

ALASKA LEGISLATURE COMMITTEE FILES 1997-1998 8672

9546 SENATE HEALTH EDUCATION & SOCIAL SERVICES 188

BOARD MEETING

Friday, October 29
School District Administrative Center
Board Room, Main Floor
520 Fifth Avenue, Fairbanks
8:30 a.m.

- 8. **Call to Order** Patricia Norheim
- 9. **Attorney General's Report** Tom Slagle
- 10. **Tech Prep Report** Ed Obie
- 11. **Student Performance Standards** Bob Silverman
Science, Math, English/Language Arts

LUNCH

noon to 1:30 p.m., School District Administrative Center

- 12. **Private School Participation Regulations** Jerry Covey
- 13. **Public Comment and Continuation of Oct. 29 Agenda**
7 p.m., Board Room, Administrative Center
Comments are limited to 3 minutes
per person and 5 minutes per group.
Each topic is limited to 1 hour.

BOARD MEETING

Saturday, October 30
Fairbanks
9 a.m.

- 14. **Kids Voting** Sandy McClintock
- 15. **Regional Resource Center Proposal** Charles White
- 16. **Approval of Consent Agenda**
Regulations for Adoption
94-11 Adopting regulations governing Senate Bill 7 (school
construction)

BOARD MEETING
Saturday, October 30
Continued

Regulations for Public Comment

- 94-12 Opening a period of public comment on student performance standards for English/language arts, mathematics, and science
- 94-13 Opening a period of public comment on regulations for the state archives division
- 94-14 Opening a period of public comment on regulations governing participation by private school students in public school classes
- 94-15 Opening a period of public comment on regulations governing participation by private school students in public school interscholastic activities

General Items

- 94-16 Approving the minutes of the August 6 & 7 meeting
- 94-17 Accepting the Tech Prep Report and approving the Tech Prep recommendations for implementation
- 94-18 Approving a land transfer from Mt. Edgecumbe High School to the Division of Natural Resources
- 94-19 Accepting the recommendations of the standards committees in math, science, and English/language arts
- 94-20 Granting a special education waiver to the Kenai School District

- 17. **Other Business**
- 18. **Board Comments**
- 19. **Public Comment on Non-Agenda Items**
- 20. **Adjournment**

**MEMORANDUM**

To: State Board of Education

Date: October 5, 1993

From: Commissioner's Office

Action Item: 94-14

■ ISSUE

- The Board is being asked to open a period of public comment on a proposed regulation to allow private, home school, and correspondence students to enroll part time in public schools.

■ BACKGROUND

- State law does not prohibit non-public school students from enrolling in public schools. The issue is not addressed in statute.
- This proposed regulation would clarify the situation by prohibiting school districts from denying access to non-public school students.
- This would allow non-public school students to enroll part time in courses that may not be available in their school.
- The proposal would also provide reimbursement for these students through the Public School Foundation Program, as follows:
 - A secondary student enrolled in one to three courses in a semester equals 0.5 ADM (Average Daily Membership).
 - A secondary student enrolled in four or more courses in a semester equals one full ADM.
 - An elementary student who attends public school less than four hours per day equals 0.5 ADM.
 - An elementary student who attends a public school four hours or more per day equals one full ADM.

■ OPTIONS

- Open a period of public comment on the proposed regulation.
- Amend the proposal.
- Table the proposal.

■ ADMINISTRATION'S RECOMMENDATION

Motion: I move that the State Board of Education open a period of public comment on 4 AAC 05.035, 4 AAC 09.015, and 4 AAC 09.040, proposed regulations allowing private, home school, and correspondence students to enroll part time in public schools and setting up a method of reimbursement for school districts enrolling

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4 AAC 05 is amended by adding a new section to read:

4 AAC 05.035. PART-TIME ENROLLMENT IN A PUBLIC SCHOOL. A private, correspondence or home school student who under AS 14.30.010(b) is exempt from compulsory education at a public school, may not be prohibited from enrolling on a part-time basis in a public school in the attendance area in which the student resides. (Eff. / / , Register)

Authority: AS 14.03.080(a)

AS 14.07.020

AS 14.07.060

4 AAC 09.015 is amended by adding a new subsection to read:

(k) Students enrolled in a public school less than full-time must be counted in accordance with 4 AAC 09.040(d). (Eff. 1/15/87, Register 101; am 10/13/87, Register 104; am 8/5/90, Register 115; am / / , Register)

Authority: AS 14.07.020

AS 14.17.051

AS 14.07.060

AS 14.17.170

AS 14.17.021

AS 14.17.200

AS 14.17.041

4 AAC 09.040 is amended to read:

4 AAC 09.040. COUNTING OF CORRESPONDENCE AND PART-TIME STUDENTS [PROGRAMS]. (a) District correspondence

Register , 1993

EDUCATION

or other enrolled students who do not regularly attend school on a daily basis are counted in the appropriate grade level of the funding community with the highest ADM in the district for the purpose of calculating instructional units.

(b) Repealed 12/13/87.

(c) A student enrolled in an approved district correspondence study program must be counted on an FTE basis as follows:

(1) a full time elementary student equals one full ADM;

(2) a secondary student enrolled for four or more carnegie units of work for the year, or two or more carnegie units for the semester, equals one ADM;

(3) a secondary student enrolled for less than four carnegie units of work for the year, or less than two carnegie units for the semester, equals a fractional ADM based on the number of units taken divided by four or two, respectively.

(d) A part-time student must be counted on an FTE basis as follows:

(1) A secondary student enrolled in one to three courses in a semester equals .5 ADM.

(2) A secondary student enrolled in four or more courses in a semester equals one full ADM.

(3) An elementary student who attends public school less than four hours per day equals .5 ADM.

Register , 1993

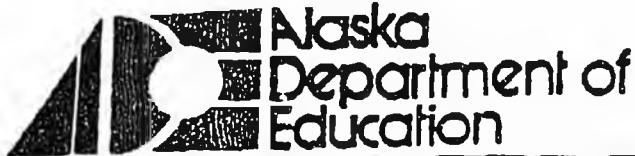
EDUCATION

(4) An elementary student who attends a public school four hours or more per day equals one full ADM. (Eff. 1/13/87,

Register 101; am 12/13/87, Register 104; am / / ,

Register)

- Authority: AS 14.07.020 AS 14.17.041
- AS 14.07.060 AS 14.17.170
- AS 14.17.010 AS 14.17.200
- AS 14.17.031(a)



MEMORANDUM

To: State Board of Education

Date: October 5, 1993

From: Commissioner's Office

Action Item: 94-15

■ ISSUE

- The Board is being asked to open a period of public comment on a proposed regulation to allow private school students to compete in the interscholastic activities of the public schools.

■ BACKGROUND

- Current rules of the Alaska School Activities Association allow both public and private secondary schools to be members of ASAA and to compete in ASAA sanctioned activities.
- However, many private, home school, and correspondence students do not attend schools that field teams. Therefore, they do not have the opportunity to participate in interscholastic activities.
- This proposal would allow private, home school, and correspondence students to participate in the interscholastic activity of a public school when the private, home or correspondence school does not offer the interscholastic activity.
- There would be several conditions for participation. The student must:
 - Meet other ASAA and school district eligibility requirements.
 - Meet and adhere to the same team responsibilities and standards of behavior and performance as other members of the team or squad.
 - Participate as a member of the public school that the student would attend according to the student's residence, even if the district has an open enrollment policy permitting attendance at a different public school.
 - Provide the school administration acceptable documentation of any scholastic eligibility standards required of all other participants.
 - Comply with ASAA and local school regulations during the time of participation.



The State of Alaska would not reimburse school districts for non-public school students who participate in public school interscholastic activities.

■ OPTIONS

- Open a period of public comment on the proposed regulation.
- Amend the proposal.
- Table the proposal.

■ ADMINISTRATION'S RECOMMENDATION

Motion: I move that the State Board of Education open a period of public comment on a regulation allowing private, home school, and correspondence students to compete in interscholastic activities of the public schools.

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4 AAC 06.111 is amended to read:

4 AAC 06.111. ALASKA SCHOOL ACTIVITIES ASSOCIATION. (a) Except as provided in (b) of this section, the [THE] constitution and bylaws of the Alaska School Activities Association, as approved by the State Board of Education on January 29, 1977, and as amended as of September 26, 1986, are adopted by reference as the applicable rules for the administration, management, and control of interscholastic activities and for eligibility for participation in those activities.

(b) Private, correspondence, and home school students who under AS 14.30.010(b) are exempt from compulsory education at a public school, may not be prohibited from participating in interscholastic activities at a public school, unless the interscholastic activity is available to the student at a private school the student attends. To be eligible to participate a student must

(1) meet other ASAA and school district eligibility requirements;

(2) meet and adhere to the same team responsibilities and standards of behavior and performance as other members of the team or squad;

(3) participate as a member of the public school that the student would attend according to the student's residence, even

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if the district has an open enrollment policy permitting attendance at a different public school;

(4) provide the school administration acceptable documentation of any interscholastic eligibility standards required of all other students; and

(5) comply with ASAA and local school regulations during the time of participation. (Eff. 10/28/76, Register 60; am 3/24/77, Register 61; am 3/1/78, Register 65; am 9/23/78, Register 67; am 11/23/80, Register 76; am 11/26/80, Register 76; am 7/31/81, Register 79; am 6/9/83, Register 86; am 8/30/84, Register 91, am 3/24/85, Register 93; am 8/30/86, Register 99; am 2/20/87, Register 101, am ___/___/___, Register ___)

Authority: AS 14.07.020(1)

AS 14.07.058

AS 14.07.060

G. CONSENT AGENDA

Consent Agenda attached.

The following items were removed from the Consent Agenda: Item 1.e Special Meeting of October 5, 1993; Item 1.f Special Meeting of October 11, 1993; Item 1.i Special Meeting of November 2, 1993; ASD Memoranda #204, #197, #211, #194, #213, #218, #230, #221, #222, and #231.

In the interest of time, Mr. Christal announced that he would pull ASD Memorandum #213 and bring it back to the Board at the regular meeting of January 24.

ACTION

Moved by Mrs. Robinson-Wilson
seconded by Mr. Marks

for approval of the Consent Agenda: Item 1.a Special Meeting of September 13, 1993; Item 1.b Special Meeting of September 27, 1993; Item 1.c Regular Meeting of September 27, 1993; Item 1.d Special Meeting of October 4, 1993; Item 1.g Regular Meeting of October 11, 1993; Item 1.h Special Meeting of October 13, 1993; Item 1.j Special meeting of November 8, 1993; Item 1.k Regular Meeting of November 8, 1993; Item 1.l Special Meeting of November 15, 1993; Item 1.m special Meeting of December 13, 1993; Item 1.n Regular Meeting of December 13, 1993; Item 1.o Special meeting of December 16, 1993; ASD Memoranda #228, #214, #220, #215, #216, #217, #227, #210, #223, and #244.

VOTE:

Ayes: Richards, Ossiander, Ferrell,
Robinson-Wilson, Higgins,
Marks, Obermeyer

Nays: none

MOTION PASSED.

ACTION

Moved by Mrs. Higgins
seconded by Mrs. Robinson-Wilson

to change the order of the
day by taking Items #7, #13,
#14, #15, #16 and #21 now.

AMENDMENT

Moved by Mrs. Robinson-Wilson
seconded by Dr. Obermeyer

to add Item #5 to the list of
memoranda to be taken
now.

VOTE ON AMENDMENT:

Ayes: Ossiander, Robinson-Wilson,
Ferrell, Higgins, Marks,
Obermeyer

Nays: Richards

AMENDMENT PASSED.

VOTE ON MAIN MOTION AS AMENDED:

Ayes: Richards, Ossiander, Ferrell,
Robinson-Wilson, Higgins,
Marks, Obermeyer

Nays: none

MAIN MOTION AS AMENDED PASSED.

ASD Memorandum #211 (93-94) School Calendar 1994-95

The Administration recommends that the School Board approve Calendar D (Attachment A) as the school calendar for the 1994-95 school year.

ACTION

Moved by Mrs. Robinson-Wilson
seconded by Mrs. Higgins

for approval of ASD
Memorandum #211

INFOLINE

NEWS FOR ANCHORAGE SCHOOL DISTRICT EMPLOYEES

January 19, 1994 Vol. 7, No. 6

The school board met Dec. 13 and took the following action:

- to approve as amended the 1993-94 Capital Improvement Program Legislative Requests for submission for consideration of funding.
- to approve the implementation of a pilot project of a Teacher Learning Component and Modified School Day for the Central School of Science for the period January-June, 1994.
- to authorize the continued unrestricted circulation of the book "The Elephant's Child" by Rudyard Kipling through the district's libraries.
- to authorize the continued unrestricted circulation of the book "Zoo" by Anthony Browne through the district's libraries.
- to accept a grant award from the ARCO Foundation's Employee Program in the amount of \$500.
- to accept a grant award from the Alaska Department of Environmental Conservation in the amount of \$100.
- to accept a FIRST grant award from the U.S. Department of Education in the amount of \$102,086.
- to accept a grant award from the Sega Foundation in the amount of \$2,000.
- to accept grant awards from the Alyeska Pipeline Service Co. in the amount of \$3,500.
- to endorse changes in the composition of the Health Curriculum Committee and approve the appointment of the parent/citizen representatives to that committee.
- to award a contract to C.R. Lewis Co. Inc. to furnish and install ventilation equipment at O'Malley Elementary School in the amount of \$61,346.
- to increase contract No. 598, with change order No. 1 to McGlothlin Balivet Co. Architects for design and construction administration services in the amount of \$162,109 and also to approve the schematic design for the addition and renovation at Taku Elementary School.
- to increase contract No. 616 with change order No. 3 for design and construction administrative services in the amount of \$166,974 and also to approve the schematic design for an addition at Campbell Elementary School, contingent upon the sale of the bonds by the Municipality of Anchorage.
- to issue an adjustment to the contract award for Susitna Elementary School in the amount of \$548,147, contingent upon the sale of bonds by the Municipality of Anchorage.
- to accept six "Direct Teacher Grants" in the total amount of \$32,305.
- to approve a pilot program called Classroom Connection from the Anchorage Daily News for one junior high school for the remainder of the 1993-94 school year at no cost to the district.
- to approve the use of the district's 70 percent state reimbursement eligibility for the retirement of principal and interest on \$133 million of bonded indebtedness for future bond propositions to be approved by the voters of the Municipality of Anchorage.

The school board met Jan. 10 and took the following action:

- to approve suggested policy changes to section 833 on first reading.
- to approve as amended the 1994-95 school year calendar.

- to approve the selection of GDM Architects as the designer of record for the new alternative school and to enter into one or more contracts with GDM for these services, not to exceed \$142,857.
- to approve change order No. 7 to contract No. 617 to UIC Construction Inc. for the Clark Junior High School new library in the amount of \$47,285.
- to approve contracts to Raj Bhargava Associates and Dames, Morgenthaler and Co. Inc. to provide an indefinite schedule for various maintenance projects not to exceed \$75,000 each with an option to increase the total award per contract to \$125,000.
- to approve the selection of Porath Architects as the designer of record for the new Sand Lake Elementary School and to enter into one or more contracts with Porath for these services, not to exceed \$800,000.
- to pursue acquisition of land adjacent to Wonder Park Elementary School.
- to pursue acquisition of land adjacent to Nunaka Valley Elementary School.
- to approve change order No. 4 to USKH in the amount of \$5,920 for additional professional design services for the North Star Elementary School addition.
- to approve change order No. 4 to contract No. 628 with Matrix Construction Inc. for the North Star Elementary School addition in the amount of \$507,142.15.
- to approve change order No. 3 to Raj Bhargava Associates in the amount of \$183,504 for phase III, mechanical engineering services for heating system upgrades at Dimond High School.
- to approve change order No. 5 to contract No. 622 to Collins Construction Inc. for the Birchwood Elementary School additions and alterations in the amount of \$41,916.
- to allow Alaska Native Heritage Park Inc. to cross and use a portion of school district land adjacent to Bartlett High School to facilitate the development of the Alaska Native culture center.
- to approve a language arts framework for grades 7 and 8, including the adoption and purchase of materials.
- to accept the HIV/AIDS grant in the amount of \$10,257 from the Alaska Department of Education.
- to oppose proposed regulation changes of the Department of Education regarding private school student participation in public education programs.

The school board met Jan. 12 and took the following action:

- to approve as amended and endorse the concept of an arts-based program as an alternative elementary program in Anchorage and proceed with the development of a locally defined program.
- to authorize the continued unrestricted circulation of the book "Asking About Sex and Growing Up" by Joanna Cole through the district's libraries.

A Management Academy for administrators will be presented by Dr. Wendy Kasten, Associate Professor, Childhood Education, University of South Florida. "The Multi-age Classroom: A Family of Learners" is scheduled Friday, Feb. 4, 8:30 - 11:30 a.m., Administration Building Board Room.

A former elementary teacher, Dr. Kasten is an active researcher, consultant and writer. Her articles have appeared in the "Anthropology and Education Quarterly," the "Journal of Reading" and "The Whole Language Catalog." The workshop will focus on multi-age grouping or grade-combination classrooms. She will share research, management, curriculum and instructional strategies based on action-research conducted in a classroom by teachers. Participants will explore issues related to family grouped classrooms and the effects upon at-risk learners, gifted learners, bilingual students, special education students and developmentally appropriate practices. Contact training and professional development (formerly staff development) to make your reservation, 269-2233; VAX or MS Mail JFerguson, or fax 269-2260.



Participation in Public School Interscholastic
Activity Programs by Home School
and Private School Students

November 1996

The question is frequently asked, "Should Johnny, a home school (or private school) student, be allowed to play basketball at a school, if he's not attending that school?" In 1994 the Alaska Superior Court found in *Blomfeld v Anchorage School District, Alaska School Activities Association and State Board of Education* that school districts shall not be required to accept such a request. This paper and its supplements will explain the rationale for that decision and the options allowed under ASAA guidelines for home school and private school students.

The Alaska School Activities Association (ASAA) believes that interscholastic activities are an integral part of the overall educational program of a school. To be integral, both activities and academics must coexist as necessary components of a complete school. Consequently, ASAA prohibits a student from participating unless enrolled in and attending that school. ASAA Bylaws speak to this in Article 12, Section 2, Enrollment Rules, as follows:

A. "To be eligible during a school semester for participation in interscholastic activities, a student must be properly registered in a 9-12 or 10-12 high school program or any combination thereof, in the member school where the school will participate or where authorized by a member district, be enrolled in the member district's alternative school or program (including district correspondence), when such district is paying the student surcharge for that student and when the student is participating at the member school she/he would normally attend or at the member school nearest to the alternative school..."

ASAA is an association of 191 member schools charged with regulation and promotion of interscholastic activities under authority of Alaska Regulation 4AAC 06.115, which states: *"The purpose of 4AAC 06.115 is to provide a procedure that enables school districts to promote and govern interscholastic activities effectively, economically, and fairly, while keeping those activities in their proper perspective educationally."*

In Alaska, any public high school and any accredited or approved private or home school, is eligible for membership in ASAA. Each member school is then entitled to sponsor an interscholastic activities program that best meets the needs of that school/community. Among its 191 members are public, private and home schools. (See Supplement no.1)

It could be argued that schools with fewer students are at a disadvantage when it comes to sponsoring certain team sports that require a large number of participants. Again, ASAA Bylaws address this potential problem by letting the smaller member schools develop Coed teams and by encouraging these schools to jointly sponsor teams under the Cooperative School Program. Bylaw Article 7, Section 8, Girls and Boys Joint Participation and Cooperative School Programs speaks to these issues. (See Supplement no.2)

1

ASAA's position on this eligibility issue is for the following reasons:

1. Permitting a student to participate at a school in which he is not enrolled would frustrate the advantage of having one school with full administrative control over a student. There is often an interplay between disciplinary concerns, attendance, motivation, and performance of a student in academic and athletic activities. It is better to have one school administration overseeing all of the student's activities, with enforcement abilities in all areas.
2. It would be difficult to compare eligibility standards between private and public schools, or home schools. ASAA eligibility standards require that a student pass at least four semester units of credit in the immediately preceding semester. If academic standards are different at the private or home school, this could create the perception or even the fact of unfairness, if the private or home school student is not able to comply with the public school's academic standards.
3. Permitting a student to participate at a school in which he is not enrolled would operate to the detriment of "school spirit" which is one of the positive features of interscholastic activities. Interscholastic sports and other activities provide rewarding experiences not only to the participants, but also to student spectators who turn out to root for their school. The sense of school pride and community may suffer if a substantial contingent of the school's team consists of students from another school, who the public school students do not know.
4. Students may choose to attend private or home schools in order to play on the public school team of their choice, circumventing ASAA's Transfer/Residency rule. This rule prevents students from transferring between schools simply because they wish to play on a certain high school team. Unless students and their parents or guardians have a change of residency, or unless the transfer takes place during the summer months, transfer students must be enrolled at a new school for eighteen weeks in order to become eligible to participate. An exception to this is the Intra-district Transfer rule, which authorizes a district to establish its own intra-district transfer rules, so long as they are at least as stringent as ASAA's rules. It also authorizes a superintendent to approve an intra-district transfer that is of benefit to the student and district, so long as the transfer is not related to activities participation.
5. Private schools may be encouraged to drop all efforts to fund interscholastic activities and shift this burden completely to the public schools, which are already financially burdened and may be considering curtailing certain activities. A particular public school may be inundated with private or home school students wishing to participate, either because of where the students live, or because the school has a particularly good interscholastic program. Without additional funding from the state or a requirement that the private or home school compensate the public school for the full cost (including overhead) of the participation for those students, the public school will either have to divert more of its budget to its interscholastic activities program, or curtail it.
6. Disputes and litigation could result if public school students are displaced from public school teams as a result of private or home school student participation. Parents of public school students displaced from activities by private or home school students can be expected to challenge this as a violation of the Alaska Constitution provision which prohibits use of public school funds for the direct benefit of private (home) schools. Moreover, individual decisions regarding a student's qualification to play for a team or to play a certain position will become more controversial. For example, a parent of a private or home school student may be inclined to suspect that a public school coach's decision to not utilize the student-athlete is a result of politics, school loyalty or related motivations rather than based upon the actual abilities of the student. Given that parents are increasingly choosing to litigate such matters, coaches or band directors may find themselves in court defending individual decisions.

HB

170

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO. CS HB 170 (HES)

Revision Date (Note if correction) _____	Dept. Affected _____	Law _____
Title <u>"An Act relating to interference with the rights</u>	BRU <u>Criminal Division</u>	
<u>of physically and mentally challenged persons; ...</u>	Component <u>Criminal Division</u>	
Sponsor <u>Representative Brice</u>		<u>1st-4th Jud Dist; OSPA</u>
Requester <u>Senate HESS Committee</u>	Component Serial No. <u>2198-99/226179/01/03</u>	

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
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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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

CSHB 170 (HES) changes references to a physically or mentally "disabled" person to a physically or mentally "challenged" person in AS 11.76.130 relating to the interference with the rights of those persons. The committee substitute also adds mentally challenged persons to those individuals who may be accompanied or assisted by a service animal, without extra charge for the service animal, in a common carrier, place of accommodation, or other place where the general public is invited. Further, CSHB 170 (HES) adds a new section to AS 11.76 creating the crime of interference with the training of a service animal, with the penalty a class B misdemeanor.

Passage of this bill is not anticipated to have a fiscal impact on the Department of Law.

Prepared by	Joan M. Kasson <i>Joan M. Kasson</i>	Phone	465-5370
Division	Attorney General's Office	Date	1/28/98
Approved by	Bruce M. Botelho, Attorney General	Date	1/28/98
Agency	Department of Law		

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SENATE COMMITTEE REPORT

DATE: 5/4/97

FURTHER: Judiciary

DATE TURNED IN TO OFFICE: 3/5/98

HESS Committee considered

CS FOR HOUSE BILL NO. 170(HES)

"An Act relating to interference with the rights of physically and mentally challenged persons; and relating to service animals during their pre-training and training period."

and recommends:

be replaced with S CS CS HB 170 (HES)

adopt previous CS ()

attached amendment(s)

adopt Letter of Intent by Committee

further referral to the Committee

Senate Bill:
 same title
 new title
 House Bill:
 same title
 technical title
 new: SCR#

SIGNING DO PANN	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>Loren Leman</i>	✓	<i>Lyle Green</i>	✓		
<i>J. J. Ellis</i>	✓				
CHAIR: <i>George White</i>	✓	CHAIR:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
<i>Law</i>	<i>1/28/98</i>	✓	

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal
<i>Law</i>	<i>3/2/97</i>	✓	

applies to CS

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

0-LS0589AH
Lauterbach
1/28/98

SENATE CS FOR CS FOR HOUSE BILL NO. 170()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES BRICE, Croft, Ryan

SENATORS Wilken, Leman, Taylor

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to interference with the rights of physically and mentally
2 challenged persons; and relating to service animals during their pre-training and
3 training period."

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

5 * Section 1. AS 11.76.130 is amended to read:

6 Sec. 11.76.130. Interference with rights of physically or mentally
7 challenged [DISABLED] person. (a) A person commits the crime of interference
8 with the rights of a physically or mentally challenged [DISABLED] person if the
9 person intentionally prevents or restricts

10 (1) a physically or mentally challenged [DISABLED] person from
11 having full and free pedestrian use of a street, highway, sidewalk, walkway, or other
12 thoroughfare [.] to the same extent that any other person has a right to pedestrian use;
13 or

14 (2) a physically or mentally challenged [DISABLED] person from

1 being accompanied or assisted by a certified service animal, without an extra charge
2 for the service animal, in a common carrier, place of public accommodation, or other
3 place to which the general public is invited [,] except as provided in (b) of this section.

4 (b) A physically or mentally challenged [DISABLED] person who is
5 accompanied or assisted by a certified service animal in a common carrier, place of
6 public accommodation, or other place to which the general public is invited [,] is liable
7 for property damage done by the animal.

8 (c) In this section,

9 (1) "certified service animal" means an animal trained to assist a
10 physically or mentally challenged [DISABLED] person and certified by a school or
11 training facility for service animals as having completed such training;

12 (2) "physically or mentally challenged [DISABLED]" means
13 physically or mentally disabled, as defined [HAS THE MEANING GIVEN] in
14 AS 18.80.300.

15 (d) Interference with the rights of a physically or mentally challenged
16 [DISABLED] person is a class B misdemeanor.

17 * Sec. 2. AS 11.76 is amended by adding a new section to read:

18 **Sec. 11.76.133. Interference with the training of a service animal.** (a) A
19 person commits the crime of interference with the training of a service animal if the
20 person intentionally prevents or restricts a person who is authorized to train service
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22 animal, or assesses an extra charge because of the animal, in a public facility, except
23 as provided in (b) and (c) of this section.

24 (b) A trainer who is accompanied by an animal in training to be a service
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27 person accompanied by the animal in training to be a service animal did not, when
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a school, agency, or other facility that trains service animals;

(2) "in training to be a service animal" means being in the pre-training or training period as required under a program administered through a school, agency, or other training facility for service animals whose goal is to certify the animal as being able to assist physically or mentally challenged persons;

(3) "public facility" means a capital improvement owned, operated, or occupied by, or a mode of transportation owned or operated by, the state, a public corporation of the state, the University of Alaska, a political subdivision of the state, or a regional educational attendance area.

(e) Interference with the training of a service animal is ~~a class B misdemeanor.~~

violation

O-LS0589\K
Lauterbach
1/29/98

SENATE CS FOR CS FOR HOUSE BILL NO. 170()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES BRICE, Croft, Ryan

SENATORS Wilken, Leman, Taylor

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to interference with the rights of physically and mentally
2 challenged persons; and relating to service animals during their pre-training and
3 training period."

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

5 * Section 1. AS 11.76.130 is amended to read:

6 Sec. 11.76.130. Interference with rights of physically or mentally
7 challenged [DISABLED] person. (a) A person commits the crime of interference
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9 person intentionally prevents or restricts

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12 thoroughfare [,] to the same extent that any other person has a right to pedestrian use;
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2 for the service animal, in a common carrier, place of public accommodation, or other
3 place to which the general public is invited [,] except as provided in (b) of this section.

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13 corporation of the state, the University of Alaska, a political subdivision of the state,
14 or a regional educational attendance area.

15 (e) Interference with the training of a service animal is a violation.

0-LS0589\N
Lauterbach
1/30/98

SENATE CS FOR CS FOR HOUSE BILL NO. 170()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES BRICE, Croft, Ryan

SENATORS Wilken, Leman, Taylor

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0-LS0589\P
Lauterbach
2/3/98

Considered in (s) HESS

SENATE CS FOR CS FOR HOUSE BILL NO. 170()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTIETH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES BRICE, Croft, Ryan

SENATORS Wilken, Leman, Taylor

A BILL

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SENATE CS FOR CS FOR HOUSE BILL NO. 170(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Offered:

Referred:

Sponsor(s): REPRESENTATIVES BRICE, Croft, Ryan

SENATORS Wilken, Leman, Taylor

A BILL

FOR AN ACT ENTITLED

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Representative Tom Brice
ALASKA STATE LEGISLATURE

119 N. Cushman, Ste. 206
Fairbanks, AK 99701
907-456-7423 Fax: 451-9293
While in Juneau
State Capitol
Juneau, AK 99801-1182
907-465-3466

SPONSOR STATEMENT

HOUSE BILL 170

**"AN ACT RELATING TO INTERFERENCE WITH THE RIGHTS OF
PHYSICALLY AND MENTALLY CHALLENGED PERSONS; AND
RELATING TO SERVICE ANIMALS DURING THEIR TRAINING
PERIOD."**

Although the Americans with Disabilities Act (ADA) gives service animals access to public establishments, too often young service animals in training are turned away from these establishments due to the existing law. HB 170 extends AS 11.76.130, to include young animals in training. Service animals perform functions and tasks that an individual with a disability cannot perform for her or himself. If we expect service animals to behave properly in public places they must have access to those locations while being trained.

District 30



SPONSOR STATEMENT



RECEIVED
MAR 1 1997
hand delivered
GOVERNOR'S OFFICE

To: Representative Tom Brice
State of Alaska
Legislative Office

From: Suzanne Price
P. O. Box 84951
Fairbanks, Alaska
99708

March 12, 1997

Re: House Bill 170

Dear Representative Brice,

I've been raising Guide Dog Puppies for the Blind for over ten years now. I'm a 4-H Club Leader and each dog in training is a 4-H project. The 4-H Club provides insurance that raisers obtain each year with their membership. The dog is expected to learn basic obedience and socialization in the 14 months they spend with their 4-H family. It is imperative that these service dogs are introduced to the sights, sounds and smells of normal life including public buildings, traffic, a variety of transportation modes, events, crowds, etc. Puppy raisers are supervised by designated leaders and the guide dog school sponsoring the project. It is also expected that raisers will give educational presentations and participate in guide dog trainings. The Guide dog Project teaches our youth leadership and the value of Community Service. As a volunteer I receive no monetary compensation; my reward is the knowledge that I have given the gift of independence and companionship.

I have encountered the following problems because Alaska has no ordinance pertaining to service dogs in training:

1. The Fifth Avenue Mall in Anchorage has the only glass elevator in Alaska. They have refused to allow guide dog training.
2. The Alaska State Ferry system has refused to allow training on board.
3. The Alaska State Fair (Palmer) refuses to allow training during the Fair. They have allowed an event but raisers were not allowed to walk dogs in or near the public.
4. A visit to the State Courthouse requires a number of phone calls and possible rejection (twice) by security personnel.

The reason for rejection from public places is always the same:

Security personnel ask: "Are you blind?"

We answer "No we're training the dog."

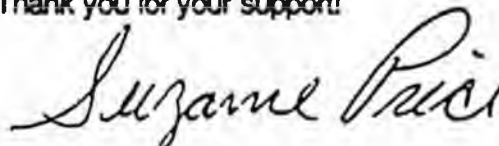
Security personnel: "If you're not blind you can't bring that dog in here."

We explain: "The dog needs to be trained before the blind person receives him."

Security personnel: "If you're not blind you can't come in here."

I sincerely hope that House Bill 170 is enacted by the legislature.

Thank you for your support!



Suzanne Price

RECEIVED

MAR 1 1997

Hand delivered

GOVERNOR'S OFFICE

To: Tom Brice

Roger L. Hansen
1887 Southern Avenue
Fairbanks, Alaska

Re: House Bill #172

Dear Tom,

For the last 28 years I've been raising Guide Dog Puppies for the Blind. No one can remember anymore, but it's somewhere between 25 to 30 of them have passed through my home. About 20 years ago I moved down to Southcentral Alaska and until I moved back here to the interior I could not count the number of times I was kicked out of places because I was trying to train a guide dog puppy. I had the reputation of having been thrown out of more places in Alaska than anyone else. Well, anyone sober that is.

Since I've moved back to Fairbanks the only place that I can't get into are offices of the State of Alaska with my puppies, particularly the State Courthouse. I would explain why I can't get in the Courthouse with my puppy but they can't explain it. I guess there is an exception to that, it's no problem at Fish and Game. But I think that's because they like Labrador and Golden Retrievers there.

The State Ferry system is the worst by far, the most shabby treatment I've ever had has been by them. An example of that is a few years ago my wife and I were bringing five Guide Dogs up with us from the United States, three of them 8 week old puppies. They would give us twenty minutes to feed, water, walk and cleanup after all five of them. If you've ever tried that it can get real hectic on a slippery deck sometimes.

When asking the purser if we could have an extra 10 minutes we were not only refused we were also told that if we did try and extend the time we would be removed by the police at the next stop. Our approach was only an inquiry, and there was certainly no hostility in the question. The same purser would turn her back when others were bringing little dogs they could fit under coats on the upper decks. Some times they didn't even bother to try and hide them under their coat.

3.

in the car because they are basically house dogs who can't be left out when it's cold, and you can't take them inside. We made it to Eureka Summit and were turned down for lodging there also causing us to drive to Palmer in a storm that had us plowing and dodging snow drifts just about the whole way, there were very few other vehicles on the road that night. Another trip we were coming up the Alaska Highway after being down in the United States, and while we were there we picked up two new guide dog puppies. The only problem we had between California, where the pups were picked up, was when we pulled into the Community of Tok. We were turned down at the two places that were open back then. We paid a man \$25 to pump us gas as well as the price of the gas because he was closed, and we were afraid of running out of gas in a temperature that was at 48° below zero.

There is no cost for a blind person to receive a Guide Dog for the Blind, or the training the blind person needs to learn how to use their new partner. Seeing Eye in New Jersey does ask for \$100 U. S., but it's waived most of the time. One of my favorite things about this whole program is that it is done with volunteers, 70% of them are teenagers in a 4-H program, as well as a lot of donations from private sources. These teenagers are in a project in Community Service of people helping people. There is not ONE RED CENT of government money involved in the process. It shows our teens how to be committed to a project of about 14 months where they are totally responsible for training and taking care of an animal, and succeed. All without cost to ANY government agency

There is a very painful part of all of this. More than once I've shared a box of Kleenex at the airport with a teenager, or my wife, because after fourteen months it's pretty hard to give up your best buddy and send them off for the rest of their training, a lot of times knowing you're never going to see them again.

Roger Han

P. S.

I'd tell you about the Palmer Sate Fair, but I just get P.O.'d if I think about it.

Alaska Airlines

April 3, 1997

Ms. Tracy Ashe
Office of Representative Tom Brice
Capital 426
Juneau, AK 99801

(Fax 465-2937)

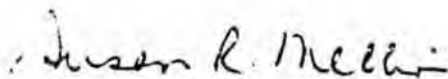
Dear Ms. Ashe:

For the past several years, Alaska Airlines has supported a 4-H Guide Dog program in Alaska. Puppies are flown by Alaska Airlines from the training school in California to the 4-H member in Alaska. The puppies are then given basic training for an extended period of time, then flown by Alaska Airlines from Alaska back to California where the dog receives complete guide dog training and is placed with individuals that will benefit from their special help.

All transportation costs have been paid by Alaska Airlines.

We've been very proud to support this most worthwhile cause.

Sincerely,



Susan R. Mellin
Manager, Public Affairs - Alaska

sm

To: Tom Brice

State of Alaska
Fairbanks Legislative Office
Fax # 465-2973 (Attention Tracy Ashe)

Re: House Bill 170

The undersigned support this bill relating to interference with the rights of physically and mentally challenged persons; and relating to service animals during their training.

Name	Address	Phone #
<i>Michelle P. Casavant</i> MICHELLE P. CASAVANT	P.O. Box 60813 Fairbanks 99706	451-3169
<i>Pucha Taylor</i> Dollene Fletcher <i>Dollene Fletcher</i>	<i>Ducha Taylor</i> 102 ALLEGHENY WAY Fairbanks, AK 99709 PO Box 72062 Fairbanks AK 99707	451-5909 455-4519
<i>Kathy Vaupel</i> Kathy E Vaupel	PO Box 72913, FAIRBANKS 99707-2913	456-1144
<i>Suli Nee</i> SULI NEE	PO Box 72045 Fairbanks 99707	479-2532
<i>Karen Kuntli</i> Karen Kuntli	2085 Louise Moore Way Fairbanks 99705	451-2991
<i>Sheila Hall</i> Sheila Hall	P.O. Box 74642 Fairbanks AK 99709	451-2991
<i>Stephanie Allen</i> Stephanie Allen	3010 Davis Rd Apt B Fairbanks AK 99709	455-8321
<i>G.A. Hendrie</i> G. A. HENDRIE	611 Bentley Dr, Fairbanks, AK 99701	458-2853
<i>Carol Dent</i> Carol Dent	70 Box 55355 NP AK 99705	451-3160
<i>Katherine Gerlinger</i> Katherine Gerlinger	P.O. Box 71593 Fairbanks, AK 99707	451-3159
<i>Katharine B. McNeill</i> KATHARINE B. McNeill	815 McGrath Hwy Fairbanks AK 99712	457-4245
<i>Andrea C. McNeill</i> Andrea C. McNeill	1271 Sudduth St. Fairbanks, AK	479-5409



January 26, 1998

Senator Gary Wilkin
Chairman, Senate HESS
State Capitol
Juneau, AK 99801-1182

Re: HB170

Dear Senator Wilkin:

As you may be aware, the Fair has a good track record in encouraging and promoting any form of legitimate education. We strive to provide an atmosphere of learning for all our patrons. Education is, in fact, a major component of our mission statement.

Each year all our gate and security personnel are instructed to allow any type of dog utilized for assistance admittance on to the grounds. As far as I am aware, we have had no problems with this nor has it been abused.

Historically, dogs in training have been denied access to the grounds. The potential uncertainty of how a puppy will react in a large crowd, the liability of a fight or biting, and dog waste on the ground are all reasons for why we allow no pets on the grounds. We also have the problem of vendors, who pay to be on our grounds, are not allowed to have their animals on the grounds and have complained when we did allow a puppy in training.

The Alaska State Fair in no manner wishes to discourage the training of assisted living animals. However, we feel it is important for those animals to be visually identified in some manner. From the fair's perspective, we strive to provide a safe atmosphere for fairgoers which can be impaired by untried animals in training. From the fairgoer's perspective, I believe it is important to identify dogs in training so parents can take advantage of this potentially educational opportunity, answer questions and take appropriate measures regarding the individual situation.

CORRECTION

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



Rev. 6/98


Central Microfilm Services
Department of Education
State of Alaska

To: Tom Brice

State of Alaska
Fairbanks Legislative Office
Fax # 465-2973 (Attention Tracy Ashe)

Re: House Bill 170

The undersigned support this bill relating to interference with the rights of physically and mentally challenged persons; and relating to service animals during their training.

Name	Address	Phone #
 MICHELLE P CASAVANT	P.O. Box 60813 Fairbanks 99706	451-3169
PUCHA TAYLOR Dollene Fletcher Dollene Fletcher	Ducka Taylor 102 ALLEGHENY WAY Fairbanks AK 99709 PO Box 72062 Fairbanks AK 99707	451-5909 455-4519
KARIN VAUPEL Kathy E Vaupel	PO Box 72913, FAIRBANKS 99707-2913	456-1144
SULI NEE SULI NEE	PO Box 72045 Fairbanks 99707	479-2552
K. T. K. K. K. K. K. K. T. K. K. K. K. K.	2055 Lucee Moun WLP FAIRBANKS 99705	451-2991
Sheila Hall SHEILA HALL	P.O. Box 74642 FAIRBANKS AK 99709	451-2979
Stephanie Stephanie	3010 DAVIS ROAD FAIRBANKS AK 99709	455-8321
G. A. HENDRIE G. A. HENDRIE	611 Bentley Dr, FAIRBANKS, AK 99701	458-2853
Carol Dahl Carol Dahl	PO Box 55355 NP AK 99705	451-3160
Katherine Gerlinger Katherine Gerlinger	P.O. Box 71593 Fairbanks AK 99707	451-3159
KATHARINE B. MAUSTELL KATHARINE B. MAUSTELL	815 McGRATH HSG FAIRBANKS AK 99712	451-4249
Andrea C. Williams	1271 Sudduth St. FAIRBANKS, AK.	479-5409

1200 Wood Rose Fairbanks AK 99701 452-5112

Raquebie Cahn 2091 Flight St. North Pole, AK 99705
488-6788

715 7th Ave Fairbanks AK 99701

715 7th Ave Fairbanks AK 99701

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715 7th Ave Fairbanks AK 99701

715 7th Ave Fairbanks AK 99701

715 7th Ave Fairbanks AK 99701

2133 Doreen Ct Fairbanks, AK 99709 457-2850

P.O. Box 75267 Fairbanks AK 99707 456-1887

P.O. Box 75267 Fairbanks AK 99707 456-1887

1729 Geden Dr Fairbanks AK 99707 488-4700

PO Box 55904 North Pole, AK 99705

2476 Poppy Dr. North Pole, AK 99705 488-0307

3045 Taxi Lane B NP AK 99705-488027

PO Box 74951 Fairbanks, 99707 451-2830

PO Box 81885 Fairbanks, AK 99708 456-3133

1499 Market Fairbanks AK 99707 479-3161



January 26, 1998

Senator Gary Wilkin
Chairman, Senate HESS
State Capitol
Juneau, AK 99801-1182

Re: HB170

Dear Senator Wilkin:

As you may be aware, the Fair has a good track record in encouraging and promoting any form of legitimate education. We strive to provide an atmosphere of learning for all our patrons. Education is, in fact, a major component of our mission statement.

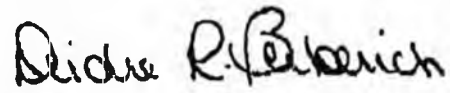
Each year all our gate and security personnel are instructed to allow any type of dog utilized for assistance admittance on to the grounds. As far as I am aware, we have had no problems with this nor has it been abused.

Historically, dogs in training have been denied access to the grounds. The potential uncertainty of how a puppy will react in a large crowd, the liability of a fight or biting, and dog waste on the ground are all reasons for why we allow no pets on the grounds. We also have the problem of vendors, who pay to be on our grounds, are not allowed to have their animals on the grounds and have complained when we did allow a puppy in training.

The Alaska State Fair in no manner wishes to discourage the training of assisted living animals. However, we feel it is important for those animals to be visually identified in some manner. From the fair's perspective, we strive to provide a safe atmosphere for fairgoers which can be impaired by untried animals in training. From the fairgoer's perspective, I believe it is important to identify dogs in training so parents can take advantage of this potentially educational opportunity, answer questions and take appropriate measures regarding the individual situation.

If I can be of further assistance, please do not hesitate to call and again, thank you for your interest and time.

Sincerely,



Deidre R. Berberich
Operations Manager

Steven L. & Nancy M. Andison
9346 Parkview Court
Juneau, AK 99801

Phone: (907) 790-4467
Fax: (907) 789-2914
E-Mail: kakenpf@ptlalaska.net

HESS Committee
C/O Chairperson
Honorable Senator Gary Wilken

Re: HB 170

January 27, 1998

...training service animals in public

Dear Members of the HESS Committee;

I applaud the intent of HB 170. However, in its current form, this bill is not the legislation we are looking for. As written, this bill suggests that agencies will invariably produce good service animals, and owners are incapable of doing so. Such is not the case.

Since public safety and convenience must be considered in this legislation I'd like to cite an example of public safety policy that is already on the books: Whereas an automobile is potentially a lethal weapon, a person learning how to drive for the first time may take this lethal weapon out on to public streets and expose the public to danger. Although I would like to be assured that all drivers on the road are qualified to be there, I would object to legislation which suddenly proclaimed that my driver's license was invalid because I was not trained by a state-sanctioned driving school. Inexperienced drivers are far more dangerous to the public than are service dogs in training. Yet we only demand proof of competent driving skills for an individual to receive a driver's license. In contrast, HB 170 requires that service dogs be trained by "certified" training facilities before being taken out into public. In a test of public safety, I would sooner have you protect me from an unqualified driver piloting a two thousand pound car than from a person in a wheelchair piloting a 60 pound dog.

Alaska does not endorse a specific make and model of safe car. Alaska does, however, demand that vehicles are in good working order to be on our roads. Cars must be subjected to safety criteria. Likewise, a dog that meets our public standards may be taken into public regardless of its make or model. The state sets the standards, we need only prove that we have met them.

There are two primary issues which should be addressed with service dog legislation: 1) The right of the public to be protected from incompetent, unsafe, or bothersome animals. 2) The right of a person with disabilities to be accompanied by a proficient and publicly inoffensive service dog wherever able bodied persons are allowed. It would be unfair to subject the public to unqualified service dogs. It would also be unfair to suggest that because an animal was not trained by "XYZ" training school it can not be in public regardless of its proficiency and helpfulness to its owner. A more equitable and cost effective method to protect public as well as personal rights would set standards to be met by dog and handler.

We have seen "professionally" trained dogs fail miserably on their "off days". We have seen privately trained dogs perform well beyond expectation. It matters little where the dog is trained, but standards must be established and met. We need service dog training in our state. We need full acceptance of these animals by the public, state, and federal sectors. Denying access to a qualified dog and disabled person should be a crime. But we do not need legislation that restricts where the skills of these animals are developed; only that such publicly sanctioned skills are exhibited by these animals.

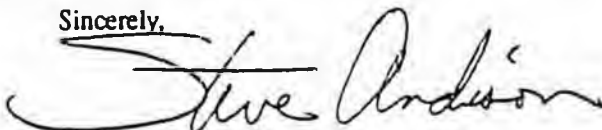
I have no problem with language that seeks to protect the public by requiring animals in public be "qualified" to perform their tasks. I don't even object to the term "certified." However, it is the dog's abilities that should be certified, not the school nor the trainer.

A dog who will: sit, stay, come, be quiet, get help, and pick up dropped keys is just as valuable to a disabled person and safe in public regardless of who taught the dog to do those things. It is the state's responsibility to assure the public that dogs in public settings are qualified to be there. However, if the state attempts to legislate who is qualified to teach these dogs, then it has stepped out of its role as public protector and into the role of "big brother."

I do not mean to point out only the negative points of this proposed legislation. There are also great positive aspects of HB 170. I would be honored to have the opportunity to lend ideas toward the next version of this bill.

Again, I commend this draft of HB 170 (as of today's date) as an excellent start to addressing an important issue. Qualified dogs are important to those whom they serve and should not be barred from public areas during essential "real world" training. I hope, however, that there is additional refinement and protection of individual's rights before this bill becomes state law.

Sincerely,



Steve Andison

cc:

HB 170 Sponsor
Rep. Tom Brice



Alaska State Legislature

Please enter into the record my testimony to the S. HESS
committee name

committee on HB 170, dated 1-23-97
bill/subject

Dear HESS Committee & Repr. Tom Brice,
 Thank you for HB 170 concerning service animals
 + service animals in training. This bill is very
 important + needs to be approved.
 I have had three service dogs in my ~~life~~ ^{life} lifetime
 as an hearing impaired person. all three dogs have
 since died & I need a new dog, a service animal
 that is both smart, eager + able-bodied, adapt at
 dealing with many different situations quickly +
 efficiently. My life is in their hands.
 This law would help greatly. ~~as~~ # one, I deal
 with the public extensively, my future dog needs to
 be around people of all walks of life, because I am
 # two, I have been denied entrance to places, because
 people didn't think my service animal + service animal
 in training should be there. This hurts both their trainin
 + both our feelings. Most places + place once educated,
 do not mind giving us entrance into + wherever afterward
 Thank you for your time
 + thoughtfulness. Sincerely
 Helen M. Craig

Signed: Helen M. Craig

Testifier

Advocate for the Disabled + "Silent Bridges" Craig

Representing (Optional)

613 D. Hoff St. Sitka, AK.

Address

907-747-5917

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the SHES
committee name

committee on HB 170, dated 1-23-98
bill # / subject

State certification for raisers of service - animals-in-training is not necessary at this point. Raisers of legitimate dogs from schools outside of Alaska have a certification and identification card issued to them by the actual guide dog trainers.

This issue is not crucial at this point. If a raiser is training a puppy from a licensed school, then they already are "certified". Raisers in the 4-H program receive training and guidance from many 4-H leaders as well as the school's trainers.

Our identification cards are carried with us everywhere we take our dogs, and we willing produce them to any ^{business owner} that requests.

Signed: Amorette Kennedy (Amorette Kennedy)

Testifier

4-H Guide Dog Raisers

Representing (Optional)

P.O. Box 11 Ninilchik, AK 99639

Address

907-567-3310

Phone number



Alaska State Legislature

Please enter into the record my testimony to the SHES
committee name

committee on HB170, dated 1-23-98.
bill # / subject

Guide dog raisers do carry
 identification. The guide dog school I
 gives raiser a "guide dog raiser
 certification/identification" card to be
~~used~~ in a case of legitimacy doubt.

Signed: Jessica Irmann (Jessica Irmann)
Testifier

Guide dog raisers
Representing (Optional)

Box 4191 Soldotna, AK 99669
Address

(907) 262-9049
Phone number

Testimony on HB170

Cheryl B. Hull

Good morning, Senators:

Thank you for this opportunity to speak to you regarding HB170.

My name is Cheryl Hull. I am Assistant Director at Southeast Alaska Independent Living. I am also the SAIL program coordinator for the Older Blind Alaskans in southeast.

I would like to say that SAIL is very glad that the issue of service animals is being addressed by our Legislature. It is an important issue for people who have disabilities. For some people with disabilities, their lives and their independence are vastly improved with the aid of a service animal.

We have come a long way from just having guide dogs for the blind. We now see animals trained to help the deaf "hear," to help those who are in wheelchairs to

be better able to do things they used to have to rely upon others to do for them—picking things up off the floor, turning on and off lights, bringing the phone to the owner when it rings, sometimes even helping to move the wheelchair from place to place.

It is imperative that puppies who are training to become service animals become accustomed to all kinds of situations—malls, traffic in, airplanes, ferries, people. In order to be properly trained, they must be exposed to situations which they will eventually confront. Basic obedience and pre-training allow this.

Several of SAIL's consumers have expressed concern that the animals that they have been training themselves will have to go outside Alaska to receive specialized training—in other words, go to a school, out of state—for an extended period of time, to receive that school's certification.

I would like to point out to you that the Americans with Disabilities Act of 1990 provided for the use of service animals by the disabled by requiring only that the animal be a “qualified” animal, not a certified one. By using the word “qualified,” those who want to train their animals themselves with community assistance may do so—but the animal must behave appropriately—and be identified in some way—as a service animal. In other words, a standard is more important than certification. The animal must be obedience-trained and then trained to a high standard in its particular discipline.

At present, most puppies being socialized in Alaska are sent down south, trained further, and given to the next person on a school’s prioritized list. Most of those animals do not come back to Alaska to be used by Alaskans.

There are several reasons so many of our consumers are interested in having their animals locally trained: the terrain here is different, the weather and lighting conditions in Alaska are unique, in most southeast communities, roads are not paved and concrete sidewalks don't exist. Also, I work with many Alaskans 55 years of age and older. One of my consumers has been trying to get a dog for more than a year. Because he is older and lives in a remote area, he is not considered a high priority, and he has been denied a dog from three schools. This man is in good health, likes to travel, but has lost much of his vision. He has been told that the waiting time for a dog for a man his age is at least six years. That is a long wait.

Over the past year, SAIL has been working with Gastineau Humane Society, beginning to train animals from the pound to serve as service animals. We hope to be able to serve two purposes here: 1) provide a well-

trained service animal for someone who needs it, and 2) save a good animal from being put down.

At present, we have one dog which is being trained to be a hearing dog. Bailey is learning basic obedience at this time. She is also being socialized. Right now, she spends her time in the office, learning appropriate behavior. In the near future, SAIL hopes she will be the "ears" for a deaf person. Bailey is being trained here in Alaska--in fact, right here in Juneau--by local trainers, and by the person with whom she may be placed. After her training, she will be a qualified service animal and the legislation needs to address this. SAIL hopes to be able, eventually, to provide this service to our consumers who need service animals.

Thank you for your consideration of this matter. I appreciate your time.

cc:Mail for: Senator Gary Wilken

Subject: HB 170 - HESS Committee Hearing
From: sailinc@ptalaska.net (Connie Anderson) at CC2MHS1 1/23/98 6:56 AM
To: Senator Gary Wilken at LAA_CAP
cc: Senator Loren Leman at LAA_SLEM
cc: Senator Lyda Green at LAA_TRANS
cc: Senator Jerry Ward at LAA_TRANS
cc: Senator Johnny Ells at LAA_TRANS

As Executive Director of Southeast Alaska Independent Living (SAIL), I strongly support HB 170 (Service Animals for Physically & Mentally Challenged). I hope you will vote to pass this bill through committee at your meeting this morning. This is an important bill which will allow service animals in training to be able to continue the initial obedience, socialization, and environmental training so that these animals can successfully serve people with disabilities.

This bill has no cost to the State of Alaska. It will assist programs such as SAIL in continuing their efforts to provide qualified service animals, experienced in a variety of situations unique to Alaska, for people with disabilities.

I appreciate your efforts to support this bill. If you have any questions or need any further information, please contact SAIL in Juneau at 789-9665.

Sincerely,
Constance E. Anderson
Executive Director

Teresa A. Smith
PO Box 230
Anchor Point, Alaska 99558
Home Phone 907 567 1051

February 03, 1998

Gary Wilken: .

Please pass Bill 170. I have helped train dogs and there is a need to take the animals into different areas to socialize them. I have not trained guide dogs, but have worked drug dogs. The same principles apply to both training situations.

Sincerely,

Teresa Smith

Your name goes here

Pom

William Smith

PO Box 230
Anchor Point, Alaska 99558
Home Phone 907 567 1051

February 03, 1998

Gary Wilkens:

I am a professional dog trainer. I have trained drug dogs and police K-9 dogs. These animals need to be socialized to different situations and places during their training. The earlier the socialization, the better. Can you imagine a police K-9 that fears going into dark buildings? That usually does not happen because they are trained to that situation early on. They have to become familiar with different situations to protect their "master". The same applies to guide dogs. They must be socialized to different situations at an early age just like human children.

I urge you to pass Bill 170.

Sincerely,

William Smith

Wm



Roe's Charter Service

To: Legislatures Office
Company:
Fax number: +1 (907) 283-3075
Business phone:

From: Richard Roe
Fax number: +1 (907) 5673616
Business phone:
Home phone: 907-567-3496

Date & Time: 2/2/98 2:15:19 PM
Pages: 1
Re: House Bill 170

Pass bill 170 for the guide dogs in training.
Rich & Connie Roe

ATTN: SHES COMMITTEE

TESTIMONY FOR HB170

2/2/98

Pass Bill 170 for the Guide
Dogs. in training the same
right as trained Guide Dogs

Melen V Pass.

Please pass bill #170. This is very important
part of the training.

Thank you
Teresa Sullivan
PO Box 358
Anchor Point AK 99556
567 3648

Amorette Kennedy
P.O. Box 11
Nauyasuk, AK 99639

Dear Legislators

Currently, I am raising a Guide Dog for the Blind. I have been involved in this incredible project for 13 months now, with 2 more to go.

Raisers are highly responsible individuals, and our dogs are well behaved. Each dog receives obedience training; and must be calm, confident, and reliable before its raiser will even expose it to a business setting.

Socialization is vital to the training of service animals. The dogs cannot be expected to be comfortable in new situations if they have not had frequent exposure as puppies. If the dogs are not confident and reliable, they will not become guides. And most importantly, for each dog that does not graduate due to lack of socializing, there is one disabled person who will not be given the gift of independence we all take for granted.

Please support this bill.

Sincerely,

Amorette Kennedy
4-H Guide-Dog in training Raiser

Lynn Kennedy
P. O. Box 11
Nunilchik, AK 99649

February 2, 1998

Dear Legislators,

My daughter has been raising a guide dog for the blind for the past 13 months. Most businesses have permitted her to bring the dog in (with his training jacket on), but some were quite confused as to whether it was legal. Businesses want to do what is right and HB 170 will help clarify what is both right and legal. A lot of polite public relations will still be needed, but legislation would clearly benefit the mission to train service animals.

Please support HB 170.

Sincerely,

Lynn Kennedy

Kathryn R. Kennedy
P.O. Box 11
Ninilchik, Alaska 99699

February 2, 1998

Dear Alaska State Legislature,

I urge you to support HB 170 which would allow service dogs in training to enter public establishments. The exposure and experience they need for success can hardly be gained otherwise.

Sincerely,

Kathryn Kennedy

I ASK THAT YOU PLEASE SUPPORT BILL # 170

SERVICE ANIMALS IN TRAINING

These animals aren't trained to become someone's pet,
they are trained to become someone's life, their eyes their
ears; their freedom to move about. Thank you.

Mary Wren
219 W Corral
Soldotna AK 99669

262-9808

Please support House Bill 170.

The socialization component of a service animal in training is key to the success of the animal later in the formal training. For the animal to learn about the world it must be out in the world. For a guide dog raiser to really be aware of what their puppy is fearful of, they must be allowed access to as many types of establishments as possible. Each outing, each experience teaches a puppy something very valuable.

When out in public the raiser carries an identification card that identifies them as a certified raiser. The puppies are listed on this ID card by name, breed and sex. They are also identified by a training jacket which is required while out in public. This jacket serves as visual identification for the public that the guide dog is in training as well a device that teaches the puppy that she is working. This jacket will be replaced with a harness when the puppy returns to the school for formal training.

An access law in Alaska for service animals in training would help our guide dog raisers do the job they are committed to doing.

Thank you for your time.

Linda Athons
P.O. Box 3521
Soldotna, AK 99669

Pass bill 170 for the Guide Dog
in training the same right as
trained Guide Dog

Brenda Dawson

Pass bill 170 for the Guide Dog
in training the same right as trained
Guide Dog.

Robert W. Jensen

Please pass Senate Bill #170
Guide Dogs in Training.
This is very important because
those who are blind need these
dogs.

Levone E. Jones
P.O. Box 39221
Ninilchik, Ak. 99639
567-3653

Pass bill 170 for the Guide dogs in training
the same rights as trained dogs. This is
important part of their training. Because
some day we just might need ~~it~~ them.

Jicki Deane
P.O. Box 39242
Nimilchik, AK
99637

Senate (Alaska State)

Please pass SB170 this session. We old people
may need Guide Dogs in the future and
they need to be trained before we need one.

Albert A. Lambert

Marguerite E. Lambert

HC 67 Box 105

Anchor Point, AK

Please pass bill 190. The dog must
to be trained to be guide dog ~~so~~ as they
need to have the same rights as Guide
Dog.

Tracy Owen
P.O. Box 39242
Nenah, AK
99639

I am hoping you will pass the bill #170
giving the some privileges as any other guide
dog would have to guide dogs in training

thank you kindly
Deanna Smith

please pass SB 170; Thank you.

James A. Mutni

Box 39526

Ninilchik AK 99639

1-907-567-3312

Please pass SB. 170
concerning dogs for the blind —

Ernestine Martin

P.O. Box 39526

Ninilchik, AK

99639

2-2-98

Pass Bill 170 for the Guide Dogs
in training, the same right as trained
Guide Dogs.

Carl O'Leary

I am interested in the Guide Day
training program. We hope you
will give Bill 170 your approval
& make it give the same privileges
as any Guide Day.

Thank You
Gloria Hamilton

Pass bill 170 for
Guid Dogs
Thanks.

Geo Blount

K. K. HOSTETTER

P.O. Box. 33

NINILCHIK AK

99639

PLEASE PASS BILL 170

THANK YOU;

Richard B. Hostetter Sr

Please pass bill ^{HB-}170 for Guide Dogs
in Training

Diane Cooney

Please pass House Bill (H.B. 170)
Alfred L. James
Minister to Alaska

SENATORS

PLEASE

PASS BILL # 170

GUIDE ANIMALS

REBECCA OBILE HANSON

P.O. Box 39158

NINILCHIK ALASKA 99639

907-567-3625

horizons@PTI.net

Pass bill #170 for Guide Dogs
in training as equal to Guide dogs.

THANK YOU!

REGINA TAYLOR
POB 39266
NINIKCHIK AK
99639-0266

SERVICE ANIMAL IN TRAINING

SOME OF US ALASKA PEOPLE ARE RAISING PUPPY TO BE GUIDE DOG. WE NEED ACCESS TO PUBLIC PLACE IN ALASKA. THERE ARE RAISER WHO HAS BEEN DENIED ENTRANCE INTO PUBLIC PLACE. THEIR ARE NO WAY TO TRAIN A GUIDE DOG IF WE DO NOT HAVE ACCESS TO PUBLIC PLACES.

HERE IS SOME INFO. ABOUT PEOPLE WHO HAVE GUIDES. THEIR STORIES.

SO PLEAS PASS BILL NO.170. THANK YOU

RUBY SCHMIDTBAUER AND YUKON
P.O. BOX 306 NINILCHIK, AK 9963

PS. THE DOGS THAT COME FROM PALM SPRINGS, CA. ARE GREAT DOGS. WE LOVED YUKON SO VERY MUCH. AND HE LOVES US. THEY ARE ALL 4-H DOGS. THEY ARE A LOT OF BLINE PEOPLE THAT NEEDS GUIDES. YOU COULD RAISE ONE TO .

Paul S.

2-2-98

Pass Bill 170 for Guide dogs
in training the same rights
as trained Dogs trained for Guide
dogs Dayton Mass