handgun described in the certificate. A permittee may only carry as a
13 concealed handgun the caliber of the action type that the permittee demonstrated
14 competence with or any lesser caliber of the same action type. The handgun course
15 must have been completed within the 12 months immediately preceding the
16 application. The department shall approve the personal protection course offered by
17 the National Rifle Association and any other handgun course that tests the applicant's

18 (1) knowledge of Alaska law relating to firearms and the use of deadly
19 force:

20 (2) familiarity with the basic concepts of the safe and responsible use
21 of handguns:

22 (3) knowledge of self-defense principles; and

23 (4) physical competence with each action type of handgun the applicant
24 wishes to carry under the permit and the maximum caliber for each action type the
25 applicant wishes to carry under the permit.

26 (b) At the time the permittee renews a permit under AS 18.65.725 for the
27 second time and every other renewal thereafter, the permittee shall provide at the time
28 of renewal a certificate of successful completion of a handgun course approved by the
29 department under (a) of this section. A handgun course required under this subsection
30 must be completed in the 12 months immediately preceding the appropriate renewal.

31 (c) The department may not require a certificate of competence submitted

1 under this section to contain any specifically identifying information, including make,
2 model, or serial number, of a handgun with which an applicant or permittee has
3 demonstrated competence.

4 (d) The department shall maintain a list of approved courses and shall provide
5 the list upon request to the public.

6 Sec. 18.65.720. FEES. The department shall charge a nonrefundable fee for
7 the processing of the application for and initial issuance of a permit, renewal of a
8 permit, or replacement of a permit. The fees shall be set by regulation and must be
9 based on the actual costs incurred by the department.

10 Sec. 18.65.725. PERMIT RENEWAL. (a) A permittee shall apply in person
11 for renewal of a permit to carry a concealed handgun within 90 days before the
12 expiration of the permit and shall present a complete renewal form provided by the
13 department. The renewal form shall be submitted under oath and must include

14 (1) any change in the information originally submitted under
15 AS 18.65.710;

16 (2) a statement that the person remains qualified to receive and hold
17 a permit to carry a concealed handgun under AS 18.65.705;

18 (3) if required under AS 18.65.715, a certificate of successful
19 completion of a handgun course within the 12 months immediately preceding the
20 renewal;

21 (4) two frontal view photographs of the person taken within the
22 preceding 30 days that include the head and shoulders of the person and are of a size
23 specified by the department; and

24 (5) the renewal fee required under AS 18.65.720.

25 (b) The department shall take a single thumb or fingerprint from the permittee
26 to compare against the fingerprints originally submitted with the application.

27 (c) A renewal of a permit to carry a concealed handgun submitted on or after
28 the expiration date is subject to a late fee of \$25. The department may not accept a
29 renewal for a permit that is submitted more than 30 days after the expiration date of
30 the permit. Nothing in this subsection prohibits the holder of an expired permit from
31 applying for a new permit.

1 (d) A renewal form under (a) of this section may not inquire of a permittee
2 about, or require the submission of, information beyond that described in (a) of this
3 section.

4 Sec. 18.65.730. REPLACEMENT OF PERMIT. The department may replace
5 a permit that the permittee certifies under oath has been lost, stolen, or destroyed,
6 provided the permittee applies in person and

7 (1) provides two frontal view photographs of the permittee taken within
8 the preceding 30 days that include the head and shoulders and are of a size specified
9 by the department:

10 (2) submits to the taking of a single thumb or fingerprint by the
11 department to compare against the fingerprint originally submitted with the application;
12 and

13 (3) pays the replacement fee required under AS 18.65.720.

14 Sec. 18.65.735. SUSPENSION OF PERMIT. (a) The department shall
15 immediately suspend a permit to carry a concealed handgun if a permittee is arrested
16 for or formally charged with a crime that would disqualify the permittee under
17 AS 18.65.705(3) - (4) from being eligible for a permit to carry a concealed handgun
18 or is the subject of an injunction under AS 25.35.010 - 25.35.020. A suspension of
19 a permit remains in effect until the permit is revoked under AS 18.65.740, the
20 department has been notified of a disposition favorable to the defendant or the
21 defendant has been released from custody without being charged, or the injunction
22 under AS 25.35.010 - 25.35.020 is dissolved or expires without being renewed. In this
23 section, "disposition favorable to the defendant" means a dismissal by the prosecutor
24 or an adjudication by a court other than a conviction or a suspended imposition of
25 sentence.

26 (b) A person whose permit is suspended under this section shall immediately
27 surrender the permit to the nearest peace officer. A peace officer receiving a permit
28 under this section shall immediately forward the permit to the department.

29 (c) The department shall retain a permit suspended under this section until the
30 permit is revoked or returned to the permittee.

31 Sec. 18.65.740. REVOCATION OF PERMIT; APPEAL. (a) A permit to

1 carry a concealed handgun shall be immediately revoked by the department when the
2 permittee

3 (1) becomes disqualified to receive and hold a permit under
4 AS 18.65.705;

5 (2) is convicted of two class A misdemeanors of this state or similar
6 laws of another jurisdiction within a five-year period if at least one of the convictions
7 occurs after the application;

8 (3) knowingly supplied a false or fraudulent answer, statement, or
9 document, or made a material misstatement or omission, in connection with an
10 application for a permit or renewal or replacement of a permit.

11 (b) A person whose permit is revoked under (a) of this section shall
12 immediately surrender the permit to the nearest peace officer. A peace officer
13 receiving a permit under this section shall immediately forward the permit to the
14 department.

15 (c) A person whose permit is revoked under this section may appeal the
16 revocation decision to the commissioner. A person may seek judicial review of the
17 decision of the commissioner under AS 44.62.560 - 44.62.570.

18 (d) A person whose permit is revoked may not apply for a permit until at least
19 five years after the revocation.

20 Sec. 18.65.745. NO LIABILITY FOR ISSUANCE OF PERMIT OR FOR
21 TRAINING. (a) The department, and its officers and employees, are not liable by
22 virtue of having issued a permit to carry a concealed handgun for damage or harm
23 caused by the permittee.

24 (b) A person who provides firearm training to a person who receives a permit
25 under AS 18.65.700 - 18.65.790 is not liable for damage or harm caused by the
26 permittee.

27 Sec. 18.65.750. POSSESSION AND DISPLAY OF PERMIT. (a) A permittee
28 shall carry the permit at all times the permittee carries a concealed handgun. The
29 permittee shall display both the license and other proper identification when asked to
30 do so by a peace officer at any time.

31 (b) Whenever a permittee who is carrying a concealed handgun is contacted

1 by a peace officer, the permittee shall immediately inform the peace officer that the
2 permittee is carrying a concealed handgun under the permit.

3 (c) During a contact with a permittee, a peace officer may secure a handgun,
4 or direct that it be secured, during the duration of the contact if the peace officer
5 determines that the action is necessary for the safety of any person, including the peace
6 officer, present. The permittee shall submit to the securing of the handgun.

7 (d) In this section, "contacted by a peace officer" means stopped, detained,
8 questioned, or addressed in person by the peace officer for an official purpose.

9 (e) A person who violates (a) of this section is guilty of a violation and upon
10 conviction may be punished by a fine of not more than \$100.

11 (f) A person who violates (b) or (c) of this section is guilty of a class A
12 misdemeanor.

13 Sec. 18.65.755. PLACES WHERE PERMITTEE MAY NOT POSSESS A
14 CONCEALED HANDGUN. (a) A permittee may not carry a concealed handgun into

15 (1) a law enforcement or correctional facility;

16 (2) or on school grounds or a school bus; in this paragraph, "school
17 grounds" has the meaning given in AS 11.71.900;

18 (3) a courthouse or a courtroom of this state, unless the permittee

19 (A) is a judge; or

20 (B) has been authorized to possess a concealed handgun by a
21 judge presiding at that courthouse or courtroom;

22 (4) a building housing only state or federal offices or the offices of a
23 political subdivision of the state, except as authorized under (3) of this subsection;

24 (5) an office of the state, federal government, or of a political
25 subdivision of the state that is not located in a building described in (4) of this
26 subsection;

27 (6) a passenger loading or unloading area of an airline terminal;

28 (7) a vessel of the Alaska marine highway system;

29 (8) a facility providing services to victims of domestic violence or
30 sexual assault;

31 (9) a financial institution; in this paragraph, "financial institution"

1 means a bank, savings bank, savings association, credit union, or other institution
2 regulated by the Department of Commerce and Economic Development under AS 06;

3 (10) another place where the possession of a deadly weapon or firearm
4 is prohibited by law; or

5 (11) a municipality or established village that has prohibited the
6 possession of concealed handguns by a permit under AS 18.65.780 - 18.65.785.

7 (b) In addition to any other penalty provided by law, a person who violates
8 this section is guilty of a class B misdemeanor.

9 Sec. 18.65.760. MISUSE OF A PERMIT. (a) The holder of a permit issued
10 under AS 18.65.700 - 18.65.790 may not

11 (1) alter the permit;

12 (2) allow another person to use the permit;

13 (3) possess or display a suspended or revoked permit; or

14 (4) display an expired permit.

15 (b) A person who violates (a)(1) - (3) of this section is guilty of a class A
16 misdemeanor.

17 (c) A person who violates (a)(4) of this section is guilty of a violation and
18 upon conviction may be punished by a fine of not more than \$100.

19 Sec. 18.65.765. RESPONSIBILITIES OF THE PERMITTEE. (a) The holder
20 of a permit issued under AS 18.65.700 - 18.65.790

21 (1) shall notify the department of a change in the permittee's address
22 within 30 days;

23 (2) shall immediately report a lost, stolen, or illegible permit to the
24 department; and

25 (3) shall immediately notify the department if the holder is no longer
26 qualified to hold a permit under AS 18.65.705; and

27 (4) may only carry a concealed handgun of the action type and caliber
28 the holder has demonstrated competency with or of any lesser caliber of the same
29 action type as authorized in the permit issued under AS 18.65.700.

30 (b) A person who violates this section is guilty of a violation and upon
31 conviction may be punished by a fine of not more than \$100.

1 Sec. 18.65.770. ACCESS TO LIST OF PERMITTEES BY PEACE
2 OFFICERS. The department shall compile a list of permittees in a manner that allows
3 immediate access to the information by peace officers. The list of permittees and all
4 applications, permits, and renewals are not public records under AS 09.25.110 -
5 09.25.125 and may only be used for law enforcement purposes.

6 Sec. 18.65.775. REGULATIONS. The department shall adopt regulations to
7 implement AS 18.65.700 - 18.65.790. This section does not delegate to the
8 department the authority to regulate or restrict the issuing of permits beyond those
9 provisions contained in AS 18.65.700 - 18.65.790.

10 Sec. 18.65.778. MUNICIPAL PREEMPTION. A municipality may not restrict
11 the carrying of a concealed handgun by permit under AS 18.65.700 - 18.65.790 except
12 as provided in AS 18.65.780 - 18.65.785.

13 Sec. 18.65.780. PROHIBITION OF POSSESSION OF CONCEALED
14 HANDGUNS. (a) The following question, appearing alone, may be placed before the
15 voters of a municipality or an established village in accordance with AS 18.65.785:

16 Shall the possession of concealed handguns by permit in
17 (name of municipality or village) be prohibited?

18 [] Yes [] No.

19 (b) If a majority of the voters vote "yes" on the question set out in (a) of this
20 section, the department shall be notified immediately after certification of the results
21 of the election, and so long as the prohibition remains in effect, a person may not
22 possess a concealed handgun with a permit issued under AS 18.65.700 - 18.65.790 in
23 the municipality or the established village.

24 Sec. 18.65.785. PROCEDURE FOR LOCAL OPTION ELECTIONS. (a) The
25 local governing body of a municipality, whenever a number of registered voters equal
26 to at least 10 percent of the number of votes cast at the last regular municipal election,
27 petition the local governing body to do so, shall place upon a separate ballot at the
28 next regular election or at a special election the question set out in AS 18.65.780 that
29 is the subject of the petition. The local governing body shall conduct the election in
30 accordance with the election ordinance of the municipality.

31 (b) The lieutenant governor, whenever 10 percent of the registered voters

1 residing within an established village petition the lieutenant governor to do so, shall
2 place upon a separate ballot at a special election the question set out in AS 18.65.780
3 that is the subject of the petition. The lieutenant governor shall conduct the election
4 in the manner prescribed by AS 15 (Alaska Election Code).

5 (c) Notwithstanding another provision of law, an election under (a) or (b) of
6 this section to remove a restriction on the possession of concealed handguns by permit
7 under AS 18.65.780 may not be conducted more than once every 12 months.

8 (d) AS 29.26.110 - 29.26.160 apply to a petition under (a) of this section in
9 a general law municipality except the

10 (1) number of required signatures is determined under (a) of this
11 section rather than under AS 29.26.130;

12 (2) application filed under AS 29.26.110 must contain the question set
13 out under AS 18.65.780 rather than containing an ordinance or resolution;

14 (3) petition must contain the question set out under AS 18.65.780 rather
15 than material required under AS 29.26.120(a)(1) and (2).

16 Sec. 18.65.790. DEFINITIONS. In AS 18.65.700 - 18.65.790,

17 (1) "commissioner" means the commissioner of public safety;

18 (2) "competence" means the ability to place in a life size silhouette
19 target

20 (A) seven out of 10 shots at seven yards;

21 (B) six out of 10 shots at 15 yards;

22 (3) "concealed handgun" means a firearm, that is a pistol or a revolver,
23 and that is covered or enclosed in any manner so that an observer cannot determine
24 that it is a handgun without removing it from that which covers or encloses it or
25 without opening, lifting, or removing that which covers or encloses it; however,
26 "concealed handgun" does not include a shotgun, rifle, derringer or other miniature
27 handgun, or a prohibited weapon as defined under AS 11.61.200; in this paragraph,

28 (A) "derringer" means a handgun that has individual barrels for
29 each cartridge it is capable of firing and lacks a manufacturer's installed trigger
30 guard that completely encircles the trigger and which is part of the frame; and

31 (B) "miniature handgun" means a handgun that has a barrel

1 length of three and one-half inches or less and lacks a manufacturer's installed
2 trigger guard that completely encircles the trigger and which is part of the
3 frame;

4 (4) "department" means the Department of Public Safety;

5 (5) "established village" has the meaning given in AS 04.21.080;

6 (6) "local governing body" has the meaning given in AS 04.21.080;

7 (7) "permit" means a permit to carry a concealed handgun issued under

8 AS 18.65.700 - 18.65.790.

9 * Sec. 5. AS 18.65.780 - 18.65.790, added by sec. 4 of this Act, take effect immediately.

10 * Sec. 6. Except as provided in sec. 5 of this Act, this Act takes effect January 1, 1995.