

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

8882 SENATE HEALTH EDUCATION & SOCIAL SERVICES

AMENDMENT

#13

Senator Green

OFFERED IN THE SENATE

TO: CSHB 465 (HES) am

1 Page 6, Line 25 after (2)

2 Delete "there has been a significant, demonstrated reduction in per-
3 pupil expenditures due to a decrease in revenue from one year to the next."

4 Insert "the basic need of a school district determined under AS
5 14.17.021(b) and adjusted under AS 14.17.225(b) decreases by three percent or
6 more from the previous year."

Y/N
E/L
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AMENDMENT

#14

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OFFERED IN SENATE HESS

SENATOR SALO

TO: CSHB 465(HES) am

Page 4, line 12

Delete: "(1)."

Insert:

"however, a school district may not non retain a tenured teacher unless the school district has fully complied with the requirements of this section and unless the district demonstrates beyond a reasonable doubt that the teacher's performance does not meet the performance objectives identified in the performance expectations in the plan of improvement."

Page 6, line 3 through line 12

Delete all material

Insert:

"(1) Incompetency, which is defined as the inability or the unintentional or intentional failure to perform the teacher's customary teaching duties in a satisfactory manner;"

Page 6, line 20 through page 8, line 4

Delete all material

Insert new section to read:

"Sec. 10. AS 14.20.177. LAYOFF STATUS. (a) A school district may place on layoff status a teacher who has acquired continuing employment status if

(1) it is necessary for the district to reduce the number of teachers because of a decrease in school attendance or because the school board has determined that a financial emergency exists which means the basic need of a school district determined under AS 14.17.021(b) and adjusted under AS 14.17.225(b) decreases by three percent or more from the previous year; and

(2) except as provided in (b) of this section, the district has first given notice of nonretention to all probationary teachers.

(b) A school district may retain a probationary teacher and place on layoff status a continuing employment status teacher only if there is no qualified continuing employment status teacher to replace the probationary teacher.

Y/N
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E/G
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1 (c) A school district must have a reduction-in-force plan. The plan must be
2 consistent with this section and must include procedures for layoff and recall and for
3 determining who is a qualified teacher for purposes of layoff and recall. If the
4 reduction-in-force plan required by this section is provided for entirely or partially in a
5 district's collective bargaining agreement, the district shall inform the department of
6 that fact and the terms of the agreement constitute the relevant portion of the district's
7 plan. If the negotiated plan does not contain all of the procedures required by this
8 section, or if there is no negotiated reduction-in-force plan, the school board shall
9 adopt a plan, or the necessary portion of the plan, that meets the requirements of this
10 section and shall file the plan or portion of the plan and any subsequent revisions with
11 the department. Nothing in this section prohibits a school district from negotiating or
12 adopting a reduction-in-force plan that contains terms in addition to those required by
13 this subsection.

14 (d) A teacher on layoff status is not entitled to reemployment under AS
15 14.20.145, does not accrue leave, and, except as provided for in the district's
16 reduction-in-force plan, is not entitled to continuation of other employee benefits.
17 However, layoff status does not constitute termination or an interruption in service for
18 purposes of retaining acquired continuing employment status or retaining accrued sick
19 leave."

AMENDMENT #15

New section

Sec. applicability of employee evaluations
Section 4 of this act takes effect - July
- 1, 1977.

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**ANCHORAGE
SCHOOL
DISTRICT****Anchorage School Board**

P.O. Box 196614, Anchorage, Alaska 99519-6614 • (907) 333-9561

Kathi Gillespie

2741 Scafarer Loop, Anchorage, Alaska 99516

(907) 345-5335; Fax 345-9891

RECEIVED

APR 10 1996

Ans'd.....

To: Senate HES Committee

Date: April 9, 1996

Subject: HB 465 Proposed Amendments

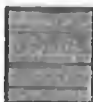
As a member of the Anchorage School Board, I urge your support for the concepts in HB 465. I believe that it is critical that these proposed changes in state law are made now in order to restore public confidence in our schools and to provide a measure of accountability to the community as well as to the taxpayers in our ability to manage public education. Further, I support the amendments that have been communicated to you by the Anchorage School District in regard to the shortened length of time for the plan for improvement and in the due process language.

I believe that we must be able to manage through a performance problem with a tenured teacher in a reasonable amount of time during the school year and I support the insertion of the "not less than 90 work days and not more than 180 work days" clause (page 4 lines 5-7 and page 4 lines 15-17). I believe that it is in the best interests of all concerned; the teacher, the administration, and certainly the kids in the class for the plan for improvement to be focused and timely.

I also believe that it is very important that the School Boards have the ability to hear cases involving the dismissal of tenured teachers. I am very concerned about the possibility of a tenured teacher being able to bypass a proceeding in front of their employer, the Board, and request a jury trial. I do not believe that this is common practice for other public employees and would be costly to the District in financial and well as in public perception terms. I believe that having a jury trial would create the potential for dismissal to be politicized and would significantly reduce the likelihood of principals to recommend dismissal of ineffective teachers. I believe that teachers deserve due process in regard to having the opportunity for appellate review of the record established by their employer, the Board. If the Superior Court finds that the Board has erred, then certainly the teacher deserves recourse. This process is fair to both teachers and employers.

I hope that you will consider amending HB 465 in the two areas I've mentioned. However, my overriding concern is that this reform of public education pass both bodies of the legislature and is signed by the Governor. It is truly the showpiece of this legislature and we are proud of the courage you've shown in working on legislation that will strengthen our schools in very meaningful ways and we are proud of your commitment to the children of Alaska.

Thank you



From the TelePort of:

Kathi Gillespie

Date: Wednesday, April 10, 1996

Number of Pages: 2

To: Senator Lyda Green
Fax Number: 1907 4653805

Memo:

For your consideration at the 9 AM Senate HES meeting this morning.

BARGAINING EVALUATIONS, PROFESSIONAL PERFORMANCE STANDARDS & EDUCATIONAL POLICY REMOVES THE PUBLIC FROM THE PROCESS

Collective bargaining of educational policy issues—such as the programmatic needs of students, the qualification for filling those positions, and the evaluation of professionals—is not in the best interest of students, parents, communities and the public at large.

Bargaining evaluations and standards *excludes* the very people that are requesting assurances that quality performance and accountability be addressed in our schools.

We currently bargain salary, benefits, working conditions and, to a lesser extent, some managements rights. Allowing educational policy to be bargained would reduce the schools' ability to meet the needs of students, and the concerns of parents and communities.

Collective bargaining under Title 23 P.E.R.A. already tips the balance of power in favor of employees in two significant ways: 1) School employees have been granted an unlimited right to strike; and (2) Provisions on a collective bargaining agreement are grievable and subject to binding arbitration as the final step in the grievance procedure.

Subjecting evaluations and professional performance standards to the bargaining process would invite political and economic pressure by threat of a strike thereby leveraging concessions through the bargaining process.

Furthermore, issues covered by bargaining agreements are grievable and subject to binding arbitration as the final step of the grievance procedure. That is ~~not~~ how public policy should be set. Issues of public policy should not be removed from the domain of the public by turning policy decisions over to an arbitrator.

HB 465 does not mandate or ignore the local determination of issues to be bargained. Allow the local people to decide the appropriateness of bargaining. Don't tie their hands by requiring collective bargaining of evaluations and educational policy.

Hoonah City Schools

Estimated Cost Savings from HR 98

I. Salary Costs for Current Employee Eligible for RIP in School Year 1992-93:

Teacher A	52,796
" B	53,386
" C	52,796
" D	52,796
" E	52,796
" F	56,631
" G	52,796
" H	<u>56,631</u>

TOTAL Employee Salary Costs 430,628

II. Total costs for eight new teachers at the beginning salary step of \$29,203: \$233,624.

III. Estimated RIP costs for teachers listed above \$ 232,539 paid out over a three-year period. \$77,513 per year.

IV. Cost Savings Per Year:

First Year Savings	\$ 119,487
*Second Year Savings	113,510
*Third Year Savings	<u>107,635</u>

TOTAL three Years Savings.....\$ 340,632

*NOTE: Estimated 5% increase in salaries for new employees in the second and third year.

Hoonah Public Schools

P.O. Box 157

(907) 945-3611

Hoonah, Alaska 99829

January 27, 1993

The Honorable Jerry Mackie
Alaska House of Representatives
Capital, Room 110
P. O. Box V
Juneau, AK 99811

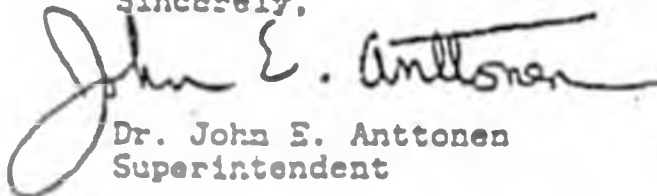
Dear Representative Mackie:

The purpose of this letter is to support the retirement incentive provisions contained in HB 36. The current version of this bill would provide Hoonah School District with a total possible certified employee savings of \$340,832 over a three year period. (See attached cost estimate.)

Our estimate is based on eight teachers who are presently eligible for early retirement and hiring new teachers at the lower end of our current salary schedule. We have computed into this cost estimate the amount that the district would need to pay the retirement system for RIP participation.

Our district views HB 36 as a significant management tool capable of providing us with flexibility in controlling certificated employee costs. Declining State revenue in education demands that management have all opportunities to control employee costs. We see HB 36 as such an opportunity and wholeheartedly endorse its passage.

Sincerely,



Dr. John E. Anttonen
Superintendent

JEA/db

**COMPARISON OF DUE PROCESS
AND COURT REVIEW ISSUES IN
TEACHER TENURE BILLS**

Board is required to hear any process decision by Board

Present Law	CSHB465(HESS) am	Proposed Amendment in Senate HESS
<p align="center"><u>Board Review</u></p> <p>√ Requires full due process hearing before the School Board</p>	<p align="center"><u>Board Review</u></p> <p>√ Optional hearing before the School Board. Board provides a full due process hearing.</p>	<p align="center"><u>Board Review</u></p> <p>√ Requires full due process hearing before the School Board</p>
<p align="center"><u>Court Review of Board Decision</u></p> <p>√ Trial De Novo in Superior Court</p> <ul style="list-style-type: none"> •New Evidence •New Decision by Judge •Ignores Record before the Board 	<p align="center"><u>Court Review of Board Decision</u></p> <p>√ Board decision reviewed on the record by the Superior Court.</p> <p>√ Eliminates De Novo trial if the teacher elects the hearing before the Board.</p>	<p align="center"><u>Court Review of Board Decision</u></p> <p>√ Review of School Board decision on the record under Court Rules</p> <p>√ Trial De Novo in Superior Court at the discretion of the judge if School Board hearing denies teacher full due process</p>
<p align="center"><u>No Optional School Board By-Pass</u></p>	<p align="center"><u>Optional School Board By-Pass</u></p> <p>√ Teacher may by-pass Board due process hearing and file a claim in Superior Court</p>	<p align="center"><u>No Optional School Board By-Pass</u></p>
<p align="center"><u>Jury Trial</u></p> <p>√ No jury trial based on Alaska Supreme Court decision, Aug. 1994</p>	<p align="center"><u>Jury Trial</u></p> <p>√ May create right to a jury trial</p>	<p align="center"><u>Jury Trial</u></p> <p>√ No new right to a jury trial</p>



Anchorage School District

4600 DeBar Road
P O Box 196614
Anchorage, Alaska 99519-6614
(907) 333-9561

SCHOOL BOARD

Feggy Robinson-Wilson
President

Lorraine M. Fomell
Vice President

Hazel A. Drummond
Clerk

Pam Higgins
Treasurer

Kathy Gilson

Kelly Frank

Debbie Cassander
Past President

SUPERINTENDENT

Bob Christal

April 1, 1996

Senate HES:

Statement of Support HB 465

The Anchorage School Board supports the concepts contained in HB 465 and urges you to vote in support of the bill.

Pertinent Fact

Last summer in the Governor's Task Force on "Professional Excellence" and again on the reconstituted Task Force which met this session with Representative Ivan to discuss potential changes to his bill, HB 465. The bill which will come before the full House for a vote contains many of the recommendations of the reconstituted Task Force.

The District does have two recommendations for amendments would like to make, in our judgment, to strengthen the bill:

1. Change, " The plan of improvement must address ways in which the tenured teacher's performance can be improved and shall last for not less than 90 work days and not more than 180 work day." (page 3 lines 23-25)
(page 4 lines 2-3)

Changing the plan of improvement time to **90 work days** will enable a district to complete the evaluation process in a single school year. By law, a tenured teacher must be notified by March 15 if they are not going to be retained by the district for the next school year. A tenured teacher placed on a plan of improvement

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Position on Proposed Amendment to Section 11 of House Bill 465

Fairbanks North Star Borough School District and the Anchorage School District propose an amendment to Section 11 of House Bill 465. The proposed amendment is to delete Section (d) and revise the last sentence of section (c) to read as follows:

If the school board sustains the dismissal or nonretention, the teacher may appeal the decision to the superior court, in accordance with Part VI of the Rules of Appellate Procedure. [APPLICABLE RULES OF COURT FOR A JUDICIAL REVIEW BASED ON THE RECORD.]

There are important public policy reasons for supporting this proposed amendment. The proposed amendment is fair to the interests of both school districts and teachers for a number of reasons. The proposal is a fair compromise.

First, under Part VI of the Rules of Appellate Procedure, the superior court sits as the appellate court for appeals from administrative decisions. While most appeals from administrative decisions are on the record, the rules permit the superior court in its discretion to grant a trial de novo. Appellate Rule 609. This

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dismiss or non-retain a teacher. Additionally, the local school board would be deprived of the opportunity to apply the standards of teaching performance adopted by the local school Board. By-passing the local school board on important policy decisions like the retention or dismissal of tenured teachers is unnecessary and an unwelcome result.

Third, the House Bill gives teachers a new right by permitting them to file an original action in superior court and demand a jury trial. Under the House Bill, a court could interpret an original action to allow the expansion of claims against the district for matters in addition to those involving a review of the school board's decision. For example, a teacher could include a claim for defamation, violation of civil rights, and wrongful discharge, as part of the original action to review a Board's decision. These claims will involve prohibitive costs, delays, and expenses for local school districts that make the tough decision to terminate non-performing teachers. An original action gives teachers access to the civil discovery process which will include depositions, production of documents, and pretrial motions. Pre-trial discovery will substantially increase costs. These additional costs and expenses will likely act as a financial deterrent to school districts making recommendations to dismiss or non-retain teachers who fail to perform to acceptable standards. Under the House Bill as passed, teachers would be expected to waive the school board hearing and demand a jury trial in most

CORRECTION

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



Rev. 698

Central Microfilm Services
Department of Education
State of Alaska



Anchorage School District

4600 DeBar Road
P O Box 196614
Anchorage Alaska 99519-6614
(907) 333-9561

SCHOOL BOARD

Nancy Robinson Wilson
President

Lorraine M. Fennell
Vice President

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The District does have two recommendations for amendments it would like to make, in our judgment, to strengthen the bill:

1. Change, " The plan of improvement must address ways in which the tenured teacher's performance can be improved and shall last for not less than 90 work days and not more than 180 work day."
(page 3 lines 23-25)
(page 4 lines 2-3)

Changing the plan of improvement time to **90 work days** will enable a district to complete the evaluation process in a single school year. By law, a tenured teacher must be notified by March 15 if they are not going to be retained by the district for the next school year. A tenured teacher placed on a plan of improvement

after an evaluation in October, would not have completed the nine month process by the March 15 deadline, too late to be dismissed for the coming school year if they failed to make the improvements outlined in the plan -- that would ensure a full year of additional employment and extend the plan for improvement beyond 12 months.

2. See attached

DRAFT

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There are important public policy reasons for supporting this proposed amendment. The proposed amendment is fair to the interests of both school districts and teachers for a number of reasons. The proposal is a fair compromise.

First, under Part VI of the Rules of Appellate Procedure, the superior court sits as the appellate court for appeals from administrative decisions. While most appeals from administrative decisions are on the record, the rules permit the superior court in its discretion to grant a trial de novo. Appellate Rule 609. This

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discretion is exercised by the court to grant a trial de novo and conduct a new evidentiary hearing when the prior administrative proceedings, or school board decision, is so fundamentally unfair that the teacher has not received constitutional due process. When a teacher is able to demonstrate that the school board proceeding violated the teacher's constitutional due process rights and that the school board hearing was not fair, the superior court has the discretion to grant a new trial. Absent such a showing that the hearing before the school board was so flawed as to deny constitutional due process, the superior court would review the school board decision on the record. This proposed amendment would eliminate the automatic duplication of two full evidentiary hearings under existing law. The proposed amendment would provide teachers with a full independent review of a school board's decisions on non-retentions and dismissals, by giving teachers a impartial third-party review of any school board decision to non-retain or dismiss.

Second, the language in the bill passed by the House allows a teacher to waive the hearing before the Board and to file an original action in superior court within sixty days of notice of dismissal or non-retention. By giving a teacher a new right to file an independent action in superior court, the local school board is completely by-passed in making a decision on dismissal or non-retention. This eliminates the school Board's role in the decision making process, usurping the authority of the local school board to review the Superintendent's decision to

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dismiss or non-retain a teacher. Additionally, the local school board would be deprived of the opportunity to apply the standards of teaching performance adopted by the local school Board. By-passing the local school board on important policy decisions like the retention or dismissal of tenured teachers is unnecessary and an unwelcome result.

Third, the House Bill gives teachers a new right by permitting them to file an original action in superior court and demand a jury trial. Under the House Bill, a court could interpret an original action to allow the expansion of claims against the district for matters in addition to those involving a review of the school board's decision. For example, a teacher could include a claim for defamation, violation of civil rights, and wrongful discharge, as part of the original action to review a Board's decision. These claims will involve prohibitive costs, delays, and expenses for local school districts that make the tough decision to terminate non-performing teachers. An original action gives teachers access to the civil discovery process which will include depositions, production of documents, and pretrial motions. Pre-trial discovery will substantially increase costs. These additional costs and expenses will likely act as a financial deterrent to school districts making recommendations to dismiss or non-retain teachers who fail to perform to acceptable standards. Under the House Bill as passed, teachers would be expected to waive the school board hearing and demand a jury trial in most

DRAFT

cases. Districts will be under enormous pressure to settle cases and pay off poor teachers given the costs they will encounter in proceeding to a jury trial.

In short, Section 11 of the House Bill affords teachers greater rights than they have under the current law in cases of non-retention or dismissal. Rather than being a progressive step forward to hold teachers accountable for their performance, the House Bill increases the risks and costs of proceeding with nonretentions and dismissals. The increased risk may result in districts being too hesitant to act in dismissing unacceptable teachers. The House Bill will make nonretentions and dismissals more difficult for school districts.

Printed on 3/29/96 at 2:47 PM

**COMPARISON OF DUE PROCESS
AND COURT REVIEW ISSUES IN
TEACHER TENURE BILLS**

Present Law	CSHB465(HESS) am	Proposed Amendment in Senate HESS
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*Perkins W
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Lynn H*

Comparison of Key Issues: **BILLS AFFECTING TEACHER EMPLOYMENT**

THE ISSUES	HB 217 (Rep. Ivan) '95	HB 398 (Gov. Knowles)	HB 465 (Rep. Ivan) '96	CSHB 465 (Rep. Ivan) '96
<p>TEACHER TENURE A form of job protection provided to no other class of public employees; promotes unchecked, lifelong employment security.</p>	<p>TENURE STATUS</p>	<p>CONTINUING EMPLOYMENT STATUS • Changes name from <i>tenure</i> to <i>continuing employment status</i> (CES) because "tenure connotes a right to lifelong employment."</p>	<p>TENURE STATUS</p>	<p>✓ CONNOTES A RECOMMENDATION BY (OR ACCOMMODATION TO) THE 1996 RECONSTITUTED TASK FORCE ON PROFESSIONAL DEVELOPMENT</p> <p>TENURE STATUS</p>
<p>ACQUISITION OF TENURE Currently teachers acquire tenure status after only 2 consecutive years of teaching in the same district. Technically, tenure status begins on the first day of the 3rd year. <i>All bills listed propose extending tenure acquisition.</i></p>	<p>ACQUISITION OF TENURE • Changes tenure acquisition from 2 years (acquisition of tenure begins on the first day of the 3rd year) to 4 full years from the date of hire.</p>	<p>ACQUISITION OF C.E.S. • Changes tenure acquisition from 2 years (acquisition of tenure begins on the first day of the 3rd year) to C.E.S. acquisition after 3 full school years.</p>	<p>ACQUISITION OF TENURE • Changes tenure acquisition from 2 years to 3 years (acquisition of tenure begins on the first day of the 4th year).</p>	<p>ACQUISITION OF TENURE • Changes tenure acquisition from 2 years to 3 years (acquisition of tenure begins on the first day of the 4th year). ✓ Rehire on or before October 15 does not constitute a break in service. (Clarifies when tenure is provided.)</p>
<p>EVALUATION/IMPROVEMENT Current law requires annual evaluations of teachers who have acquired tenure status. <i>All bills listed propose an improved evaluation process.</i></p>	<p>EVALUATION/IMPROVEMENT • Establishes a Career Path for teachers that includes advancement based on teaching performance. • Evaluations may be performed by other teachers in district. • Districts may establish mentoring positions.</p>	<p>EVALUATION/IMPROVEMENT • Requires districts to adopt a Professional Assessment System for all teachers. • Evaluation criteria based on professional performance standards by DOE, multiple observations/evaluation for first-year teachers, annual evaluation for teachers. • Board to ensure teachers, community, students, parents and administrators collaborate in the design and review of the assessment system. • Requires training in assessment system.</p>	<p>EVALUATION/IMPROVEMENT • Requires districts to adopt a teacher evaluation system for all teachers. • Evaluation criteria based on professional performance standards, annual observations/evaluation for teachers. • Board to ensure teachers, community, students, parents and administrators have input in the design and review of the final evaluation system. • Requires training in evaluation system. • Peer review. • Nonretention statute is amended to replace <i>incompetency</i> with <i>failure</i>, after imposition of a plan of improvement, to receive an evaluation of at least acceptable performance ..."</p>	<p>EVALUATION/IMPROVEMENT • Requires districts to adopt a teacher evaluation system for all teachers ✓ and administrators. ✓ Evaluation criteria based on professional performance standards by DOE. ✓ Multiple observations/evaluation for nontenured teachers, annual evaluation for teachers. ✓ Tenured teachers who consistently exceed standards may be evaluated every two years. ✓ Evaluation systems filed with DOE. ✓ Board to ensure teachers, community, students, parents and administrators have input in the design and review of the evaluation system. ✓ Requires training in evaluation system. • Requires a Plan of Improvement for less than acceptable performance. ✓ Replace "imposition" of a plan of improvement with "implementation." (More positive) ✓ Peer review is not mandated. • Nonretention statute is amended to replace <i>incompetency</i> with <i>failure</i>, after imposition of a plan of improvement, to receive an evaluation of at least acceptable performance under the teacher evaluation system..." (✓ Note: Reconstituted Task Force recommended deleting this language from the dismissal section. CSHB 465 deletes this language from the nonretention section, and properly places it in the dismissal section.)</p>

1996 RECONSTITUTED TASK FORCE ON PROFESSIONAL DEVELOPMENT
Commissioner Holloway reconstituted the Task Force on Professional Excellence to comment on HB 465. The group met on Feb. 26 with Rep. Ivan to recommend changes to HB 465. Nearly all the recommendations are reflected in CSHB 465.
✓ Connotes recommendations accepted or accommodations made by Rep. Ivan.

Comparison of Key Issues: **BILLS AFFECTING TEACHER EMPLOYMENT**

THE ISSUES	HB 217 (Rep. Ivan) '95	HB 398 (Gov. Knowles)	HB 465 (Rep. Ivan) '96	CSHB 465 (Rep. Ivan) '96
<p>LAYOFF STATUS</p> <p>Currently there is no layoff status, which may be temporary. Teachers may only be "nonretained" <u>permanently</u>.</p> <p>Statutory reasons for nonretention include:</p> <ol style="list-style-type: none"> (1) Incompetence (2) Immorality (3) Substantial noncompliance (4) Decrease in student enrollment <p><i>All bills listed propose layoff status, but with differing triggers.</i></p>	<p>LAYOFF STATUS</p> <ul style="list-style-type: none"> • Provides layoff status for tenured staff due to decrease in enrollment or funding ("basic need") decreases by 1% or more from previous year. • All non-tenured staff must be nonretained before a tenured staff may be placed on layoff status. Non-tenured primary teachers may be retained to protect primary school programs; same for secondary school teachers and programs. • Rehire rights are provided. 	<p>LAYOFF STATUS</p> <ul style="list-style-type: none"> • Provides layoff status for tenured staff due to a "financial emergency" determined by school board. • All non-tenured staff must be nonretained before a tenured staff may be placed on layoff status unless there is no "qualified" CES (tenured) teacher to replace the non-CES teacher. DOE defines "qualified." • Requires a district Reduction In Force (RIF) plan if one is currently not in a collective bargaining agreement. • Rehire rights are provided. 	<p>LAYOFF STATUS</p> <ul style="list-style-type: none"> • Provides layoff status for tenured staff due to: (a) decrease in enrollment (b) anticipated decrease of 2% in revenue (c) 5 year revenue average fails to keep pace with inflation (d) local board determines district is unable to meet financial obligations. • Requires a Layoff Plan that identifies academic and other programs the district intends to maintain in implementing the layoff. • All non-tenured staff must be nonretained before a tenured staff may be placed on layoff status unless there is no "qualified" tenured teacher to replace the nonretained teacher. "Qualified" is determined as follows: <ul style="list-style-type: none"> • in grades K-5 an elementary endorsement is necessary • in grades 6-12 a teacher must have an endorsement for each subject area in which the teacher is to spend 40% of their time, or the teacher can show evidence of acceptable teaching experience in the subject. • Rehire rights are provided. 	<p>✓ CONNOTES A RECOMMENDATION BY (OR ACCOMMODATION TO) THE 1996 RECONSTITUTED TASK FORCE ON PROFESSIONAL DEVELOPMENT</p> <p>LAYOFF STATUS</p> <ul style="list-style-type: none"> ✓ Provides layoff status for tenured staff triggered by "a significant demonstrated reduction in per pupil expenditures due to a decrease in revenue from one year to the next." • All non-tenured staff must be nonretained before a tenured staff may be placed on layoff status unless there is no "qualified" tenured teacher to replace the non-tenured teacher. • "Qualified" determined by DOE endorsements as follows: <ul style="list-style-type: none"> -K-8 teacher must have elementary endorsement. -Middle teacher endorsement. -Grade 9-12 teacher has endorsement for each subject area in which he/she spends 40% of time or can show acceptable teaching experience in the subject. (✓ Note: Reconstituted Task Force recommended a waiver for multi-grade small rural schools. Use of "acceptable teaching experience in the subject" addresses that concern.) • Requires a district Layoff plan. • Rehire rights are provided.
<p>NONRETENTION HEARING JUDICIAL REVIEW (DE NOVO)</p> <p>If a nonretention hearing by the school board is unfavorable to a tenured teacher, and the teacher appeals the decision by the board to superior court, a school district is obligated to submit to a trial de novo (an entirely new trial).</p> <p><i>All bills listed propose a revised process for nonretention hearings.</i></p>	<p>NONRETENTION HEARING JUDICIAL REVIEW (DE NOVO)</p> <ul style="list-style-type: none"> • Eliminates the duplicative "de novo trial." Instead, if a school board reaches a decision unfavorable to a tenured teacher, that teacher is entitled to judicial review based on the record of the original hearing. 	<p>NONRETENTION HEARING JUDICIAL REVIEW (DE NOVO)</p> <ul style="list-style-type: none"> • CES (tenured) teacher is entitled to a pre-termination hearing, notice of termination, and post-termination hearing. • CES teacher may then seek judicial review (not based on the record of the original hearing) • CES teacher may waive post-termination hearing and (1) immediately seek judicial review, or (2) request to follow the district's grievance procedure. A denied request allows the teacher to seek judicial review. An unanswered request automatically results in use of the grievance procedure. 	<p>NONRETENTION HEARING JUDICIAL REVIEW (DE NOVO)</p> <ul style="list-style-type: none"> • A teacher is entitled to: Notice of dismissal, pretermination hearing, termination hearing. • If terminated, teacher is entitled to mandatory advisory arbitration. • If the arbitration remains unfavorable, the teacher is entitled to judicial review based on the record of the original hearing and the arbitration. 	<p>NONRETENTION HEARING JUDICIAL REVIEW (DE NOVO)</p> <ul style="list-style-type: none"> • A teacher is entitled to: Notice of dismissal, pretermination hearing, termination hearing. • If the arbitration remains unfavorable, the teacher is entitled to judicial review based on the record of the original hearing and the arbitration. ✓ Note by Reconstituted Task Force: Administrators suggested the following language in sec. 9 (b)-"Dismissal shall be effective when issued." ✓ Note by Reconstituted Task Force: Mandatory advisory arbitration offered in HB 465 was deleted at request of school boards. Teachers also did not favor.

Comparison of Key Issues: **BILLS AFFECTING TEACHER EMPLOYMENT**

THE ISSUES	HB 217 (Rep. Ivan) '95	HB 398 (Gov. Knowles)	HB 465 (Rep. Ivan) '96	CSHB 465 (Rep. Ivan) '96
<p>SCHOOL BARGAINING The public has requested more access to the collective bargaining process with school employees.</p> <p><i>All bills listed propose more access.</i></p>	<p>SCHOOL BARGAINING</p> <ul style="list-style-type: none"> Initial negotiations proposals and final agreements are public records available for public review. 	<p>SCHOOL BARGAINING</p> <ul style="list-style-type: none"> Initial negotiations proposals, last-best-offer proposals, tentative agreements before ratification, and final agreements are public records available for public review. 	<p>SCHOOL BARGAINING</p> <ul style="list-style-type: none"> Initial negotiations proposals, last-best-offer proposals, tentative agreements before ratification, and final agreements are public records available for public review. 	<p>SCHOOL BARGAINING</p> <ul style="list-style-type: none"> Initial negotiations proposals, last-best-offer proposals, tentative agreements before ratification, and final agreements are public records available for public review.
<p>RETIREMENT INCENTIVE PROGRAM (RIP) Last year the legislature chose to include the RIP in its tenure reform bill.</p> <p><i>Both employee groups and elected school boards support an RIP.</i></p>	<p>RETIREMENT INCENTIVE PROGRAM (RIP)</p> <ul style="list-style-type: none"> Provides a RIP for school employees. Requires the program to be cost effective and must be desirable to districts. 	<p>RETIREMENT INCENTIVE PROGRAM (RIP)</p> <ul style="list-style-type: none"> None 	<p>RETIREMENT INCENTIVE PROGRAM (RIP)</p> <ul style="list-style-type: none"> None 	<p>RETIREMENT INCENTIVE PROGRAM (RIP)</p> <ul style="list-style-type: none"> None

HB

506

MIKE NAVARRE

REPRESENTATIVE

DISTRICT 9

ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

DURING SESSION
STATE CAPITOL, RM. 521
JUNEAU, AK 99801-1182
(907) 465-3779

MAY TO DECEMBER
145 MAIN ST. L00P KENAI, AK 99611
(OLD KENAI COURTHOUSE)
(907) 283-7223

RECEIVED

APR 26 1996

Ans'd.....

April 26, 1996

TO: Senator Lyda Green, HESS, Chair

FROM: Representatives Mike Navarre, Gail Phillips, Gary Davis

SUBJECT: HB 506, " An Act relating to the establishment of a fire fighting and safety training program by the University of Alaska."

.....

We would respectfully request the Senate HESS Committee schedule House Bill 506 for a hearing at their earliest convenience. We have enclosed a sponsor statement and summary of the program.

MIKE NAVARRE

REPRESENTATIVE

DISTRICT 9

DURING SESSION
STATE CAPITOL, RM. 521
JUNEAU, AK 99801-1182
(907) 463-3779

MAY TO DECEMBER
145 MAIN ST. LOOP - KENAI, AK 99611
(OLD KENAI COURTHOUSE)
(907) 283-7223

ALASKA STATE LEGISLATURE

HOUSE OF REPRESENTATIVES

SPONSOR STATEMENT

DATE: April 26, 1996

TO: Senator Lyda Green, HESS Committee, Chairwoman

FROM: Representative Mike Navarre, G. Davis, Phillips

SUBJECT: House Bill 506, An Act relating to the establishment of a fire training and safety training program by the University of Alaska.

.....

House Bill 506 is a measure that enables the University of Alaska to establish and locate an industrial fire training and safety training institute on the Kenai Peninsula. The institute will have instructional facilities, an administrative office and an information office.

Close to thirty years ago the Kenai Peninsula fire training program originated from the Cook Inlet Supervisors Fire Training School. The University of Alaska developed and operated several training sites throughout the state until 1988, when environmental concerns forced a redesign and reappraisal of industrial fire training services. In 1980, the fire training program adopted a name change and a more sophisticated and diverse program of instruction. The name adopted was the Mining and Petroleum Training Service (MAPTS).

The program was started to fill a need for local and statewide industrial fire training necessary for fulfilling the national certification requirements. Over the years MAPTS has evolved into a world class training facility which, in addition to its training curriculum, it can design, develop and deliver customized programs for a client.

This legislation will provide a certain amount of autonomy for MAPTS which means more control of the receipts generated, which in turn ensures the program will stay on the cutting edge of fire and mining safety training programs. The recognition of the program enables the program administrator to have more impact in the direction and operation of MAPTS.

HB506 passed from the HESS Committee on March 27, 1996 with 5 do pass and a zero fiscal note.

HB506 was waived by the House Finance Committee on April 12, 1996.

HB 506 passed the House on April 24, 1996.

Mining And Petroleum Training Service
University of Alaska Anchorage
The College of Career and Vocational Education

MAPTS provides mandatory, regulatory and site specific training and development statewide throughout Alaska, the lower 48, the Caribbean and the Russian Far East with the mission of providing timely, professional and cost-effective training and development services to business, industry, and government.

During the past 16 years, MAPTS has concentrated on mandatory training programs and worker certification in Industrial Fire Brigade Training, Hydrogen Sulfide Safety & Response, Oil Spill Response Training, Hazardous Materials and Emergency Response, Hazardous Waste Operator Training, Health & Safety for Oilfield Workers, Asbestos Abatement Worker programs, Asbestos Awareness Training, Hazard Communications, Rig Safety Orientation, Well Control Certification, Respiratory Protection, Mine Safety and Health Training, Surface and Underground Mine Rescue, Helicopter Safety & Survival, Explosives and Blasting, Alaska Outdoor Survival, and Cold Weather/Cold Water Survival.

In addition, MAPTS designs, develops and delivers site specific training according to the special needs of the client. Utilizing the resources of the University of Alaska, State Vocational-Technical Centers and various international training organizations, desired training courses and programs can be rapidly developed and delivered in the most cost-effective manner possible. MAPTS was recently designated as the sole provider of site specific PSM training for companies contracted to ARCO Cook Inlet and Kuparuk operations.

The Kenai fire training facility is designed to eliminate the need for burn permits and ventilation factors. It produces no objectionable smoke or discharges and provides for a maximum degree of safety and realism. The facility operates under strict NFPA curriculum standards for Incipient, Exterior and Interior fire fighters. The final detail required is the completion and installation of the interior burn prop to allow the full advanced interior certification. The facility has two fire trucks and ample extinguishers, fixed stream devices and PPE to implement the full NFPA curriculum.

Fire training is conducted according to individual company requirements typically with a mix of employer instructors and local Kenai fire Department assistance and backup. Each company selects the portions of the NFPA curriculum applicable to their facility and has the ability to determine the evolutions required and therefore the cost of the training.

During FY96, MAPTS expects to train between 5000 and 6000 Alaskan workers.

HOUSE BILL NO. 506

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES NAVARRE, G.Davis, Phillips, Parnell

Introduced: 2/12/96

Referred: Health, Education and Social Services, Finance

*oil industry
fire training*

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to establishment of a fire fighting and safety training program
2 by the University of Alaska."

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

4 * Section 1. AS 14.40 is amended by adding a new section to read:

5 Sec. 14.40.092. ESTABLISHMENT OF INSTITUTE FOR FIRE FIGHTING
6 AND SAFETY TRAINING. (a) The University of Alaska shall establish an institute
7 on the Kenai Peninsula for fire fighting and safety training. The institute shall consist
8 of an instructional facility, an administrative office, and an information office. The
9 institute may charge fees for the services it provides. The university shall separately
10 account for the fees collected under this section. The annual estimated balance in the
11 account required under this section may be used by the legislature to make
12 appropriations to the university to carry out the purposes of this section.

13 (b) The institute may

14 (1) encourage cooperation, especially among private businesses located

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in the state, with regard to research, studies, information, and instruction relating to fire fighting, safety training, and environmental issues related to oil spill activities;

(2) provide fire fighting, worker hygiene, and other safety training for industrial needs;

(3) conduct research and provide instruction and other services consistent with the mission and goals of the University of Alaska.

HB 506

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

Bill Version: HB 506
(H) Publish Date: 3/27/96

Revision Date:
Title: An Act relating to establishment of a fire fighting and safety program by the University of Alaska
Sponsor: Reps. Navarre, G. Davis, Phillips
Requestor:

Department Affected: University of Alaska
BRU: UAA
Component: Anchorage Campus

COMPONENT SERIAL NO. 753

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

REVENUE FD SOURCE						
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FUNDING: (Thousands of Dollars)	FY97	FY98	FY99	FY00	FY01	FY02
1002 FEDERAL FUNDS						
1003 GF MATCH						
1004 GENERAL FUND						
1006 GF/MITTA						
OTHER						
TOTAL FUNDING	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:	FY97	FY98	FY99	FY00	FY01	FY02
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)
This bill establishes an institute on the Kenai Peninsula for fire fighting and safety training, and allows the institute to charge fees for the services it provides. This function and authority already exists as an budget component of the Anchorage Campus, and as such there are no incremental costs associated with this bill. To the extent possible, this program is self-supporting. FY95 actual costs of the existing programs were \$817.0, of which \$293.5 came from the general fund and \$523.5 from university receipts and other non-GF sources. The FY96 budget for the program includes \$312.3 in general funds and \$2,097.8 in non-general fund authority.

Prepared by: Marylou Burton Phone: 463-3086
Division: Statewide Budget Office Date: 3/21/96
Approved by: Marylou Burton, Director
Agency: Statewide Budget Office Date: 3/21/96

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

MIKE NAVARRE

REPRESENTATIVE



DURING SESSION
STATE CAPITOL, RM. 521
JUNEAU, AK 99801-1182
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MAY TO DECEMBER
145 MAIN ST. LEXOP KENAI, AK 99611
(OLD KENAI COURTHOUSE)
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ALASKA STATE LEGISLATURE

HOUSE OF REPRESENTATIVES

SPONSOR STATEMENT

DATE: April 26, 1996

TO: Senator Lyda Green, HESS Committee, Chairman

FROM: Representative Mike Navarre, G. Davis, Phillips

SUBJECT: House Bill 506, An Act relating to the establishment of a fire training and safety training program by the University of Alaska.

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The program was started to fill a need for local and statewide industrial fire training necessary for fulfilling the national certification requirements. Over the years MAPTS has evolved into a world class training facility which, in addition to its training curriculum, it can design, develop and deliver customized programs for a client.

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Mining And Petroleum Training Service
University of Alaska Anchorage
The College of Career and Vocational Education

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During the past 16 years, MAPTS has concentrated on mandatory training programs and worker certification in Industrial Fire Brigade Training, Hydrogen Sulfide Safety & Response, Oil Spill Response Training, Hazardous Materials and Emergency Response, Hazardous Waste Operator Training, Health & Safety for Oilfield Workers, Asbestos Abatement Worker programs, Asbestos Awareness Training, Hazard Communications, Rig Safety Orientation, Well Control Certification, Respiratory Protection, Mine Safety and Health Training, Surface and Underground Mine Rescue, Helicopter Safety & Survival, Explosives and Blasting, Alaska Outdoor Survival, and Cold Weather/Cold Water Survival.

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Fire training is conducted according to individual company requirements typically with a mix of employer instructors and local Kenai fire department assistance and backup. Each company selects the portions of the NFPA curriculum applicable to their facility and has the ability to determine the evolutions required and therefore the cost of the training.

During FY96, MAPTS expects to train between 5000 and 6000 Alaskan workers.

— **ADDITIONAL INFORMATION** —

HB

515

Alaska State Legislature

Committees
House Resources
Co-Chairman
Wild, Trade &
State Federal Relations
Transportation
Rules
Oil & Gas

During Session
State Capitol
Juneau, AK 99801-1182
(907) 465-1424
Fax (907) 465-3791

In Ketchikan
152 Front Street
Ketchikan, AK 99901
(907) 247-4672
Fax (907) 225-8546

Representative William K. Williams

MEMORANDUM

To: Senator Lyda Green
Chair, Senate HESS Committee

From: Representative Bill Williams *Bill*

Date: April 19, 1996

Re: HB 515 (am)

House Bill 515 (am), "An act repealing a restriction on the use of youth residential services grants that prohibit use of the grants for capital assets; and providing for an effective date.", has been referred to the Senate HESS committee. I would appreciate a hearing on the earliest possible date.

If you have any questions please contact Kyle Johansen, of my staff, at 3424.

Thank you.

Alaska State Legislature



Representative William K. Williams

Committees:

House Resources
Co-Chairman

World Trade &
State Federal Relations

Transportation

Rules

Oil & Gas

During Session
State Capitol
Juneau, AK 99801-1182
(907) 465-3424
Fax (907) 465-3793

In Ketchikan
352 Front Street
Ketchikan, AK 99701
(907) 247-4672
Fax (907) 225-8546

Sponsor Statement

House Bill 515

House Bill 515 allows the recipient of an operating grant for residential services to use grant money to pay for the purchase of a building, vehicle or other assets. Residential services are defined in statute as "24-hour care and supervision of minors in residential child care facilities that are commonly known as group homes or institutions" (AS 47.40.091).

Currently recipients of these grants may not use the grant money to purchase buildings, vehicles or other assets. They may, however, use the money for rent and lease payments. Today recipients pay rent/lease payments year after year with no chance of building equity. The residential youth home in Ketchikan has spent over \$200,000 in rent over the last six years. They could own their facility today had it not been for the present statute.

By changing this statute these residential centers can, in many cases, lower monthly payments and eventually own their own asset. In the long run this will lessen their dependency on the state and allow more money for the programs that help our troubled youth.

During these times of fiscal responsibility we need to get the most out of every dollar the state spends. I believe this legislation will give these homes flexibility toward bettering their programs. I urge you to support this legislation.

SPONSOR STATEMENT

Alaska State Legislature



Representative William K. Williams

Committees:
House Resources
Co-Chairman
World Trade &
State Federal Relations
Transportation
Rules
Oil & Gas

During Session:
State Capitol
Juneau, AK 99801-1182
(907) 465-3424
Fax (907) 465-3793

In Ketchikan:
352 Front Street
Ketchikan, AK 99901
(907) 247-4672
Fax (907) 225-8546

Sponsor Statement

House Bill 515

House Bill 515 allows the recipient of an operating grant for residential services to use grant money to pay for the purchase of a building. Residential services are defined in statute as "24-hour care and supervision of minors in residential child care facilities that are commonly known as group homes or institutions" (AS 47.40.091).

Currently recipients of these grants may not use the grant money to pay the principal of a mortgage loan. They may, however, use the money for rent and lease payments. Today recipients pay rent/lease payments year after year with no chance of building equity. The residential youth home in Ketchikan has spent over \$200,000 in rent over the last six years. They could own their facility today had it not been for the present statute.

By changing this statute these residential centers can, in many cases, lower monthly payments and eventually own their own facility. In the long run this will lessen their dependency on the state and allow more money for the programs that help our troubled youth.

During these times of fiscal responsibility we need to get the most out of every dollar the state spends. I believe this legislation will give these homes flexibility toward bettering their programs. I urge you to support this legislation.

SPONSOR STATEMENT

ALASKA ASSOCIATION OF HOMES FOR CHILDREN

February 21, 1996

The Bethel Group Home
Bethel, Alaska

Ketchikan Children's Home
Ketchikan, Alaska

Presbyterian Hospitality House
Fairbanks, Alaska

The Salvation Army
Booth Memorial Home
Anchorage, Alaska

Sitka Youth Home
Sitka, Alaska

Manilaq Association Group Home
Kotzebue, Alaska

Alaska Youth & Parent Foundation
Anchorage, Alaska

Nome Receiving Home
Nome, Alaska

Kodiak Baptist Mission
Kodiak, Alaska

Council of President's
Receiving Home
Bethel, Alaska

Kenai Peninsula Community
Care Center
Kenai, Alaska

North Star Home
Dot Lake, Alaska

Juneau Youth Services
Juneau, Alaska

Alaska Children's Services
Anchorage, Alaska

Life Quest
Wauila, Alaska

Harrow Children's Home
Harrow, Alaska

Alaska Baptist Family Services
Anchorage, Alaska

Representative Bill Williams
House of Representatives
Alaska State Legislature
State Capitol
Juneau, Alaska 99801-1182

RE: HB 515

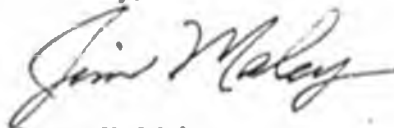
Dear Representative Williams:

This letter is to express the appreciation of the seventeen children's agencies of the Alaska Association of Homes for Children for your introduction of House Bill 515. In recent action, the Association voted to endorse this legislation.

In times of reduced revenues, it is imperative that we provide our services to Alaska's children in the most effective and efficient manner possible. Your bill provides a level of flexibility to utilization of state funds which is of benefit to the children served, the agencies providing the services, and the people of Alaska.

Again, our sincere thanks and support for your efforts.

Sincerely,



James E. Maley,
President

FROM: JACK DUCKWORTH
DIRECTOR FOR RESIDENTIAL YOUTH CARE INC.
2514 st Ave.,
Ketchikan, Alaska 99901
(907) 225-4664

TO: Senator Lyda Green

SUBJECT: HOUSE BILL 515

Dear Senator Lyda Green:

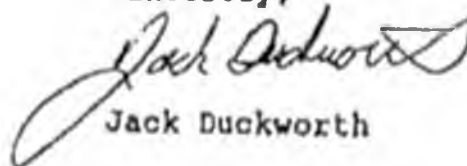
I am writing this letter to urge you to consider HB 515 as part of the solution to the state's financial crisis. We will not receive an increase in our yearly budget despite the increase in cost to provide services. Because of a Statute (that states non-profits cannot use grant monies to purchase a building) we are in a predicament that seems to benefit no one. Residential Youth Care, Inc. (RYC) is a non-profit organization that receives grant money to provide residential treatment in a Long Term Group Home and in an Emergency Shelter. RYC will spend \$45,000 on rent in this fiscal year and has spent over \$200,000 in the past 6 years. Ketchikan Children's Home, Inc. spent over \$1,000,000 for lease payment over its 20 year life span. The program has nothing to show for all this money that has been spent. After paying out \$1,245,000 of state money we could literally be homeless tomorrow. This is just one program in the state. By purchasing the building the monthly mortgage payments would be \$400.00 less than the current monthly lease payments. We have raised enough non grant money for the down payment. Not only would we save money monthly but we would build equity. We would own the building in fifteen years and save \$25,000 a year at one house and \$20,000 a year at the other house. This would give us some room for growth in a state economy that is dwindling.

Everyone that I have discussed this matter agrees that this statute is not beneficial to the state or youth programs. I have discussed this with DPYS personnel (Jackie Damon) and a State Auditor (Bob Wright). They are not sure why this statute exists but have encourage attempts to change it.

I personally do not see how changing the Statute could be detrimental. Even if an organization would go out of business the state would not be liable. The building would go to another non profit or be sold. In fact the state would be eligible to receive money from the dissolution of the corporation. in the home.

I appreciate everyone taking time to help in this matter.

Sincerely,



Jack Duckworth

FROM: JACK DUCKWORTH
DIRECTOR FOR RESIDENTIAL YOUTH CARE INC.

Because of a Statute (that states non-profits cannot use grant monies to purchase a building) we are in a predicament that seems to benefit no one. Residential Youth Care, Inc. is a non-profit organization that receives grant money to provide residential treatment in a Long Term Group Home and in an Emergency Shelter. RYC will spend \$45,000 on rent in this fiscal year and has spent over \$200,000 in the past 6 years. Ketchikan Children's Home, Inc. spent over \$1,000,000 for lease payment over its 20 year life span. The program has nothing to show for all this money that has been spent. After paying out \$1,245,000 of state money we could literally be homeless tomorrow. By purchasing the building the mortgage payments would be less than the current lease payments. We have raised enough non grant money for the down payment. Not only would we save money monthly but we would be building equity. Eventually we could own the building and save \$25,000 a year at one house and \$20,000 a year at the other house. This would give us some room for growth in a state economy that is dwindling.

Everyone that I have discussed this matter agrees that this statute is not beneficial to the state or youth programs. I have discussed this with DFYS personnel (Jackie Daxon) and a State Auditor (Bob Wright). They are not sure why this statute exists but have encourage attempts to change it.

I personally do not see how changing the Statute could be detrimental. Even if an organization would go out of business the state would not be liable. The building would go to another non profit or be sold.

I appreciate everyone taking time to help in this matter.

DIVISION OF FAMILY AND YOUTH SERVICES

GRANT PROGRAM: Residential Child Care

AUTHORITY:

AS 47.40.011 Purchase of Service. (a) When the Department purchases residential services for minors for whom the state has assumed responsibility under AS 47.10, the Department shall: (1) purchase the service only under grants to local government units or non-profit corporations; (2) award grants for a specific number of beds as provided in AS 47.40.041. (b) The Department shall adopt regulations necessary to carry out the provisions of AS 47.40.01-47.40.091, including regulations establishing the procedures to be followed in awarding grants, the type of services for which payment may be made, costs that may be paid with grant money and the method of payment.

APPROPRIATIONS:

Funding for these grants is made through the Purchased Service BRU Residential Child Care Component. This component includes funds for grants as well as purchase of service from out-of-state providers when the care required is not available in state. This component also includes funding for other services such as medical, psychological services, client travel and clothing. Residential care grants to in-state providers totaled \$8,529,728 for FY 96.

PRIORITIES:

The primary focus of residential child grants has been to protect and treat children who are victims of child abuse and neglect as well as to rehabilitate juvenile offenders. Services provided are intended to achieve both immediate and long term solutions to family problems; promote the preservation, rehabilitation, and reunification of families to the extent possible; and to promote independence and the use of least restrictive alternatives. The major emphasis is to provide services to children in their own communities whenever possible. Programs include emergency shelter, day treatment, specialized residential care and staff secure care. Length of stay in care ranges from one day up to two years.

*1st agency
in 1995*

TARGET GROUP/GEOGRAPHICAL AREA SERVED:

Services are provided in communities across the state under this program. Approximately 1,357 abused and neglected children and delinquent youth are served annually through these grants.

RESOURCE ALLOCATIONS:

Regional funding allocations are based on populations, caseloads, and available beds in each region.

Northern	29%
Southcentral	51%
Southeastern	20%.

CRITERIA:

Criteria are based on evaluation of potential grantees' understanding of services to be provided, background statements, technical approach, experience and personnel qualifications, preference for statewide or regional priorities, and budget factors. Regional Administrators who administer both family services and youth services provide input to the Proposal Evaluation Committee on the effectiveness of grant applications in providing services.

RESIDENTIAL CHILD CARE

BRU: PURCHASED SERVICES

COMPONENT: RESIDENTIAL CHILD CARE

DIVISION OF FAMILY AND YOUTH SERVICES

GRANTEE	LOCATION	ELECT. DIST.	NEW/ CONT.	FY88 AMT. AWARDED	SERVICE	FTE STAFF	AMT. PERS. SERVICES	FUND SOURCE	FY 88 AMT. AWARDED
ALASKA BAPTIST FAMILY SERVICES	ANCHORAGE	10-25	CONT	\$487,172	SPECIALIZED RESIDENTIAL CARE.	12.48	\$400,882	GF	\$558,260
ALASKA CHILDREN'S SERVICES, INC.	ANCHORAGE	10-25	CONT	\$753,025	RESIDENTIAL PSYCHIATRIC TREATMENT.	7.10	\$148,015	GF	\$753,025
ALASKA YOUTH & PARENT FOUNDATION	ANCHORAGE	10-25	CONT	\$762,425	EMERGENCY SHELTER CARE.	19.12	\$582,923	GF	\$874,800
ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS	BETHEL	39	CONT	\$289,080	EMERGENCY SHELTER CARE.	4.82	\$213,392	GF	\$289,080
BETHEL GROUP HOME	BETHEL	39	CONT	\$443,197	RESIDENTIAL CARE.	5.11	\$299,431	GF	\$373,814
JUNEAU YOUTH SERVICES	JUNEAU	03-04	CONT	\$268,900	RESIDENTIAL CARE, SEX OFFENDERS.	8.00	\$216,300	GF	\$268,275
JUNEAU YOUTH SERVICES	JUNEAU	03-04	CONT	\$167,900	EMERGENCY CARE, TRANSITIONAL CARE.	2.00	\$122,250	GF	\$167,900
JUNEAU YOUTH SERVICES	JUNEAU	03-04	CONT	\$532,900	RESIDENTIAL CARE, INTENSIVE TREATMENT.	11.50	\$378,324	GF	\$532,900
KENAI PENINSULA COMMUNITY CARE CENTER	KENAI	09	CONT	\$878,900	RESIDENTIAL CARE, EMERGENCY CARE (TEACHING FAMILY HOME).	13.00	\$498,579	GF	\$878,900
KIDS ARE PEOPLE	WASILLA	26-28	NEW	\$0	RESIDENTIAL CARE.	2.80	\$87,600	GF	\$87,600
KODIAK BAPTIST	KODIAK	08	CONT	\$451,085	RESIDENTIAL CARE (TEACHING FAMILY HOME).	7.00	\$269,600	GF	\$410,077
MAT-SU COMMUNITY COUNSELING CENTER	WASILLA	26-28	CONT	\$219,000	RESIDENTIAL CARE AND EMERGENCY SHELTER.	5.11	\$178,907	GF	\$219,000

RESIDENTIAL CHILD CARE

BRU: PURCHASED SERVICES

COMPONENT: RESIDENTIAL CHILD CARE

DIVISION OF FAMILY AND YOUTH SERVICES

GRANTEE	LOCATION	ELECT. DIST.	NEW/ CONT.	FY88 AMT. AWARDED	SERVICE	FTE STAFF	AMT. PERS. SERVICES	FUND SOURCE	FY 88 AMT. AWARDED
NOME RECEIVING HOME	NOME	38	CONT	\$375,445	RESIDENTIAL CARE AND EMERGENCY SHELTER.	7.52	\$115,772	GF	\$145,912
NORTH SLOPE BOROUGH RECEIVING HOME	BARROW	37	CONT	\$582,175	RESIDENTIAL CHILD CARE AND EMERGENCY SHELTER.	15.00	\$443,298	GF	\$582,175
NORTH STAR HOME, INC.	DOT LAKE	38	CONT	\$335,800	RESIDENTIAL CARE (TEACHING FAMILY HOME).	3.13	\$189,404	GF	\$335,800
PRESBYTERIAN HOSPITALITY HOUSE	FAIRBANKS	29-34	CONT	\$629,625	RESIDENTIAL CARE (TEACHING FAMILY HOME)	11.70	\$300,303	GF	\$629,625
RESIDENTIAL YOUTH CARE, INC.	KETCHIKAN	01	CONT	\$278,130	RESIDENTIAL CARE.	2.72	\$194,955	GF	\$304,130
RESIDENTIAL YOUTH CARE, INC.	KETCHIKAN	01	CONT	\$219,000	RESIDENTIAL EMERGENCY SHELTER.	1.80	\$158,221	GF	\$219,000
SALVATION ARMY - BOOTH MEMORIAL	ANCHORAGE	10-25	CONT	\$735,475	RESIDENTIAL CARE, INTENSIVE TREATMENT, FEMALE.	2.72	\$518,743	GF	\$791,475
SALVATION ARMY - BOOTH MEMORIAL	ANCHORAGE	10-25	CONT	\$232,050	DAY TREATMENT.	4.80	\$179,154	GF	\$232,050
YOUTH ADVOCATES OF SITKA	SITKA	02	CONT	\$278,130	RESIDENTIAL CARE AND EMERGENCY SHELTER.	8.85	\$222,928	GF	\$278,130
TOTALS FOR RESIDENTIAL CHILD CARE						164.38	16,808,221		\$11,528,728

Grants to Non-Profit Agencies for Capital Assets: Maintaining the Public Purpose and the State's Interest

The Department of Health and Social Services administers many programs that provide grant funds to non-profit organizations. Some grants are for acquisition of capital assets—real property or major equipment. Since capital assets have a useful life longer than a year, potential problems exist in assuring the proper use of those assets over their useful life, which may be many years.

Nonetheless, the potential problems can be addressed and the acquisition of assets by grantees can represent good business practice. On a case by case base, allowing grantees to purchase capital assets may offer substantial cost savings or substantial improvements in services. For instance, purchasing a vehicle may be preferable to leasing if the lease payments are higher than installment payments for a purchase—especially since the grantee would own the vehicle free and clear after making payments. The decision whether to lease or acquire a capital asset can be complex and requires an evaluation of the particular situation.

The Department's grant regulations, notably 7AAC 78.280(c) (attached), provide some protection against inappropriate use of capital assets acquired with grant funds. (However, statutes—AS 37.05.318—prevent regulations from applying to named-recipient grants—those specifically designated by the legislature to a particular organization.) The regulations state that title to a capital asset vests in the grantee, but if the grantee does not provide the services for which the asset was acquired, the Department can transfer the asset to another entity that will provide the service (under certain conditions). As an example, an agency with a building bought entirely with grant funds may stop providing the services for which it purchased the building. The Department could then require the agency to transfer the building to the successor agency now providing the services (or to reimburse the grant funds). This authority gives the Department bargaining strength in negotiating a settlement to maintain the purpose of the original grant.

In addition, the Department establishes "security agreements" for capital assets that provide legal assurances the assets will be used in a manner appropriate to the grant. In the case of real property, the security agreement used is generally a deed of trust (similar to that used for a mortgage loan), although in some cases covenants and restrictions are recorded on the property instead. Another type of security agreement (Uniform Commercial Code Financing Statement, the "UCC-1" form) is generally used for equipment. All security agreements are restrictions on title, and are recorded at the State Recorder's Office.

The deed of trust allows the state to foreclose on real property that is being used for purposes contrary to the intent of the grant. It can provide some legal leverage in negotiations with those grantees. In the security agreements the State's interest in the property is assumed to gradually depreciate over a period of time, usually twenty years in the case of real property. The twenty year period has been used traditionally and has basis in old IRS depreciation schedules and old federal guidelines. In many cases, because of mixing of funding sources in a capital asset and fluctuations in market value, the exact amount of value attributable to a particular grant can be very complex. The twenty year period reasonably balances the need to ensure the public's money is invested correctly while recognizing legal and administrative realities that make perpetual and precise control impossible.

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HB 515

Revision Date: _____
Title: Grants for Residential Services

Dept. Affected: Health and Social Services

BRU: Administrative Services

Component: Commissioner's Office

Sponsor: Williams

COMPONENT SERIAL NO. 317

Requestor: House HESS

See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

CHANGES IN REVENUES ()						
-------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1008 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY98) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

AS 47.40.041(c)(2) prohibits recipients of grants for youth residential care (administered by the Division of Family and Youth Services) from using grant funds for capital expenditures. In many cases, this prohibition forces grantees to rent buildings and equipment even when the Department and the grantee agree that acquisition of an asset would be more economical and would improve services. These restrictions do not apply to other grant programs administered by the Department.

The Department feels that simply amending AS 47.40.041(c) to remove paragraph (2) would be preferable to the current bill, since the paragraph serves no useful purpose. While the bill could provide relief to specific grantees by allowing them to purchase a building, the Department feels that the current bill is too narrowly focused. It would allow purchase of a building for use for youth residential services, but may not allow for "construction, or lease with option to purchase" of facilities which are specifically prohibited by AS 47.40.041(c)(2). Moreover, use of grants to defray capital costs for major equipment and other assets would still be prohibited.

Prepared by: Janet Clarke
Division: Administrative Services

Phone: 465-3082
Date: 02/23/96

Approved by Commissioner: Karen Perdue
Agency: Department of Health & Social Services

Date: 2/26/96

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HB

523

THE IDITAPLEDGE

(I-did-a-pledge) FOR SOBRIETY

Taking into account the "special note" in the previous paragraph, the "Iditapledge" is not only, AFN/SM's largest annual fund-raiser, but it is a three point plan that:

1. Creates a meaningful opportunity for supporters to make a charitable contribution;
2. Mobilizes individuals, families and communities (AFN/SM Charter Groups-Honor Societies) to take joint ownership in a common solution to a problem.
3. Publicly identifies (measure), acknowledge and champion that percentage of our local and state population who lead, believe and support sobriety.

HOW IT WORKS

In lieu of the number of miles the signatures for sobriety are carried on the Iditarod trail (1,049), individuals and businesses can show their support by making monetary pledges calculated on the total mileage (e.g., 1cent per mile equals \$10.49, \$1per mile equals \$1,049.00, etc.). Hence the name, Iditapledge. Those interested in showing their support need only fill-in the pledge box below and send it in to AFN/SM office on or before March 31, 1996.

Contributions are tax deductible. The AFN/SM is a campaign component under the Alaska Federation of Natives Foundation, a 501(c)(3) non-profit organization, Federal ID #94-3123119. Please make and mail all contributions to:

AFN Sobriety Movement -or- AFN/SM
Attn: Col. Milton R. Cross, Treasurer
1577 C Street, Suite 201
Anchorage, Alaska 99501

YES! Please accept my/our tax deductible contribution in support and recognition of the thousands of men, women and children whose signatures are being carried on the Iditarod trail

Name _____

Address _____

Phone _____ Fax _____

Cents or Dollars: _____ x 1,049 miles = _____

ACCOMPLISHMENTS SINCE INCEPTION

- Achieved first fiscal year of self-sufficiency, 3/31/95 to 4/1/96 (raised \$70,000)
- Traveled to over 80 communities in Alaska and Lower '48, gave well over 150 presentations at prevention seminars, conferences, community coalition meetings, and treatment staff retreats
- Collected a yearly average of 5,000 sobriety pledge signatures to be carried 1,049 miles to Nome, AK, in the hand of a drug free musher
- Hosted two successful "sobriety dances during AFN Conventions '94 & '95 (raised +\$10,500)
- Submitted written public testimony in support of the Alaska Natives Commission Report at joint congressional hearings in Washington, DC
- Traveled and spoke to over 1/3 of the Native population (+/- 1,000) on the merits of sobriety in all twelve of the state's prisons
- Helped to establish the month of March '95 & '96 as **SOBRIETY AWARENESS MONTH** (a.k.a. SAM)

PROUD BUSINESS CONTRIBUTORS TO THE AFN/SM's 1995/6 CAMPAIGN

Polar Bear (\$5,000 plus)

Cook Inlet Hospital, Inc.
Golden Health Services

Exxon of Alaska
Southcentral Foundation

Raven (\$1,000 plus)

Aktupak Native Corp
AK State AFL-CIO (In-kind)
Arctic Slope Regional Corp.
Downtown Deli & Cafe
Koniag, Inc.
National Bank of Alaska
Yukon-Kuskokwim Health Corporation

AK Village Electric Co-Op
Anch. Comm. Partnership
Bristol Bay Native Corp
Hickel Investment Co
NANA Regional Corp.
SKW Eskimos, Inc.

Sea Lion (\$500 plus)

AK Native Alcohol Recovery Ctr
Cook Inlet Tribal Council
Kawerak, Inc.
Metlakatla Indian Community
UIC Foundation, Inc.

Bering Straits Native Corp
First National Bank of Anch.
Livingston Skow, Inc.
Norton Sound Health Corp.

Caribou (\$250 plus)

Mr. & Mrs. Condon

Sealaska Corp.

Sea Otter (\$100 plus)

AK Fed. of Natives Staff
Alaska Sales and Service
Donald Dapcevic
J.C. Pinsky (In-kind)
NSHC Recovery Center
Wesley Justin

AK Council on Prev. & Staff
AK Village Initiatives (In-kind)
Gold's Gym (In-kind)
Law Offices of Aileen Smith
Tuluna Times (In-kind)

Brochure compliments of Cook Inlet Tribal Council, Inc.

RECEIVED
MAR 22 1996

ALASKA FEDERATION OF NATIVES

SOBRIETY* MOVEMENT



For more information contact:

AFN SOBRIETY MOVEMENT
Attn: Greg Nothstine, Coord.
1577 C Street, Suite 201
Anchorage, Alaska 99501
907-274-3611, Fax 907-276-7989

*Sobriety — A Positive, Healthy and Productive Way of Life,
Free from the Devastating Effects of Alcohol and Drugs



AFN/SM MISSION STATEMENT:

The mission of AFN/SM is to encourage and support the growing sobriety movement in Alaska. It is based upon cherished and practiced spiritual values & traditional wisdoms of Alaska's Native people; supporting the collective efforts and activities of individuals, families and communities (public/private agencies), who exemplify, promote and benefit from the pursuit and practice of sobriety: a positive, healthy and productive way of life, free from the devastating effects of alcohol and drugs.

SOBRIETY

(Concept Definition)

A positive, healthy and productive way of life, free from the devastating effects of alcohol and drugs.

SOBRIETY MOVEMENT

(Concept Definition)

The collective effort on the part of individual's, families, and communities, and every public and private agency, effected by, concerned with, and working toward the prevention of alcohol and drug abuse; who by example encourage and support those who live a life of sobriety.

MERITS OF SOBRIETY

(The ABC's)

- A) Improves the quality of life and health of individuals, families and communities.
- B) Reduces the incidence of alcohol and drug related crimes.
- C) Reduces the burden on government in exhausting its resources on the pervasive symptoms and problems caused by alcohol and drug abuse.

AFN/SM GOALS:

1. To encourage and support alcohol-free and drug-free Native families;
2. To encourage the practice of traditional Native values and activities;
3. To cooperate and support existing groups working to promote sobriety among Alaska Natives;
4. To encourage the formation of sobriety groups in every Alaska Native community;
5. To encourage and support sober Alaska Native leaders and role models;
6. To become non-dependent upon local, state and federal grant subsidies.



Edgar Nellner, the last surviving Iditarod musher of the original Iditarod, is shown signing the sobriety pledge in Nulato.
Tundra Times Photo by Greg Nolte

THE SOBRIETY PLEDGE

As an Alaska Native or Concerned Individual, I do hereby claim the AFN Sobriety Movement's goals as my own (). If we, Alaska Natives and Concerned Individuals, are to survive as healthy distinct nations, it will be because I took a stand against the elements which weaken and destroy our languages, our values and our spirits. If our spirits are to remain strong and sober, it has to begin somewhere. **LET IT BEGIN WITH ME!**

CHARTER GROUPS & HONOR SOCIETIES
Fifty-nine organizations or groups have passed resolutions in support of the AFN/SM. In whole, or in part, they have adopted or acknowledged the intent of AFN/SM's:

- Mission and Goals
- Concept Definitions & Merits
- Collect Sobriety Pledge Signatures*
- Host at least one sobriety festival in respective community, district or region

*Special Note: Collected signatures are put on microfilm, given to a drug-free dog sled musher, who, in ceremonial fashion carries the microfilm to Nome in the annual Iditarod Sled Dog Race. This is done in commemoration to the origin and history of the Iditarod, when vital serum was relayed to Nome by Alaska Native dog teams; which cured the diphtheria epidemic of the late 1920's. Symbolically, the signatures represent the serum of commitment needed to cure the pervasive and devastating effects of alcohol and drugs.



Ramey Brooks, 26 year old Athabaskan from Fairbanks, is the 1996 drug free musher carrying the signatures to Nome.

RECEIVED
MAR 22 1996
Asst.

ANCHORAGE, ALASKA
AR NO. 96-68

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY RECOGNIZING THE ALASKA
FEDERATION OF NATIVES' SOBRIETY MOVEMENT

WHEREAS, the Alaska Federation of Natives (AFN) has established a Sobriety Movement, with a mission to support and encourage the growing sobriety movement in Alaska; and

WHEREAS, the AFN Sobriety Movement, which is based on cherished and practiced spiritual values and traditional wisdoms of Alaska's Native people, supports the collective efforts of individuals, families, and communities who exemplify and benefit from the pursuit and practice of sobriety, and promotes a positive, healthy, and productive way of life, free from the devastating effects of alcohol and drugs; and

WHEREAS, the goals of the AFN Sobriety Movement are:

- To encourage and support alcohol-free and drug-free Native families
- To encourage the practice of traditional Native values and activities
- To cooperate and support existing groups working to promote sobriety among Alaska Natives
- To encourage the formation of sobriety groups in every Alaska Native community
- To encourage and support sober Alaska Native leaders and role models
- To be non dependent upon local, state, and federal grant subsidies

NOW, THEREFORE, the Anchorage Municipal Assembly resolves

That the Anchorage Assembly, on behalf of the entire community, recognizes

**The Alaska Federation of Natives, Inc.
Sobriety Movement**

for its efforts in improving the quality of life and health of individuals, families, and communities, for reducing the incidence of alcohol and drug related crimes, and reducing the burden on government; in exhausting its resources on the pervasive symptoms and problems caused by alcohol and drug abuse

PASSED AND APPROVED by the Anchorage Municipal Assembly, this 12th day of March, 1996

[Signature]
Chair

ATTEST

[Signature]
Municipal Clerk



Submitted by Assemblymembers MURDY, Abney, Begich, Bell, Lantieri, Clementson, Kendall Meyer, Van Gemringen, Wohlforth, and Wuerch

STATE OF ALASKA



Executive Proclamation by Tony Knowles, Governor

Thousands of Alaskan citizens, as well as public and private agencies, lead or support the concept of sobriety: a positive, healthy, and productive way of life, free from the devastating effects of alcohol and drugs.

Citizens, organizations, and health agencies constitute what is known as the "sobriety movement" in Alaska who are dedicated to educating the public on the prevention of alcohol and drug abuse, and encourage and support those who live a life of sobriety.

In 1995, the Alaska State Legislature and the Administration recognized the important contributions and role the sobriety movement has in:

- (a) Improving the quality of life and health for individuals, families, and communities.
- (b) Reducing the incidence of alcohol and drug related crimes.
- (c) Reducing the burden on local, state, and federal governments to exhaust their resources on the symptoms and problems of substance abuse.

NOW, THEREFORE, I, Tony Knowles, Governor of the State of Alaska, do hereby proclaim March 1996, as:

Sobriety Awareness Month (SAM)

in Alaska, and urge all Alaskans and organizations to support the thousands of men, women, and children who are doing their part to improve the quality of life and health for themselves, families, and communities.

DATED: February 22, 1996



Done by _____

Tony Knowles

Tony Knowles, Governor
who has also authorized the seal
of the State of Alaska
to be affixed to this proclamation.

ALASKA FEDERATION OF NATIVES, INC.
***SOBRIETY MOVEMENT**

**1995 - 1997 AFN/SM
INFORMATION PACKET**

For AFN/SM Council Members
AFN/SM Charter Groups & Honor Societies
Any Interested Parties

**SOBRIETY: A positive, healthy and productive way of life, free from the devastating effects of alcohol and drugs.*

1577 C Street, Suite 201 © Anchorage, Alaska 99501 ☉ Office 907-274-3611 ☉ Fax 907-276-7989

ALASKA FEDERATION OF NATIVES, INC. *S O B R I E T Y M O V E M E N T*

INTRODUCTION

CAMPAIGN

The AFN Sobriety Movement (AFN/SM) is first and foremost a campaign, whose mission is to encourage and support the grassroots sobriety movement growing in Alaska.

CHARTER GROUPS & HONOR SOCIETIES

An AFN/SM *Charter Group* can be any student or village council, private business or corporation, city or municipal borough, church or dance group, who passes a resolution which adopts AFN/SM's:

- a) Mission & Goals;
- b) Concept definitions on *Sobriety* and *Sobriety Movement*; and
- c) Dedicates or hosts one (or more) annual events or celebrations which highlight the merits of sobriety

An AFN/SM *Honor Society* can be any student or village council, private business or corporation, city or municipal borough, church or dance group, who passes a resolution in support of or in recognition of AFN/SM's:

- a) Mission & Goals;
- b) Concept definitions on *Sobriety* and *Sobriety Movement*; and
- c) Meritorious findings of sobriety

SOBRIETY PLEDGE SIGNATURE DRIVES

Charter Groups & Honor Societies can, and have been, helpful in collecting sobriety pledge signatures from the men, women and children within their respective communities, districts or regions. Having done so, they have helped not only, to (1) generated greater awareness, (2) attracted attention and (3) encouraged participation, but (4) make a numerical census of *who* leads, believes in, and supports the lifestyle and concept of sobriety.

THE IDITAPLEDGE (I-did-a-pledge) FOR SOBRIETY

The "Iditapledge" is not only, one of the AFN/SM's largest annual fund-raisers, it is the culmination of a whole years work to collect sobriety pledge signatures in communities all across the state.

Collected signatures are put to microfilm, given to a drug-free dog sled musher, who in ceremonial fashion carries the microfilm in the annual Iditarod Dog Sled Race. From Anchorage to Nome, Alaska, the distance of the race is 1,049 miles. It is held in commemoration to the origin and history of the Iditarod, when vital serum was relayed to Nome by (Alaska Natives and their) dog teams; which cured the diphtheria epidemic in the late 1920's. Symbolically, the sobriety pledge signatures are honored and represent a "serum of commitment" needed to cure the pervasive and devastating effects of alcohol and drugs.

As the signatures travel to Nome in the Iditarod, the Native community (i.e., regional/village profit & non-profit corporations and respective private sector businesses in business with the many Native agencies) have an opportunity to show their support to AFN/SM's campaign by pledging a monetary sum for every mile the signatures travel (e.g., .01 cents x 1,049 miles = \$10.49c).

While individuals are invited to pledge a penny per mile, businesses are invited to pledge a dollar per mile (e.g., \$1.00 x 1,049 miles = \$1,049).

Penny for your thoughts...don't forget...did you put in your two cents...

REVENUE SHARING...

The benefit of being (becoming) an AFN/SM Charter Group (CG) is that not only, can they use the *Iditapledge* to raise money for their respective events and sobriety activities, but the *Iditapledge* is a means by which to gauge the amount of support and appreciation individual members and businesses in the community have for those live a life of sobriety in the community.

There are two phases¹ to the revenue sharing process, they are:

Phase One:

1. Collect sobriety pledge signatures from individuals in your respective community;
2. Mail or fax signatures to AFNSM Headquarters, on or before the third weekend in February, so that they can be put on to micro-film and given to a drug-free Alaska Native, who will then take up to Nome -- 1,049 miles -- in the annual Iditarod Sled Dog Race;

Phase Two:

3. Invite local and regional residents (e.g., who signed the sobriety pledge through your group) to pledge a penny (.01c) for every mile their signature will be carried on the Iditarod trail; extend an invitation to all of your local and regional¹ businesses* to show their support by pledging a nickel (.05c), up to a dollar, for every mile the signatures collected by your group get carried on the Iditarod trail (again, that is 1,049 miles x \$0.00c);

^{*}FUNDS ACCEPTANCE POLICY STATEMENT: AFNSM's Council fund-raising policy *does not include accepting any contributions, whatsoever, from the liquor industry, i.e., bars, liquor stores, bartender or waitress associations. The AFNSM Council believes this is self-defeating message, and asks that all CGHS's respect this policy and follow suite.*

4. Report the total amount of contributions received (i.e., including those not yet received, but pledged) to AFN/SM Headquarters. On a sliding scale: Share a minimum of ten percent (10%), to a maximum of twenty-five percent (25%) of the funds your respective group generates from using AFN/SM's *Iditapledge for Sobriety* fund raising campaign.

¹ **IMPORTANT:** AFNSM is organized under the Alaska Federation of Native Foundation, a 501(c)3 non-profit organization, all contributions made toward the AFNSM, and only the AFNSM, are tax deductible. All CGHS's, not organized under a non-profit (tax exempt) organization, are encouraged to secure the support and cooperation of one to receive contributions on their behalf, so that, any contributions received can have the benefit of being tax deductible.

AFN/SM MISSION STATEMENT¹:

The mission of AFN/SM is to encourage and support the growing sobriety movement in Alaska. It is based upon cherished and practiced spiritual values & traditional wisdom's of Alaska's Native people; supporting the collective efforts and activities of individuals, families and communities (public/private agencies), who exemplify, promote and benefit from the pursuit and practice of sobriety: a positive, healthy and productive way of life, free from the devastating effects of alcohol and drugs.

AFNSM GOALS:

1. To encourage and support alcohol-free and drug-free Native families;
2. To encourage the practice of traditional Native values and activities;
3. To cooperate and support existing groups working to promote sobriety among Alaska Natives;
4. To encourage the formation of sobriety groups in every Alaska Native community;
5. To encourage and support sober Alaska Native leaders and role models;
6. To be non-dependent upon local, state and federal grant subsidies.

SOBRIETY(Concept Definition²):

A Positive, Healthy and Productive *Way of Life*, Free from the Devastating Effects of Alcohol and Drugs.

SOBRIETY MOVEMENT (Concept Definition³):

The collective efforts on the part of individuals, families, and communities, (public and private agencies), effected by, concerned with, and working toward the prevention of alcohol and drug abuse; who by example, encourage and support those people who lead, believe in, or support the "concept" of sobriety.

MERITS⁴ OF SOBRIETY:

(The ABC's of Sobriety)

- A) Improves the quality of life and health of individuals, families and communities;
- B) Reduces the incidence of alcohol and drug related crimes;
- C) Reduces the burden on government in exhausting its resources on the pervasive symptoms and problems caused by alcohol and drug abuse.

¹ August 1995

² May 1991

³ May 1995

⁴ February 1995

SOBRIETY PLEDGE

As an *Alaska Native or Concerned Individual*, I hereby claim the goals of the AFN Sobriety Movement as my own:

- 1) To encourage and support alcohol-free and drug-free Native families;
- 2) To encourage the practice of traditional Native values and activities;
- 3) To cooperate and support existing groups working to promote sobriety among Alaska Natives;
- 4) To encourage the formation of sobriety groups in every Alaska Native community;
- 5) To encourage and support sober Alaska Native leaders and role models.

If we, *Alaska Natives or Concerned Individuals*, are to remain a health distinct nation, it will be because I took a stand against the elements which weaken and destroy our languages, our values and our spirits. If our spirits are to remain strong and sober, it has to begin somewhere.

LET IT BEGIN WITH ME!

**AFN/SM CHARTER GROUP/HONOR SOCIETY
MEMBERSHIP RESOLUTION**

Resolution # _____

TITLED: Name of Organization (pledges to the success of and/or recognizes) the Alaska Federation of Natives Sobriety Movement (AFN/SM) its mission to restore the spirit and honor among Alaska Natives and Alaskans weakened by substance abuse.

WHEREAS: Substance abuse (alcohol/drugs) has become the gateway to the myriad social health problems facing Alaska Natives, and others concerned, which disrupts families and polarizes communities; and

WHEREAS: The health and social services and corrections industry have both expanded their resources in Alaska to help Alaska Natives, and others concerned, to cope with and alleviate the problems and symptoms of substance abuse, and yet the problems and symptoms are still widespread; and

WHEREAS: Through AFN's Convention resolution process, Alaska Native people have recognized, time and again, alcohol and drug abuses devastating effects as a pervasive and immediate health threat, AFN's Board established the AFN Sobriety Movement as a permanent, self-supporting campaign to encourage and support the grassroots sobriety movement growing in Alaska; and

WHEREAS: Governor Tony Knowles, the 19th Alaska State Legislature, the AFN Board of Directors, the AFN/SM Council have all declared the month of March as "Sobriety Awareness Month", the AFN/SM invites all AFN member organizations, and outside third party organizations to promote sobriety as "a positive healthy and productive way of life, free from the devastating effects of alcohol and drugs," and to consider becoming a Charter Group or Honor Society of the AFN/SM; and

WHEREAS: Over 50 Charter Groups/Honor Societies exist today, the only requirements are to adopt/recogonize AFN/SM's: i) mission & goals, ii) concept definitions for sobriety and sobriety movement, iii) host or dedicate an annual event or meeting that celebrates or highlights the merits of sobriety; and

WHEREAS: The AFN/SM's Council has found the merits of sobriety to be the following, it: a) Improves the quality of life and health of individuals, families and communities; b) Reduces the incidence of alcohol and drug related crimes; c) Reduces the burden on government to exhaust its resources on the problems and symptoms of substance abuse.

NOW THEREFORE BE IT RESOLVED That the Board of Directors of Name of Organization hereby adopt the goals of AFN/SM: 1) To encourage and support alcohol-free and drug-free Alaska Native families; 2) To encourage the practice of traditional Native values and activities; 3) To support existing groups working to promote sobriety among Alaska Natives; 4) To encourage the formation of sobriety groups in every Alaska Native community; 5) To encourage and support sober Alaska Native leaders and role models; and be it

FINALLY RESOLVED That Name of Organization adopts AFN/SM's definition of sobriety: *a positive, healthy and productive way of life, free from the devastating effects of alcohol or drugs;* pledge to host at least one annual meeting, festival or celebration which focuses or campaigns on the merits of sobriety so that the people we respect and honorably serve in our (chose one) community/region/corporation will consider sobriety as a lifestyle worthy of pursuit and practice.

Enacted by the (Name) Board of Directors in (City) by a _____ to _____ vote, this ___ day of ____, 199__.

PRESIDENT

ATTEST: _____
SECRETARY

Charter Groups & Honor Societies*

1. Alaska Native Health Board
2. Alaska Statewide Native Youth Leadership Conference
3. Alaska Village Electric Co-operative*
4. Ambler Advisory School Board
5. Anchorage Assembly*
6. Arctic Slope Regional Corporation*
7. Arctic Winter Games Corporation of Alaska (Team Alaska)*
8. Anvil Mt. Correctional Center (Native Culture Club)
9. Alaskans for Drug-Free Youth Statewide Board
10. Bristol Bay Native Association
11. Bristol Bay Native Corporation*
12. Bristol Bay Area Health Corporation*
13. Central Council - Tlingit & Haida Tribes of Alaska
14. Partnership for a Health Community (Anch.)
15. Chilkoot Indian Association (IRA)
16. Cook Inlet Tribal Council
17. Cook Inlet Pre-Trial Facility (Native Culture Club)
18. Dillingham Beaver Round-Up Festival Association*
19. Elim IRA Council
20. Eyak Tribal Council
21. The Eskimo-Indian-Aleut Publishing Co. (Tundra Times)
22. Fairbanks Native Association
23. Fairbanks Correctional Center
24. Golovin Native Corporation*
25. Governor's Advisory Board on Alcohol & Other Drugs
26. Heartbeat Alaska*
27. Highland Mt./Meadow Creek Correction Center (Native Culture Club)
28. Kawerak, Inc.
29. Kodiak Tribal Council

- 30.Ketchikan Correctional Center (Native Culture Club)
- 31.Levelock Village Council
- 32.Lemon Creek Correctional Center (Native Culture Club)
- 33.MTNT Limited
- 34.Maniilaq Association
- 35.National Family Partnership for Drug-Free Youth
- 36.NANA Regional Corporation*
- 37.Nome Native Youth Leadership Council
- 38.Norton Sound Health Corporation
- 39.New Stuyakhok Traditional Council
- 40.North Slope Celebration of Sober Life Movement
- 41.Old Harbor Tribal Council
- 42.Ouzinkie Tribal Council
- 43.Pt. MacKenzie Rehabilitation Center (Native Culture Club)
- 44.Palmer Correctional Center (Native Culture Club)
- 45.Qinanniut Corporation
- 46.Qawalangin - Tribe of Unalaska
- 47.Safe & Fear Free Environment (S.A.F.E.)
- 48.Sitka Natives for Sobriety (Alaska Native Brotherhood Camp #1)
- 49.Spirit Days, Incorporated
- 50.Sitka Alliance for Health
- 51.Shishmaref Sobriety Club
- 52.Spring Creek Correctional Center (Native Culture Club)
- 53.St. Paul Island High School Student Council
- 54.Tanana Chiefs Conference, Incorporated
- 55.Wildwood Correctional Center (Native Culture Club)
- 56.World Eskimo-Indian Olympics
- 57.Yukon-Kuskokwim Correctional Center (Native Culture Club)
- 58.Yukon-Kuskokwim Health Corporation

ACCOMPLISHMENTS

- Achieved first fiscal year of self-sufficiency, 3/31/95 to 4/1/96 (raised \$70,000)
- Have been invited and traveled (travel paid by host) to over 80 communities in Alaska and Lower '48
- Have given well over 150 presentations at prevention seminars, conferences, community coalition meetings, and drug treatment staff retreats
- Collect an average of 5,000 sobriety pledge signatures annually from men, women and children; which carried 1,049 miles to Nome, AK, in the annual Iditarod sled dog race
- Annually host the Governor's Sobriety Sock Hop (dance) during the AFN Convention
- Submitted written public testimony in support of the Alaska Natives Commission Report at joint congressional hearings in Washington DC.
- Traveled to all state prison facilities and speak to 1/3 of the Native prison population on the merits of sobriety; help set up the first (ever in the nation) statewide sobriety potlatch celebration in the prisons; help set up the first Native inmate culture club teleconferencing
- Helped to establish the month of *March '95 & '96* to be recognized statewide as *SOBRIETY AWARENESS MONTH (a.k.a. SAM)*.
- Author of the language which was used (is now being introduced) in House Bill No. 523 (HB523) to amend the Alaska Statutes *DECLARATION OF POLICY* under the "Uniform Alcoholism and Intoxification Treatment Act (AS 47.37.010)."

PROUD CONTRIBUTORS TO AFN/SM's 1995/6 CAMPAIGN

Polar Bear (\$5,000 plus)

Cook Inlet Region, Inc. Exxon of Alaska Indian Health Service Southcentral Foundation

Raven (\$1,000 plus)

Afognak Native Corp.	AK Village Electric Co-Op	AK State AFL/CIO (In-kind)
Anch. Comm. Partnership	Arctic Slope Regional Corp.	Bristol Bay Native Corp.
Downtown Deli & Cafe	Hiickel Investment Co.	Koniag, Inc.
NANA Regional Corp.	National Bank of Alaska	SKW Eskimos, Inc.
Yukon-Kuskokwim Health Corp.		

Sea Lion (\$500 plus)

Bering Straits Native Corp.	Cook Inlet Tribal Council	First National Bank of Anch.
Kawerak, Inc.	Livingston Stone, Inc.	Metlakatla Indian Community
Norton Sound Health Corp.	UIC Foundation, Inc.	AK Native Alcohol Recovery

Caribou (\$250 plus)

Mr. & Mrs. Condon Sealaska Corporation

Sea Otter (\$100 plus)

AK Fed. of Natives Staff	AK Council on Prev. & Staff	Alaska Sales and Service
AK Village Initiatives (In-kind)	Donald Dapcevich	Gold's Gym (In-kind)
J.C. Penny (In-kind)	Law Offices of Aileen Smith	NSHC Recovery Center & Staff
Tundra Times (In-kind)	Wilson Justin	

**ALASKA FEDERATION OF NATIVES
SOBRIETY MOVEMENT
COUNCIL MEMBER LIST***

WILSON JUSTIN¹
AFN Sobriety Movement
SRA 1355
Slana, Alaska 99586
822-5399, fx 5810, cell. ph. 244-5607

JESLIE KALEAK²
Arctic Slope Regional Corporation
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LT. COL. MILTON R. CROSS³
Alaska Army National Guard
1530 E 27th Avenue (Residence)
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Fairbanks, Alaska 99701
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Afognak Native Corporation
P.O. Box 1277 (as of Aug. 14, 1995)
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TONY BROWN, Video Production Specialist
Alaska Native Medical Center
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JIM LA BELLE, Rural Affairs Coord.
(When Legislature is in Session)
Department of Corrections
240 Main Street, Suite 700
Juneau, Alaska 99801,
465-3307, fx 3390

(Legislature Not in Session)
Department of Corrections
4500 Diplomacy Drive, Suite 207
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THERESA "Tiny" DEVLIN
Arch Diocese of Anchorage
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Anchorage, Alaska 99501
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ERMALEE HICKEL
AFNSM Council Member
1905 Lousaac Drive
Anchorage, Alaska 99517
248-0013, fx 258-4857 (Hickel Investments Co.)

MARY MILLER, Supervisor
SEARHC - Chemical Dependency Unit
222 Tongass Drive
Sitka, Alaska 99835
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ESTHER COMB⁴
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YURI PETROV, Regional Coord.
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cell. ph. 244-8964

¹ AFNSM CHAIRMAN
² AFNSM VICE CHAIRMAN
³ AFNSM TREASURER

AFN SOBRIETY MOVEMENT

1577 C Street, Suite 201, Anchorage, Alaska 99501
907-274-3611, 907-276-7989 fax

MEMO

DATE: March 19, 1996
TO: To Whom This May Concern
FROM: Greg L. Nothstine, AFN/SM Coordinator 
SUB: Up-date; Information Packet

THE STATE OF ALASKA LEADS THE NATION IN PUBLICLY ADVOCATING SOBRIETY AS A LIFESTYLE WORTHY OF PURSUIT AND PRACTICE.

Mr. Ramy Brooks recently completed the 1996 Iditarod Sled Dog Race, finishing in eleventh place; carrying thousands of sobriety signatures from men, women and children. Mr. Brooks and I will accompany Mrs. Susan Knowles, Alaska's First Lady, up to Nome, Alaska, Friday, March 22, 1996, with the Alaska National Guard; presenting on the merits of living drug-free to Nome's student population.

Looking ahead to next year, I have enclosed an information packet on the AFN Sobriety Movement (AFN/SM). Again, AFN/SM is a campaign whose success is directly proportional to the level commitment and appreciation normal citizens, like yourself, have for sobriety; its connotation of HOPE.

Not since the passage of the Alaska Native Claims Settlement Act (ANCSA), has there been a more successful and influential initiative to draw attention and focus on improving the quality of life and health of Alaska's Native people; with positive spill-over benefits for the non-Native community. For this, it is fitting that the AFN/SM be the recipient of the prestigious *Denali Award* given by the *Alaskan of the Year Award Committee*, March 30th, at the Sheraton Anchorage Hotel.

Who would have thought that Alaska would one day lead the nation simply for publicly acknowledging (reinforcing) a concept and lifestyle with a history and following older than Alaska had been a state? But, they have. And, they do, thanks to the Alaska Federation of Natives Sobriety Movement's (AFN/SM) tireless and persistent grassroots advocacy.

This is not all! The AFN/SM has developed one of the most promising revenue sharing, fund-raising formulas to help break the cycle of dependency on state and federal grant subsidies; challenging the mind-set that in order to begin anything worthwhile you do not "need" a grant from the government to get started.

Today, the AFN/SM stands on its own merit! Its success can, again, be attributed to the level of commitment and appreciation people have for AFN/SM's message; charitable contributions received! The ingenious thing about AFN/SM's revenue sharing formula is that, *it can be duplicated in both Native and non-Native communities.*

The month of March, 1996, is SOBRIETY AWARENESS MONTH a.k.a. S.A.M., in Alaska. As we live out these last two weeks of March, may the month of SAM '96, find you, your family, and your community, experiencing the many merits of sobriety!

Enclosure(s):

SOBRIETY: a positive, healthy and productive way of life, free from the devastating effects of alcohol and drugs.

TESTIMONY

GREG NOTHSTINE, COORDINATOR
ALASKA FEDERATION OF NATIVES SOBRIETY MOVEMENT
THURSDAY, MARCH 21, 1996

19TH ALASKA STATE LEGISLATURE, SECOND SESSION
SENATE COMMITTEE ON
HEALTH, EDUCATION AND SOCIAL SERVICES (HESS)

Messrs. Chairman, Members of the Committee, Ladies and Gentlemen:

For the record my name is Greg Nothstine. As the coordinator for the Alaska Federation of Natives Sobriety Movement Council and on behalf of the Alaska Federation of Natives, I am testifying in support of House Bill No. 523, sponsored by the House Judiciary Committee, and entitled "An Act expressing the state's policy with respect to sobriety."

Messr. Chairmen, it is a foregone conclusion that alcohol and drug abuse presents an immediate danger to the lives, health and well-being of all Alaskans. The Alaska Federation of Natives supports the passage of House Bill No. 523 because it represents a positive paradigm shift in the state's policy for preventing alcohol and drug abuse in Alaska.

HB523 speaks to the legitimate recognition by the state of Alaska for a preferred lifestyle now being practiced by thousands of Alaskans and commonly referred to or known as sobriety. For the Alaska Federation of Natives and 58 other local, regional and statewide organizations, sobriety is understood as "a positive, healthy and productive way of life, free from the devastating effects of alcohol and drugs."

What is interesting is that the history of sobriety has been a concept and lifestyle, pursued and practiced by millions of Americans, longer than Alaska has even been state. Indisputably, our state court system has since dealt with many alcohol and drug abuse related cases. Consequently,

many criminals have and are being remanded to receive education and treatment services; which are regulated by statute.

Again, HB523 represents a positive paradigm shift in the state's policy for preventing alcohol and drug abuse. It favors and follows the conventional wisdom for reinforcing socially appropriate behaviors and choices that are conducive to:

- a) helping improve the quality of life and health for individuals, families and communities;
- b) helping reduce the incidence of alcohol and drug related crimes;
- c) helping reduce the burden on government in exhausting its resources and having to pay for the many social ills and problems caused by alcohol and drug abuse.

Messrs. Chairman, in the packet of information you have been provided, you will find a copy of Governor Tony Knowles' second Executive Proclamation declaring the month of March 1996 as Sobriety Awareness Month.

Last year, both, Governor Knowles and the 19th Alaska State Legislature, declared March 1995 as Sobriety Awareness Month. This set a precedent in not only, state history, but US history, because it made Alaska the first state in the nation to recognize sobriety as a lifestyle; the merits of which are deserving of support from every local, state and federal agency in the field of prevention.

Messr. Chaimen, on the eve of the second proclaimed Sobriety Awareness Month in our state's history, and on behalf of the AFN Board of Directors and the AFN Sobriety Movement Council, I urge you to support and recommend the passage of HB523.

Thank You for your time and attention.

Representative Brian S. Porter



CHAIRMAN
HOUSE JUDICIARY COMMITTEE

MEMBER
HOUSE LABOR & COMMERCE COMMITTEE
HOUSE STATE AFFAIRS COMMITTEE
INTERNATIONAL TRADE & TOURISM
COMMITTEE

MEMBER
FINANCE SUBCOMMITTEES
DEPARTMENT OF LAW
DEPARTMENT OF EDUCATION
COURTS

SESSION:
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JUNEAU, ALASKA 99801-1103
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INTERIM:
718 W. 4TH AVE., SUITE 640
ANCHORAGE, AK 99501-3133
PHONE: (907) 386-8187
FAX: (907) 386-8810

DISTRICT 20

HB 523

"An Act expressing the state's policy with respect to sobriety."

Sponsor Statement

Alcohol and drug abuse is the single most destructive health problem in Alaska. Alcohol abuse and dependence occurs among Alaskans in all racial and ethnic backgrounds and at all economic levels. The destructive consequences of alcohol and drug abuse are felt by the abusers, their spouses, children, friends, and employers. Ultimately, alcohol and drug abuse adversely affects all our lives either directly or indirectly.

HB 523 offers another alternative within the treatment of alcohol and drug abuse - sobriety. A positive, healthy and productive way of life, free from the devastating effects of alcohol and drugs. The sobriety language establishes an additional solution to the policy set forth by the Uniform Alcoholism and Intoxication Treatment Act. In fact, the Division of Alcoholism and Drug Abuse has placed the definition of "sobriety" in their strategic plan "meeting the Challenge" adopted by the Division and the Governor.

HB 523 focuses on a positive solution instead of the problem.

Date of Committee Action: 2/29/96

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 523

HOUSE BILL NO. 523

STATE'S POLICY ON SOBRIETY

"An Act expressing the state's policy with respect to sobriety."

recommends it be replaced with the following committee substitute _____ the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(s): _____ (Dept)

APPROVES PREVIOUS: _____ (Dept/Dir)

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) H+SS

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			

CHAIR'S SIGNATURE *[Signature]*

DECLARATION
OF THE
ALASKA FEDERATION OF NATIVES

WHEREAS the enactment of local option laws by Alaska Native villages has not fully halted the importation and manufacturing of alcohol, even in those communities that have voted themselves dry; and,

WHEREAS state and local law enforcement agencies do not have the resources to fully stem the importation and manufacturing of alcohol in all the dry communities; and,

WHEREAS the abuse of alcohol in Alaska Native homes and communities continues to be the triggering factor in most accidents, assaults, homicides, and suicides; and,

WHEREAS statistical analyses by various state and federal agencies prove that the very presence of alcohol in a home or village significantly increases the likelihood of violence, injury, or death occurring there;

THE ALASKA FEDERATION OF NATIVES THEREFORE DECLARES that alcohol and its abuse presents an intimate and imminent threat to the lives, health, and well-being of our children, families, and communities whenever and wherever it is found; and

IT FURTHER DECLARES that it shall be the policy of AFN to fully support the efforts of our village governments as they work to keep out and remove alcohol and other illicit drugs from within their jurisdictions, and to utilize every resource available in the statewide Native community to change any state or federal laws that may prevent them from protecting the lives and well-being of our people; and

IT FURTHER DECLARES THAT AFN and its membership will redouble their efforts in supporting and promoting SOBRIETY as a way of life for all our people.


Julie Kitka, President



October 10, 1994

Alaska State Legislature

During Interim
716 West 4th Avenue, Suite 510
Anchorage, Alaska 99501-2133
(907) 258-8185
Fax (907) 258-0226



During Session
State Capitol
Juneau, AK 99801-1182
(907) 465-4993
Fax (907) 465-3872

Senator Drue Pearce District F

Jan. 19, 1995

Mr. Greg Nothstine
AFNSM Coordinator
1577 C St., Suite 100
Anchorage, Alaska 99501

Dear Greg:

Attached is a copy of a letter I sent to First Lady Hillary Rodham Clinton asking her to write a personal letter supporting the important efforts of the Alaska Federation of Natives *Sobriety Movement*.

I commend you for the important work you are doing to help Alaska Natives regain pride in their heritage and reclaim their lives from the devastation caused by alcohol and drugs.

Sincerely,

A handwritten signature in cursive script, appearing to read "Drue Pearce", enclosed within a circular flourish.

Drue Pearce
Senate President

Keep up the good work!

THE WHITE HOUSE
WASHINGTON

February 28, 1995

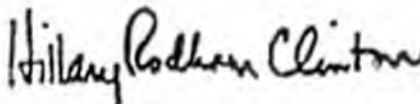
Dear Friends:

I am pleased to have this opportunity to send greetings to each of you participating in the Iditapledge of the Alaska Federation of Natives Sobriety Movement.

The miles covered in the Iditarod remind us of the steps we must take to assure a positive, healthy and productive way of life for the families and communities of our nation. As you link together healthy individuals, healthy families, and healthy communities you strengthen the fiber of our nation as a whole. I commend your hard work and dedication to this worthy cause.

Please accept my best wishes for a successful future.

Sincerely yours,



Hillary Rodham Clinton

TED STEVENS ALASKA
FRANK R. RAYBURN MISSISSIPPI
JAMES H. EASTLAND MISSISSIPPI
JAMES H. HASTINGS MISSOURI
PATRICK J. LEAHY VERMONT
DAN BURRIS ARIZONA
MURK DOUGLASS ARIZONA
JAMES H. EASTLAND MISSISSIPPI
FRANK R. RAYBURN MISSISSIPPI
JAMES H. HASTINGS MISSOURI
PATRICK J. LEAHY VERMONT
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MURK DOUGLASS ARIZONA
JAMES H. EASTLAND MISSISSIPPI
FRANK R. RAYBURN MISSISSIPPI
JAMES H. HASTINGS MISSOURI
PATRICK J. LEAHY VERMONT
DAN BURRIS ARIZONA
MURK DOUGLASS ARIZONA

ROBERT F. BARNETT UTAH
J. KEITH KENNEDY STAFF DIRECTOR
JAMES H. ENGLISH MONTHLY STAFF DIRECTOR

United States Senate
COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510-8025

January 24, 1995

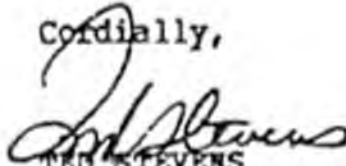
Greg L. "Tungwenuk" Nothstine
Coordinator
Alaska Federation of Natives
Sobriety Movement
1577 "C" Street, Suite 100
Anchorage, Alaska 99501

Dear Tungwenuk:

Thank you for letting me know about the addition to the Sobriety Movement's request to Mrs. Clinton.

In an effort to address the concerns you have raised, I have contacted the White House and requested that they address this matter. Once I receive their response, you can be sure that I will share it with you.

With best wishes,

Cordially,

TED STEVENS

COMMITTEES:

VETERANS' AFFAIRS (HAWAII)
ENERGY AND NATURAL RESOURCES
FOREIGN RELATIONS
INDIAN AFFAIRS

United States Senate

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120 Trading Bay Plaza, Suite 200
Ketchikan, AK 99901-7716
(907) 223-1900

108 Main Street
Ketchikan, AK 99901-4400
(907) 226-0000

January 19, 1995

Mr. Greg L. Nothstine
Sobriety Movement Coordinator
Alaska Federation of Natives
1577 C Street, Suite 100
Anchorage, Alaska 99501

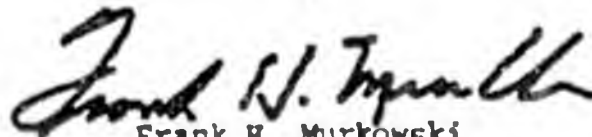
Dear Tungwenuk:

Thank you for your letter regarding the Alaska Federation of Native's Sobriety Movement.

I find it very pleasing to know that you have taken it upon yourselves to help those suffering from alcohol addiction. This pernicious condition is a severe detriment to the betterment of a people and a nation. I wish you great success in your effort and am only too happy to write to the First Lady on your behalf.

Again, thank you for your letter on this very important issue, and I hope that you will write to me in the future and let me know of the Movement's progress.

Sincerely,



Frank H. Murkowski
United States Senator

Singling the Sobriety Song

907-274-8246
 3/14/98 12:34

☐ 907-274-8246

AFN Sobriety Movement
 AFN

G. Norman (Tugerman)

☐ 002/003

Times Special Supplement **March, 1998** **Anchorage, Alaska**

HB 523 could shift view of sobriety and alcoholism

by Anna M. Pickett
 Tundra Times staff

Recognizing that alcohol and drug abuse presents an immediate danger to the lives, health and well-being of all Alaskans, the Alaska Federation of Natives and the Alaska Council on Preventing Alcohol and Drug Abuse are supporting passage of House Bill No. 523.

"It (HB 523) represents a positive paradigm shift in the state's policy for preventing alcohol and drug abuse in Alaska," said Greg Nothstine, AFN Sobriety Movement Coordinator to the House of Representatives' Committee on Health, Education and Social Services (HESS) during the 19th Alaska State Legislature. "HB 523 speaks to the legitimate recognition by the state of Alaska for a preferred lifestyle now being practiced by thousands of Alaskans and commonly referred to or known as sobriety."

Nothstine said HB 523 favors and allows the conventional wisdom for enforcing socially appropriate behav-

iors and choices that are conducive to:

- helping improve the quality of life and health for individuals, families and communities;
- helping reduce the incidence of alcohol and drug related crimes; and
- helping reduce the burden on government in exhausting its resources and having to pay for the many social ills and problems caused by alcohol and drug abuse.

The Bill

The text of the bill reads: "An Act expressing the state's policy with respect to sobriety.

Be it enacted by the Legislature of the State of Alaska:

*Section 1. AS 47.37.010 is amended to read:

Sec. 47.37.010 DECLARATION OF POLICY. It is the policy of the state to recognize, appreciate, and reinforce the example set by its citizens who lead, believe in, and support a life of sobriety. It is also the policy of the state that alcoholics and

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At a community send-off ceremony co-sponsored by AFN Sobriety Movement and the Alaska Native Health Board, Brooks signed posters and talked to youth about dog muzzling, the importance of education, and living a drug-free and tobacco-free lifestyle.

Brooks blazes Iditarod for sobriety pledges

Tundra Times staff

Athabascan-Eskimo Ramey Brooks is on the trail - a long, cold trail, traveling by day and night against elements that try to force him back. He finds ways to stay on the trail with-

out falling off, getting trampled by wild animals, or getting lost. It is a heavy load to carry, but the strength within him keeps pushing him further and further ahead. Go Ramey, Go!

The trail - Iditarod. The load - So-
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Opinion

Concept of sobriety not something new

By Greg L. Nohstine

The media coverage July 31 to Aug. 4 on the sobriety movement in Alaska was wonderful! Continued coverage like this is just what the public needs to get a thorough understanding of the subject — a solution which millions of people throughout the United States have in common — because our public institutions are in a bureaucratic rut still trying to diagnose the problem.

The state of Alaska spends millions in research dollars trying to solve the problem and symptoms of substance abuse. Yet, the institutions in place, which the state funds, fail miserably to acknowledge that a concept or solution, and its merits thereof, already exists with 60 years of history — sobriety.

Sobriety is nothing new. Again, it's a way of life millions of people in the United States have had in common for over 60 years. What is new, however, is how sobriety is now being interpreted and increasingly referred to as a lifestyle worthy of pursuit and practice; the merits of which (concluded by the Alaska

Federation of Natives Sobriety Movement Council): a) improve the quality of life and health of individuals, families and communities; b) reduce the incidence of alcohol- and drug-related crimes; c) reduce the burden on government to exhaust its resources in having to pay for the symptoms and problems caused by alcohol and drug abuse.

In June 1991, the Alaska Federation of Natives created its AFN sobriety movement program. Part of its mission has been to generate greater awareness and appreciation for sobriety. Since its inception, the program has annually collected thousands of sobriety pledge signatures from Natives and non-Natives alike. Every year these signatures are carried in the Iditarod Sled Dog Race, most notably by Mike Williams. Cumulatively, over 10,000 signatures have been collected.

Presently, 57 organizations and groups in the state (even one in the Lower 48 — the National Family Partnership) have passed

resolutions in support of the sobriety movement's mission and goals. Support like this can only be indicative of a shift in the philosophy of prevention.

We live in a linear society where definitions of terms are the principle cornerstone to any concept or ideology's success. The success of the sobriety movement is attributed to this principle where "sobriety" and the "sobriety movement" are concerned. Before the movement, these two terms were used in small circles, and in vague context to existing terminology in the mental health and health fields; nowhere were they found or mentioned in any glossary of any government needs assessment or research report.

So, the first thing the AFN sobriety movement council did was define sobriety as a positive, healthy and productive way of life, free from the devastating effects of alcohol and drugs. The council did the same for the sobriety movement: The collective effort on the part of individuals, families and communities, and

every public and private agency, affected by, concerned with and working toward the prevention of alcohol and drug abuse, who by example encourage and support (even employ) people to live a life of sobriety. Based on the latter definition, the AFN sobriety movement is but a mere component in a much greater ongoing process, the intent of which is primarily concerned with improving the quality of life.

Eight years ago, Alaska Natives were dubbed a "People in Peril." Now, they're the "Champions of Hope." Notwithstanding these characterizations and because of Alaska Natives, the state lends the nation in promoting sobriety among its citizens. On May 21, 1994, the Department of Corrections made national history by allowing all Native inmate culture clubs to simultaneously host sobriety pinitches.

In March of this year Gov. Tony Knowles and the 19th Alaska Legislature proclaimed the month of March as Sobriety Awareness Month; U.S. Sens. Ted

Stevens and Frank Murkowski and our nation's first lady, Mrs. Hillary Rodham Clinton, sent letters in support of the occasion. In tribute, these documents were carried in the 1995 Iditarod Sled Dog Race by Athabascan musher Renny Brooks.

All in all, more still can be done. Looking back, the concept of the sobriety movement was born out of the ashes of countless lives torn apart by the ravages of alcohol and drugs in the United States. It just happened that Alaska Natives, through their experience of desiring to regain control of their lives and culture from generations of forced acculturation, germinated the sobriety movement into public awareness.

Hopefully, the media will continue this type of coverage on the subject, whatever the occasion. It can be just the momentum needed to give our public institutions the permission to take common stock in a solution which pays countless dividends in social benefits.

Greg L. Nohstine (Tungwenuk) is coordinator of the Alaska Federation of Natives sobriety movement. He lives in Anchorage.

Commentary

Revision Date _____
 Title An act expressing the state's policy with respect
to subsidy
 Sponsor: House JLD
 Rec. actor: House HES

Dept. Affected: Health and Social Services
 BRU: Administrative Services
 Component: Commissioner's Office
 COMPONENT SERIAL NO. 317
 See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY97	FY98	FY99	FY00	FY01	FY02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1008 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY96) cost: 0.0

ANALYSIS: (Attach a separate page if necessary)

This bill will have no fiscal impact on the Department of Health and Social Services

Prepared by: Janet Clarke, Director
 Division: Administrative Services
 Approved by Commissioner: Karen F. Hyde, Commissioner
 Agency: Department of Health & Social Services

Phone: 465-3082
 Date: 02/28/96
 Date: 2/28/96

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