

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

8656 HOUSE • LABOR & COMMERCE •

Mary Catherine Seutter
P.O. Box 874872
Wasilla, AK 99687

Catherine Seutter has been a licensed optician for seventeen years with both spectacle and contact lens certification. Employed by Alaska Eye Care Centers, Ms. Seutter is optician for the Wasilla office with responsibility for the training and job performance of two apprentice opticians. With primary responsibility for patient care and management in the optical and contact lens departments, Ms. Seutter works extensively with patients and their families. Ms. Seutter also manages the frame and optical accessory inventory for the Wasilla office.

Professional History

Alaska Eye Care Centers, Optician, January, 1984 to present.
Western Optical, Store Manager, November, 1983 to January, 1984.
Pearle Vision Centers, Store Manager, October, 1980 to
July, 1983
Pearle Vision Centers, Assistant Manager, March, 1979 to
October, 1980.
Pearle Vision Centers, Optician and Optician Trainee, March,
1977 to March 1979.

Professional Experience Summary

Alaska Eye Care Centers [Optician, 1984 to Present]
Manager of Optical Department for Wasilla store. Responsible for patient care and management. Responsible for training and job performance of two apprentice opticians. Control frame and accessory inventory. Performing duties of optometric assistant and contact lens technician as necessary. Assisting as insurance clerk, cashier, and appointment secretary as needed.
Lab optician for Wasilla office. Originally hired to set up and manage optical lab for branch office. Was responsible for lens ordering and inventory control, glasses fabrication, and maintaining quality control to meet and exceed FDA and ANSI standards.

Western Optical [Store Manager, 1983 to 1984]
Responsible for store opening and closing. Responsible for daily business reports and bank deposits. Assisted customers with glass and contact orders.

Pearle Vision Centers [Store Manager, 1977 to 1983]

Started as apprentice optician and advanced to store manager of optical chain branch with gross sales exceeding \$300,000.00 annually. As store manager, received repeated bonuses for exceeding sales and profit projections. Supervised 3 full time and 2 part time employees with sole responsibility for hiring and firing. Responsible for employee training. Responsible for customer relations and problem management. Handled all insurance and patient billing. Supervised customer sales and on-site fabrication lab. Responsible for quality control to exceed FDA and ANSI standards. Handled maintenance and repair of all store equipment.

Certifications

Licensed Optician - State of Alaska [#105] - 1983
Licensed Optician - Commonwealth of Virginia [#905]
1978
American Board of Opticianry - 1983

Specialized Training

Searle Optical Group, Store Managers Development Program, Units I, II, and III. - 1979
Searle Optical Group, Advanced Sales Training Program - 1980
Searle Optical Group, Train the Trainer Seminars - 1981
Annually attend 15 hours of continuing education in management, sales, opticianry, and contact lens fitting.

Professional Organizations

Opticians Association of Alaska
Opticians Association of America
National Academy of Opticianry

GOV.

APPPT. -

ERNIE

SIEM -
ONTEIT

STATE OF ALASKA
Boards and Commissions

ARCHITECTS/ENGINEERS/LAND SURVEYORS

BOARD: State Board of Registration for Architects, Engineers, and Land Surveyors

BOARD IDENTIFICATION NUMBER: 005

DEPARTMENT: DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

AUTHORITY: AS 08.48.011

STATUS: Active

SUNSET DATE: June 30, 1997

REQUIREMENTS: Legislative Confirmation

PROHIBITIONS: Cannot serve more than all or part of two consecutive terms.

TERM: 4 years

DESCRIPTION: 9 members appointed by Governor: 2 civil engineers, 1 land surveyor, 1 mining engineer, 2 engineers from other branches of engineering and 2 architects; must be 3-year Alaska resident; registered, with at least 5 years professional practice in respective field; and 1 public member.

FUNCTION: Controls registration, revocation of applicants in the architectural, engineering, and land surveying professions.

CHAIR: Governor may select.

SPECIAL FACTS: Quorum - not less than 5, Governor may remove for misconduct, incompetency, or neglect of duty; board elects/appoints officers annually; members serve until reappointed/replaced; annual report to Governor and Legislature. Members serve until a successor is appointed. An appointment to fill a vacancy is for the remainder of the unexpired term. A member who has served all or part of two successive terms may not be reappointed unless four years have elapsed since the person has last served. Serve at the pleasure of the Governor.

COMPENSATION: Standard Travel and Per Diem.

MEETINGS: At least 4 regular meetings per year; normally 5 with 10 days maximum.

FOR FURTHER INFORMATION CONTACT: Ms. Mary Hymer, Division of Occupational Licensing, DCED, P.O. Box 110806 M/S 0800, Juneau, AK, 99811 0806,
Phone: 907 465 2540



Alaska State Legislature
House of Representatives
Office of the Chief Clerk

State Capitol, Rm 214
Juneau, AK 99801-1182
(907) 465-3725

Official Business

MEMORANDUM

Date: February 2, 1996
TO: Representative Kott
FROM: Suzi Lowell *sl*
Chief Clerk
SUBJECT: Governor's Appointments

Speaker Phillips referred the following Governor's appointments to the Labor and Commerce Committee:

State Board of Registration for Architects, Engineers, and Land Surveyors

Ernie Siemoneit-Healy

Appointed: 01/30/96 Expires: 07/01/99

Alaska Workers' Compensation Board

Dorothy Bradshaw-Fairbanks

Appointed: 01/30/96 Expires: 07/01/98

Philip E. Ulmer-Eagle River

Appointed: 01/30/96 Expires: 07/01/98

Attached are their resumes and committee reports for your use.

Attachments as noted.

Land Surveyors

Ernie Siemoneit
P.O. Box 375
Healy, Alaska 99743, United States of America
Phone (907) 683-2401

**CAREER
OBJECTIVE**

To be associated with an organization in a challenging environment that stimulates growth and development.

**PROFESSIONAL
EXPERIENCE**

Usibelli Coal Mine, Inc., Healy, Alaska
January 1990 - Present.
Senior Engineer.

Works with Development, Reclamation, and Production engineers to manage mine engineering functions, and perform planning tasks. Performs economic analysis of mining and equipment alternatives. Produces long range mine designs using computer aided methods. Assists in permitting and regulatory support. Contributes to creation and implementation of both long and short term schedules. Monitors and analyzes current equipment and process performances.

May 1983 - December 1989.
Mining Production Engineer.

Produced specific dragline, truck, and dozer excavation designs. Scheduled and monitored stripping and coal removal operations. Implemented given designs to layout and monitor construction of ponds, buttress fills, and drainage structures. Monitored pit area water conditions; designed and executed diversion and dewatering plans. Tracked coal recovery, quality, and blending activities; planned and implemented improvements. Designed and managed all drilling and blasting operations. Communicated with foreman to initiate and tune pit area work tasks. Provided support as a relief production foreman as needed.

Domes Partnership, Nome, Alaska
May - September 1982.
Technical Advisor, Mine Worker.

Interpreted sample drilling results for the purpose of short term operations planning. Organized overburden stripping and gravel mining. Designed sluice box and water system. Operated bulldozer and pumps. Performed maintenance and repair work on mine site equipment.

Alaska Gold Company, Nome, Alaska.
May - August 1981.
Engineering Assistant.

Surveyed boundaries, pipeline routes, water recirculation networks, and prepared maps of projects.

Calculated dredged volume, prospect values, recovery rates, and evaluated dredge performance.

Evaluated thaw field water pump performance, and gravel thawing progress.

Presented reports to the head engineer concerning status of mine site construction projects.

Mineral Industry Research Laboratory, Fairbanks, Alaska.
July - August 1980.
Researcher.

Operated hydrocyclone fine gold recovery system, and analyzed products by both mechanical and chemical means. Prepared a report comparing results and objectives of the project.

Fairbanks School of Mineral Industry, Fairbanks, Alaska.
May - June 1980.
Laborer.

Completed electrical and carpentry projects at the Silver Fox Mine, Fox, Alaska.

Repaired vehicles and small earthmovers at the Stampede Mine, McKinley, Alaska.

EDUCATION

University of Alaska, Fairbanks, AK
Bachelor of Science Degree in Mining Engineering awarded in May, 1983.

AFFILIATIONS

State of Alaska Professional Engineer
Member Society of Mining Engineers
Member Institute of Industrial Engineers
State of Alaska Licensed Blaster

INTERESTS

Auto oval dirt track racing.
Hiking and fishing in remote areas.

PERSONAL

Height: 5'11" Weight: 185 lbs.
Date of Birth: September 17, 1961 Health: Excellent
Marital Status: Married Children: Two

References: [illegible]



Alaska State Legislature

Official Business

State Capitol
Juneau, AK 99801-1182

Date: _____

The Honorable Gail Phillips
Speaker of the House
State Capitol
Juneau, AK 99801

Dear Madam Speaker:

In accordance with AS 39.05.080, the Labor and Commerce Committee has reviewed the qualifications of the following and recommends that the appointment be forwarded to a joint session for consideration:

State Board of Registration for Architects, Engineers, and Land Surveyors
Ernie Siemoneit-Healy

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Kott, Chair

Representative Rokeberg

Representative Porter

Representative Sanders

Representative Masek

Representative Elton

Representative Kubina

GOV.

APPPT.

BERNIE

SMITH

STATE OF ALASKA
Boards and Commissions

MARINE PILOTS

BOARD: Board of Marine Pilots

BOARD IDENTIFICATION NUMBER: 059

DEPARTMENT: Department of Commerce and Economic Development

AUTHORITY: AS 08.62.010

STATUS: Active

SUNSET DATE: June 30, 1994

REQUIREMENTS: Legislative Confirmation

PROHIBITIONS: A member who has served all or part of 2 successive terms may not be reappointed unless 4 years have elapsed.

TERM: 4 years

DESCRIPTION: 7 members - 6 appointed by Governor: 2 licensed pilots actively engaged in piloting vessels (subject to statute), 2 agents or managers of vessels, and 2 public members, plus the Commissioner or his designee of the Dept. of Commerce and Economic Development; not more than one pilot and one agent shall be from any one judicial district; must be Alaska residents.

FUNCTION: To prevent the loss of lives and property and to protect the marine environment of the state by offering jurisdiction over pilotage and licensing of marine pilots.

CHAIR: Governor may select.

SPECIAL FACTS: The Governor may designate the chair of the board. Board members serve at the pleasure of the Governor. *(AS 08.62.020, AS 08.01.020)

COMPENSATION: Standard Travel and Per Diem.

MEETINGS: at least 3 times/year, or at call of chair or majority request; some meetings may be teleconferenced

FOR FURTHER INFORMATION CONTACT: Marine Pilots Coordinator, Division of Occupational Licensing, DCED, P.O. Box 110806 M/S 0800, Juneau, AK, 99811 0806,
Phone: 907 465 2548



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House of Representatives
Office of the Chief Clerk

Official Business

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Juneau, AK 99801-1182
(907) 465-3725

January 30, 1996

MEMORANDUM

TO: Representative Kott, Chair
Labor and Commerce Committee

FROM: Suzi Lowell
Chief Clerk

SUBJECT: Governor's Appointments

Speaker Phillips referred the following Governor's appointments to the Labor and Commerce Committee:

Alaska State Board of Public Accountancy

Dean W. Nelson - Anchorage

Appointed: 05/31/95 Expires: 04/25/99

Joanne Stoots - Fairbanks

Appointed: 01/27/92 Reappointed: 11/01/95 Expires: 04/25/99

State Board of Registration for Architects, Engineers, and Land Surveyors

Byron Haynes, Jr., P.E. - Anchorage

Appointed: 07/20/95 Expires: 07/01/99

Board of Clinical Social Work Examiners

Beverly Haywood - Juneau

Appointed: 07/20/95 Expires: 07/01/99

Board of Dispensing Opticians

Mary C. Seutter - Wasilla

Appointed: 08/10/95 Expires: 06/14/96

Alaska Labor Relations Agency

Raymond P. Smith - Anchorage

Appointed: 03/06/95 Reappointed: 06/30/95 Expires: 06/30/98

Board of Marine Pilots

Dan A. Hensley, Esq. - Anchorage

Appointed: 10/02/95 Expires: 06/01/96

John C. Klepper - Valdez

Appointed: 07/21/92 Reappointed: 10/02/95 Expires: 06/01/99

Bernie Smith - Kenai

Appointed: 10/02/95 Expires: 06/01/96

Michael C. Spence - Ketchikan

Appointed: 10/02/95 Expires: 06/01/99

Board of Marital and Family Therapy

Mercy Dennis - Anchorage

Appointed: 12/14/92 Reappointed: 01/04/96 Expires: 12/14/99

Dixie A. Hood - Juneau

Appointed: 10/12/95 Expires: 12/14/97

Sandra M. Samaniego - Fairbanks

Appointed: 10/12/95 Expires: 12/14/98

State Medical Board

Keith M. Brownsberger, M.D. - Anchorage

Appointed: 08/11/95 Expires: 04/21/98

Beverly Fletcher - Juneau

Appointed: 08/11/95 Expires: 08/13/96

Donald G. Hudson, D.O. - Anchorage

Appointed: 08/11/95 Expires: 04/21/96

Sarah A. Isto, M.D. - Juneau

Appointed: 08/11/95 Expires: 11/06/96

Suzanne H. Lombardi - Anchorage

Appointed: 08/11/95 Expires: 01/09/97

Donald C. Olson, M.D. - Nome

Appointed: 08/11/95 Expires: 07/08/96

Board of Certified Direct-Entry Midwives

Marilyn Holmes - Juneau

Appointed: 07/20/95 Expires: 07/21/98

Board of Nursing

Josephine Malemute - Fairbanks

Appointed: 08/30/95 Expires: 03/31/96

Occupational Safety and Health Review Board

Timothy O. Sharp - Fairbanks

Appointed: 10/12/95 Expires: 08/01/99

Board of Pharmacy

Chris E. Coursey - Eagle River

Appointed: 04/23/91 Reappointed: 09/14/95 Expires: 04/01/99

State Physical Therapy and Occupational Therapy Board

Leslie F. Schwartz - Petersburg

Appointed: 10/06/95 Expires: 09/01/98

Board of Psychologist and Psychological Associate Examiners

Gail C. Shortell, Esq. - Anchorage

Appointed: 07/20/95 Expires: 07/01/96

Real Estate Commission

Ruth Blackwell - Juneau

Appointed: 08/24/95 Expires: 01/31/97

Linda L. Freed - Kodiak

Appointed: 08/24/95 Expires: 01/31/99

Eleanor F. Oakley - Palmer

Appointed: 08/24/95 Expires: 01/31/99

Clair Ramsey - Anchorage

Appointed: 08/24/95 Expires: 01/31/96

Larry Spencer - Juneau

Appointed: 08/24/95 Expires: 01/31/99

Alaska Public Utilities Commission (APUC)

Sam Cotten - Eagle River

Appointed: 11/13/95 Expires: 10/31/98

G. Nanette Thompson, Esq. - Anchorage

Appointed: 06/23/95 Expires: 10/31/00

Alaska Workers' Compensation Board

Harriet M. Lawlor - Anchorage

Appointed: 07/20/95 Expires: 07/01/96

Nancy J. Ridgley - Ward Cove

Appointed: 10/13/92 Reappointed: 07/05/95 Expires: 07/01/98

James G. Williams - Douglas

Appointed: 07/05/95 Expires: 07/01/97

Attached are their resumes and committee reports for your use.

Attachments as noted.



BERNIE SMITH
MANAGER ALASKA GOVERNMENT AFFAIRS AND PROJECT MANAGEMENT

General

Over 20 years experience in project control, consisting of project cost and schedule control; performing audits of contractors' project cost and appraising effectiveness in meeting management cost and scheduled objectives; performing budget analysis; and assisting with contract negotiations. Over 8 years experience and involvement with spill response organizations: CISPRI/CIRO and Tesoro's Response Team (Deputy Incident Commander for Tesoro's Incident Command Team). Four years attendance on The Alaska Board of Marine Pilots. Chief negotiator with Southwest Alaska Pilots Association in tariff contracts for Cook Inlet. Tanker Representative on The Cook Inlet Association.

Occupation

Manager Alaska Government Affairs and Project Management

Education

Bachelor of Science Degree in Engineering Technology, Texas A & M University, 1973

Employment History

1983 - Present: Tesoro Alaska Petroleum Company

1983-1986: Senior Field Engineer - Project Coordinator
1986-1987: Maintenance Coordinator and Planner
1987-1990: Mechanical Project Engineer
1990-1993: Senior Engineer Environmental Services
1993-Present: Mgr Alaska Government Affairs and Project Management

1979 - 1983: Litwin Engineering & Construction

Senior Field Cost and Scheduling Engineer - responsible for estimating, budgeting dollars and man hours, progress reports, forecasting percent complete and start-up of units.

1974 - 1979: Gene Nelson Incorporated - Industrial Painting and Fireproofing Contractor

Senior Estimator, Area and Project Manager

Bernie Smith
Page 2

1973 - 1974: Prepad Incorporated - Refractory Lining Contractor

Cost Engineer and Superintendent

Organizations

President: Boys and Girls Club, Kenai Peninsula

Vice-President: Cook Inlet Spill Response Inc. (CISPRI) Board
and Executive Committee

Member: Cook Inlet Association - Tanker
Representative 1993-Present

Charter Funding Member: Cook Inlet Regional Citizens Advisory Council

Charter Member: Alaska Steamship Association

Member: Alaska Oil and Gas Board

Member: AOGA Legislation Committee

Member: Prince William Sound Risk Assessment Steering
Committee

Member: Nikiski Fire Service Board 1989 to Present

Actively involved in various community organizations



Alaska State Legislature

Official Business

P.O. Box V
State Capitol
Juneau, Alaska 99811

Date: _____

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Dear Madam Speaker:

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Bernie Smith - Kenai

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

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Representative Masek

Representative Elton

Representative Kubina

GOV.

APPPT. -

RAY

SMITH



Alaska State Legislature
House of Representatives
Office of the Chief Clerk

State Capitol, Rm 214
Juneau, AK 99801-1182
(907) 465-3725

Official Business

January 30, 1996

M E M O R A N D U M

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Labor and Commerce Committee

FROM: Suzi Lowell
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Speaker of the House
State Capitol
Juneau, AK 99801

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Raymond P. Smith - Anchorage

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Representative Kott, Chair

Representative Rokeberg

Representative Porter

Representative Sanders

Representative Masek

Representative Elton

Representative Kubina

RESUME

NAME: Raymond Paul Smith D.O.B.: 02/02/46
 ADDRESS: 4020 Dale Street, #1 HEALTH: Excellent
 Anchorage, AK 99508 PERSONAL: Married
 PHONE: (907) 562-0073

EDUCATION AND TRAINING

HIGH SCHOOL: West High School Graduated In 1965
 Anchorage, AK
 VOCATIONAL: Hood River Vocational School Welding Class
 Hood River, OR Graduated In 1967
 APPRENTICESHIP: Began In 1964
 Left trade In 1967
 O.J.T.: 1977 - 1980

I was given the opportunity by Jack Peterson (Commercial Contractors, Inc.) to learn and improve while in his employ.

WORK HISTORY

1989-Present	Painters & Allied Trades Local 1140 1818 W. Northern Lights Blvd. Anchorage, AK 99517	POSITION: Business Representative for South East Alaska
1988-1989	Painters & Allied Trades Local 1140 1818 W. Northern Lights Blvd. Anchorage, AK 99517	POSITION: Local 1140 Temporary Volunteer (sanctioned by Special Trustee-J. Chrstean)
1986-1987	Commercial Contractors, Inc. 4950 Fairbanks Street Anchorage, AK 99503	POSITION: Journeyman/Glazler/Foreman
1984-1985	Painters & Allied Trades Local 1140 1818 W. Northern Lights Blvd. Anchorage, AK 99517	POSITION: Apprenticeship Coordinator
1984	Painters & Allied Trades Local 1140 1818 W. Northern Lights Blvd. Anchorage, AK 99517	POSITION: Business Representative for South East Alaska
1982-1984	Commercial Contractors, Inc. 4950 Fairbanks Street Anchorage, AK 99503	POSITION: Journeyman/Glazler/Foreman
1981	Commercial Contractors, Inc. Bucher Glass, Inc.	POSITION: Journeyman/Glazler
1977-1980	Anchorage Glass Anchorage, AK	POSITION: Journeyman/Glazler DUTIES: All phases of cutting, assembly, manufacture and installation of thermopane units.

RESUME - updated 03/01/94
 Raymond Paul Smith
 Page 2

WORK HISTORY

1977	Replacement Glass Anchorage, AK	POSITION: Journeyman/Glazier DUTIES: Worked into estimating, billing and collections relating to my outside work.
1976-1977	Self Employed	Worked for friends and relatives in various building and construction phases. Home building and firewood business.
1968-1976	Smith's Sanitary Service The Dalles, OR 97058	POSITION: Owner/Operator Sanitation Relocation Expert
1967-1968	Alaska Airlines Anchorage, AK	POSITION: Ramp Personnel
1964-1967	Anchorage Glass Anchorage, AK	Served Apprenticeship

Article 5. Labor Relations Agency.

Section

360. Alaska labor relations agency

370. Powers, duties, and functions of Alaska labor relations agency

Sec. 23.05.360. Alaska labor relations agency. (a) There is established within the Department of Labor the Alaska labor relations agency. The agency is comprised of six members appointed by the governor and confirmed by the legislature. The term of office of a member is three years. Members serve staggered terms in accordance with AS 39.05.055. A vacancy in an unexpired term shall be filled by appointment by the governor for the remainder of the term. The agency must include two members with a background in management, two members with a background in labor, and two members from the general public. All members must have relevant experience in labor relations matters.

(b) Not more than three members of the agency may be members of the same political party.

(c) Members of the agency may be removed by the governor only for cause.

(d) Members of the agency receive no compensation for their services, but are entitled to per diem and travel expenses authorized for boards and commissions.

(e) The governor shall designate a chair from the public members. The chair holds office at the pleasure of the governor.

(f) For purposes of holding hearings, the members of the board sit in panels of three members. The chair designates the panel that will consider a matter. Each panel must include a representative of management, a representative of labor, and a representative from the general public. A member of one panel may serve on the other panel when the chair considers it necessary for the prompt administration of AS 23.40.070 — 23.40.260 (Public Employment Relations Act) or AS 42.40 (Alaska Railroad Corporation Act). (E.O. No. 77 § 2 (1990); am §§ 1 — 3 ch 43 SLA 1993)

Effect of amendments. — The 1993 amendment, effective July 1, 1993, in subsection (a), substituted "six members" for "three members" in the second sentence, and "two members" for "a member" throughout the next-to-last sentence; in subsection (b), substituted "three members" for "two members"; and added subsections (c) and (f).

Sec. 23.05.370. Powers, duties, and functions of Alaska labor relations agency. (a) The agency shall

(1) establish its own rules of procedure;

(2) exercise general supervision and direct the activities of staff

(3) prepare and submit to the governor an annual report on labor relations problems it has encountered during the previous year, including recommendations for legislative action; the agency shall notify the legislature that the report is available;

(4) serve as the labor relations agency under the Public Employment Relations Act (AS 23.40.070 — 23.40.260) and carry out the functions specified in that Act; and

(5) serve as the railroad labor relations agency for the Alaska Railroad under the Alaska Railroad Corporation Act (AS 42.40) and carry out the functions specified in that Act.

(b) Two members of a panel constitute a quorum for hearing cases. Action taken by a quorum of a panel in a case is considered the action of the full board. Four members constitute a quorum for the transaction of business other than hearing cases. (E.O. No. 77 § 2 (1990); am §§ 4, 5 ch 43 SLA 1993; am § 45 ch 21 SLA 1995)

Cross references. — For transitional provisions relating to selection of the chair of the agency and to quorum requirements until three additional members are appointed to the agency and confirmed by the legislature, see § 6, ch. 43, SLA 1993 in the Temporary and Special Acts.

Effect of amendments. — The 1993 amendment, effective July 1, 1993, re-

pealed paragraph (a)(2) and rewrote subsection (b).

The 1995 amendment, effective August 8, 1995, in subsection (a), redesignated former paragraphs (3)-(6) as paragraphs (2)-(5) and, in present paragraph (3), deleted "and the legislature" following "submit to the governor" and added "the agency shall notify the legislature that the report is available;" at the end.

Chapter 10. Employment Practices and Working Conditions.

Article

3. Alaska Wage and Hour Act (§§ 23.10.055, 23.10.060, 23.10.110)

4. Employment of Children (§§ 23.10.330, 23.10.350, 23.10.370)

7. Employee Rights (§ 23.10.440)

8. Pregnancy, Childbirth, and Family Leave (§§ 23.10.500 — 23.10.550)

Article 3. Alaska Wage and Hour Act.

Section

55. Exemptions

60. Payment for overtime

110. Remedies of employee; attorney fees;

offers of judgment; settlement; waiver

Sec. 23.10.050. Public policy.

NOTES TO DECISIONS

Wage and Hour Act not unconstitutional. — The Alaska Wage and Hour Act does not violate the Commerce Clause of

weighs the incidental burden on interstate commerce imposed by the required

GOV.

APPPT. -

MICHAEL

SPENCE

STATE OF ALASKA
Boards and Commissions

MARINE PILOTS

BOARD: Board of Marine Pilots

BOARD IDENTIFICATION NUMBER: 059

DEPARTMENT: Department of Commerce and Economic Development

AUTHORITY: AS 08.62.010

STATUS: Active

SUNSET DATE: June 30, 1994

REQUIREMENTS: Legislative Confirmation

PROHIBITIONS: A member who has served all or part of 2 successive terms may not be reappointed unless 4 years have elapsed.

TERM: 4 years

DESCRIPTION: 7 members - 6 appointed by Governor: 2 licensed pilots actively engaged in piloting vessels (subject to statute), 2 agents or managers of vessels, and 2 public members, plus the Commissioner or his designee of the Dept. of Commerce and Economic Development; not more than one pilot and one agent shall be from any one judicial district; must be Alaska residents.

FUNCTION: To prevent the loss of lives and property and to protect the marine environment of the state by offering jurisdiction over pilotage and licensing of marine pilots.

CHAIR: Governor may select.

SPECIAL FACTS: The Governor may designate the chair of the board. Board members serve at the pleasure of the Governor. *(AS 08.62.020, AS 08.01.020)

COMPENSATION: Standard Travel and Per Diem.

MEETINGS: at least 3 times/year, or at call of chair or majority request; some meetings may be teleconferenced

FOR FURTHER INFORMATION CONTACT: Marine Pilots Coordinator, Division of Occupational Licensing, DCED, P.O. Box 110806 M/S 0800, Juneau, AK, 99811 0806,
Phone: 907 465 2548



Alaska State Legislature
House of Representatives
Office of the Chief Clerk

State Capitol, Rm 214
Juneau, AK 99801-1182
(907) 465-3725

Official Business

January 30, 1996

M E M O R A N D U M

TO: Representative Kott, Chair
Labor and Commerce Committee

FROM: Suzi Lowell
Chief Clerk

SUBJECT: Governor's Appointments

Speaker Phillips referred the following Governor's appointments to the Labor and Commerce Committee:

Alaska State Board of Public Accountancy

Dean W. Nelson - Anchorage

Appointed: 05/31/95 Expires: 04/25/99

Joanne Stoots - Fairbanks

Appointed: 01/27/92 Reappointed: 11/01/95 Expires: 04/25/99

State Board of Registration for Architects, Engineers, and Land Surveyors

Byron Haynes, Jr., P.E. - Anchorage

Appointed: 07/20/95 Expires: 07/01/99

Board of Clinical Social Work Examiners

Beverly Haywood - Juneau

Appointed: 07/20/95 Expires: 07/01/99

Board of Dispensing Opticians

Mary C. Seutter - Wasilla

Appointed: 08/10/95 Expires: 06/14/96

Alaska Labor Relations Agency

Raymond P. Smith - Anchorage

Appointed: 03/06/95 Reappointed: 06/30/95 Expires: 06/30/98

Board of Marine Pilots

Dan A. Hensley, Esq. - Anchorage

Appointed: 10/02/95 Expires: 06/01/96

John C. Klepper - Valdez

Appointed: 07/21/92 Reappointed: 10/02/95 Expires: 06/01/99

Bernie Smith - Kenai

Appointed: 10/02/95 Expires: 06/01/96

Michael C. Spence - Ketchikan

Appointed: 10/02/95 Expires: 06/01/99

Board of Marital and Family Therapy

Mercy Dennis - Anchorage

Appointed: 12/14/92 Reappointed: 01/04/96 Expires: 12/14/99

Dixie A. Hood - Juneau

Appointed: 10/12/95 Expires: 12/14/97

Sandra M. Samaniego - Fairbanks

Appointed: 10/12/95 Expires: 12/14/98

State Medical Board

Keith M. Brownsberger, M.D. - Anchorage

Appointed: 08/11/95 Expires: 04/21/98

Beverly Fletcher - Juneau

Appointed: 08/11/95 Expires: 08/13/96

Donald G. Hudson, D.O. - Anchorage

Appointed: 08/11/95 Expires: 04/21/96

Sarah A. Isto, M.D. - Juneau

Appointed: 08/11/95 Expires: 11/06/96

Suzanne H. Lombardi - Anchorage

Appointed: 08/11/95 Expires: 01/09/97

Donald C. Olson, M.D. - Nome

Appointed: 08/11/95 Expires: 07/08/96

Board of Certified Direct-Entry Midwives

Marilyn Holmes - Juneau

Appointed: 07/20/95 Expires: 07/21/98

Board of Nursing

Josephine Malemute - Fairbanks

Appointed: 08/30/95 Expires: 03/31/96

Occupational Safety and Health Review Board

Timothy O. Sharp - Fairbanks

Appointed: 10/12/95 Expires: 08/01/99

Board of Pharmacy

Chris E. Coursey - Eagle River

Appointed: 04/23/91 Reappointed: 09/14/95 Expires: 04/01/99

State Physical Therapy and Occupational Therapy Board

Leslie F. Schwartz - Petersburg

Appointed: 10/06/95 Expires: 09/01/98

Board of Psychologist and Psychological Associate Examiners

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Real Estate Commission

Ruth Blackwell - Juneau

Appointed: 08/24/95 Expires: 01/31/97

Linda L. Freed - Kodiak

Appointed: 08/24/95 Expires: 01/31/99

Eleanor F. Oakley - Palmer

Appointed: 08/24/95 Expires: 01/31/99

Clair Ramsey - Anchorage

Appointed: 08/24/95 Expires: 01/31/96

Larry Spencer - Juneau

Appointed: 08/24/95 Expires: 01/31/99

Alaska Public Utilities Commission (APUC)

Sam Cotten - Eagle River

Appointed: 11/13/95 Expires: 10/31/98

G. Nanette Thompson, Esq. - Anchorage

Appointed: 06/23/95 Expires: 10/31/00

Alaska Workers' Compensation Board

Harriet M. Lawlor - Anchorage

Appointed: 07/20/95 Expires: 07/01/96

Nancy J. Ridgley - Ward Cove

Appointed: 10/13/92 Reappointed: 07/05/95 Expires: 07/01/98

James G. Williams - Douglas

Appointed: 07/05/95 Expires: 07/01/97

Attached are their resumes and committee reports for your use.

Attachments as noted.

Captain Michael C. Spence

3736 Justice Court
 PO Box 7981 Ketchikan, Alaska 99901
 (907) 225-5508

OBJECTIVE

Appointment to the Alaska Board of Marine Pilots.

My experience as a marine pilot, in the management of marine pilot organizations and my exposure to regulatory procedures in Alaska qualify me to serve the State of Alaska in this capacity.

EXPERIENCE

Alaska Coastwise Pilots Association, *Marine pilot* 1991 to present
 Juneau and Ketchikan, Alaska

Served as President May 1992 to September 1994

Attended and testified at legislative committee hearings on HB 194, the Marine Pilot Act, and all subsequent Alaska legislative proposals regarding pilotage

Attended and testified at all regulation making meetings of the Board of Marine Pilots following the enactment of the current Marine Pilot Statute in 1991

Participated in the formation of the Alaska Coastwise Pilots Association and in its meeting regulatory requirements of the State of Alaska for recognition under the Marine Pilot Act of 1991

Performed pilotage of vessels of all sizes on waters of Southeastern Alaska

Southeastern Alaska Pilots Association, *Marine Pilot* 1980 to 1991
 Ketchikan, Alaska

Served as Director 1982 - 1983.

Bylaw review committee, 1982-86

Training and recruiting committees 1983-87,

Supervised training of pilots.

Pilotage of all size vessels on waters of Southeastern Alaska

Interport Pilots Associates, *Marine pilot* 1979, 1980
 Atlantic Highlands, New Jersey

Pilotage of oil tankers up to VLCC class on waters of New York Harbor

State of Alaska Marine Highway System, *Deck officer/ pilot* 1976 to 1979
 Juneau, Alaska

Navigation and pilotage of ferries in capacities up to Chief Officer, on waters of Southeastern Alaska, British Columbia, and Puget Sound.

Crowley Maritime Corporation, *Deck officer* 1974 to 1976
 San Francisco, California

Navigation officer on oceangoing and shipwork tugs on waters of Pacific coast and Alaska.

Chevron Shipping Co., Pacific Far East Line, Midshipman 1972, 1974
 San Francisco, California

Officer apprentice aboard tankers and containerships, Alaska and Far East service.

Four mast bark "Sea Cloud" *Ordinary Seaman* 1969-1970
 Miami, Florida

deck seaman in Atlantic and Caribbean service

**COMMUNITY
SERVICE**

Ketchikan Sailing Foundation, Board of Directors 1994 to present
American Cancer Society , volunteer and event organizer 1984 to present
Event Organizer, Tongass Narrows Marathon, Forget Me Not Runs 1982-87
First United Methodist Church, Ketchikan Alaska 1982 to present

**PERSONAL
DATA**

Resident of Alaska since 1976. Age 43. Happily married to Debby Spence, a teacher at Schoenbar Middle School, Ketchikan
Children: Carly age 10 and Cameron age 6, both born in Ketchikan, Alaska.

**REFERENCES,
PROFESSIONAL**

Alaska Coastwise Pilots Association, Captain Douglas MacPherson, President
Ketchikan, Alaska 907-225-7245.

Alaska Steamship Operators Association, Mr. Joe Kyle, spokesman
907-586-3107 Juneau, Alaska

Mr. Greg Erickson, Erickson and Associates, Juneau, 907-586-1290

Captain Arie Van Noordt, Northwest Cruise Ship Association
Vancouver, B.C., Canada 604-681-2351

Southeast Stevedoring Corp, Mr. Bill Sharp, Vice President, Operations,
Ketchikan, Alaska 907-225-6157.

Ms. Kate Tesar, Alaska Services Group, Juneau, Alaska 907-465-5667. .

Western Alaska Pilots Association, Captain Bob Boyd, President,
Unalaska, Alaska 907-581-3900.

**REFERENCES,
GOVERNMENT**

Representative Bill Williams, Alaska House of Representatives,
Ketchikan, 907-247-4672.

date: January 25, 1995

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education
State of Alaska

Board of Marine Pilots

Captain Michael C. Spence

5736 Justice Court
PO Box 7981 Ketchikan, Alaska 99901
(907) 225-5508

OBJECTIVE

Appointment to the Alaska Board of Marine Pilots.

My experience as a marine pilot, in the management of marine pilot organizations and my exposure to regulatory procedures in Alaska qualify me to serve the State of Alaska in this capacity.

EXPERIENCE

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Performed pilotage of vessels of all sizes on waters of Southeastern Alaska

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Ketchikan, Alaska

Served as Director 1982 - 1988.

Bylaw review committee, 1982-86

Training and recruiting committees 1983-87,

Supervised training of pilots.

Pilotage of all size vessels on waters of Southeastern Alaska

Interport Pilots Associates, *Marine pilot* 1979, 1980
Atlantic Highlands, New Jersey

Pilotage of oil tankers up to VLCC class on waters of New York Harbor

State of Alaska Marine Highway System, *Deck officer/ pilot* 1976 to 1979
Juneau, Alaska

Navigation and pilotage of ferries in capacities up to Chief Officer, on waters of Southeastern Alaska, British Columbia, and Puget Sound.

Crowley Maritime Corporation, *Deck officer* 1974 to 1978
San Francisco, California

Navigation officer on oceangoing and shipwork tugs on waters of Pacific coast and Alaska.

Chevron Shipping Co., Pacific Far East Line, *Midshipman* 1972, 1974
San Francisco, California

Officer apprentice aboard tankers and containerships, Alaska and Far East service.

Four mast bark "Sea Cloud" *Ordinary Seaman* 1968-1970
Miami, Florida

deck seaman in Atlantic and Caribbean service

EDUCATION	Bachelor of Science degree in Nautical Science United States Merchant Marine Academy, Kings Point, New York	1975
	City College of San Francisco, San Francisco, California, undergraduate studies in Marine Science	1970 - 1971
TRAINING	Bridge Resource Management and Emergency Shiphandling, Simulation Training and Research, Inc., Seattle, WA.	1994
	Manned Model Course College of Maritime Studies, Warsash, England,	1987
	Active Duty for Training, Lt. , U.S. Naval Reserve Training in pilotage of large U.S. Navy vessels, San Francisco Bay, California	1978
LICENSES	State of Alaska, Marine Pilot, Unlimited tonnage, Southeastern Alaska and Yakutat	
	U.S. Coast Guard, Master, Any Gross Tons, upon Bays, Lakes and Sounds	
	First Class Pilot: on vessels of any gross tons upon the following waters:	
	Southeastern Alaska and Yakutat	
	New York Upper and Lower Bays, Raritan Bay, Staten Island Sound	
	Puget Sound, Rosario Straits to Seattle	
	San Francisco Bay, Golden Gate to and between the Bay Bridge and the Brothers	
AWARDS	United States Merchant Marine Academy Highest Honors for Shipboard Training and thesis work	
	Paulsen Webber Award for Outstanding Practical Seamanship at the U.S. Merchant Marine Academy	
	Knickerbocker Yacht Club Award for Outstanding Contribution to the Sailing program at the U.S. Merchant Marine Academy	
	Victor Lugowski Award for Creative Writing, U.S. Merchant Marine Academy	
PROFESSIONAL ORGANIZATIONS	American Pilots Association,	<i>member</i> 1980-1991
	International organization of Masters, Mates, and Pilots,	<i>member</i> 1976-1991
	Royal Institute of Navigation,	<i>member</i> 1979 to present
	U.S. Naval Reserve, commissioned officer , honorably discharged	1971-1985

**COMMUNITY
SERVICE**

Ketchikan Sailing Foundation, Board of Directors 1984 to present
American Cancer Society , volunteer and event organizer 1984 to present
Event Organizer, Tongass Narrows Marathon, Forget Me Not Runs 1982-87
First United Methodist Church, Ketchikan Alaska 1982 to present

**PERSONAL
DATA**

Resident of Alaska since 1976. Age 43. Happily married to Debby Spence, a teacher at Schoenbar Middle School, Ketchikan
Children: Carly age 10 and Cameron age 6, both born in Ketchikan, Alaska.

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PROFESSIONAL**

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Southeast Stevedoring Corp, Mr. Bill Sharp, Vice President, Operations,
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Ms. Kate Tesar, Alaska Services Group, Juneau, Alaska 907-463-5657.

Western Alaska Pilots Association, Captain Bob Boyd, President,
Unalaska, Alaska 907-581-3900.

**REFERENCES,
GOVERNMENT**

Representative Bill Williams, Alaska House of Representatives,
Ketchikan, 907-247-4672.

date: January 25, 1995



Alaska State Legislature

Official Business

P.O. Box V
State Capitol
Juneau, Alaska 99811

Date: _____

The Honorable Gail Phillips
Speaker of the House
State Capitol
Juneau, AK 99801

Dear Madam Speaker:

In accordance with AS 39.05.080, the Labor and Commerce Committee has reviewed the qualifications of the following and recommends that the appointment be forwarded to a joint session for consideration:

Board of Marine Pilots
Michael C. Spence - Ketchikan

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Kott, Chair

Representative Rokeberg

Representative Porter

Representative Sanders

Representative Masek

Representative Elton

Representative Kubina

GOV.

APPPT. -

JOANNE

STOOTS

STATE OF ALASKA
Boards and Commissions

ACCOUNTANCY BOARD

BOARD: Alaska State Board of Public Accountancy

BOARD IDENTIFICATION NUMBER: 001

DEPARTMENT: Department of Commerce and Economic Development

AUTHORITY: AS 08.04.010; Chapter 187, SLA 1960

STATUS: Active

SUNSET DATE: June 30, 1997

REQUIREMENTS: Legislative Confirmation

PROHIBITIONS: Cannot serve more than all or part of two consecutive terms.

TERM: 4 years

DESCRIPTION: 7 members appointed by Governor. 5 certified public accountants or public accountants (must hold current certificate or license and be eligible to receive permits under chapter); plus 2 public members (may not be employed by a person licensed under this chapter or business entity holding permit under chapter); must be at least 1-year Alaska resident; vacancies filled within 60 days; member serves until reappointed or replaced.

FUNCTION: Regulates and controls applications, licenses, and permits of accounting profession.

CHAIR: Selected by board.

SPECIAL FACTS: Serve at the pleasure of the Governor; board elects officers; quorum - majority; annual report to Governor. Members serve until a successor is appointed. An appointment to fill a vacancy is for the remainder of the unexpired term. A member who has served all or part of two successive terms may not be reappointed unless four years have elapsed since the person has last served.

COMPENSATION: Standard Travel and Per Diem. No additional compensation.

MEETINGS: At least 4 meetings per year; meetings are 2 days each.

FOR FURTHER INFORMATION CONTACT: Mr. Steve Snyder, Division of Occupational Licensing, DCED, P.O. Box 110806 MS 0800, Juneau, AK, 99811 0806,
Phone: 907 465 2580



Alaska State Legislature
House of Representatives
Office of the Chief Clerk

Official Business

State Capitol, Rm 214
Juneau, AK 99801-1182
(907) 465-3725

January 30, 1996

M E M O R A N D U M

TO: Representative Kott, Chair
Labor and Commerce Committee

FROM: Suzi Lowell
Chief Clerk

SUBJECT: Governor's Appointments

Speaker Phillips referred the following Governor's appointments to the Labor and Commerce Committee:

Alaska State Board of Public Accountancy

Dean W. Nelson - Anchorage

Appointed: 05/31/95 Expires: 04/25/99

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Beverly Haywood - Juneau

Appointed: 07/20/95 Expires: 07/01/99

Board of Dispensing Opticians

Mary C. Seutter - Wasilla

Appointed: 08/10/95 Expires: 06/14/96

Alaska Labor Relations Agency

Raymond P. Smith - Anchorage

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Bernie Smith - Kenai

Appointed: 10/02/95 Expires: 06/01/96

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Appointed: 10/12/95 Expires: 12/14/97

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Board of Nursing

Josephine Malemute - Fairbanks

Appointed: 08/30/95 Expires: 03/31/96

Occupational Safety and Health Review Board

Timothy O. Sharp - Fairbanks

Appointed: 10/12/95 Expires: 08/01/99

Board of Pharmacy

Chris E. Coursey - Eagle River

Appointed: 04/23/91 Reappointed: 09/14/95 Expires: 04/01/99

State Physical Therapy and Occupational Therapy Board

Leslie F. Schwartz - Petersburg

Appointed: 10/06/95 Expires: 09/01/98

Board of Psychologist and Psychological Associate Examiners

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Appointed: 07/20/95 Expires: 07/01/96

Real Estate Commission

Ruth Blackwell - Juneau

Appointed: 08/24/95 Expires: 01/31/97

Linda L. Freed - Kodiak

Appointed: 08/24/95 Expires: 01/31/99

Eleanor F. Oakley - Palmer

Appointed: 08/24/95 Expires: 01/31/99

Clair Ramsey - Anchorage

Appointed: 08/24/95 Expires: 01/31/96

Larry Spencer - Juneau

Appointed: 08/24/95 Expires: 01/31/99

Alaska Public Utilities Commission (APUC)

Sam Cotten - Eagle River

Appointed: 11/13/95 Expires: 10/31/98

G. Nanette Thompson, Esq. - Anchorage

Appointed: 06/23/95 Expires: 10/31/00

Alaska Workers' Compensation Board

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Appointed: 07/20/95 Expires: 07/01/96

Nancy J. Ridgley - Ward Cove

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James G. Williams - Douglas

Appointed: 07/05/95 Expires: 07/01/97

Attached are their resumes and committee reports for your use.

Attachments as noted.



OFFICE OF THE GOVERNOR
 Pouch A
 Juneau, Alaska 99811

BOARDS AND COMMISSIONS RESUMÉ

INSTRUCTIONS

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

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

Position for which I am applying:
Alaska State Board of Public Accountancy

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

Name <u>Joanne Stoots</u>		Previous Name applied under
Mailing Address <u>3445 Snowflake Lane</u>	Residence Address <u>Same</u>	
City, State and Zip Code <u>Fairbanks, AK, 99709</u>		
Home Telephone <u>(907) 479-3665</u>	Business or Message Telephone <u>(907) 452-1151 x 265</u>	

REPORT ADDRESS AND TELEPHONE CHANGES PROMPTLY

AS 35.05 100 requires that a person appointed to a board or commission be a registered voter before the last general election:

Are you a registered voter? YES NO

Voter Registration Number (Optional) 21-455 896500 Social Security Number (Optional) 415-92-9472

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

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

The position may require that the member travel to either urban or rural (or both) areas. Are there any circumstances which would prevent you from participating?
None

CONFLICTS OF INTEREST: Certain boards and commissions require full disclosure of personal financial data under AS 35.60.010. If required for the Board or Commission for which you are applying, are you willing to do so? YES NO

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

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

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

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

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

BBA - Accounting, University of Alaska Fairbanks, 1985
Northwest Public Power Association Management Internship Program, 4/91
Dale Carnegie Management Program, 3/65
Various utility related accounting seminars and training programs

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

Board Member, Chena-Goldstream Fire & Rescue (volunteer fire & EMS service) Member, 1987; Board Treasurer, 1989 to present.

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

Golden Valley Electric Association, Inc. 1978 to Present
Present position: Finance & Accounting Manager
P. O. Box 71249
Fairbanks, Ak. 99707-1249
Mike Kelly, General Manager

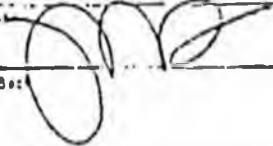
Bechtel Inc. 1974 - 1977 (pipeline construction)
Final Position: Accountant
50 Beale Street
San Francisco, Ca.

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

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

Date of Birth: 11/21/53 Military Service (if applicable, give dates): N/A

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

Signature: 

Date: 1-24-92



Alaska State Legislature

Official Business

State Capitol
Juneau, AK 99801-1182

Date: _____

The Honorable Gail Phillips
Speaker of the House
State Capitol
Juneau, AK 99801

Dear Madam Speaker:

In accordance with AS 39.05.080, the Labor and Commerce Committee has reviewed the qualifications of the following and recommends that the appointment be forwarded to a joint session for consideration:

Alaska State Board of Public Accountancy
Dean W. Nelson - Anchorage

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Kott, Chair

Representative Rokeberg

Representative Porter

Representative Sanders

Representative Masek

Representative Elton

Representative Kubina



Alaska State Legislature

Official Business

State Capitol
Juneau, AK 99801-1182

Date: _____

The Honorable Gail Phillips
Speaker of the House
State Capitol
Juneau, AK 99801

Dear Madam Speaker:

In accordance with AS 39.05.080, the Labor and Commerce Committee has reviewed the qualifications of the following and recommends that the appointment be forwarded to a joint session for consideration:

Alaska State Board of Public Accountancy
Joanne Stoots - Fairbanks

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Kott, Chair

Representative Rokeberg

Representative Porter

Representative Sanders

Representative Masek

Representative Elton

Representative Kubina

GOV.

APPPT.

PHILLIP

ULMER

STATE OF ALASKA
Boards and Commissions

WORKERS' COMPENSATION

BOARD: Alaska Workers' Compensation Board

BOARD IDENTIFICATION NUMBER: 110

DEPARTMENT: Department of Labor

AUTHORITY: AS 23.30.005

STATUS: Active

REQUIREMENTS: Legislative Confirmation, Financial Disclosure

TERM: 3 years

DESCRIPTION: 11 members -- 10 appointed by Governor, of which 5 represent labor and 5 represent industry (management); plus the Commissioner of Labor or the commissioner's designee. The board members serve on panels for the purpose of conducting hearings. Each panel consists of one board member representing labor, one board member representing industry (management) and the Commissioner of Labor or the commissioner's designee. The board consists of 5 panels -- a southern panel sitting for the first judicial district, a northern panel sitting for the second and fourth judicial districts, two southcentral panels sitting for the third judicial district, and one panel that may sit in any judicial district. The term of a management (industry) member and the term of a labor member of each panel may not expire in the same year.

FUNCTION: Full board meets as needed on issues and procedures concerning the Workers' Compensation Act. Board panels adjudicate irreconcilable disputes between injured workers and employers.

CHAIR: Labor Commissioner

SPECIAL FACTS: Majority of members constitutes a full board quorum. Two members of a panel constitute a board panel quorum. Quasi-judicial.

COMPENSATION: Standard Travel and Per Diem. Members (except chair) also receive honorarium of \$50/day.

MEETINGS: Brd. panels meet as needed in Ketchikan, 1 day/month Juneau, 2 days/month Fbks, 2 days/biweekly Anch

FOR FURTHER INFORMATION CONTACT: Mr. Paul B. Arnoldt, Director, Division of Workers' Compensation, DOL, P.O. Box 25512 M/S 0700, Juneau, AK, 99802 5512, Phone: 907 465 2790, Fax: 907 465 2797



Alaska State Legislature
House of Representatives
Office of the Chief Clerk

Official Business

State Capitol, Rm 214
Juneau, AK 99801-1182
(907) 465-3725

MEMORANDUM

Date: February 2, 1996
TO: Representative Kott
FROM: Suzi Lowell *sl*
Chief Clerk
SUBJECT: Governor's Appointments

Speaker Phillips referred the following Governor's appointments to the Labor and Commerce Committee:

State Board of Registration for Architects, Engineers, and Land Surveyors

Ernie Siemoneit-Healy

Appointed: 01/30/96 Expires: 07/01/99

Alaska Workers' Compensation Board

Dorothy Bradshaw-Fairbanks

Appointed: 01/30/96 Expires: 07/01/98

Philip E. Ulmer-Eagle River

Appointed: 01/30/96 Expires: 07/01/98

Attached are their resumes and committee reports for your use.

Attachments as noted.

**COMPREHENSIVE BIOGRAPHY
PHILIP E. ULMER, P.E.**

NAME: Phillip E. Ulmer, P.E.

CURRENT ADDRESS: 17710 Niitonya Circle
Eagle River, Alaska 99577

HOME PHONE: 907-694-5730
BUSINESS PHONE: 907-696-5730

DATE AND PLACE OF BIRTH: 6/20/50, Fort Worth, Texas

EDUCATION: Bachelor of Science, Aerospace Engineering (1973)
University of Texas at Arlington

PROFESSIONAL DESIGNATION: Registered Professional Engineer
(Texas #43982, Industrial Engineering-Safety Engineering Specialty)

PROFESSIONAL HONORS: Finalist, Engineer of the Year, 1994, AK Society of Prof. Engineers
Safety Engineer of the Year, 1985, Alaska Chapter, A.S.S.E.
Finalist, Engineer of the Year, 1985, AK Society of Prof. Engineers
Recipient of Charles V. Culbertson Award for Outstanding Volunteer
Service, 1985, American Society of Safety Engineers

EXPERIENCE, ENGINEERING PROJECTS, EMPLOYERS, TITLES/POSITIONS HELD:

NORTHWEST SAFETY MANAGEMENT, INC. - CURRENT

January, 1993-Present President and Founder, Northwest Safety Management, Inc.,
Eagle River, Alaska

Phil Ulmer founded Northwest Safety Management, incorporated under the laws of the State of Alaska, to provide management resources to employers in the broad area of occupational safety and health risk management. The primary thrust of the services provided includes safety management organizational design, where the organizational structure, policies, and procedures of a client are studied to determine the most efficient means to achieve acceptable levels of risk to people, property, and the environment.

ARCO ALASKA, INC. - 1983-1992

June, 1991 - December, 1992 Health and Safety Advisor for ARCO Alaska, Inc., Anchorage

This newly created position was designed to focus Mr. Ulmer's activities on halon issues and federal/state government affairs involving occupational safety and health protection. In this position, Mr. Ulmer traveled to Juneau, Alaska, and Washington, D.C. to discuss legislative and regulatory strategy with various lobbying organizations and congressional offices and the White House. During this period, he was the first Alaskan ever elected to the national presidency within the American Society of Safety Engineers.

Mr. Ulmer developed and presented technical papers regarding the effectiveness of halon in the protection of people and property at Alaska's North Slope oil production facilities. He represented ARCO on a corporate wide basis on this issue and was the principle resource for company management and engineering personnel on the issues involving potential halon phaseout under the terms of the international treaty called the Montreal Protocol. He was required to interrelate with engineering personnel at research laboratories on interpretation of analytical data developed for alternative explosion protection systems to replace existing halon technology.

1986-May, 1991 Health and Safety Manager, ARCO Alaska, Inc.

Staff management duties included a direct focus on occupational health and industrial hygiene. Mr. Ulmer had the responsibility of recruiting professional employees for safety engineering and industrial hygiene positions. He had the primary responsibility of directing professional staff responsibilities for addressing occupational safety and health design problems associated with advancing oil and gas production technology and interrelating with the design engineers.

1985 Safety and Environmental Director, ARCO Alaska, Inc.

Mr. Ulmer was given the additional responsibility of environmental protection oversight for field operations and coordinating the utilization of staff environmental professionals to assist in developing practical solutions to ongoing North Slope and offshore Cook Inlet environmental issues. The additional responsibilities focused for one year on negotiations with the State of Alaska on third party liability for waste management on the North Slope of Alaska. This included forming and chairing an industry/government task group on oil industry waste management concerns and solutions for the North Slope of Alaska.

1983 - 1984 Director of Safety and Loss Prevention, ARCO Alaska

Responsible for consulting with senior management on safety administration and programmatic matters. Interface and advise major engineering project groups on safety engineering design matters with new and modified Alaskan oil production facilities. Developed and produced supervisor's safety management courses; developed safety engineering design standards. Supervised and managed staff of safety engineers.

POSITIONS HELD WITH ARCO OIL AND GAS CO. - 1980-1983

1980 - 1983 Sr. Safety Advisor, ARCO Oil and Gas Company, Dallas, Texas.

Developed safety and loss prevention study course for AOGC safety personnel. Given responsibility to coordinate safety design recommendations for major project engineering groups such as Sheep Mountain Unit Carbon Dioxide Recovery Project.

Coordinated prototype development of non-dispersive infrared CO2 ambient monitors for personnel safety at ARCO CO2 project facilities - prototype is now deemed the operational standard. Staff liaison for four operating districts. Initiated efforts to begin state-of-the-art safety management by objective administrative programs in four production districts. As a result, one district implemented full scale, while two others modified their current programs. Active in overall safety department staff planning and budgeting.

POSITIONS HELD WITH EMPLOYERS INSURANCE OF TEXAS, SAFETY ENGINEERING CONSULTING GROUP:

1976 - 1980 Project Engineer - Dallas, Texas.
1976 District Engineer - Port Arthur, Texas.
1973 - 1976 Field Engineer - Tyler, Texas.

Upon graduation from college, Mr. Ulmer began his safety engineering career with the largest engineering consulting group in the State of Texas that was associated with a major casualty insurance group. His positions started at entry level and was the youngest engineer ever promoted to the home office staff up to that point in time. His duties included providing engineering and loss control design and consultation work for major oil industry and petrochemical clients in East Texas and the Gulf Coast.

He became instructor for the company's engineering schools on subjects of systems safety engineering and techniques of safety management and developed career paths for safety

engineers who were attempting to achieve professional engineering registration.

PUBLICATIONS, PAPERS, ARTICLES AND PROFESSIONAL PRESENTATIONS

Effective Safety Management Techniques for Today's Businesses (1993) - published/presented to the attendees of the Alaska Timber and Logging Safety Conference, Ketchikan, Alaska

This paper demonstrated that safety management techniques typical for businesses in the period of 1900-1960's typically will not be effective for the businesses of the late twentieth century, and into the early twenty first century.

The Basic Seminar in Resource Risk Recognition (1993) - material published and presented to several Alaskan clients of Northwest Safety Management, Inc.

This seminar, developed by Phil Ulmer in the late 1970's, completed it's 300th presentation in February of 1995. This seminar has been attended by over 1500 persons in Alaska alone and over 4000 persons in the entire United States. This unique one day seminar provides a technique for employers and employees to use to evaluate whether day-to-day risk is acceptable to people, property and the environment.

Halon 1301 Utilization for Personnel Safety on Alaska's North Slope (1991) - presented to the attendees of the National Symposium on Halons, New Mexico Engineering Research Institute, Albuquerque, NM and to the attendees to the Exploration and & Production Forum Halons Workshop, London, UK

This paper discussed the dependency of Alaska North Slope oil producers on Halon 1301 for primary personnel protection for explosion protection. The purpose of the presentation was to convey the need to maintain halon availability in the United States until a technically viable alternative is developed. Halons are on the list of chemicals designated for phaseout in the Montreal Protocol.

Interviewed and quotes excerpted for article, "When You Should Hire a Safety Consultant" (1993) - published in Safety and Health Magazine (readership of 80,000+ nationwide) and written by Elaine Johnson.

This article presented Phil Ulmer's views on issues involving the retention of safety consultants by companies who are impacted by economic downsizing.

Article, "New Ways to Reduce Workplace Injuries" (1992), published in Boardroom Reports (8/1/92), readership 100,000+.

This article was printed in a widely read periodical focused on effective business management. The subject matter centered on utilizing modern business management principles to reduce risk in the workplace.

Articles printed in Professional Safety magazine, official profession journal of the American Society of Safety Engineers, with readership of 30,000+:

- "Accepting Accountability" (July, 1992)
- "Growing Pains" (August, 1992)
- "Folks in the Ivory Tower" (September, 1992)
- "Who Are You Trying To Fool?" (October, 1992)
- "A Season of Reflection" (November, 1992)
- "Are We Really Ready?" (December, 1992)
- "Do They Hear Us?" (January, 1993)
- "On The Matter of Government Affairs" (February, 1993)
- "What Is Our Foundation?" (March, 1993)
- "Restructuring Our Society" (April, 1993)
- "Licensing, Certification . . . Controversy!" (May, 1993)

"I Came, I Saw . . . I Was Impressed!" (June, 1993)

As the President of the American Society of Safety Engineers, Phil Ulmer wrote a monthly article for the society's professional journal Intended to stimulate thinking among the profession. These articles focused on professional image, issues and technology and strived to promote the advancement of the safety profession in the United States and abroad.

Interviewed and quotes excerpted for article, "Companies Seek Safety Degrees" (1993) - published in Safety and Health Magazine (4/93 with a readership of 80,000+ nationwide) and written by Shane Tritsch.

This article presented Phil Ulmer's views on issues involving the hiring of safety professionals who possess proper undergraduate and graduate education credentials from accredited colleges and universities.

The Safety Engineers' Role in Facility Planning and Design (1985), presented in San Diego and published in the Proceedings of the 1985 Professional Development Conference of the American Society of Safety Engineers

This paper gave the author's explanation of the proper relationship of safety engineering and the other classical engineering disciplines within a facility design team.

Co-authored the rewrite of the Occupational Safety and Health Chapter of the book, Refresher Guide for the Certified Safety Professional Examination (1985), published by the American Society of Safety Engineers

This publication is the major resource for self study by safety professionals for the Certified Safety Professional examination.

The Use of Criticality Indices for Risk Management (1978), paper presented to the attendees to the American Society of Safety Engineers' Southwest Chapter's one day seminar on Systems Safety Engineering

This paper detailed the application of a mathematical term called the criticality index to effect proper risk management decisions with respect to cost effectiveness of engineering solutions to safety design problems in the workplace.

A Systems Engineering Approach to Drilling Rig Safety Surveys (1978), published in Engineering Journal of the Engineering Department of Texas Employees' Insurance Association

This paper explains the direct application of systems engineering techniques for developing survey priorities when evaluating occupational risk exposure on domestic, land-based drilling rigs.

Automatic Doors - Specific Engineering Problem (1975), published in Engineering Journal of the Engineering Department of Texas Employees' Insurance Association

This article details an analysis of safety-related engineering problems associated with the contemporary design of automatic doors typically used for general public access to retail stores and businesses.

PROFESSIONAL SOCIETIES:

American Society of Safety Engineers (Approximately 30,000 members nationally)

Professional Member (Elected to membership 1975)

Member National Board of Directors (Since 1987), serving as:

Society National President and Chairman of the Board (FY1993)

Society Past President/Chairman of National Assembly (FY1994)

Society President Elect (FY1992)

Society First Vice President (FY1991)

Society Vice President for Finance (FY1990)
 Society Vice President for Conferences (FY1988, FY1989)
 National Engineering Division Administrator (FY1986)
 National Standing Committee Positions Held:
 Long Range Planning (FY1986-1994)
 Finance (FY1990)
 Nominations and Elections (FY 1992-1994)
 Governmental Affairs (FY 1992)
 National Professional Development Conference Planning (FY1983, 1988-1989)
 Bylaws (FY1994)
 Intersociety Relations (FY1993)
 Leadership Conference Planning (FY1991)
 Regional Committee Positions Held:
 Region 3 (TX) Professional Conference/Program Chairman (FY1982-1983)
 Region 13 (AK, WA, ID, OR, HA) - Regional Operating Committee (FY1984-1987)
 Alaska Chapter President (FY1987)
 Chapter leadership positions held in Dallas, Port Arthur, and Tyler, Texas (FY1975-1983)

TRADE ASSOCIATIONS

1993	Member, Board of Directors, Workers Compensation Committee of Alaska
1991-1992	Chairman - Safety/Fire Protection Committee, Alaska Oil and Gas Association
1990	Member, Halon Task Group, E&P Forum, London, England, U. K.
1985	Chairman of the Ad Hoc Industry/Government Task Group for North Slope Hazardous Waste Management
1984-1987	Chairman - Health/Safety Committee, Alaska Oil and Gas Association

COMMUNITY SERVICE ACTIVITIES

1983, 1988-1991 Speaker/Moderator for the 1983, 1988, 1989, and 1991 Governor's Safety and Health Conference - Anchorage, Alaska
 1985-1992 Appointed by Alaska's Governor to the Alaska Safety Advisory Council
 Member of First Baptist Church of Eagle River, Alaska, positions held:

- Board of Deacons
- Music Director
- Chairman of Finance Committee
- Member of Pastor Search Committee
- Member of Minister of Music/Youth Search Committee
- Church pianist

Member, Properties Committee, Chugach Baptist Association, Anchorage

CONTINUING EDUCATION (PARTIAL LISTING)

1995	A.S.S.E. National Professional Development Conference, Orlando, Florida
1994	A.S.S.E. National Professional Development Conference, Las Vegas, Nevada
1993	A.S.S.E. National Professional Development Conference, Dallas, Texas
1992	A.S.S.E. National Professional Development Conference, Minneapolis, MN
1991	A.S.S.E. National Professional Development Conference, Denver, Colorado
1990	A.S.S.E. National Professional Development Conference, Washington, D. C.
1989	A.S.S.E. National Professional Development Conference, Detroit, Michigan
1988	A.S.S.E. National Professional Development Conference, Las Vegas, Nevada
1987	A.S.S.E. National Professional Development Conference, Baltimore, Maryland
1985	A.S.S.E. National Professional Development Conference, San Diego, CA
1984	A.S.S.E. National Professional Development Conference, Boston, MA
1983	A.S.S.E. National Professional Development Conference, Orlando, Florida
1981	A.S.S.E. National Professional Development Conference, Salt Lake City, Utah
1980-83	A.S.S.E. Region III Professional Development Conference, College Station, Texas
1976	Product Liability - Engineering Controls for Product Safety, Dallas, Texas
1975	A.S.S.E. Region III Systems Safety Conference, College Station, Texas



Alaska State Legislature

Official Business

State Capitol
Juneau, AK 99801-1182

Date: _____

The Honorable Gail Phillips
Speaker of the House
State Capitol
Juneau, AK 99801

Dear Madam Speaker:

In accordance with AS 39.05.080, the Labor and Commerce Committee has reviewed the qualifications of the following and recommends that the appointment be forwarded to a joint session for consideration:

Alaska Workers' Compensation Board
Philip E. Ulmer-Eagle River

This does not reflect an intent by any of the members to vote for or against this individual during any further sessions for the purposes of confirmation.

Representative Kott, Chair

Representative Rokeberg

Representative Porter

Representative Sanders

Representative Masek

Representative Elton

Representative Kubina

P R I V .

V O C .

S C H O O L S

**THE FOLLOWING DOCUMENT
HAS NOT BEEN FILMED
BUT IS AVAILABLE IN THE
ORIGINAL FILE**

3 page document on Private Vocational Schools and Student Loans
p.1 - Number of Loans (by %s) to Alaska Students
p.2 - Actual dollars to Alaska Students
p.3 - ASLP Default %'s Representing Dollars

Attending...
Vocational
Schools

Attending...
All Others

- **Whereas** private vocational education is an integral part of the State's education system.
- **Whereas** Alaskan private vocational education schools account for 21.96%; Alaska state funded schools, Universities, and Colleges account for 54.42%; and out of state schools, Universities and Colleges account for 23.62% of the total Alaska Student Loan Program loan dollars in default.
- **Whereas** the statutory authority for promulgating 20 AAC 15.925, Program and Institutional Default Rates, was enacted by the Legislature in 1987.
- **Whereas** the Alaska Commission on Postsecondary Education did not promulgate 20 AAC 15.925, Program and Institutional Default Rates, until November 1995, eight years after the Legislature authorized the regulation.
- **Whereas** 20 AAC 15.925, Program and Institutional Default Rates, applies only to private vocational education schools.
- **Whereas** the Commission on Postsecondary Education has no authority to conduct credit checks of any kind on potential borrowers.
- **Whereas** the Alaska Student Loan Program has changed dramatically from 1987 to 1995.
- **Whereas** 20 AAC 15.925, Program and Institutional Default Rates, does not take into account new owners of private vocational education schools' who have a substantially lower default rate than the schools previous owners. The regulation takes the average default rate of the school over the life of the school.
- **Whereas** 20 AAC 15.925, Program and Institutional Default Rates, does not give private vocational education schools a grace period to bring down their default rates. The regulation immediately stops any school whose default rate is 1.5 times the average default rate from participating in the Alaska Student Loan Program.
- **Whereas** 20 AAC 15.925, Program and Institutional Default Rates does not provide a mechanism for private vocational education schools to reenter the Alaska Student Loan Program once such schools have been stopped from participating in the program.
- **Whereas** the Executive Director of Commission of Postsecondary Education has stated in writing that the reason the regulation was promulgated was direction from the Legislature last session. In testimony before the House Labor and Commerce Committee, the Executive Director's assistant said the direction from the Legislature for promulgating this regulation came from a letter of intent attached to legislation which did not pass the Legislature.

- **Whereas** the Commission on Postsecondary Education has had no systematic default management program.
- **Whereas** solving the default rate problem of the Alaska Student Loan Program will require examinations of all the loans of the program and not just those loans made to vocational education students.
- **Whereas** 20 AAC 15.925, Program and Institutional Default Rates, is unfair to the private vocational education students in the State.
- **Whereas** ameliorating the Alaska Student Loan Program default rate would be assisted by soliciting and utilizing the knowledge and expertise of those who are actively involved in Alaska's private vocational school industry.
- **Whereas** the private vocational education schools have expressed willingness to cooperate fully with the Commission to lower default rates.
- **Whereas** immediate implementation of 20 AAC 15.925 will cause irrevocable harm to private vocational education in Alaska, which result is not in the best interests of the students, the schools, or the State.

Therefore, be it resolved that the Legislature requests the Governor of the State of Alaska to direct the Commission on Postsecondary Education to take action to rescind its action on implementing 20 AAC 15.925, Program and Institutional Default Rates. Further, be it resolved that the Governor direct the Commissioner of Postsecondary Education to work and consult with all affected parties to effect a satisfactory resolution of all issues arising out of student loan default rates.



Official Business

COMMITTEE:

HOUSE LABOR AND COMMERCE

DATE: January 17, 1996

SIGN-IN

Subject of meeting:

~~WORK SESSION:~~ STATUS OF ALASKA'S PRIVATE TRADE AND TECHNICAL SCHOOLS

PLEASE PRINT!

NAME ADDRESS (MAILING) & (ZIP) PHONE REPRESENTING DO YOU WANT TO TESTIFY?

Jennifer Dertz	19 Career Academy 1415 E TUDOR RD ANCHORAGE AK 99501	563-7575	Private Career Schools & Career Academy	IF ASKED
John Melvin	9701 S/Hom Dr Anch AK 99516	(907) 3468222	San Anthony Inc	NO
Dennis Millhouse	407 E. NO. 14th St ANCH. AK. 99503	274-7150	Trend Setters	
Murtha Johnson	Room 503 Capitol Bldg.	465-4942	Rep. Ivan	NO
DONALD M. LOCKMAN	TESTING INSTITUTE OF ALASKA INC 2114 RAILROAD AVE ANCHORAGE AK. 99501	276-3440	TESTING INSTITUTE OF ALASKA, INC.	NO
Gillian R. Hays	ACPE MS 0505	465-6718	ACPE	for questions
CAROL HART			ELITE Hospitality Center	

WORK.

COMP.

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE
ALASKA WORKER'S COMPENSATION BOARD

Notice is hereby given that the Department of Labor, Workers' Compensation Division, under the authority of AS 23.30.005(h), proposes to adopt, amend and repeal regulations in Title 8 of the Alaska Administrative Code, dealing with workers' compensation, to implement, interpret, and make specific the Alaska Workers' Compensation Act, AS 23.30.005 - AS 23.30.270, as follows:

(1) to clarify and change the procedures to file documents and evidence.

(2) to clarify and change the procedures for establishing case files, filing claims, and filing petitions.

(3) to clarify procedures for requesting prehearings and hearings, to clarify the procedures at prehearings and hearings, to clarify and change the procedures regarding evidence, and to establish procedures to review prehearing determinations.

(4) to clarify the procedures for designating an attending physician or an employer's choice of physician, changing physicians, second independent medical evaluations, and for paying medical bills.

(5) to clarify procedures regarding inspection of a case file.

(6) to change the edition of the AMA "Guides to the Evaluation of Permanent Impairment" to be used to rate permanent impairments.

(7) to require filing the annual report on computer media in certain instances.

(8) to clarify the procedures on agreed settlements.

(9) to clarify the procedures regarding executive officer waivers.

(10) to clarify the procedures regarding qualifying for the Second Injury Fund.

(11) to establish procedures regarding third party claims.

(12) to add definitions for "overtime or premium pay," and "cleaning persons."

(13) to clarify existing regulations or add new sections relating to rehabilitation specialists, reemployment benefits, reemployment determinations, and reemployment definitions.

(14) to clarify existing regulations regarding self-insurance.

The proposed changes establish or clarify the Alaska Workers' Compensation Board procedures, establish statutory interpretative guidelines, and define parties' obligations.

Notice is also given that any person interested may present written comments relevant to the proposed action, including

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Department of Labor
2. General subject of regulations: Establish or clarify procedures of the Alaska Workers' Compensation Board and the Workers' Compensation Division.
3. Citations of regulations: 8 AAC 45.020 - 8 AAC 45.900; 8 AAC 46.020, 8 AAC 46.040, 8 AAC 46.080, 8 AAC 46.900.
4. Reason for the proposed action:
 - Implement changed and new state statutes;
 - Comply with court orders;
 - Develop program standards; and
 - Establish or clarify existing regulations
5. Program category and BRU affected:
 - Health & Safety
 - Workers' Compensation,
 - Component #344
6. There is no expected cost to the state agency to implement the proposed regulations.
7. The contact person for the regulations is:

William Walters
Hearing Officer
Workers' Compensation Division
P.O. Box 107019
Anchorage, Alaska 99510-7019
(907)269-4980
8. The origin of the proposed action:
Staff of state agencies and general public

Date: April 8, 1996

Prepared by: /s/ Rebecca Ostrom

Rebecca Ostrom
Workers' Compensation Hearing Officer
907 269-4980

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education
State of Alaska

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE
ALASKA WORKER'S COMPENSATION BOARD

Notice is hereby given that the Department of Labor, Workers' Compensation Division, under the authority of AS 23.30.005(h), proposes to adopt, amend and repeal regulations in Title 8 of the Alaska Administrative Code, dealing with workers' compensation, to implement, interpret, and make specific the Alaska Workers' Compensation Act, AS 23.30.005 - AS 23.30.270, as follows:

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(14) to clarify existing regulations regarding self-insurance.

The proposed changes establish or clarify the Alaska Workers' Compensation Board procedures, establish statutory interpretative guidelines, and define parties' obligations.

Notice is also given that any person interested may present written comments relevant to the proposed action, including

potential costs to private persons of complying with the proposed action, by writing to William Walters, Workers' Compensation Division, P.O. Box 107019, Anchorage, Alaska 99510-7019, so that the comments are received no later than June 14, 1996.

Additionally, any interested person may present oral statements or arguments relevant to the action proposed, including the potential costs to private persons of complying with the proposed action, at the following public hearings:

Conference Room H4
675 Seventh Avenue
Fairbanks, Alaska
June 10, 1996 from 10 a.m. to noon and 1 p.m. to 3:00 p.m.

Conference Room 303
3301 Eagle Street
Anchorage, Alaska
June 11 and 12, 1996 from 1:30 p.m. to 4:30 p.m.

Third Floor Conference Room, Room 303
1111 West Eighth Street
Juneau, Alaska
June 13, 1996 from 10 a.m. to noon and 1 p.m. to 3:00 p.m.

If you are a person with a disability who may need a special accommodation in order to participate in the process on the proposed regulations, please contact Susan Oldacres at 907-465-6046 no later than May 30, 1996 to assure that any necessary accommodations can be provided.

This action is not expected to require an increased appropriation.

A copy of the proposed regulations may be obtained by writing to Susan Oldacres, Workers' Compensation Division, P.O. Box 25512, Juneau, Alaska 999802-5512.

After the close of the public comment period and approval by the Alaska Workers' Compensation Board during a public meeting, the Department of Labor will either adopt these or other proposals dealing with the same subject, or decide to take no action on them. The language of the final regulations may vary from that of the proposed regulations. You should comment during the time allowed if your interest could be affected; you will not be allowed to comment at the public meeting when the Alaska Workers' Compensation Board considers the proposed regulations.

Date: April 8, 1996

/s/ Paul Grossi
Paul Grossi, Director
Workers' Compensation Division

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Department of Labor
2. General subject of regulations: Establish or clarify procedures of the Alaska Workers' Compensation Board and the Workers' Compensation Division.
3. Citations of regulations: 8 AAC 45.020 - 8 AAC 45.900; 8 AAC 46.020, 8 AAC 46.040, 8 AAC 46.080, 8 AAC 46.900.
4. Reason for the proposed action:
Implement changed and new state statutes;
Comply with court orders;
Develop program standards; and
Establish or clarify existing regulations
5. Program category and BRU affected:
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Workers' Compensation,
Component #344
6. There is no expected cost to the state agency to implement the proposed regulations.
7. The contact person for the regulations is:

William Walters
Hearing Officer
Workers' Compensation Division
P.O. Box 107019
Anchorage, Alaska 99510-7019
(907)269-4980
8. The origin of the proposed action:
Staff of state agencies and general public

Date: April 8, 1996

Prepared by: /s/ Rebecca Ostrom

Rebecca Ostrom
Workers' Compensation Hearing Officer
907 269-4980

DEPARTMENT OF LABOR PROPOSED REGULATIONS FOR
THE ALASKA WORKERS' COMPENSATION BOARD

[In these proposed amendments to the current regulations, underlining shows words being added. Words typed in capital letters and enclosed in brackets are being deleted from the current regulations. The lead in lines themselves explain other proposed changes to the regulations.]

*Section 1. 8 AAC 45.020(a) and (c) are amended to read:

(a) The division [WILL TRANSACT BUSINESS AT ITS] offices in Juneau, Anchorage and Fairbanks will be open for business during the hours prescribed by law.

(c) Papers, [AND] documents, and evidence may be [WILL BE] filed either by

(1) delivering them to a [THE] division office or the board at a [ANY OPEN] hearing; [AS OF THE DATE OF RECEIPT] or

(2) by mailing them to a division office. The date of mailing, as shown by the postmark or other proof from the post office, will be deemed to be the date of filing. A postmark date from a privately owned postage meter will not suffice as proof of the date of mailing, and papers postmarked in this manner will be deemed filed on the date of receipt by the division. (In effect before 7/28/59; am 5/28/83, Register 86; am / / , Register).

Authority: AS 23.30.005

*Sec. 2. 8 AAC 45. is amended by adding a new section to read:

8 AAC 45.032. Upon receiving written notice of an injury, the division will

(1) set up a computer record of the employee's injury with a computer case number;

(2) set up a case file, using the computer case number;

(3) write to the employee or beneficiary, the employer, and the insurer and tell them the case number;

(4) put the written notice of the injury in the case file together with documents or anything relating to the employee's injury which is filed with the division or board; and

(5) use the computer case number as the claim number if a claim is filed. (Eff. / / , Register).

Authority: AS 23.30.005 AS 23.30.070 AS 23.30.100

*Sec. 3. 8 AAC 45.040(a), (b), and (e) are amended to read:

(a) Except for a dead employee's dependent [IN CASES ARISING FROM AN EMPLOYEE'S DEATH] or a rehabilitation specialist

appointed by the administrator or chosen by an employee in accordance with AS 23.30.041, a person [AN APPLICANT] other than the employee filing a claim [INITIATING A PROCEEDING] shall join the injured employee as a party. [THE APPLICATION MUST INCLUDE THE EMPLOYEE'S ADDRESS, IF KNOWN.]

(b) Except for a rehabilitation specialist appointed by the administrator or chosen by the employee in accordance with AS 23.30.041, a person who files a claim [AN APPLICANT] must first prove a compensable injury to be eligible to get benefits [AS A CONDITION PRECEDENT TO OBTAINING THE RELIEF SOUGHT], or the opposing party must stipulate to or admit facts from which the board can find the employee's injury is compensable [PRESENT ADEQUATE STIPULATIONS FROM THE ADVERSE PARTIES ADMITTING NECESSARY FACTS].

(e) In a death case[S], all persons, except minor children, who may be dependents or beneficiaries of the deceased employee, should either join or be joined as parties so [THAT] the entire liability of the employer or carrier to the dependents or beneficiaries is determined in one proceeding. A minor child's claim [CLAIMS IN BEHALF OF MINOR CHILDREN] must be filed by [made in the name of] the surviving parent or other authorized representative. (In effect before 7/28/59; am 5/28/83, Register 86; am / / , Register).

Authority: AS 23.30.005(h) AS 23.30.010 AS 23.30.110(b)
AS 23.30.135 AS 23.30.140 AS 23.30.225

*Sec. 4. 8 AAC 45.040(f) is repealed and readopted to read:

(f) Proceedings to join a person are begun by

(1) a party filing with the board a petition to join the person and serving a copy of petition, in accordance with 8 AAC 45.060, on the person to be joined and the other parties; or

(2) the board or designee serving a notice to join on all parties and the person to be joined. (In effect before 7/28/59; am 5/28/83, Register 86; am / / , Register).

Authority: AS 23.30.005(h) AS 23.30.010 AS 23.30.110

*Sec. 5. 8 AAC 45.040 is amended by adding new subsections (g) through (k) to read:

(g) A petition or a notice to join must state the person will be joined as a party unless, within 20 days after service of the petition or notice, the person or a party files an objection with the board and serves the objection on all parties. If the petition or notice to join does not conform to this section, the person will not be joined.

(h) If the person to be joined or a party

(1) objects to the joinder, an objection must be filed with the board and served on the parties and the person to be

joined within 20 days after service of the petition or notice to join; or

(2) fails to timely object in accordance with this subsection, the right to object to the joinder is waived, and the person is joined without further Board action.

(i) If a claim has not been filed against the person served with a petition or notice to join, the person may object to being joined based on a defense which would bar the employee's claim, if filed.

(j) In determining whether to join a person, the board or designee will consider whether

(1) a timely objection was filed in accordance with subsection (h);

(2) the person's presence is necessary for complete relief and due process among the parties;

(3) the person's absence may affect the person's ability to protect an interest, or subject a party to a substantial risk of incurring inconsistent obligations; and

(4) a claim was filed against the person by the employee. If the employee has not filed a claim, the board or designee will consider whether a defense to a claim, if filed by the employee, would bar the claim.

(k) If claims are joined together, the board or designee will notify the parties which case number is the master case number. After claims have been joined together,

(1) a pleading or documentary evidence filed by a party must list the master case number first and then all the other case numbers;

(2) a compensation report, controversion notice, or a notice under AS 23.30.205 must list only the case number assigned to the particular injury with the employer filing the report or notice;

(3) documentary evidence filed for one of the joined cases will be filed in the master case. The evidence is part of the record in each of the joined cases; and

(4) the board's original decision and order will be filed in the master case file, and a copy of the decision and order will be filed in each of the joined case files.

(l) After the board hears the joined cases and if appropriate, the division will separate the case files and will notify the parties. If the joined case files are separated, a pleading or documentary evidence filed thereafter by a party must list only the case number assigned to the particular injury with the employer filing the pleading or documentary evidence. (In effect before 7/28/59; am 5/28/83, Register 86; am / / , Register).

Authority: AS 23.30.005(h) AS 23.30.010 AS 23.30.110

*Sec. 6. 8 AAC 45.050(a), (b)(1) through (6) are amended to read:

(a) A party may start a proceeding [PROCEEDINGS] before the board [ARE COMMENCED] by filing a written claim [APPLICATION] or petition.

(b) Claims [APPLICATIONS] and petitions.

(1) A claim [AN APPLICATION] is a written request for benefits including, but not limited to, compensation, attorney's fees, costs, interest, reemployment or rehabilitation benefits, rehabilitation specialist or provider fees, or medical benefits under the Act, which is complete in accordance with subsection (b)(4). The board has a form which may be used to file a claim. In this chapter, an application is a written claim.

(2) A [ALL] request[S] for action by the board other than by a claim [APPLICATIONS OR ANSWERS] must be by a petition which is complete in accordance with subsection (b)(4). The board has a form which may be used to file a petition.

(3) Parties must be designated in accordance with 8 AAC 45.170.

(4) The claim [APPLICATION] or petition must

(A) state the names and addresses of all parties [IT MUST STATE], the date of injury, and the general nature of the dispute [CONTROVERSY TOGETHER WITH ALL MATERIAL FACTS] between the parties; and

(B) be signed by the applicant, petitioner, or a representative.

(5) A separate claim [APPLICATION] must be filed for each injury for which benefits are claimed, whether or not the employer is the same in each case. [UPON PETITION OF ANY PARTY OR UPON MOTION OF THE BOARD, TWO OR MORE CLAIMS MAY BE CONSOLIDATED IN ACCORDANCE WITH 8 AAC 45.070(E).]

(A) If a single incident injures two or more employees, whether or not the employers are the same, or if similar incidents with a single employer injures two or more employees of that employer, two or more cases [CLAIMS] may be consolidated [IN ACCORDANCE WITH 8 AAC 45.070(E)] for the purpose of taking evidence. A party may petition for consolidation and ask in writing for a prehearing, or a designee may raise the issue at a prehearing. To consolidate cases, at the prehearing the designee must

(1) determine the injuries or issues in the cases are similar or closely related;

(2) determine that hearing both cases together would provide a speedier remedy; and

(3) state on the prehearing summary that the cases are consolidated, and state which case number is the master case number.

(B) After cases have been consolidated,

(1) a pleading or documentary evidence filed by a party must list the master case number first and then all the other consolidated case numbers;

(2) a compensation report, controversy notice, or a notice under AS 23.30.205 must list only

the case number assigned to the particular injury with the employer filing the report or notice;

(3) documentary evidence filed for one of the consolidated cases will be filed in the master case file. The evidence is part of the record in each of the consolidated cases; and

(3) the board's original decision and order will be filed in the master case file, and a copy of the decision and order will be filed in each of the consolidated case files.

(C) After the board hears the consolidated cases and if appropriate, the division will separate the case files and will notify the parties. If the consolidated case files are separated, a pleading or documentary evidence filed thereafter by a party must list only the case number assigned to the particular injury with the employer filing the pleading or documentary evidence.

(6) A petition[S] alleging that disability or impairment has ended [TERMINATED] or become permanent must [CONTAIN]

(A) state the dates for which compensation was paid;

(B) state the amount of compensation paid the employee;

(C) state the date on which the petitioner claims the disability or impairment ended [TERMINATED] or became permanent; and

(D) be accompanied by a completed medical summary on form 07-6103. (In effect before 7/28/59; am 5/28/83, Register 86; am 12/14/86, Register 100; am 3/16/90, Register 113; am / / , Register).

Authority: AS 23.30.005(h) AS 23.30.110 AS 23.30.135

*Sec. 7. 8 AAC 45.050(c)(1)-(5) are repealed and readopted to read:

(1) An answer to a claim for benefits must be filed within 20 days after the date of service of the claim and must be served upon all parties. No default will be entered for failure to answer, but, unless an answer is timely filed, statements made in the claim will be deemed admitted. The failure of a party to deny a fact alleged in a claim does not preclude the board from requiring proof of the fact.

(2) An answer to a petition must be filed within 20 days after the date of service of the petition and must be served upon all parties.

(3) An answer must be simple in form and language. An answer must state briefly and clearly the admitted claims and the disputed claims so that a lay person knows what proof will be required at the hearing and, when applicable,