

ALASKA LEGISLATURE COMMITTEE FILES 1999-2000 8672

10047 SENATE HEALTH EDUCATION & SOCIAL SERVICES

Centers for Independent Living and Specialized Service Providers

Who are CILs and SSPs: The real work of independent living is performed by Centers for Independent Living (CILs) and Specialized Service Providers (SSPs). These providers are funded with a mix of federal, state, local and private resources. Attached is a list of the FY 99 funded CILs and SSPs. All CILs and SSPs funded with federal and/or state dollars must meet specific criteria in order to receive funding. For instance, they must be:

- Consumer controlled (i.e. a majority of the Board and staff are persons with disabilities);
- Community based (i.e. they are based in the community they are operating in and are responsive to the needs of that community);
- Cross-disability (i.e. they are willing and ready to serve all consumers who call or come through the door, regardless of their disability); and
- Provide the four "Core Independent Living Services" which are as follows:
 - (1) Information and referral;
 - (2) Independent living skills training;
 - (3) Peer counseling, including cross-disability peer counseling; and
 - (4) Individual and systems advocacy.

In addition, CILs and SSPs provide an array of other independent living services in Alaska. Below is a list of these services with the number of persons who received these services in FY 99.

Individuals Served by CILs and SSPs in FY 99 by Type and Number Served

Information and Referral	4491	Vocational	205
Advocacy	1542	Legal Assistance	142
Transportation	952	Family Support	104
IL Skills Training	603	Personal Assistance Services	96
Individual Counseling	562	Preventative Services	73
Rehabilitation Technology	531	Mobility Training	59
Communication	529	Children's Services	44
Recreational	455	Youth Services	32
Home Modifications	339	Physical Rehabilitation	16
Peer Counseling	215	Prostheses & Other	3
		Other	145

Investing in Independent Living

Independent Living Funding & Consumers Served:

The attached table on independent living resources shows that of the \$3.74 million invested in CILs and SSPs in FY 99, the State of Alaska invested \$1.45 million, or 38%, as compared to 37% by the federal government, 25% by private sources (including fees, fundraising, in-kind donations, etc), and less than 1% by local governments. The accompanying chart shows that **2,122 consumers were served by CILs and SSPs in FY 99, a 19% increase over FY 98.** This increase in consumers served occurred even though all public funding for these services has been static for several years. The average cost per consumer served in FY 99 was \$1,764. The State's investment averaged \$670 per consumer.

Are CILs and SSPs Saving the State Millions Each Year?

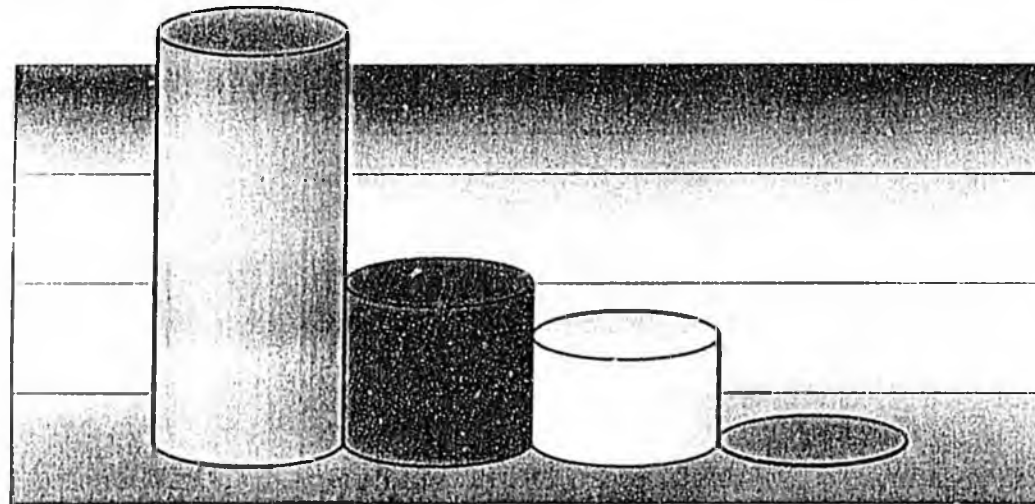
In FY 99 the average annual Medicaid cost of home and community based services for adults with physical disabilities on a waiver was just over \$14,000/person. The same levels of institutional care for a typical waiver recipient cost, on average, just over \$90,000/person, a difference of \$76,000.

In FY 99, 18 individuals were successfully relocated from nursing homes or other institutional settings to community based living arrangements by Alaskan CILs and SSPs, saving the State more than \$1.37 million in potential costs to Medicaid. CILs and SSPs diverted another 165 individuals who were at risk of going into an institution, saving the State another \$12.5 million in additional costs.

Therefore, the State Independent Living Council recommends to the Governor and to the Alaska Legislature that the State continue its investment in independent living services at the current level.

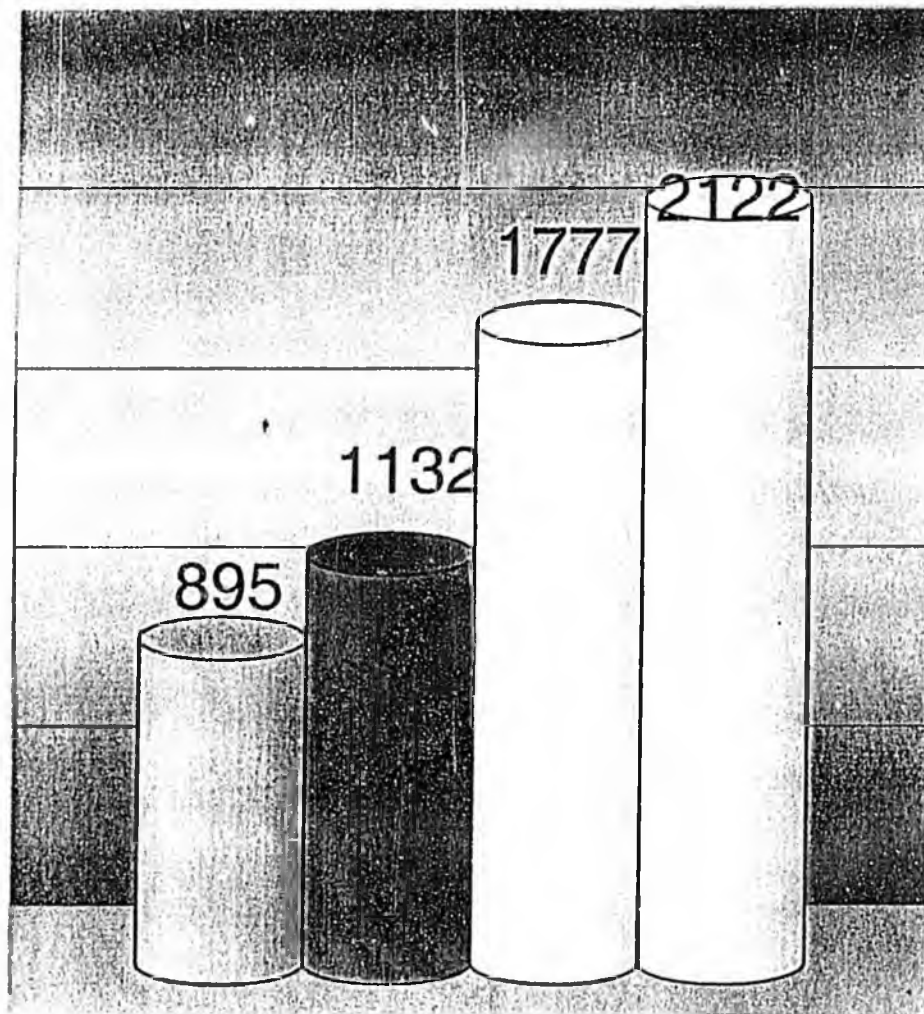
The SILC will also work with our IL providers in seeking out other resources from both the federal government and private entities so they can continue to offer their services to more and more Alaskans with disabilities.

Independent Living Resources FY '99 Total Funding (\$ 3,742,155)



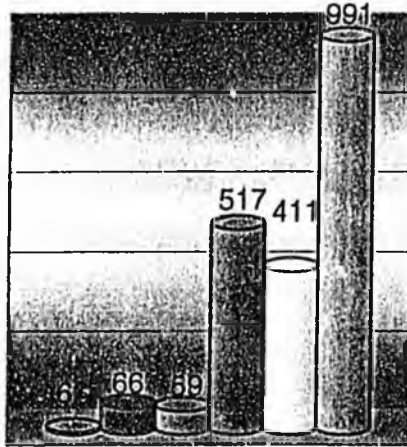
- Federal Funding (\$ 1,394,516)
- State Funding (\$1,446,945)
- Private Funding (\$ 966,846)
- Local Government Funding (\$ 11,200)

Total Number of Consumers Served by CIL's & SSP's



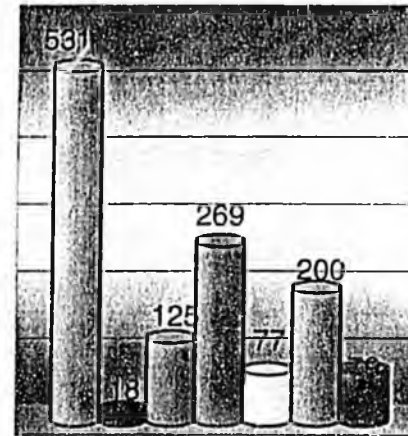
- FY '96 (895)
- FY '97 (1132)
- FY '98 (1777)
- FY '99 (2122)

Consumers Served - Age



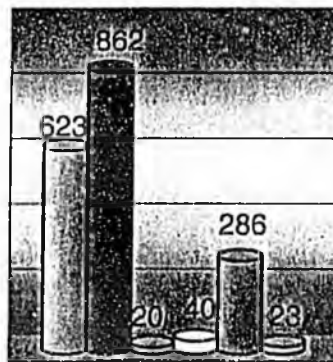
- Under 6 yrs (6)
- 6-17 yrs (66)
- 18-22 yrs (59)
- 23-54 yrs (517)
- 55 & over (411)
- Unknown (991)

Consumers Served - Disability



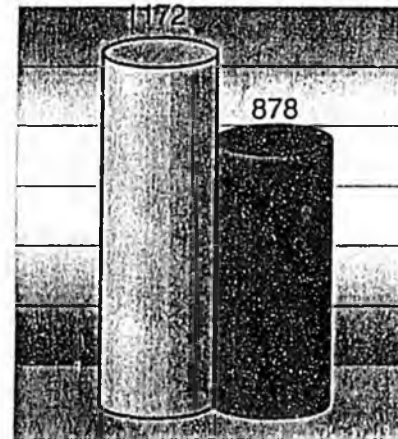
- Physical (531)
- Unknown (18)
- Hearing (125)
- Vision (269)
- Multiple (77)
- Cognitive (200)
- Mental/Emotional (79)

Consumers Served Race or Ethnicity



- White (623)
- Unknown (862)
- Hispanic (20)
- Black (40)
- Alaska Native (286)
- Asian or Pacific Islander (23)

Consumers Served - Gender



- Female (1172)
- Male (878)

ALASKA
CENTERS FOR INDEPENDENT LIVING

Southeast Alaska

TEL.

Southeast Alaska Independent Living (SAIL)
P.O. Box 35097
Juneau, AK 99803-5097

907-789-9665 (V/TTY)
907-789-9747 (Fax)
907-747-6859 (Sitka)
907-747-6783 (Sitka-Fax)
907-225-4735 (Ket.)
907-225-4753 (Ket.Fax)
1-800-478-7245 (toll free)

(E-Mail: sailinc@ptialaska.net)
Offices In: Juneau, Sitka and Ketchikan

Southcentral Alaska

Access Alaska Anchorage
3710 Woodland Drive, Suite 900
Anchorage, AK 99517

907-248-4777 (Voice)
907-248-8799 (TTY)
907-248-0639 (Fax)
1-800-770-4488 (toll free)

Brad Bernier-Program Director
E-Mail: access@alaska.net
Office In: Anchorage

Interior Alaska

Access Alaska Fairbanks
3550 Airport Way, Suite 3
Fairbanks, AK 99709
David Jacobson - Director
(E-Mail: pa1acc@mosquitonet.com)
Office In: Fairbanks

907-479-7940 (V/TTY)
907-474-4052 (Fax)

Kenai Peninsula/Kodiak

Kenai Peninsula Independent Living Centers
P.O. Box 2474
Homer, AK 99603

907-235-7911 (V/TTY)
907-235-6236 (Fax)
907-224-8711 (Seward)
907-262-6333 (Soldotna)
907-770-7911 (toll free)

Joyanna Geisler - Executive Director
(E-Mail: ilc@xyz.net)
Offices In: Homer, Seward & Soldotna

Northwest Region

Arctic Access
P.O. Box 930
Kotzebue, AK 99752

907-442-2393 (V/TTY/Fax)
1-877-442-2393 (toll free)

Roger Wright, Jr. - Director
(E-Mail: arcticac@ptialaska.net)
Office In: Kotzebue

ALASKA
SPECIALIZED INDEPENDENT LIVING PROVIDERS

Alaska Center for Blind Adults
3903 Taft Drive
Anchorage, AK 99517

907-248-7770 (V/TTY)
907-248-7517 (Fax)
1-800-770-7517 (toll free)

Carolyn Peter- Program Director
(E-Mail: akcb@mtaonline.net)
Office in: Anchorage

Alaska Center for Deaf & Hard of Hearing
731 Gambell, Suite 200
Anchorage, AK 99501-3754

907-258-2232 (TTY)
1-800-770-8255 (Relay)
907-279-0341 (Fax)
907-276-3456 (Voice)
1-800-770-3456 (toll free)

Alan Cartwright - Program Director
(E-Mail: acartwright@arc-anchorage.org)

Office in: Anchorage

Deaf Community Services
475 Hall St.
Fairbanks, AK 99701

907-451-4889 (TTY)
907-456-2604 (Fax)
907-456-5913 (Voice)

Doug Cluff - Executive Director
(E-Mail: dcluff@gci.net)
Office in: Fairbanks

State Independent Living Council (SILC)

1016 W. 6th Ave, Suite 205
Anchorage, AK 99501

907-269-3571 (V/TTY)
907-269-3633 (Fax)
1-888-330-6488 (toll free)
907-269-3635 (TTY Msg)

John Woodward - *Chair*
Jerie Best - *Secretary*
Gail Sorenson
Margaret Evans
David Maltman (*Ex-Officio*)
Linda Bjorge

Joyanna Geisler - *Vice-Chair*
Ruth L'Hommedieu - *Treasurer*
David Jacobson
Russ Cusack (*Ex-Officio*)
Karita Crow
Peter McDowell

Patrick Reinhart - Executive Director
E-Mail: patrick_reinhart@labor.state.ak.us
Karla Rathbun - Administrative Clerk
E-Mail: karla_rathbun@labor.state.ak.us

SB

9

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. SB 9

Revision Date: March 9, 1999
 Title: An Act relating to the calculation of employee contributions and credited service in the public employees' retirement system ...
 Sponsor: Senator Wilken
 Requestor: (S) L&C

Department Affected: Administration
 BRU: Centralized Administrative Services
 Component: Retirement and Benefits
 COMPONENT SERIAL NO. 64

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 00	FY 01	FY 02	FY 03	FY 04	FY 05
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	72.4	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	72.4	0	0	0	0	0

CAPITAL EXPENDITURES	0	0	0	0	0	0
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CHANGE IN REVENUES ()	0	0	0	0	0	0
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FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1037 GF/Mental Health	0	0	0	0	0	0
OTHER (1029 P/E Retire)	72.4	0	0	0	0	0
TOTAL	72.4	0	0	0	0	0

Estimate of any current year (FY 99) cost: \$ 0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

The \$72.4 is needed to hire contractors to update the division's computer system to accommodate the proposed changes. In addition to contractor time, division staff will dedicate time to make system changes and the impacted school districts may also need to update their systems.

This change would affect approximately 6,660 current PERS members.

Prepared by: Guy Bell
 Division: Retirement and Benefits

Phone: 465-4471
 Date: _____

Approved by Commissioner: Robert Poe, Jr. *Alison M. Elgee*
 Agency: Department of Administration

Date: 3/9/99

GARY WILKEN

SENATOR
Districts 29 & 30
West Fairbanks



During Session:
State Capitol, Room 510
Juneau, Alaska 99801-1182
(907) 465-3709 (v)
(907) 465-4714 (f)
www: akrepublicans.org/wilken.htm
E-mail: Senator_Gary_Wilken@legis.state.ak.us

Senate Standing Committees

Chairman: Health, Education,
and Social Services (HESS)
Vice Chairman: Transportation
Vice Chairman: Community and
Regional Affairs

Interior:
119 N. Cushman St., Room 213
Fairbanks, Alaska 99701
(907) 452-3421
Fax (907) 452-3426

Special Committee

Member: Administrative Regulation Review

MEMORANDUM

DATE: March 9, 1999
TO: Senator Mike Miller, Chair
Senate HESS Committee
FROM: Senator Gary Wilken
RE: Hearing Request for SB 9

I respectfully request that a hearing be held for Senate Bill 9, relating to PERS retirement credit for non-certificated public employees.

This bill addresses an inequity between the non-certificated and certificated school staff in our state. Specifically, it would provide non-certificated staff, like the certified teachers, with one year of retirement credit for working during the regular school year, typically nine months.

A very similar bill addressed the same issue last session, but died in the final minutes of the 20th Legislature in Senate Rules. Therefore, much of the work has been done on this legislation, and the near-unanimous support of this bill should easily be forwarded to this session.

Thank you for your consideration.

A handwritten signature in cursive script, reading "Gary Wilken", is located below the typed name.

SENATE COMMITTEE REPORT

DATE: 3/10/99

FURTHER: Finance

DATE TURNED
IN TO OFFICE: 3/22/99

HESS Committee considered

SENATE BILL NO. 9

PERS CREDIT FOR NONCERTIFICATED EMPLOYEES

and recommends:

- be replaced with CS 5B9 (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 <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
		<i>Vote for Bill</i>	<input checked="" type="checkbox"/>		
<i>Gary Klob</i>	<input type="checkbox"/>				
<i>K. K. Ellis</i>	<input checked="" type="checkbox"/>				
CHAIR:			<i>Lee</i> CHAIR:		

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

DATE 07-27-1986 01:01 PM USER FAX 1907502045 PAGE 2

SPECIAL EDUCATION SERVICE AGENCY

2217 EAST TUDOR ROAD, SUITE 1 / ANCHORAGE, ALASKA 99507 / PHONE (907) 562-7372 / FAX (907) 562-0545

Good afternoon Mr. Chairman and members of the committee. My name is Christopher Robinson. I am the Executive Director of the Special Education Service Agency, otherwise known as SESA.

SESA is an instrumentality of the State of Alaska, created by the legislature in 1986 as a public organization, funded through the Department of Education.

(AS 14.30.600)

Under statute (AS 14.30.630), the duties of the agency include provision of special education services, including itinerant outreach services, to public school students and special education instructional support and training of local school district special education personnel. In addition, the SESA annual work calendar and job descriptions are similar to those found in public school districts.

On behalf of the SESA Board of Directors, I ask for your support of an amendment to Senate Bill 9 to include SESA as a participating employer.

In accordance with AS 14.30.620, "Employees of the agency are not in state service and are not subject to AS 39.25 (State Personnel Act). However, employees of the agency shall be members of either the Teachers' Retirement System (AS 14.25) or the Public Employees' Retirement System (AS 39.35)."

SESA entered into an AS 39.35.560, PERS participation agreement in September, 1986.

AS 39.35.600 states that eligible employees of a participating public organization are bound by the provisions of this system (PERS) and are entitled to the benefits provided under it.

All permanent part-time and full-time, non-certificated, SESA employees are members of PERS.

Inclusion of SESA in this legislation would provide individual SESA PERS members the benefit of choice related to how their credited service is calculated, comparable to other non-certificated public education employees.

PUBLIC EDUCATION EMPLOYEES FUNDED VIA DOE.

A NON-PROFIT CORPORATION PROVIDING EDUCATIONAL SERVICES

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. SB 9

Revision Date: March 9, 1999
 Title: An Act relating to the calculation of employee contributions and credited service in the public employees' retirement system ...
 Sponsor: Senator Wilken
 Requestor: (S) L&C

Department Affected: Administration
 BRU: Centralized Administrative Services
 Component: Retirement and Benefits
 COMPONENT SERIAL NO. 64

Expenditures/Revenues: (Thousands of Dollars)

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TRAVEL	0	0	0	0	0	0
CONTRACTUAL	72.4	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	72.4	0	0	0	0	0

CAPITAL EXPENDITURES	0	0	0	0	0	0
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CHANGE IN REVENUES ()	0	0	0	0	0	0
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FUND SOURCE: (Thousands of Dollars)

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1003 GF Match	0	0	0	0	0	0
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1005 GF/Program Receipts	0	0	0	0	0	0
1037 GF/Mental Health	0	0	0	0	0	0
OTHER (1029 P/E Retire)	72.4	0	0	0	0	0
TOTAL	72.4	0	0	0	0	0

Estimate of any current year (FY 99) cost: \$ 0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

The \$72.4 is needed to hire contractors to update the division's computer system to accommodate the proposed changes. In addition to contractor time, division staff will dedicate time to make system changes and the impacted school districts may also need to update their systems.

This change would affect approximately 6,660 current PERS members.

Prepared by: Guy Bell
 Division: Retirement and Benefits

Phone: 465-4471
 Date: _____

Approved by Commissioner: Robert Poe, Jr.
 Agency: Department of Administration

Date: 3/9/99

SENATE BILL NO. 9

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY SENATORS WILKEN, Ellis

Introduced: 1/19/99

Referred: Labor and Commerce, HES, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the calculation of employee contributions and credited service
2 in the public employees' retirement system for noncertificated employees of school
3 districts, regional educational attendance areas, the Alaska Vocational Technical
4 Center, and the state boarding schools; and providing for an effective date."

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

6 * **Section 1.** AS 39.35.160 is amended by adding a new subsection to read:

7 (c) An employee who has made an irrevocable election under AS 39.35.300(c)
8 or 39.35.310(c) to have the employee's years of service as a noncertificated employee
9 of a state boarding school, of a school district or regional educational attendance area,
10 or of the Alaska Vocational Technical Center determined by reference to AS 14.25.220
11 shall pay a contribution surcharge for that service. The amount of the surcharge is the
12 difference between the amount the employer would have had to contribute under
13 AS 39.35.250 - 39.35.290 for the employee when treating the employee's credited
14 service as service earned under AS 39.35.300(c) or 39.35.310(c) less the amount the

1 employer would have had to contribute under AS 39.35.250 - 39.35.290 without
 2 treating the employee's credited service as service earned under AS 39.35.300(c) or
 3 39.35.310(c).

4 * Sec. 2. AS 39.35.300 is amended by adding a new subsection to read:

5 (c) A noncertificated employee of the Alaska Vocational Technical Center or
 6 a state boarding school who first becomes a member of the system on or after the
 7 effective date of this Act may, within 90 days after the employee first joins the system,
 8 make an irrevocable election under this subsection to have the years of service that the
 9 employee earns as a noncertificated employee determined using the table for service
 10 on or after July 1, 1969, that is set out in the definition of "year of service" in
 11 AS 14.25.220. A noncertificated employee of the Alaska Vocational Technical Center
 12 or a state boarding school who is an active member of the system on the effective date
 13 of this Act may, within 180 days after the effective date of this Act, make the
 14 irrevocable election. A member of the system who is an inactive member on the
 15 effective date of this Act and who is later employed as a noncertificated employee of
 16 the Alaska Vocational Technical Center or a state boarding school may, within 90 days
 17 after beginning the subsequent employment, make the irrevocable election. An
 18 election under this subsection shall be made in writing on a form provided by the
 19 administrator. The election applies to the employee's service earned for the school
 20 year in which the election is accepted by the administrator and applies to all
 21 subsequent employment as a noncertificated employee of a state boarding school, a
 22 school district or regional educational attendance area, or the Alaska Vocational
 23 Technical Center. An employee who makes an election under this subsection shall pay
 24 the contribution surcharge as set out in AS 39.35.160(c).

25 * Sec. 3. AS 39.35.310 is amended by adding a new subsection to read:

26 (c) A noncertificated employee of a school district or regional educational
 27 attendance area who first becomes a member of the system on or after the effective
 28 date of this Act may, within 90 days after the employee first joins the system, make
 29 an irrevocable election under this subsection to have the years of service that the
 30 employee earns as a noncertificated employee determined using the table for service
 31 on or after July 1, 1969, that is set out in the definition of "year of service" in

1 AS 14.25.220. A noncertificated employee of a school district or regional educational
2 attendance area who is an active member of the system on the effective date of this
3 Act may, within 180 days after the effective date of this Act, make the irrevocable
4 election. A member of the system who is an inactive member on the effective date
5 of this Act and who later is employed as a noncertificated employee of a school
6 district or regional educational attendance area may, within 90 days after beginning the
7 subsequent employment, make the irrevocable election. An election under this
8 subsection shall be made in writing on a form provided by the administrator. The
9 election applies to the employee's service earned for the school year in which the
10 election is accepted by the administrator and applies to all subsequent employment as
11 a noncertificated employee of a state boarding school, a school district or regional
12 educational attendance area, or the Alaska Vocational Technical Center. An employee
13 who makes an election under this subsection shall pay the contribution surcharge as
14 set out in AS 39.35.160(c).

15 * Sec. 4. This Act takes effect July 1, 1999.

GARY WILKEN

SENATOR
Districts 29 & 30
West Fairbanks



During Session:
State Capitol, Room 510
Juneau, Alaska 99801-1182
(907) 465-3709 (v)
(907) 465-4714 (f)
[www: akrepublicans.org/wilken.htm](http://www.akrepublicans.org/wilken.htm)
E-mail: Senator_Gary_Wilken@legis.state.ak.us

Senate Standing Committees

Chairman: Health, Education,
and Social Services (HESS)
Vice Chairman: Transportation
Vice Chairman: Community and
Regional Affairs

Interior:
119 N. Cushman St., Room 213
Fairbanks, Alaska 99701
(907) 452-3421
Fax (907) 452-3426

Special Committee

Member: Administrative Regulation Review

SENATE BILL 9

SPONSOR STATEMENT

"An Act relating to the calculation of employee contributions and credited service in the public employees' retirement system for non-certificated employees of school districts, regional educational attendance areas, the Alaska Vocational Technical Center, and the state boarding schools, and providing for an effective date."

Senate Bill 9 is not a new proposal. For many years the question of whether support staff of our schools should have the same retirement benefits as their certified counterparts has gone unanswered. Senate Bill 9 will fix this inequity.

Approximately 6,600 Alaskan residents are dedicated, full-time, non-certified employees in our school systems. Non-certificated employees, also referred to in many school districts as "classified" employees, include custodians, cafeteria workers, teachers aides, and administrative staff. They typically work the same schedule as our teachers, from September to May, leaving their summer schedules open to the pursuit of other seasonal employment activities. However, those seasonal employment activities rarely provide for retirement considerations. Therefore, each working year contains a three-month gap where retirement benefits do not accrue. As a consequence, a non-certificated employee having worked for 30 years, and seemingly eligible to retire, is faced with only 22.5 years of accrued retirement benefits.

Certified teachers get one full year of credit toward retirement when they complete the nine-month school year. Non-certified employees receive credit for the actual time served in the system, usually nine months. They are not afforded the option of contributing to their retirement account to reflect a year's service. Senate Bill 9 affords them that option, at their expense. It would be a completely voluntary program, paid for by the members themselves, thus adding no on-going financial burden to the State or to the local school districts.

Please join me in endorsing this legislation. It speaks to fairness, and demonstrates the appreciation that all Alaskan schools' support staff deserve.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

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


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

MEMORANDUM

February 22, 1999

SUBJECT: Sectional Summary of SB 9. (Noncertificated school district employee retirement credit under PERS)

TO: Senator Gary Wilken
Attn: Tim

FROM: Teresa B. Cramer 
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1 adds a new subsection to AS 39.35.160 imposing a surcharge on those noncertificated employees who exercise the choices offered in bill sections 2 and 3 to have their credited service under the Public Employees' Retirement System (PERS) figured using the formula that applies to teachers under the Teachers' Retirement system (TRS). The amount of the surcharge is the amount the employer would have had to pay if the employee's credited service had been counted using the TRS formula less the amount that the employer already paid under the regular PERS formula.

Sec. 2 adds a subsection to AS 39.35.300 to permit noncertificated employees of state schools (the Alaska Vocational Technical Center and Mt. Edgecumbe) to elect to have their employment as noncertificated employees of a school counted using the table set out in TRS. Under that table, an employee who works 172 days or more in a school year receives credit for a year of service. The election is irrevocable and applies to all subsequent employment as a noncertificated employee -- whether the employer is the state or a school district or a regional educational attendance area.

For newly hired employees, the choice has to be made within 90 days after first being hired and joining the retirement system. For existing employees, the choice has to be made within 180 days after the Act takes effect. (There is a July 1, 1999 effective date for the Act.) For inactive PERS members (people who are no longer working for a PERS employer but who have not yet retired) who later become reemployed by a PERS employer, the choice has to be made within 90 days after beginning the subsequent employment.

Senator Gary Wilken
February 20, 1999
Page 2

Sec. 3 adds a new subsection to AS 39.35.310, providing noncertificated employees of school districts and regional educational attendance areas with the same choice under the same conditions as are provided noncertificated employees of a state-run school by bill section 2.

Sec. 4 is a July 1, 1999, effective date for the Act.

TC:pl
99-020.plm

GARY WILKEN

SENATOR

Districts 29 & 30
West Fairbanks

Senate Standing Committees

Chairman: Health, Education,
and Social Services (HESS)
Vice Chairman: Transportation
Vice Chairman: Community and
Regional Affairs

Special Committee

Member: Administrative Regulation Review



During Session:
State Capitol, Room 510
Juneau, Alaska 99801-1182
(907) 465-3709 (v)
(907) 465-4714 (f)
[www: akRepublicans.org/wilken.htm](http://www.akRepublicans.org/wilken.htm)
E-mail: Senator_Gary_Wilken@legis.state.ak.us

Interior:
119 N. Cushman St., Room 213
Fairbanks, Alaska 99701
(907) 452-3421
Fax (907) 452-3426

SENATE BILL 9

SPONSOR STATEMENT

"An Act relating to the calculation of employee contributions and credited service in the public employees' retirement system for non-certificated employees of school districts, regional educational attendance areas, the Alaska Vocational Technical Center, and the state boarding schools, and providing for an effective date."

Senate Bill 9 is not a new proposal. For many years the question of whether support staff of our schools should have the same retirement benefits as their certified counterparts has gone unanswered. Senate Bill 9 will fix this inequity.

Approximately 6,600 Alaskan residents are dedicated, full-time, non-certified employees in our school systems. Non-certificated employees, also referred to in many school districts as "classified" employees, include custodians, cafeteria workers, teachers aides, and administrative staff. They typically work the same schedule as our teachers, from September to May, leaving their summer schedules open to the pursuit of other seasonal employment activities. However, those seasonal employment activities rarely provide for retirement considerations. Therefore, each working year contains a three-month gap where retirement benefits do not accrue. As a consequence, a non-certificated employee having worked for 30 years, and seemingly eligible to retire, is faced with only 22.5 years of accrued retirement benefits.

Certified teachers get one full year of credit toward retirement when they complete the nine-month school year. Non-certified employees receive credit for the actual time served in the system, usually nine months. They are not afforded the option of contributing to their retirement account to reflect a year's service. Senate Bill 9 affords them that option, at their expense. It would be a completely voluntary program, paid for by the members themselves, thus adding no on-going financial burden to the State or to the local school districts.

Please join me in endorsing this legislation. It speaks to fairness, and demonstrates the appreciation that all Alaskan schools' support staff deserve.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3067 or 465-2450
FAX (907) 465-2029
Mail Stop 3101


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

MEMORANDUM

February 22, 1999

SUBJECT: Sectional Summary of SB 9. (Noncertificated school district employee retirement credit under PERS)

TO: Senator Gary Wilken
Attn: Tim

FROM: Teresa B. Cramer 
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1 adds a new subsection to AS 39.35.160 imposing a surcharge on those noncertificated employees who exercise the choices offered in bill sections 2 and 3 to have their credited service under the Public Employees' Retirement System (PERS) figured using the formula that applies to teachers under the Teachers' Retirement system (TRS). The amount of the surcharge is the amount the employer would have had to pay if the employee's credited service had been counted using the TRS formula less the amount that the employer already paid under the regular PERS formula.

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For newly hired employees, the choice has to be made within 90 days after first being hired and joining the retirement system. For existing employees, the choice has to be made within 180 days after the Act takes effect. (There is a July 1, 1999 effective date for the Act.) For inactive PERS members (people who are no longer working for a PERS employer but who have not yet retired) who later become reemployed by a PERS employer, the choice has to be made within 90 days after beginning the subsequent employment.

Senator Gary Wilken

February 20, 1999

Page 2

Sec. 3 adds a new subsection to AS 39.35.310, providing noncertificated employees of school districts and regional educational attendance areas with the same choice under the same conditions as are provided noncertificated employees of a state-run school by bill section 2.

Sec. 4 is a July 1, 1999, effective date for the Act.

TC:pl

99-020.plm

SB

21

ALASKA STATE LEGISLATURE

Senate Rules Committee
•
Senate Judiciary Committee
•
Department of Law
Budget Subcommittee


While in Session
State Capitol, Rm. 9
Juneau, Alaska 99801
(907) 465-3704
Fax: (907) 465-2529

While in Anchorage
716 West 4th Ave., Ste 440
Anchorage, Alaska 99501
(907) 269-0169
fax: (907) 269-0172

SENATE MINORITY LEADER
JOHNNY ELLIS

Memorandum

To: Sen. Mike Miller

From: Sen. Johnny Ellis 

Date: February 25, 1999

RE: SB 21: UAA Consortium Library

I respectfully request a HESS Committee hearing on SB 21, the bill to fund construction of a new UAA Consortium Library.

The UAA campus has sorely needed a new library for many, many years. Recently there has been talk of some of the programs' accreditation being in jeopardy, because of the poor library facilities. It would be completely unacceptable for us to allow UAA to begin losing program accreditation because of our failure to provide adequate resources.

Last year, \$10 million was appropriated for planning and site design of the project. To not follow up with construction funds, would not only leave the project incomplete, but would also reflect poor financial planning and management on the part of the Legislature.

The project is vital to the long-term viability of our higher education system here in Alaska. I hope you will allow the committee to give this bill due consideration.

Thank you.

ALASKA STATE LEGISLATURE

Senate Rules Committee

Senate Judiciary Committee

Department of Law
Budget Subcommittee

White in Juneau
State Capitol, Rm. 9
Juneau, Alaska 99801
(907) 465-3704
Fax: (907) 465-2529

White in Anchorage
716 West 4th Ave., Ste 440
Anchorage, Alaska 99501
(907) 269-0169
fax: (907) 269-0172

SENATE MINORITY LEADER JOHNNY ELLIS

Sponsor Statement SB 21

Appropriation for UAA Consortium Library

SB 21 will appropriate \$30,470,000 for the construction of the UAA Consortium Library, which serves the University of Alaska Anchorage and Alaska Pacific University. At the present time, the UAA Consortium Library is overcrowded and half the size recommended by the Association of College and Research Libraries. Expansion of the library is essential for assuring continued national accreditation.

The core function of this project is to create a Library for the 21st Century on the Anchorage campus. As Alaska transitions from a resource-based economy to an information-based economy, the University must be able to keep pace by providing adequate electronic information sources. We are in a unique position to design the library around an electronic infrastructure to support current and predicted information technologies. This is a crucial requirement for adequately educated workers in a competitive market.

It is an interesting fact that the electronic media explosion has not diminished the need for print materials. The number of print journals and print books continues to grow. Students at all levels rely on these resources.

In addition, the UAA Consortium Library also serves many Alaskans in the community. Guest library cards are popular, and the library sends interlibrary loan materials throughout the state. The UAA library operates the most active interlibrary loan program in Alaska.



Anchorage • *Star of the North*
Chamber of Commerce

In Support of Continued Funding for UAA Library Expansion
Resolution 98-99-10

WHEREAS, the mission of UAA is to meet the higher education needs of Anchorage and Southcentral Alaska; and

WHEREAS, UAA is a major employer and economic contributor with significant opportunities to expand both jobs and economic contributions in Alaska; and

WHEREAS, UAA is committed to advancing the economic development and prosperity of Anchorage and the surrounding region, and local business and economic development organizations support expanded partnerships with UAA; and

WHEREAS, information and information technologies are increasingly the medium of commerce and trade, and university libraries are central repositories of information and are the "core" educational facility on university campuses; and

WHEREAS, UAA and APU's consortium library was found by the Northwest Association of Schools and Colleges to be too small and to have too few books for the size of the student body being served, and this was a major reservation in the Association's decision to renew UAA's accreditation, and this situation continues to the present; and

WHEREAS, UAA will be reviewed for accreditation again in the year 2000 by the same Association; and

WHEREAS, UAA has worked cooperatively in consolidating eight natural resource libraries into one; and

WHEREAS, the Anchorage Chamber of Commerce continues to support the Administration and Legislature's efforts to reduce state spending, it nevertheless recognizes that investment in Alaska's higher education system will be a major contributor to the state's economic future; and

WHEREAS the Alaska State Legislature appropriated \$9.53 million last session as an initial investment in the new library;

NOW THEREFORE BE IT RESOLVED, that the Anchorage Chamber of Commerce supports the appropriation of, or general obligation bonding for, \$30.47 million on a timeline that will continue and complete the expansion of the UAA library.

Approved this 19th day of March 1999.

Ralph Samuels, 1998-99 Chair

April Jensen, President

ANCHORAGE CAUCUS RESOLUTION NO

TWENTY-FIRST LEGISLATURE-FIRST SESSION

BY REPRESENTATIVE KEMPLER

A RESOLUTION

Supporting UAA's funding request for major library expansion.

BE IT RESOLVED BY THE LEGISLATORS OF THE ANCHORAGE CAUCUS

WHEREAS A strong business environment necessitates an educated population; and

WHEREAS the higher education opportunities are often limited for Alaskan residents; and

WHEREAS to succeed in building a diversified and highly technical working residency we must invest in higher education; and

WHEREAS the University of Alaska, Anchorage (UAA) campus lacks the ability to provide an adequate library for its students; and

WHEREAS Alaska leads the nation in the number of high school graduates going out-of-state for college; and

WHEREAS students that attend college in-state are more likely to work and live in-state than those that leave the state for college; and

WHEREAS the State of Alaska has an obligation to ensure resident access to higher educational opportunities; and

WHEREAS the State of Alaska has provided funding totaling \$9.6 million for the design, site development and construction for major expansion of the UAA library; and

WHEREAS an additional appropriation of \$30 million is necessary to complete construction of the major expansion of the UAA library;

BE IT RESOLVED the Anchorage Caucus of the Alaska State Legislature supports the continued construction and funding of the UAA library expansion; and be it

FURTHER RESOLVED that the members of the Anchorage Caucus will actively pursue the necessary funding for completion of the UAA library.

This resolution was passed the ____ of February, 1999.



UNIVERSITY OF ALASKA ANCHORAGE



3211 Providence Drive
Anchorage, Alaska 99508-8362

SAFETY IS EVERYBODY'S BUSINESS

STUDENT GOVERNMENT

Phone: (907) 786-1205

Fax: (907) 786-1208

Senator Johnny Ellis
State Capitol, Room 9
Juneau, AK 99801-1182

March 8, 1999

Dear Senator Ellis:

Thank you for your time and consideration in meeting with fellow UA students during our recent trip to Juneau. As members of the Union of Students of the University of Alaska Anchorage, we appreciate the time you spent in listening to student concerns. Members of the Union of Students from Anchorage will be returning to Juneau in late March and we hope you have time to visit with us at that time.

Before that time, we would appreciate it if you could forward any questions, concerns or specific issues that you would like to discuss with us. We will attempt to gather any information that you need.

As there is some time between now and our scheduled visit, I will let you know now that we, the students, are all in favor of the UAA Library Appropriation (SB 21 and HB 31), and President Hamilton's proposed budget increase (\$16.3 million).

Sincerely,

Joshua Hunter
President
Union of Students
University of Alaska Anchorage

JH/rh

WS

received 3/19 Sylvia Funk

**Alaska Library Association
Anchorage Chapter**

Resolution of Support - December 11, 1998

Whereas, the Consortium Library currently serves growing student populations and the academic communities of APU and UAA with less than required seating space; and,

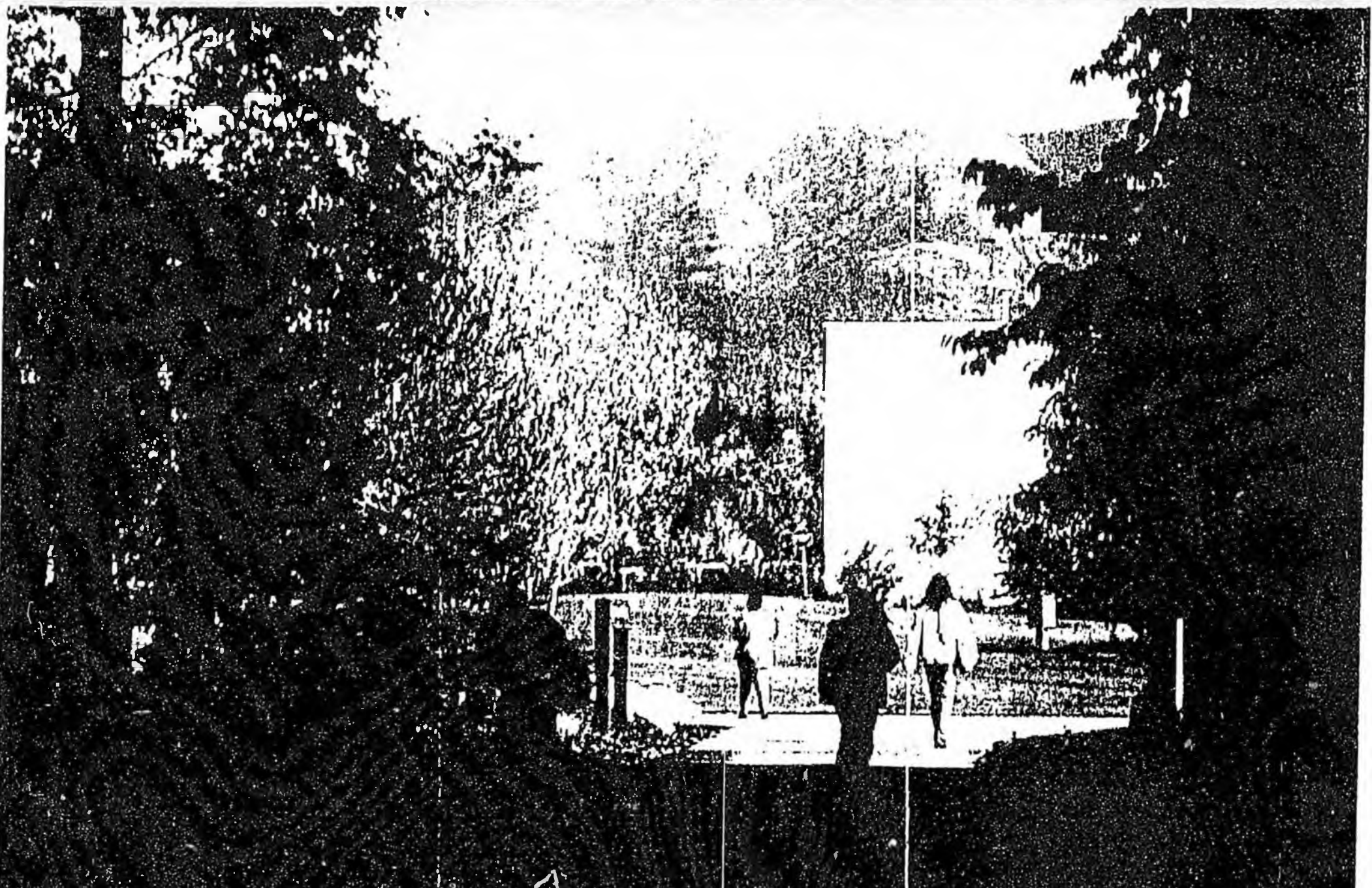
Whereas, the Consortium Library requires additional shelving for its expanding book, journal, and archival collections; and,

Whereas, the Consortium Library extends services such as distance delivery, interlibrary loan, and electronic reference service to its local and statewide clientele; and,

Whereas, the Consortium Library is enhancing electronic information services, requiring added space for computer labs and technology training facilities;

Therefore, be it resolved that the Anchorage Chapter of the Alaska Library Association supports House Bill 31 and Senate Bill 21, an Act making an appropriation for construction and renovation of the University of Alaska Anchorage Consortium Library facility.

Passed at the regular meeting of the Anchorage Chapter of the Alaska Library Association on December 11, 1998



*Future Site of
University of Alaska Anchorage*

LIBRARY OF THE 21ST CENTURY

Acquiring the knowledge and skills for the information age.

THE NEEDS

Over crowded and half the size called for by the Association of College and Research Libraries, the UAA/APU Consortium Library needs to be significantly upgraded in both size and holdings. The proposed Library of the 21st Century represents the most important physical development on campus since the late sixties.

Essential to UAA's continuing national accreditation, the proposed Library expansion directly enhances the quality of education available to our students and the community. Designing the integration of voice, video, and data communication into the library system creates a Library of the 21st Century and provides electronic access to all homes and businesses with computers and modems.

The 100,000 gross sq. ft. Library addition will profoundly impact the campuses, as well as the citizens of the community and state by providing:

- Increased library shelf and study space
- A network hub for distance Education and Statewide Telehealth
- Enhanced reference services
- Modern research facilities
- Expanded electronic information access
- Computer training and tutoring services
- Garaged public parking

Legislative Request: \$40,000,000

THE PROGRAM

The expanded Library creates a central core for the campus and, surrounded by general education classrooms, better serves the increasing number of students who live on campus and walk to class. A new parking garage will provide convenient access to commuting students and the public.

New and existing space involved in the Library project will be home to the following resources and services:

- Academic Library
- Alaska Resources Library and Information Services (ARLIS) Center
- Telecommunications and Media Center
- UAA's Telemedicine/Telehealth Hub
- Learning Resource Center
- Reading-Writing Center
- Mathematics Laboratory
- Language Laboratories
- General Use Computer Laboratories

The Library of the 21st Century will be equipped for future expansion and will support emerging technologies. Telecommunication links will provide information access throughout the campus, the community, the state, and beyond - creating an electronic learning community.

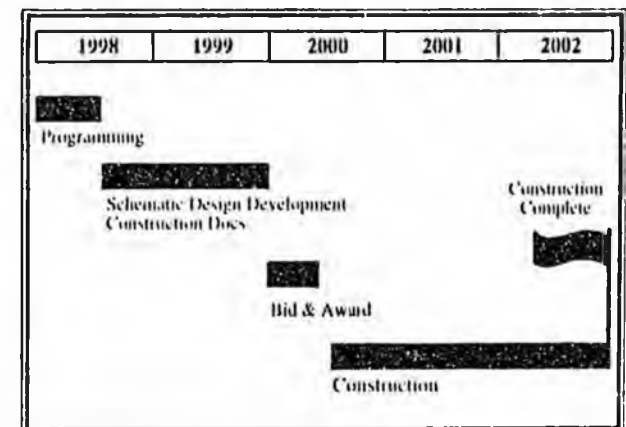
THE BENEFITS

In concert with the overall Master Plan, the Library of the 21st Century will provide students a resource center which meets today's information technology requirements.

With 24-hour electronic service, the Library will be accessible to students living both on and off campus. Advanced communications and computer services will provide UAA's growing student body the resource, skills, information and knowledge needed to be competitive in today's job market and information age.

The Library of the 21st Century will ensure continued accreditation of programs for the University of Alaska Anchorage and create exciting partnerships with public television, public schools, and other public and private institutions willing and able to prepare Alaskans to live and compete in the 21st Century.

Library of the 21st Century Project Timeline



from Steve Rollins

February 16, 1999

Consortium Library—Building for the 21st Century

The Consortium Library with its collections and connections is ready for its future. As indicated by its name it has a history of cooperation. As part of the Anchorage Community College, the library shared its first collection with West High School. The consortium library evolved with its affiliation with Alaska Methodist University. In 1970 the state funded the construction of a new library to be shared by both institutions. The consortium library opened in 1973. When AMU ceased operations in the mid-1970s it was replaced by a new institution, Alaska Pacific University. The consortium agreements have remained in place with APU.

The next chapter in this history of cooperation includes new partnerships. The Consortium Library is working with the Anchorage Municipal Libraries and with the Alaska Resources Library and Information Services (ARLIS). It will be possible in the coming year to look up the library collections of UAA, the Anchorage Municipal Libraries (AML) and the ARLIS library all from one computer or even from one's home or office. The new system will also serve as a gateway to other UA resources and to other libraries in the state, region and around the world. The Consortium Library is also developing partnerships with regional and international library consortiums to provide electronic resources to the UAA/APU community. In February 1999, the Consortium Library announced the first phase of its electronic library program.

The consortium library is ready for its future. The library's faculty and staff have the talents, energy, and dedication to move the library forward. What is needed is a new facility. The current building is worn out, over crowded and technologically challenged. According to national library standards, the Consortium Library should double its existing space. A new facility will combine the physical with the virtual. The new building will be a center for learning, a depository of library materials, and a hub of information networks. The new building will be shared with the local communities, a place of collections and connections.

Beginning the Campus Core, Library of the 21st Century

Overcrowded and approximately half the size called for by the Association of College and Research Libraries, the Consortium Library needs to be upgraded and expanded. Essential to continuing national accreditation, the proposed library expansion will enhance the quality of education available to the students and the community. The new facility will be designed to integrate voice, video, and data. It will support the delivery of electronic library resources and services to homes, offices, and businesses.

Program:

UAA is proposing the construction of the Library of the 21st Century. The project represents the most important physical development on campus since the original cluster of community college buildings was funded in the late sixties. The new Library will also fundamentally alter UAA's academic environment and move the institution towards becoming the comprehensive urban university that is its destiny.

The Library facility will be a major building on campus, encompassing approximately 101,000 gross square feet. The building will be designed for future expansion. It will house the expanding collections of the Consortium Library and of the Alaska Resources Library and Information Services. It will provide the basis of operations for the electronic library program and the library's instructional and reference programs. The new building will house UAA's Health Sciences Information Services. An attached garage will provide 375 parking spaces for convenient access for students and the public. The building will provide critically needed new space to house the library's print and archival collections. It will be designed for quiet study. Audiovisual viewing area and a listening room will be provided. Seminar rooms, graduate carrels, and a faculty development resource center will be available. The new facility will also feature exhibit space, a lecture/reception area, a full service copying center, and a cyber-café. Security and preservation needs will be addressed.

The Library will be a "smart" building supporting information technologies for storage and delivery. Network servers operated by the library's staff will be housed in the new facility and provide user and IP proxy validation for distance education students accessing electronic resources. Fiber optics will connect the building, the students, and the library to the world. Students will access the electronic library from computer labs or from their homes. Alaskans will have electronic access to the wealth of information collected by various agencies and deposited with ARLIS.

No single building is needed more at UAA than a new library facility. The Library of the 21st Century will transform the campus. The new structure arises directly from UAA's mission and will profoundly improve the quality of education at UAA.

**Estimated Costs for the 101,600 square foot building:
\$40,000,000**

**SENATE COMMITTEE REPORT
First Committee of Referral**

DATE: 1/19/99

FURTHER: Finance

Date of 5-Day Notice: 4/8/99
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 4/12/99

Health, Education and Social Services Committee considered SENATE BILL NO. 21

"An Act making an appropriation for construction and renovation of the University of Alaska, Anchorage Consortium Library Facility; and providing for an effective date."

and recommends:

be replaced with _____ CS _____ (_____)

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/PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<u>Deane</u>	<input checked="" type="checkbox"/>	Mike Miller	<input checked="" type="checkbox"/>		
		K. V. ...	<input checked="" type="checkbox"/>		
		George ...	<input checked="" type="checkbox"/>		
CHAIR:		CHAIR: <u>Mike Miller</u>	<input checked="" type="checkbox"/>		

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

SENATE BILL NO. 21

IN THE LEGISLATURE OF THE STATE OF ALASKA
 TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY SENATORS ELLIS, Tim Kelly, Donley, Leman

Introduced: 1/19/99

Referred: HES, Finance

Funding Information:	General Fund	\$30,470,000
	Other Funds	<u>-0-</u>
		\$30,470,000

A BILL

FOR AN ACT ENTITLED

1 "An Act making an appropriation for construction and renovation of the
 2 University of Alaska, Anchorage Consortium Library Facility; and providing for
 3 an effective date."

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

5 * Section 1. The sum of \$30,470,000 is appropriated from the general fund to the
 6 University of Alaska for construction and renovation of the University of Alaska, Anchorage
 7 Consortium Library Facility.

8 * Sec. 2. The appropriation made by this Act is for a capital project and lapses under
 9 AS 37.25.020.

10 * Sec. 3. This Act takes effect July 1, 1999.

SB

27

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. SB 27

Revision Date: _____
 Title: An Act relating to school records and driver license
records of certain children
 Sponsor: Senator Leman
 Requestor: (S) HES

Department Affected: Administration
 BRU: Motor Vehicles
 Component: _____
 COMPONENT SERIAL NO. 2348

Expenditures/Revenues: (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2000	FY 2001	FY2002	FY 2003	FY 2004	FY 2005
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						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 99) cost: \$ _____

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

This bill allows parents who are financially responsible for the actions of a minor driver to obtain the driving record of that minor.
 This bill has no fiscal impact on DMV.

Prepared by: Charles R. Hosack
 Division: Motor Vehicles

Phone: 269-5559
 Date: _____

Approved by Commissioner: Robert Poe Jr.
 Agency: Department of Administration

Date: 2/19/99

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FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. SB27

Revision Date/Time (Note if correction) _____ Dept. Affected Education
 Title School Records and Driver BRU Teaching and Learning Support
 License Records of Certain Children _____ Component _____
 Sponsor Senator Leman _____
 Requester _____ Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
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						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

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 (FY99) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Section 1 of this bill directs districts to provide a copy of a child's record, upon the request of a parent or guardian of a child under 18 years of age currently, or previously, enrolled in a school district.

* It is impossible to determine what the cost to the school districts will be.

Prepared by Barbara Thompson Phone 465-8727
 Division Teaching and Learning Support Date/Time 2/12/99 1:43 PM
 Approved by Commissioner: Shirley J. Holloway, Ph.D. Date 2/19/99
 Agency Department of Education

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SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/19/99

FURTHER: Finance

Date of 5-Day Notice: 2/15/99
 (in accordance with Uniform Rule 23)

DATE TURNED
 IN TO OFFICE: 2/24/99

Health, Education and Social Services Committee considered SENATE BILL NO. 27

"An Act relating to school records and driver license records of certain children."

and recommends:

- be replaced with CSSB27 (HES) (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 <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<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"/>
<i>[Signature]</i>	<input type="checkbox"/>				
<i>[Signature]</i>	<input type="checkbox"/>				
<i>[Signature]</i>	<input type="checkbox"/>				
CHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>	CHAIR:			

NEW FISCAL NOTE(S):

Department	Date	Zero	Fiscal
<i>Administration</i>	<i>2/24/99</i>	<input checked="" type="checkbox"/>	
<i>Education</i>	<i>2/24/99</i>	<input checked="" type="checkbox"/>	

PREVIOUS FISCAL NOTE(S):*

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

*2/24/99
Adopted AS SB 27
Moved from committee
Indicates fiscal*

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CS FOR SENATE BILL NO. 27()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Mong

Sponsor(s): SENATOR LEMAN

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to school records and driver license records of certain children."

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

3 * Section 1. AS 14.03 is amended by adding a new section to read:

4 Sec. 14.03.115. Access to school records by parent or guardian. Upon
5 request of a parent or guardian of a child under 18 years of age who is currently or
6 was previously enrolled in a municipal school district or a school district that is a
7 regional educational attendance area, the school district shall provide a copy of the
8 child's record. This section does not apply to

- 9 (1) *Medical records* a record of a child who is an emancipated minor; or
- 10 (2) record information that consists of the child's address if the school
- 11 district determines that the release of the child's address poses a threat to the health or
- 12 safety of the child.

13 * Sec. 2. AS 28.15.151(c) is amended to read:

14 (c) The department shall, upon request, subject to the applicable provisions of
15 AS 12.62 and (f) of this section and without charging a fee, furnish (1) a municipal,

1 state, or federal administrative or judicial agency with a certified abstract of the driving
2 record of a driver; and (2) a parent or guardian of a driver who is under 18 years
3 of age and not an emancipated minor an abstract of the driving record of that
4 driver; the department may refuse to release the driver's address to the parent
5 or guardian if the department determines that the release of the driver's address
6 poses a threat to the health or safety of the driver. The abstract must include a
7 listing of accidents in which the driver has been determined by the department or a
8 court of competent jurisdiction to have been liable, convictions of vehicle, driver, and
9 traffic offenses, any actions taken upon the driver's license, and information relating
10 to financial responsibility.



SENATOR LOREN LEMAN

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Sponsor Statement – SB 27

“An Act relating to school records and driver license records of certain children.”

Senate Bill 27 ensures parents will have access to important records about their minor children, specifically driving records and school records.

Existing state law is merely silent on the matter of parental access to school records. But in the case of driver license records, state law explicitly *denies* the Division of Motor Vehicles the authority to allow parental access. AS 28.15.151(f) declares that “information and records under this section are... confidential and private.” An exception is allowed for the DMV to provide a certified abstract of an individual’s driving record to a municipal, state, or federal administrative or judicial agency. However, no exception exists for parents or legal guardians.

Denying parental access is unfair and nonsensical given that state law requires that a parent or legal guardian of an unmarried minor sign the minor’s application for a driver’s license. Furthermore, state law holds the parent or guardian who signed the application liable for any damage caused by negligence or wilful misconduct of the minor while operating a motor vehicle [AS 28.15.071(b)].

A driving record by DMV includes the following information that could help parents determine whether their child is driving safely: accident reports; convictions of vehicle, driver, and traffic offenses; and any actions taken upon the driver’s license, such as suspension. Policymakers are constantly urging parents to become more involved in the lives of their children. By removing a legal impediment, SB 27 takes a small step toward helping parents meet their responsibilities.

Prepared by Mike Pauley, Staff Aide to Senator Loren Lemman (465-3841)
Last updated: January 28, 1999

with respect to the child's and there were no factual hearing would flesh out, a Nelson v. Jones, 944 P.2d

change in circumstances. — The move of a considerable distance by the need to arrange compliance with a visitation order, circumstances sufficient to warrant modification of the 956 P.2d 455 (Alaska 1998).
 Inability of parents to make visitation arrangement — original agreement represents circumstances requiring reexamination of custody arrangement. 956 P.2d 447 (Alaska 1998).
 Change in procedure — court-ordered two-year adjustment — parent would have primary custody would have liberal visitation share custody equally on an alternating basis after two years, was not automatically based on statutory language in custody. Deininger v. (Alaska 1992).

Change in circumstances sufficient for custody. — Substantial change in the mother's circumstances, custody from the father to the mother. Evidence in the record re: separation, her changed marital status, employment, and her sustained drinking problem. Nichols v. (Alaska 1990).

Change in custody. — Moved to a distant locale, a physical custody arrangement on the basis that it disrupted a 7-year-old child's life and was in the child's best interests. West v. Lawson, 951

Circumstances insufficient to support custody order. — Trial court's findings in circumstances which referred to a child who had entered into a lesbian relationship, finding as to how such relationships affected the child, were insufficient to modify custody order. S.N.E. v. R.L.B., 699 P.2d 875 (Alaska 1985).

Change in custody hearing based on alleged child abuse. — It is impermissible to rely on the social stigma attaching to mother's conviction. S.N.E. v. R.L.B., 699 P.2d 875

Change in custody. — Superior court did not determine that remaining in Alaska was in the child's best interests. House v. (Alaska 1989).

Change in custody. — Superior court was remanded and the court's further findings on the effect of the child's relocation, where the primary caregiver changed, and the father relied on appeal, to leave the state, was never

found by the trial court to negatively affect the child's best interests or to merit a change in custody. Lee v. Cox, 790 P.2d 1359 (Alaska 1990).

Error in denying father evidentiary hearing. — Superior court abused its discretion by denying the father an evidentiary hearing, where he made a prima facie showing that circumstances had changed in the years following orders which had terminated his visitation rights and restrained him from contacts with his child. Carter v. Brodrick, 816 P.2d 202 (Alaska 1991).

Modification of visitation order. — The change

Collateral references. — Putative father's right to visit illegitimate child, 15 ALR3d 887.

Right of jailed or imprisoned parent to visit from minor child, 15 ALR4th 1234.

Sec. 25.20.115. Attorney fee awards in custody and visitation matters. In an action to modify, vacate, or enforce that part of an order providing for custody of a child or visitation with a child, the court may, upon request of a party, award attorney fees and costs of the action. In awarding attorney fees and costs under this section, the court shall consider the relative financial resources of the parties and whether the parties have acted in good faith. (§ 3 ch 130 SLA 1990)

NOTES TO DECISIONS

Applicability. — This section applied in a custody proceeding brought by a nonbiological parent in an attempt to modify a custody order made prior to the determination that he was not the biological father. B.J. v. J.D., 950 P.2d 113 (Alaska 1997).

Explicit findings required. — In making an award of attorney's fees and costs under this section, a court must make explicit findings as to the parties'

relative financial resources and whether the parties acted in good faith. S.L. v. J.H., 883 P.2d 984 (Alaska 1994).

The parties' relative financial resources do not necessarily take primacy over the presence or absence of good faith when considering whether or not to award attorney's fees and costs under this section. S.L. v. J.H., 883 P.2d 984 (Alaska 1994).

Collateral references. — Right to attorney's fees in proceeding, after absolute divorce, for modification of child custody or support order, 57 ALR4th 710.

Excessiveness or adequacy of attorneys' fees in domestic relations cases, 17 ALR5th 366.

Sec. 25.20.120. Closure of custody proceedings and records. At any stage of a proceeding involving custody of a child the court may, if it is in the best interests of the child, close the proceeding to the public or order the court records closed to the public temporarily or permanently. The court may modify or vacate an order under this section at any time. (§ 6 ch 88 SLA 1982)

NOTES TO DECISIONS

Broad gag order must be justified by compelling circumstances. — In a child custody hearing, a gag order which goes beyond assuring confidentiality of the file and anonymity of the parties must be

justified by compelling circumstances and drawn as narrowly as possible to protect against particular evils. S.N.E. v. R.L.B., 699 P.2d 875 (Alaska 1985).

Sec. 25.20.130. Access to records of the child. A parent who is not granted custody under AS 25.20.060 — 25.20.130 has the same access to the medical, dental, school, and other records of the child as the custodial parent. (§ 6 ch 88 SLA 1982)

Sec. 25.20.140. Action for failure to permit visitation with minor child.
 (a) When a court order is specific as to when a custodian of a minor child must permit

payment of the required fee, obtain a duplicate license. A person who recovers an original license for which a duplicate has been issued shall immediately surrender the duplicate to the department. (§ 19 ch 178 SLA 1978)

Sec. 28.15.150. Records. [Repealed, § 19 ch 178 SLA 1978.]

Sec. 28.15.151. Records to be kept by the department. (a) The department may maintain a file of

(1) every driver's license application, license or permit and duplicate driver's license issued by it;

(2) every license that has been suspended, revoked, canceled, limited, restricted, or denied, and the reasons for those actions; and

(3) all accident reports required to be forwarded to the department under this title.

(b) The department may also maintain a file of all accident reports, abstracts of court records of convictions of vehicle, driver, and traffic offenses, and other information which the department considers necessary to carry out the purposes of this chapter.

(c) The department shall, upon request, subject to the applicable provisions of AS 12.62 and (f) of this section and without charging a fee, furnish a municipal, state, or federal administrative or judicial agency with a certified abstract of the driving record of a driver. The abstract must include a listing of accidents in which the driver has been determined by the department or a court of competent jurisdiction to have been liable, convictions of vehicle, driver, and traffic offenses, any actions taken upon the driver's license, and information relating to financial responsibility.

(d) The department shall, upon request and payment of a fee determined by the commissioner, furnish a driver or a person designated by the driver with an abstract or the original copy of the computer printed record of the driver's record as provided in (c) of this section.

(e) *[Repealed, § 2 ch 144 SLA 1980.]*

(f) Except as provided otherwise in this section, information and records under this section are declared confidential and private. (§ 19 ch 178 SLA 1978; am §§ 1, 2 ch 144 SLA 1980)

Opinions of attorney general. — Most, but not all, information pertaining to motor vehicle accidents contained in Department of Transportation and Public Facilities files or the computer data base is public information and should be released upon request. However, certain information regarding particular

accidents, including individual names and specific driver's license information, must remain confidential by operation of statute. March 30, 1988, Op. Att'y Gen.

Collateral references. — Inspection of motor vehicle records, right as to, 84 ALR2d 1261.

Sec. 28.15.160. Court reports. [Repealed, § 19 ch 178 SLA 1978.]

Article 2. Cancellation, Suspension, Revocation or Limitation of Drivers' Licenses.

Section

- 161. Cancellation of driver's license
- 165. Administrative revocations and disqualifications resulting from chemical sobriety tests and refusals to submit to tests
- 166. Administrative review of revocation
- 171. Suspending privileges of a person licensed in another jurisdiction; reporting convictions, suspensions, disqualifications, and revocations
- 181. Court suspensions, revocations, and limitations
- 183. Administrative revocation of license to drive
- 184. Administrative review of revocation of a minor's license

Section

- 185. Court revocation of a minor's license to drive
- 187. Administrative revocation of a license to drive for use of false identification.
- 189. Administrative review of revocation of license for use of false identification
- 191. Court reports to department
- 201. Limitation of driver's license
- 211. Periods of limitation, suspension or revocation; opportunity for hearing and surrender of license
- 219. Definitions

Sec. 28.15.161.

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Collateral references. — Bibles and Highway Traffic 60 C.J.S., Motor Vehicle Denial, suspension, license because of physical 452.

Necessity of notice of suspension of motor vehicle 361.

Sufficiency of notice :

Sec. 28.15.165.

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GENERAL PROVISIONS

20 USCS § 1232g

cess, for the purpose of audit examination, to any records maintained by a recipient that may be related, or pertinent to, grants, subgrants, cooperative agreements, loans, or other arrangements to which reference is made in subsection (a), or which may relate to the compliance of the recipient with any requirement of an applicable program.

(Jan. 2, 1968, P. L. 90-247, Title IV, Part C, Subpart 4, § 443 [437], as added Nov. 1, 1978, P. L. 95-561, Title XII, Part C, § 1231(c), 92 Stat. 2346; Oct. 20, 1994, P. L. 103-382, Title II, Part A, § 212(b)(1), Part D, § 248, 108 Stat. 3913, 3924.)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Explanatory notes:

A prior 20 USCS § 1232f was redesignated § 406A of Act Jan. 2, 1968, P. L. 90-247, by Act Nov. 1, 1978, P. L. 95-561, Title XII, Part C, § 1231(c), 92 Stat. 2346, and has been reclassified as 20 USCS § 1221e-1a, prior to repeal by Act Oct. 20, 1994.

Amendments:

1994. Act Oct. 20, 1994 (effective on enactment, as provided by § 3(a)(2) of such Act, which appears as 20 USCS § 1221 note), in subsec. (a), substituted "grant, subgrant, cooperative agreement, loan, or other arrangement" for "grant, subgrant, contract, subcontract, loan, or other arrangement (other than procurement contracts awarded by an administrative head of an educational agency)"; substituted "three" for "five"; and inserted "financial or programmatic"; and, in subsec. (b), substituted "to any records maintained by a recipient that may be related, or pertinent to, grants, subgrants, cooperative agreements, loans, or other arrangements" for "to any records of a recipient which may be related, or pertinent to, the grants, subgrants, contracts, subcontracts, loans, or other arrangements".

Redesignation:

This section, enacted as § 437 of Act Jan. 2, 1968, P. L. 90-247, Title IV, Part C, Subpart 4, was redesignated § 443 of such Act by Act Oct. 20, 1994, P. L. 103-382, Title II, Part A, § 212(b)(1), 108 Stat. 3913 (effective on enactment as provided by § 3(a)(2) of such Act, which appears as 20 USCS § 1221 note).

Other provisions:

Effective date and application of section. Act Nov. 1, 1978, P. L. 95-561, Title XII, Part E, § 1261, 92 Stat. 2356, which appears as 20 USCS § 1232c note, provided that this section shall take effect with respect to appropriations for fiscal year 1980 and subsequent fiscal years.

CROSS REFERENCES

This section is referred to in 20 USCS §§ 1232d, 1232e.

§ 1232g. Family educational and privacy rights

(a) Conditions for availability of funds to educational agencies or institutions; inspection and review of education records; specific information

to be made available; procedure for access to education records; reasonableness of time for such access; hearings; written explanations by parents; definitions. (1)(A) No funds shall be made available under any applicable program to any educational agency or institution which has a policy of denying, or which effectively prevents, the parents of students who are or have been in attendance at a school of such agency or at such institution, as the case may be, the right to inspect and review the education records of their children. If any material or document in the education record of a student includes information on more than one student, the parents of one of such students shall have the right to inspect and review only such part of such material or document as relates to such student or to be informed of the specific information contained in such part of such material. Each educational agency or institution shall establish appropriate procedures for the granting of a request by parents for access to the education records of their children within a reasonable period of time, but in no case more than forty-five days after the request has been made.

(B) No funds under any applicable program shall be made available to any State educational agency (whether or not that agency is an educational agency or institution under this section) that has a policy of denying, or effectively prevents, the parents of students the right to inspect and review the education records maintained by the State educational agency on their children who are or have been in attendance at any school of an educational agency or institution that is subject to the provisions of this section.

(C) The first sentence of subparagraph (A) shall not operate to make available to students in institutions of postsecondary education the following materials:

(i) financial records of the parents of the student or any information contained therein;

(ii) confidential letters and statements of recommendation, which were placed in the education records prior to January 1, 1975, if such letters or statements are not used for purposes other than those for which they were specifically intended;

(iii) if the student has signed a waiver of the student's right of access under this subsection in accordance with subparagraph (D), confidential recommendations—

(I) respecting admission to any educational agency or institution,

(II) respecting an application for employment, and

(III) respecting the receipt of an honor or honorary recognition.

(D) A student or a person applying for admission may waive his right of access to confidential statements described in clause (iii) of subparagraph (C), except that such waiver shall apply to recommendations only if (i) the student is, upon request, notified of the names of all persons making confidential recommendations and (ii) such recommendations are used solely for the purpose for which they were specifically

GENERAL PROVISIONS

20 USCS § 1232g

intended. Such waivers may not be required as a condition for admission to, receipt of financial aid from, or receipt of any other services or benefits from such agency or institution.

(2) No funds shall be made available under any applicable program to any educational agency or institution unless the parents of students who are or have been in attendance at a school of such agency or at such institution are provided an opportunity for a hearing by such agency or institution, in accordance with regulations of the Secretary, to challenge the content of such student's education records, in order to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein and to insert into such records a written explanation of the parents respecting the content of such records.

(3) For the purposes of this section the term "educational agency or institution" means any public or private agency or institution which is the recipient of funds under any applicable program.

(4)(A) For the purposes of this section, the term "education records" means, except as may be provided otherwise in subparagraph (B), those records, files, documents, and other materials which—

(i) contain information directly related to a student; and

(ii) are maintained by an educational agency or institution or by a person acting for such agency or institution.

(B) The term "education records" does not include—

(i) records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute;

(ii) records maintained by a law enforcement unit of the educational agency or institution that were created by that law enforcement unit for the purpose of law enforcement;

(iii) in the case of persons who are employed by an educational agency or institution but who are not in attendance at such agency or institution, records made and maintained in the normal course of business which relate exclusively to such person in that person's capacity as an employee and are not available for use for any other purpose; or

(iv) records on a student who is eighteen years of age or older, or is attending an institution of postsecondary education, which are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his professional or paraprofessional capacity, or assisting in that capacity, and which are made, maintained, or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.

(5)(A) For the purposes of this section the term "directory information" relating to a student includes the following: the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

(B) Any educational agency or institution making public directory information shall give public notice of the categories of information which it has designated as such information with respect to each student attending the institution or agency and shall allow a reasonable period of time after such notice has been given for a parent to inform the institution or agency that any or all of the information designated should not be released without the parent's prior consent.

(6) For the purposes of this section, the term "student" includes any person with respect to whom an educational agency or institution maintains education records or personally identifiable information, but does not include a person who has not been in attendance at such agency or institution.

(b) **Release of education records; parental consent requirement; exceptions; compliance with judicial orders and subpoenas; audit and evaluation of Federally-supported education programs; recordkeeping.** (1) No funds shall be made available under any applicable program to any educational agency or institution which has a policy or practice of permitting the release of educational records (or personally identifiable information contained therein other than directory information, as defined in paragraph (5) of subsection (a)) of students without the written consent of their parents to any individual, agency, or organization, other than to the following—

(A) other school officials, including teachers within the educational institution or local educational agency, who have been determined by such agency or institution to have legitimate educational interests, including the educational interests of the child for whom consent would otherwise be required;

(B) officials of other schools or school systems in which the student seeks or intends to enroll, upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;

(C) authorized representatives of (i) the Comptroller General of the United States, (ii) the Secretary, or (iii) State educational authorities, under the conditions set forth in paragraph (3) of this subsection;

(D) in connection with a student's application for, or receipt of, financial aid;

(E) State and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to State statute adopted—

GENERAL PROVISIONS

20 USCS § 1232g

(i) before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released, or

(ii) after November 19, 1974, if—

(I) the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve, prior to adjudication, the student whose records are released; and

(II) the officials and authorities to whom such information is disclosed certify in writing to the educational agency or institution that the information will not be disclosed to any other party except as provided under State law without the prior written consent of the parent of the student.[:]

(F) organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted;

(G) accrediting organizations in order to carry out their accrediting functions;

(H) parents of a dependent student of such parents, as defined in section 152 of the Internal Revenue Code of 1986 [26 USCS § 152];

(I) subject to regulations of the Secretary, in connection with an emergency, appropriate persons if the knowledge of such information is necessary to protect the health or safety of the student or other persons; and

(J)(i) the entity or persons designated in a Federal grand jury subpoena, in which case the court shall order, for good cause shown, the educational agency or institution (and any officer, director, employee, agent, or attorney for such agency or institution) on which the subpoena is served, to not disclose to any person the existence or contents of the subpoena or any information furnished to the grand jury in response to the subpoena; and

(ii) the entity or persons designated in any other subpoena issued for a law enforcement purpose, in which case the court or other issuing agency may order, for good cause shown, the educational agency or institution (and any officer, director, employee, agent, or attorney for such agency or institution) on which the subpoena is served, to not disclose to any person the existence or contents of the subpoena or any information furnished in response to the subpoena.

Nothing in clause (F) of this paragraph shall prevent a State from further limiting the number or type of State or local officials who will continue to have access thereunder.

(2) No funds shall be made available under any applicable program to any

educational agency or institution which has a policy or practice of releasing, or providing access to, any personally identifiable information in education records other than directory information, or as is permitted under paragraph (1) of this subsection unless—

(A) there is written consent from the student's parents specifying records to be released, the reasons for such release, and to whom, and with a copy of the records to be released to the student's parents and the student if desired by the parents, or

(B) except as provided in paragraph (1)(J), such information is furnished in compliance with judicial order, or pursuant to any lawfully issued subpoena, upon condition that parents and the students are notified of all such orders or subpoenas in advance of the compliance therewith by the educational institution or agency.

(3) Nothing contained in this section shall preclude authorized representatives of (A) the Comptroller General of the United States, (B) the Secretary, or (C) State educational authorities from having access to student or other records which may be necessary in connection with the audit and evaluation of Federally-supported education programs, or in connection with the enforcement of the Federal legal requirements which relate to such programs: *Provided*, That except when collection of personally identifiable information is specifically authorized by Federal law, any data collected by such officials shall be protected in a manner which will not permit the personal identification of students and their parents by other than those officials, and such personally identifiable data shall be destroyed when no longer needed for such audit, evaluation, and enforcement of Federal legal requirements.

(4)(A) Each educational agency or institution shall maintain a record, kept with the education records of each student, which will indicate all individuals (other than those specified in paragraph (1)(A) of this subsection), agencies, or organizations which have requested or obtained access to a student's education records maintained by such educational agency or institution, and which will indicate specifically the legitimate interest that each such person, agency, or organization has in obtaining this information. Such record of access shall be available only to parents, to the school official and his assistants who are responsible for the custody of such records, and to persons or organizations authorized in, and under the conditions of, clauses (A) and (C) of paragraph (1) as a means of auditing the operation of the system.

(B) With respect to this subsection, personal information shall only be transferred to a third party on the condition that such party will not permit any other party to have access to such information without the written consent of the parents of the student. If a third party outside the educational agency or institution permits access to information in violation of paragraph (2)(A), or fails to destroy information in violation of paragraph (1)(F), the educational agency or institution shall be prohibited from permitting access to information from education records to that third party for a period of not less than five years.

GENERAL PROVISIONS

20 USCS § 1232g

(5) Nothing in this section shall be construed to prohibit State and local educational officials from having access to student or other records which may be necessary in connection with the audit and evaluation of any federally or State supported education program or in connection with the enforcement of the Federal legal requirements which relate to any such program, subject to the conditions specified in the proviso in paragraph (3).

(6) Nothing in this section shall be construed to prohibit an institution of postsecondary education from disclosing, to an alleged victim of any crime of violence (as that term is defined in section 16 of title 18, United States Code), the results of any disciplinary proceeding conducted by such institution against the alleged perpetrator of such crime with respect to such crime.

(c) **Surveys or data-gathering activities; regulations.** Not later than 240 days after the date of enactment of the Improving America's Schools Act of 1994 [enacted Oct. 20, 1994], the Secretary shall adopt appropriate regulations or procedures, or identify existing regulations or procedures, which protect the rights of privacy of students and their families in connection with any surveys or data-gathering activities conducted, assisted, or authorized by the Secretary or an administrative head of an education agency. Regulations established under this subsection shall include provisions controlling the use, dissemination, and protection of such data. No survey or data-gathering activities shall be conducted by the Secretary, or an administrative head of an education agency under an applicable program, unless such activities are authorized by law.

(d) **Students' rather than parents' permission or consent.** For the purposes of this section, whenever a student has attained eighteen years of age, or is attending an institution of postsecondary education, the permission or consent required of and the rights accorded to the parents of the student shall thereafter only be required of and accorded to the student.

(e) **Informing parents or students of rights under this section.** No funds shall be made available under any applicable program to any educational agency or institution unless such agency or institution effectively informs the parents of students, or the students, if they are eighteen years of age or older, or are attending an institution of postsecondary education, of the rights accorded them by this section.

(f) **Enforcement; termination of assistance.** The Secretary shall take appropriate actions to enforce this section and to deal with violations of this section, in accordance with this Act, except that action to terminate assistance may be taken only if the Secretary finds there has been a failure to comply with this section, and he has determined that compliance cannot be secured by voluntary means.

(g) **Office and review board; creation; functions.** The Secretary shall establish or designate an office and review board within the Department for the purpose of investigating, processing, reviewing, and adjudicating violations

of this section and complaints which may be filed concerning alleged violations of this section. Except for the conduct of hearings, none of the functions of the Secretary under this section shall be carried out in any of the regional offices of such Department.

(h) **Certain disciplinary action information allowable.** Nothing in this section shall prohibit an educational agency or institution from—

(1) including appropriate information in the education record of any student concerning disciplinary action taken against such student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community; or

(2) disclosing such information to teachers and school officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

(Jan. 2, 1968, P. L. 90-247, Title IV, Part C, Subpart 4, § 444 [438], as added Aug. 21, 1974, P. L. 93-380, Title V, § 513(a), 88 Stat. 571; Dec. 31, 1974, P. L. 93-568, § 2(a), 88 Stat. 1858; Aug. 6, 1979, P. L. 96-46, § 4(c), 93 Stat. 342; Nov. 8, 1990, P. L. 101-542, Title II, § 203, 104 Stat. 2385; July 23, 1992, P. L. 102-325, Title XV, Part H, § 1555(a), 106 Stat. 840; Oct. 20, 1994, P. L. 103-382, Title II, Part A, § 212(b)(1), Part D, § 249, Part E, § 261(h), 108 Stat. 3913, 3924, 3928.)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

References in text:

The "Improving America's Schools Act of 1994", referred to subsec. (c), is Act Oct. 20, 1994, P. L. 103-382, 108 Stat. 3518. For full classification of this Act, consult USCS Tables volumes.

"This Act", referred to in this section, is Act Jan. 2, 1968, P. L. 90-247, 81 Stat. 783, popularly known as the Elementary and Secondary Education Amendments of 1967, Title IV of which is popularly known as the General Education Provisions Act and appears generally as 20 USCS §§ 1221 et seq. For full classification of such Act, consult USCS Tables volumes.

Explanatory notes:

The bracketed semicolon was inserted in subsec. (b)(1)(E)(ii)(II) to indicate the probable intent of Congress to retain that punctuation in the 1994 amendment. See 1994 Amendment note.

Effective date of section:

This section took effect ninety days after enactment, pursuant to Act Aug. 21, 1974, P. L. 93-380, Title V, § 513(b)(1)(i), 88 Stat. 574.

Amendments:

1974. Act Dec. 31, 1974, in subsec. (a), para. (1), designated existing provisions as subpara. (A), in subpara. (A) as so designated, substituted "educational agency or institution" for "State and local educational agency, any institution of higher education, any community college, any school agency offering a preschool program, or any other educational institution", substituted "who are or have been in attendance at a school of such agency or at such institution, as the case may be" for "attending

SB

31

TONY KNOWLES
GOVERNOR



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(907) 465-3500
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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 20, 1999

The Honorable Drue Pearce
Senate President
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Drue
Dear President Pearce:

As part of the budget package I present to the Legislature today, I am transmitting this separate appropriation bill for the state's integrated, comprehensive mental health program. This bill includes both operating and capital appropriations. As required by statute, I have attached a report of the differences between my proposed budget and the recommendations of the Alaska Mental Health Trust Authority.

Alaska has made great progress in serving mental health settlement beneficiaries and emphasizing community-based services. This proposed FY2000 mental health bill continues that progress with state general funds and Trust Authority receipts. In addition, Alaska Housing Finance Corporation receipts are used for housing-related capital projects.

This bill is a comprehensive package that has been developed through a positive and productive working relationship between my Administration, members of the Board of Trustees, and their staff. We look forward to working with the Legislature to support these proposed investments for Trust beneficiaries.

Sincerely,

Tony Knowles
Tony Knowles
Governor

Attachment

FY 2000 GOVERNOR'S MENTAL HEALTH TRUST OPERATING AND CAPITAL BUDGETS

		FY2000 TRUST RECOMMENDED					GOVERNOR'S ACTION						
		MHTA Admin	MHTAAR	GF/MH	AHFC Corp Receipts	GF	MHTA Admin	MHTAAR	GF/MH	AHFC Corp Receipts	GF	Tobacco Settlement Funds	Other Funds
FY 2000 Mental Health Trust Operating Budget													
Department of Administration													
DOA/DSS/HCB	Mental Health Needs of Elderly (Yr 3 of 3)		300.0					300.0					
DOA/DSS/HCB	Respite Care for ADRD Seniors		300.0					300.0					
DOA/DSS/HCB	Adult Day Grants			500.0					0.0				
DOA/DSS/HCB	Care Coordination Expansion			400.0					0.0				
DOA/DSS/PCSA	Rural LTCare Development & Training (Yr 2 of 2)		130.0					130.0					
DOA/DSS/PCSA	Data Development – Div of Senior Services		50.0					0.0	0.0				
DOA/DSS/PCSA	LTCare Ombudsman Volunteer Coordinator			70.0					0.0				
DOA/DSS/PCSA	Data Management – Div of Senior Services			50.0					0.0				
DOA/DSS/PCSA	Assisted Living Rate Increase (DOA)		300.0	480.0				0.0	0.0				
DOA Subtotal		0.0	1,080.0	1,500.0	0.0	0.0	0.0	730.0	0.0	0.0	0.0	0.0	0.0
Department of Corrections													
DOC/StwSvcs/Inm	Women's Psychiatric Unit (Yr 3 of 3)		200.0	200.0				200.0	200.0				
DOC/StwSvcs/Inm	Dept of Corrections Planner (Yr 3 of 3)		30.0	30.0				30.0	30.0				
DOC/StwSvcs/Inm	Jail Alternative Services (Yr 2 of 3)		130.0					130.0					
DOC/StwSvcs/Inm	Women's Resid Substance Abuse Trtmt (Yr 2 of 3)		51.2					51.2					
DOC Subtotal		0.0	411.2	230.0	0.0	0.0	0.0	411.2	230.0	0.0	0.0	0.0	0.0
Department of Health and Social Services													
PrchSv/RsChldCare	Comm Resid Alternatives for SED Yth (Yr 2 of 2)		150.0	50.0				150.0					
StHlthSv/HlthFam	Healthy Families Control Group Study (Yr 2 of 3)		100.0					100.0					
StHlthSv/ILPGrants	Institutional Prevention & Quality Assurance-ILP			429.2					0.0				
ADA/ADAAdmin	Youth Education, Assessment & Referral Program			50.0									50.0
ADA/Grants	Day Trtmt Dually Diag (MI&Alc) - Ketch (Yr 3 of 3)		63.3					63.3					
ADA/Grants	Trauma Victim Study – Providence ER (Yr 3 of 3)		18.7					18.7					
ADA/Grants	Chronic Alcoholic Domiciliary LT Care (Yr 3 of 3)		100.0					100.0					
ADA/Grants	Program for Dually Diag (MI & Alc) Anch (Yr 3 of 3)		370.0					370.0					
ADA/Grants	Program for Dually Diag - (MI&Alc) Anch/MatSu			350.0					0.0				
ADA/Grants	Long-term Care Substance Abuse Treatment			200.0					0.0				
ADA/Grants	Residential Svcs for Women/Children			600.0					0.0			850.0	706.0
ADA/Grants	Women & Children Collaboration Project (Yr 1 of 3)		50.0					50.0					
ADA/Grants	Youth Residential Service Capacity Expansion			50.0					0.0				
ADA/Grants	Spirit Camp Replication			63.0					0.0				
ADA/PrimaryPrev	Local Option Law "How To" Manual (Yr 3 of 3)		79.7					79.7					
ADA/PrimaryPrev	Fetal Alcohol Syn/ARBD/ARND Prev (Yr 3 of 4)		300.0					275.0				489.9	
	FAS Statewide Advisory Committee							25.0					
ADA/RHSvcsGrnts	Increase Rural Human Services		150.0	465.0				150.0				405.0	
ADA/RHSvcsGrnts	Increase Rural Human Services - project assist. for village based MH and substance abuse svcs.											60.0	
CMHC/GCMHG	Mental Health Consumer & Family Conference		43.7					43.7					
CMHG/GCMHG	API-Related Community Services Implementation		2,000.0					0.0					

FY 2000 GOVERNOR'S MENTAL HEALTH TRUST OPERATING AND CAPITAL BUDGETS

	FY2000 TRUST RECOMMENDED					GOVERNOR'S ACTION							
	MHTA Admin	MHTAAR	GF/MH	AHFC Corp Receipts	GF	MHTA Admin	MHTAAR	GF/MH	AHFC Corp Receipts	GF	Tobacco Settlement Funds	Other Funds	
CMHG/GCMHG	Implement Integrated Quality Assurance Process (DD/MI/ILP) (Yr 2 of 2)	225.0					225.0						
CMHG/CMHG	Rural Svcs for the Deaf/Hearing Impaired (Yr 2 of 2)	189.9					189.9						
CMHG/CMH	Assisted Living Rate Increase (DHSS)		454.0					0.0					
CMHG/PsychEmrg	Emergency, Respite & DET Outside API 2000 Area		500.0					0.0					
CMHG/SEDYth	Children's Service Delivery Model (Yr 1 of 3)	390.0					390.0						
CMHG/SEDYth	SED Youth Transition/Family Support Services		146.0					0.0					
CDDG/CDDG	Amer Disab Act Comm Prgm Accessibility (Yr 2 of 2)	100.0					100.0						
CDDG/CDDG	Earn as You Learn Program (Yr 1 of 3)	100.0					100.0						
CDDG/CDDG	Substance Abuse Services for People w/Multiple Diagnoses		240.0					0.0					
CDDG/CDDG	Institutional Prevention & Quality Assurance-DD		965.8					965.8					
CDDG/CDDG	Intensive Inclusive Childcare Training		77.0					0.0					
MHTBds/GCDSE	Economic Development Alliance (Yr 2 of 3)	200.0					200.0						
MHTBds/GCDSE	Employment Initiatives (Yr 3 of 3)	308.0					308.0						
MHTBds/GCDSE	DD Medicaid Waiver Study Implementation (Yr 2of2)	50.0					50.0						
Inst&Ad/API	API Quality Assurance (Yr 2 of 2)	20.0					20.0						
Inst&Ad/MHDDAdm	Mental Health Consumer Affairs Position (Yr 2 of 2)	90.0					90.0						
AdSvcs/Pln&Facil	Comprehensive Integrated Mental Health Plan	50.0					50.0						
DHSS Subtotal		0.0	5,148.3	4,640.0	0.0	0.0	0.0	3,148.3	965.8	0.0	0.0	1,804.9	756.0
Trust Administered Projects (not subject to Governor's approval; amounts included here for accounting purposes)													
Trust Administered	Trust Small Projects Funding (3 times/year)		105.0					105.0					
Trust Administered	Rural Outreach Project		25.0					25.0					
Trust Administered	Board Collaboration		20.0					20.0					
Trust Administered	Telepsychiatry		25.0					25.0					
Trust Administered	Miller Trust Project		25.0					25.0					
Trust Administered Subtotal		924.9	200.0	0.0	0.0	0.0	0.0	200.0	0.0	0.0	0.0	0.0	0.0
FY2000 Adjustments to GF/MH Base													
DOA/AKL/PioHms	Pioneer Homes			3,480.7		(3,480.7)			3,480.7			(3,480.7)	
DOA/Legal& Advoc	Office of Public Advocacy			564.8		(564.8)			564.8			(564.8)	
Trust Administered Subtotal		0.0	0.0	4,045.5	0.0	(4,045.5)	0.0	0.0	4,045.5	0.0	(4,045.5)	0.0	0.0
FY2000 Trust Administration and Natural Resource Management													
DOR/ MHTA	Trust Authority Administration (8.9% of total MHTAAR)	924.9						924.8					
DNR/MHT Land Office	Mental Health Trust Land Office and Natural Resource Management		938.5					938.5					
MHTA Admin Total		924.9	938.5	0.0	0.0	0.0	0.0	1,863.3	0.0	0.0	0.0	0.0	0.0
OPERATING TOTALS	<i>(Note: GF/MH projects are in addition to base.)</i>	1,849.8	7,778.0	10,415.5	0.0	(4,045.5)	0.0	6,352.8	5,241.3	0.0	(4,045.5)	1,804.9	756.0

FY 2000 GOVERNOR'S MENTAL HEALTH TRUST OPERATING AND CAPITAL BUDGETS

		FY2000 TRUST RECOMMENDED					GOVERNOR'S ACTION						
		MHTA Admin	MHTAAR	GF/MH	AHFC Corp Receipts	GF	MHTA Admin	MHTAAR	GF/MH	AHFC Corp Receipts	GF	Tobacco Settlement Funds	Other Funds
FY 2000 Mental Health Trust Capital Budget													
Department of Administration													
DOA	Pioneer Homes Renovations				262.5					0.0			
DOA	Data Development-DSS (Capital)		100.0	100.0				0.0	0.0				
DOA	Juneau Adult Day Center			50.0						0.0			
DOA Subtotal		0.0	100.0	150.0	262.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Department of Health and Social Services													
DHSS	Program Facilities: Deferred Maintenance & American Disabilities Act Upgrades		250.0	250.0				250.0	250.0				
DHSS	Program Equipment		100.0	100.0				100.0	100.0				
DHSS	API Repair & Maintenance			225.0					225.0				
DHSS	API Replacement of Existing Facility			14,000.0		15,000.0		2,000.0					7,000.0
DHSS	Ketchikan Residential Diagnosis & Treatment Center			1,200.0					0.0				
DHSS	Rural Human Services Facilities Upgrades			500.0					0.0				
DHSS	Housing Modifications for People with Special Needs			420.0	500.0				150.0	250.0			
DHSS Subtotal		0.0	350.0	16,695.0	500.0	15,000.0	0.0	2,350.0	725.0	250.0	0.0	0.0	7,000.0
Department of Revenue													
DOR/AHFC	Beneficiary and Special Needs Housing Program				2,000.0				2,000.0				
DOR/AHFC	Homeless Assistance Program (HAP)		200.0		800.0			200.0		250.0			
DOR Subtotal		0.0	200.0	0.0	2,800.0	0.0	0.0	200.0	0.0	2,250.0	0.0	0.0	0.0
Department of Natural Resources													
DNR	Trust Land Office - Land & Resource Enhancement		660.0					660.0					
DNR Subtotal		0.0	660.0	0.0	0.0	0.0	0.0	660.0	0.0	0.0	0.0	0.0	0.0
Department of Transportation													
DOT/PF	Coordinated Transportation & Vehicles		150.0	150.0				150.0	150.0				
DOT/PF Subtotal		0.0	150.0	150.0	0.0	0.0	0.0	150.0	150.0	0.0	0.0	0.0	0.0
CAPITAL TOTAL		0.0	2,670.0	33,690.0	6,862.5	30,000.0	0.0	6,570.0	1,600.0	5,000.0	0.0	0.0	14,000.0
OPERATING AND CAPITAL TOTALS		1,849.8	10,448.0	44,105.5	6,862.5	25,954.5	0.0	12,922.8	6,841.3	5,000.0	(4,045.5)	1,804.9	14,756.0

FY 2000 GOVERNOR'S MENTAL HEALTH TRUST OPERATING AND CAPITAL BUDGETS

		FY2000 TRUST RECOMMENDED					GOVERNOR'S ACTION						
		MHTA Admin	MHTAAR	GF/MH	AHFC Corp Receipts	GF	MHTA Admin	MHTAAR	GF/MH	AHFC Corp Receipts	GF	Tobacco Settlement Funds	Other Funds
FY 2000 Mental Health Trust Operating Budget													
Department of Administration													
DOA/DSS/HCB	Mental Health Needs of Elderly (Yr 3 of 3)		300.0					300.0					
DOA/DSS/HCB	Respite Care for ADRD Seniors		300.0					300.0					
DOA/DSS/HCB	Adult Day Grants			500.0					0.0				
DOA/DSS/HCB	Care Coordination Expansion			400.0					0.0				
DOA/DSS/PCSA	Rural LTCare Development & Training (Yr 2 of 2)		130.0					130.0					
DOA/DSS/PCSA	Data Development - Div of Senior Services		50.0					0.0	0.0				
DOA/DSS/PCSA	LTCare Ombudsman Volunteer Coordinator			70.0					0.0				
DOA/DSS/PCSA	Data Management - Div of Senior Services			50.0					0.0				
DOA/DSS/PCSA	Assisted Living Rate increase (DOA)		300.0	480.0				0.0	0.0				
DOA Subtotal		0.0	1,080.0	1,500.0	0.0	0.0	0.0	730.0	0.0	0.0	0.0	0.0	0.0
Department of Corrections													
DOC/StwSvcs/Inm	Women's Psychiatric Unit (Yr 3 of 3)		200.0	200.0				200.0	200.0				
DOC/StwSvcs/Inm	Dept of Corrections Planner (Yr 3 of 3)		30.0	30.0				30.0	30.0				
DOC/StwSvcs/Inm	Jail Alternative Services (Yr 2 of 3)		130.0					130.0					
DOC/StwSvcs/Inm	Women's Resid Substance Abuse Trtmt (Yr 2 of 3)		51.2					51.2					
DOC Subtotal		0.0	411.2	230.0	0.0	0.0	0.0	411.2	230.0	0.0	0.0	0.0	0.0
Department of Health and Social Services													
PrchSv/RsChldCare	Comm Resid Alternatives for SED Yth (Yr 2 of 2)		150.0	50.0				150.0					
StHlthSv/HlthFam	Healthy Families Control Group Study (Yr 2 of 3)		100.0					100.0					
StHlthSv/ILPGrants	Institutional Prevention & Quality Assurance-ILP			429.2					0.0				
ADA/ADAAdmin	Youth Education, Assessment & Referral Program			50.0								50.0	
ADA/Grants	Day Trtmt Dually Diag (MI&Alc) - Ketch (Yr 3 of 3)		63.3					63.3					
ADA/Grants	Trauma Victim Study - Providence ER (Yr 3 of 3)		18.7					18.7					
ADA/Grants	Chronic Alcoholic Domiciliary LT Care (Yr 3 of 3)		100.0					100.0					
ADA/Grants	Program for Dually Diag (MI & Alc) Anch (Yr 3 of 3)		370.0					370.0					
ADA/Grants	Program for Dually Diag - (MI&Alc) Anch/MatSu			350.0					0.0				
ADA/Grants	Long-term Care Substance Abuse Treatment			200.0					0.0				
ADA/Grants	Residential Svcs for Women/Children			600.0					0.0		850.0	706.0	
ADA/Grants	Women & Children Collaboration Project (Yr 1 of 3)		50.0					50.0					
ADA/Grants	Youth Residential Service Capacity Expansion			50.0					0.0				
ADA/Grants	Spirit Camp Replication			63.0					0.0				
ADA/PrimaryPrev	Local Option Law "How To" Manual (Yr 3 of 3)		79.7					79.7					
ADA/PrimaryPrev	Fetal Alcohol Syn/ARBD/ARND Prev (Yr 3 of 4)		300.0					275.0			489.9		
	FAS Statewide Advisory Committee							25.0					
ADA/RHSvcsGrnts	Increase Rural Human Services		150.0	465.0				150.0			405.0		
ADA/RHSvcsGrnts	Increase Rural Human Services - project assist. for village based MH and substance abuse svcs.										60.0		
CMHG/GCMHG	Mental Health Consumer & Family Conference		43.7					43.7					
CMHG/GCMHG	API-Related Community Services Implementation		2,000.0					0.0					

FY 2000 GOVERNOR'S MENTAL HEALTH TRUST OPERATING AND CAPITAL BUDGETS

	FY2000 TRUST RECOMMENDED					GOVERNOR'S ACTION							
	MHTA Admin	MHTAAR	GF/MH	AHFC Corp Receipts	GF	MHTA Admin	MHTAAR	GF/MH	AHFC Corp Receipts	GF	Tobacco Settlement Funds	Other Funds	
CMHG/GCMHG	Implement Integrated Quality Assurance Process (DD/MI/L 2 of 2)	225.0					225.0						
CMHG/CMHG	Rural Svcs for the Deaf/Hearing Impaired (Yr 2 of 2)	189.9					189.9						
CMHG/CMI	Assisted Living Rate Increase (DHSS)		454.0				0.0						
CMHG/PsychEmrg	Emergency, Respite & DET Outside API 2000 Area		500.0				0.0						
CMHG/SEDYth	Children's Service Delivery Model (Yr 1 of 3)	390.0					390.0						
CMHG/SEDYth	SED Youth Transition/Family Support Services		146.0				0.0						
CDDG/CDDG	Amer Disab Act Comm Prgm Accessibility (Yr 2 of 2)	100.0					100.0						
CDDG/CDDG	Earn as You Learn Program (Yr 1 of 3)	100.0					100.0						
CDDG/CDDG	Substance Abuse Services for People w/Multiple Diagnoses		240.0				0.0						
CDDG/CDDG	Institutional Prevention & Quality Assurance-DD		965.8				965.8						
CDDG/CDDG	Intensive Inclusive Childcare Training		77.0				0.0						
MHTBds/GCDSE	Economic Development Alliance (Yr 2 of 3)	200.0					200.0						
MHTBds/GCDSE	Employment Initiatives (Yr 3 of 3)	308.0					308.0						
MHTBds/GCDSE	DD Medicaid Waiver Study Implementation (Yr 2 of 2)	50.0					50.0						
Inst&Ad/API	API Quality Assurance (Yr 2 of 2)	20.0					20.0						
Inst&Ad/MHDDAdm	Mental Health Consumer Affairs Position (Yr 2 of 2)	90.0					90.0						
AdSvcs/Pln&Facil	Comprehensive Integrated Mental Health Plan	50.0					50.0						
DHSS Subtotal		0.0	5,148.3	4,640.0	0.0	0.0	3,148.3	965.8	0.0	0.0	1,804.9	756.0	
Trust Administered Projects (not subject to Governor's approval; amounts included here for accounting purposes)													
Trust Administered	Trust Small Projects Funding (3 times/year)		105.0				105.0						
Trust Administered	Rural Outreach Project		25.0				25.0						
Trust Administered	Board Collaboration		20.0				20.0						
Trust Administered	Telepsychiatry		25.0				25.0						
Trust Administered	Miller Trust Project		25.0				25.0						
Trust Administered Subtotal		924.9	200.0	0.0	0.0	0.0	200.0	0.0	0.0	0.0	0.0	0.0	
FY2000 Adjustments to GF/MH Base													
DOA/AKL/PioHms	Pioneer Homes		3,480.7		(3,480.7)		3,480.7		(3,480.7)				
DOA/Legal& Advoc	Office of Public Advocacy		564.8		(564.8)		564.8		(564.8)				
Trust Administered Subtotal		0.0	0.0	4,045.5	0.0	(4,045.5)	0.0	0.0	4,045.5	0.0	(4,045.5)	0.0	
FY2000 Trust Administration and Natural Resource Management													
DOR/MHTA	Trust Authority Administration (8.9% of total MHTAAR)	924.9					924.8						
DNR/MHT Land Office	Mental Health Trust Land Office and Natural Resource Management		938.5				938.5						
MHTA Admin Total		924.9	938.5	0.0	0.0	0.0	1,863.3	0.0	0.0	0.0	0.0	0.0	
OPERATING TOTALS (Note: GF/MH projects are in addition to base.)													
		1,849.8	7,778.0	10,415.5	0.0	(4,045.5)	0.0	6,352.8	5,241.3	0.0	(4,045.5)	1,804.9	756.0

Handwritten notes:
 MHTA Admin
 MHTAAR
 GF/MH
 AHFC Corp Receipts
 GF

FY 2000 GOVERNOR'S MENTAL HEALTH TRUST OPERATING AND CAPITAL BUDGETS

		FY2000 TRUST RECOMMENDED					GOVERNOR'S ACTION						
		MHTA Admin	MHTAAR	GF/MH	AHFC Corp Receipts	GF	MHTA Admin	MHTAAR	GF/MH	AHFC Corp Receipts	GF	Tobacco Settlement Funds	Other Funds
FY 2000 Mental Health Trust Capital Budget													
Department of Administration													
DOA	Pioneer Homes Renovations				262.5				0.0				
DOA	Data Development-DSS (Capital)		100.0	100.0			0.0	0.0					
DOA	Juneau Adult Day Center			50.0					0.0				
DOA Subtotal		0.0	100.0	150.0	262.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Department of Health and Social Services													
DHSS	Program Facilities: Deferred Maintenance & American Disabilities Act Upgrades		250.0	250.0			250.0	250.0					
DHSS	Program Equipment		100.0	100.0			100.0	100.0					
DHSS	API Repair & Maintenance			225.0				225.0					
DHSS	API Replacement of Existing Facility			14,000.0		15,000.0	2,000.0						7,000.0
DHSS	Ketchikan Residential Diagnosis & Treatment Center			1,200.0				0.0					
DHSS	Rural Human Services Facilities Upgrades			500.0				0.0					
DHSS	Housing Modifications for People with Special Needs			420.0	500.0			150.0	250.0				
DHSS Subtotal		0.0	350.0	16,695.0	500.0	15,000.0	0.0	2,350.0	725.0	250.0	0.0	0.0	7,000.0
Department of Revenue													
DOR/ AHFC	Beneficiary and Special Needs Housing Program				2,000.0				2,000.0				
DOR/ AHFC	Homeless Assistance Program (HAP)		200.0		800.0		200.0		250.0				
DOR Subtotal		0.0	200.0	0.0	2,800.0	0.0	0.0	200.0	0.0	2,250.0	0.0	0.0	0.0
Department of Natural Resources													
DNR	Trust Land Office - Land & Resource Enhancement		660.0				660.0						
DNR Subtotal		0.0	660.0	0.0	0.0	0.0	0.0	660.0	0.0	0.0	0.0	0.0	0.0
Department of Transportation													
DOT/PF	Coordinated Transportation & Vehicles		150.0	150.0			150.0	150.0					
DOT/PF Subtotal		0.0	150.0	150.0	0.0	0.0	0.0	150.0	150.0	0.0	0.0	0.0	0.0
CAPITAL TOTAL		0.0	2,670.0	33,690.0	6,862.5	30,000.0	0.0	6,570.0	1,600.0	5,000.0	0.0	0.0	14,000.0
OPERATING AND CAPITAL TOTALS		1,849.8	10,448.0	44,105.5	6,862.5	25,954.5	0.0	12,922.8	6,841.3	5,000.0	(4,045.5)	1,804.9	14,756.0

Emergency Use

Alaska Mental Health Trust Authority

SB31

presentation to the
Senate HESS Committee
February 11, 1999

\$.9 million per year

The Trust's Beneficiaries

- *People with mental illness*
- *People with mental retardation and similar disabilities*
- *Chronic alcoholics with psychosis, and*
- *People with dementia*

Key Terms of Settlement

- Mental Health Trust Lands and associated state lands released for development
- Trust Authority free to use Trust resources to act as a catalyst for change
- Trust Authority funding recommendations considered in a single appropriation bill
- Trust Authority to aid in comprehensive planning for mental health

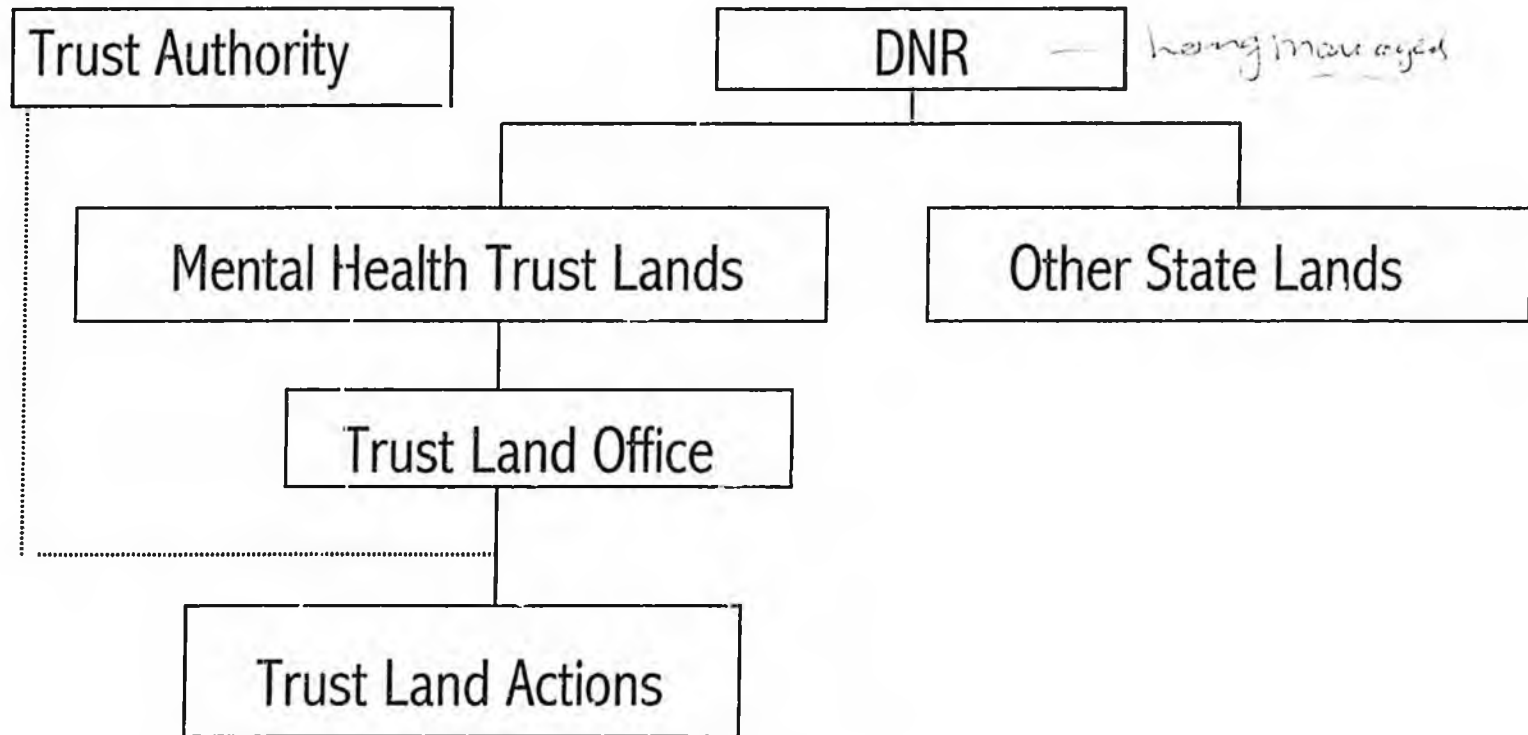
Mission and Vision

The Alaska Mental Health Trust Authority administers the Mental Health Trust established in perpetuity. It has a fiduciary responsibility to its beneficiaries to enhance and protect the Trust and to provide leadership in advocacy, planning, implementation, and funding of a comprehensive integrated mental health program to improve the lives and circumstances of its beneficiaries.

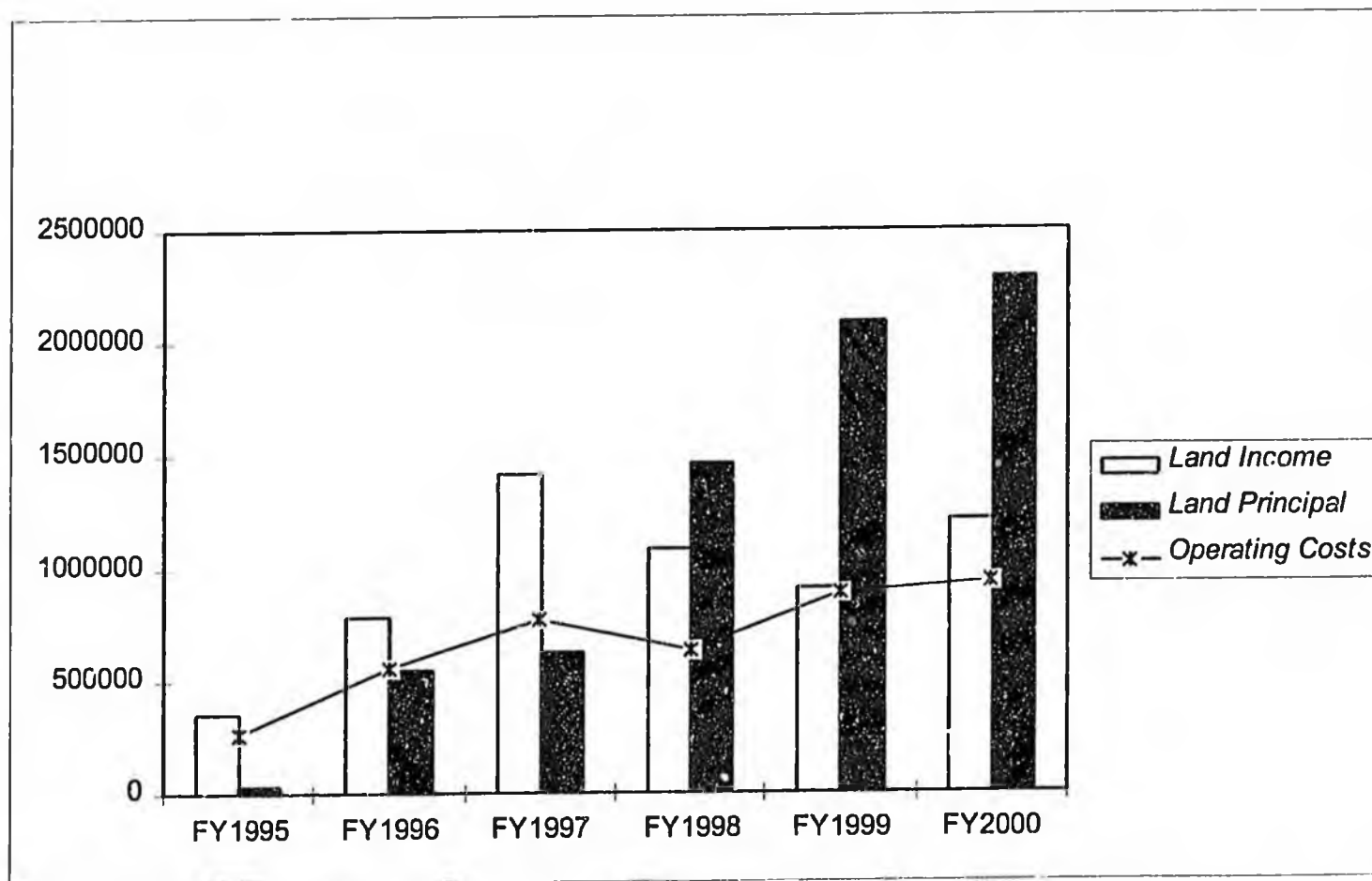
Trust Responsibilities

- *Manage the land and cash assets of the Trust in perpetuity*
- *Provide leadership & advocacy for beneficiaries*
- *Recommend the state's budget for the Comprehensive Integrated Mental Health Program*

Trust Land Management Framework



Trust Land Revenue vs. Operating Costs

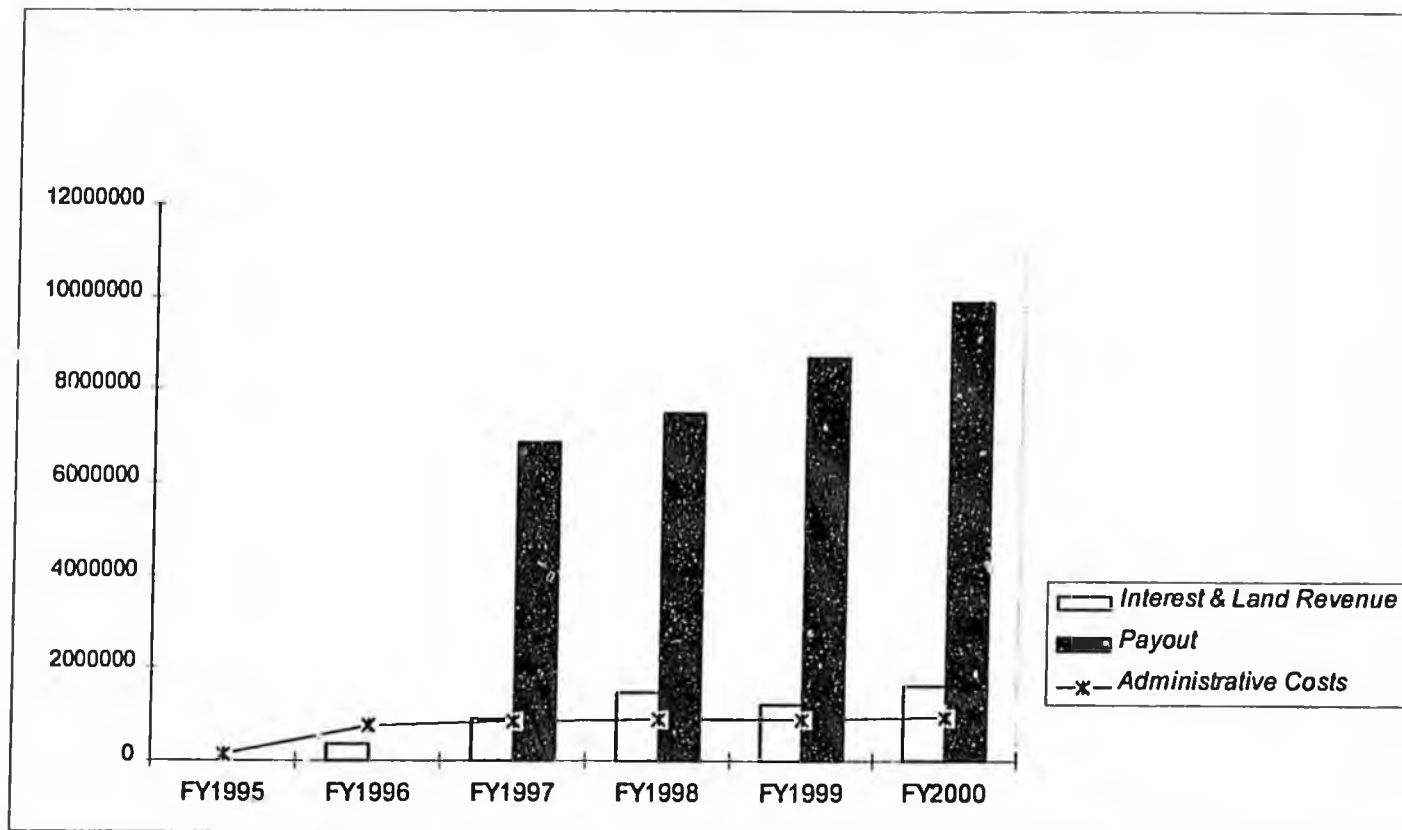


Cash Assets FY99

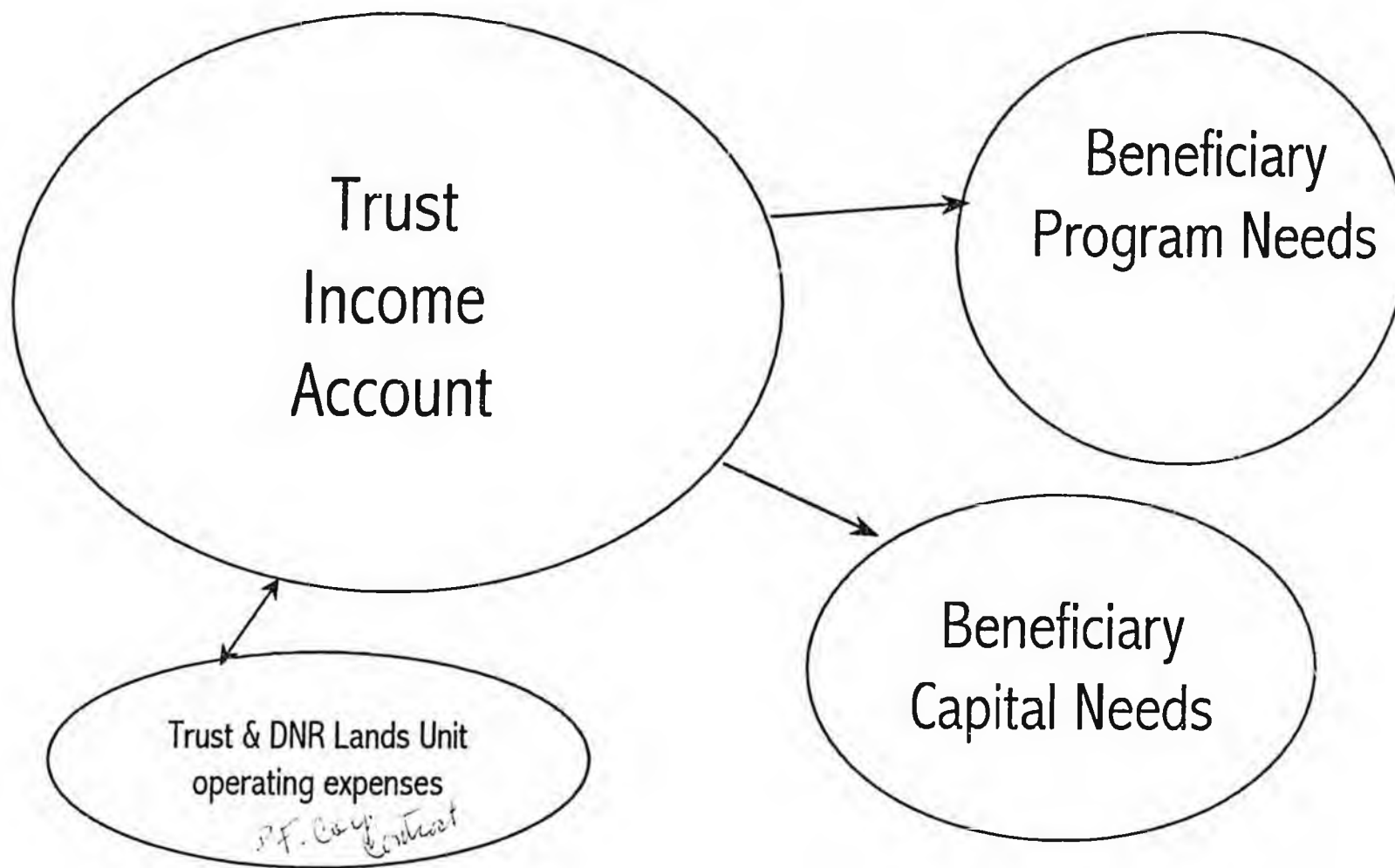
Total Fund	\$293,215,77
Principal	\$246,620,84
Principal Reserve	\$34,817,06
Net Income (obligated)	\$11,777,87

*includes
inflation
provisions*

Trust Authority Revenues, Payout and Administrative Costs



Where the funds go



Trust Income Expenditures by Category

