

**ALASKA LEGISLATURE COMMITTEE FILES 1999-2000 8672**

**10113 SENATE LABOR & COMMERCE**

HB 146



**Alaska Action Trust**

P.O. Box 102323 • Anchorage, Alaska 99510  
Office: 540 "L" Street, Suite 208 • Anchorage, AK 99501  
(907) 258-4040 • FAX (907) 276-7185

**FAX MEMORANDUM**

**Date:** May 5, 1999

**To:** Senator Mackie, Senator Kelly, Senator Donley, Senator Lemman, Senator Hoffman

**From:** Jan Bouch, Executive Director

**Re:** HB 146

**# of pages:** 4

To follow is an AAT position paper on HB 146, scheduled for hearing on Thursday, May 6, 1999 at 1:30 p.m. The position is to provide information to you regarding HB 146 and its impact. Thank you.



## Alaska Action Trust

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### Position Paper on House Bill 146

Prepared by Russell L. Winner  
April 12, 1999

This bill would limit the liability of an operator of a commercial recreational activity if one of its customers is injured or dies. The customer would be deemed contributorily negligent, and his damages would be reduced, to the extent that the inherent risks of that activity were or should have apparent to him.

The bill is unwarranted special interest legislation. It is poorly drafted and will raise more questions than it answers. The bill is unnecessary and should not be enacted into law. What follows is a section-by-section analysis of the bill.

**Purpose.** The stated purpose of the bill is to establish responsibilities of operators and consumers of commercial recreational activities, to decrease the uncertainty regarding legal responsibilities for injuries, and to encourage the continued availability of businesses in this area. The existing tort law of Alaska, however, already governs liability in this area. Under existing law, an operator of a commercial recreational activity is liable only for its percentage of fault in causing the injury or death. To the extent that injury or death was caused by the inherent risks of the activity, and not by the fault of the operator, the operator is not liable under existing law.

Further, the tort law of Alaska was recently amended by enactment of a comprehensive bill. It places caps on non-economic damages and punitive damages. It allows fault to be allocated to non-parties. It shortens the statute of limitation for suits for breach of express or implied contract. And it requires minors, or their representatives, to bring suit sooner than was required under prior law. There is no need for further restrictions on the liability of commercial recreational operators. In fact, such legislation would be subject to challenge as unconstitutional special interest litigation. Turner Construction Company, Inc. v. Scales, 752 P.2d 467 (Alaska 1988)

The proposed legislation is not necessary to encourage the continued availability of businesses that offer commercial recreational activities to the public. We are not aware that operators are being driven out of business as a result of litigation over injuries or death. In fact, there is very little litigation in this area. In the event of injury or death, however, the most prudent protection for an operator is insurance. Such insurance has not become unavailable or significantly more expensive. Further, enactment of this bill would have no effect on premium rates. Most insurance companies set their rates on a regional basis, not on a state-by-state basis. Finally, if the legislature wishes to encourage commercial recreational businesses in Alaska, it seems counterproductive to

1

tell members of the public that they are contributorily negligent just by choosing to be a customer of such a business.

**Acceptance of inherent risks.** The bill states that participation in a commercial recreational activity constitutes acceptance of the inherent risks of the activity that are or should be apparent to an ordinarily prudent person. This, however, is unnecessary, as it would be the case under the existing tort law.

**Contributory negligence.** The bill states that customer's participation in a commercial recreational activity will be deemed contributory negligent to the extent that his injuries or death were caused by the inherent risks of that activity. It is, however, inappropriate to say this constitutes contributory negligence on the part of the customer. Instead, as is true under the existing tort law, the inherent risks of the activity should be taken into account when allocating fault to all persons, including the customer. Again, does Alaska really want to be known as the State where tourists are statutorily defined as being contributorily negligent merely by participating in commercial recreational activity in the State.

**Responsibilities of participants.** The bill sets out five responsibilities of consumers of commercial recreational activities. Items 2 through 5 are unnecessary, as they would be considered anyway under the existing tort law in allocating fault. Item 1 is confusing: It requires the consumer to "learn about and expressly accept the risks of the activities." From whom is she to learn about this? From the operator? What if the operator doesn't tell her? What other source is she supposed to consult? What if she doesn't learn about these risks from another source? How is she to expressly accept these risks? In writing? What if she does not? And what risks are we talking about, anyway? The inherent risk which should be apparent to an ordinarily prudent person, or other non-obvious risks?

**Responsibilities of operators of commercial recreational activities.** The bill also sets out certain responsibilities of operators. One is to explain to participants the "fundamental inherent risks of the commercial recreational activity." Again, this is confusing. Does the operator also have to explain the non-obvious risks? Are these the same risks the customer is required to learn about? What if the operator does not explain the risks that give rise to an injury or death? Must these be explained in writing? If not, how does the operator prove it explained these risks? What if the customer disputes that the operator explained the risks? What if the customer has died? Does the fact or adequacy of the operator's explanation affect the contributory negligence of the customer in participating in the activity?

This section also requires that the operator ensure the proper training of its employees, that its equipment and facilities are in good repair, and that it acts in a reasonably safe and competent manner. This is unnecessary as these factors would be taken into account in allocating fault under the existing tort law. Again, what is the effect under the proposed legislation if the operator does not do these things? Does it affect the contributory fault of the customer?

It is instructive to compare this bill with the Alaska statutes dealing with the liability of ski operators, AS 05.45. There, a ski operator is entitled to the statutory shield of liability only if it complies with the specific, detailed, mandatory duties set out in that statute. In contrast, an operator's duties under this proposed legislation are only generally worded and the bill is silent on the consequences of the operator's failure to comply with those duties.

**Definitions.** The bill defines recreational activity as "an outdoor activity undertaken for the purpose of exercise, education, relaxation, pleasure, or sport or as a hobby." This definition is so broad and ambiguous as to invite litigation over its meaning.

What is not defined is "inherent risk of a commercial recreational activity." When will it be defined? When the customer engages the operator? During litigation? Who defines it? What if the operator tries to define it too broadly, say in a consent form signed by the customer? For example, the inherent risks of white-water rafting should not include drowning in cold water if the proximate cause of the death is the negligent maintenance or operation of the raft by the operator. Yet, if the operator defines the inherent risk of white-water rafting to include simply "drowning in cold water, the victim of a negligent operator may have no remedy.

For the above reasons, HB 146 should not become the law of Alaska.

# ALASKA STATE LEGISLATURE

*Chair:*  
MILITARY AND VETERANS AFFAIRS

*Member:*  
JUDICIARY  
COMMUNITY AND REGIONAL AFFAIRS  
LABOR AND COMMERCE



**REPRESENTATIVE LISA MURKOWSKI**

Government Hill • Elmendorf • East Anchorage

*Session:*  
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*Interim:*  
716 WEST 4TH AVENUE  
ANCHORAGE, AK 99501-2133  
PHONE: (907) 269-0174  
FAX: (907) 269-0177

TO: Senator Jerry Mackie, Chair – Senate Labor & Commerce Committee  
FROM: Representative Lisa Murkowski  
DATE: 4 May, 1999  
RE: HB 208

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Please schedule HB 208 "An Act relating to professional counselors and providing for an effective date" before the Senate Labor & Commerce Committee as soon as possible.

HB 208 is essentially a "house cleaning" bill which would address several omissions from AS 08.29 which became law during the 1998 Legislative Session. The bill strengthens the original statutes for both the profession and the public and enjoys the support of the Board of Licensed Professional Counselors and the American Counseling Association of Alaska. The bill was passed unanimously by the House.

Thanks for your consideration of this request.

**Interim**  
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Phone: 907-269-0174  
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**Session**  
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**REPRESENTATIVE LISA MURKOWSKI**  
GOVERNMENT HILL • ELMENDORF • EAST ANCHORAGE

**Sponsor Statement**  
**House Bill 208**

**"An act relating to professional counselors."**

In 1998, the 20<sup>th</sup> Legislature created statutes establishing a board and license for professional counselors in Alaska. The intent of the statutes was essentially twofold: 1. To create a Board which would oversee activities relating to professional counselors; and 2. To create a requirement of appropriate, quality education and experience for professional counselors seeking licensure. However, key language defining both the authority of the Board and "appropriate, quality education and experience" for professional counselors was inadvertently left out of the original statutes.

In addition to addressing the above omissions, HB 208 also allows for three other housekeeping provisions. Specifically it:

- adds to the list of health professionals allowed to supervise professional counselors;
- adds professional counselors to the Centralized Licensing Statutes section regarding the use of the letters "LPC" after a licensed professional's name; and
- extends the deadline by six months for current, eligible professional counselors to be "grandfathered" in without having to undergo the supervisory and testing requirements currently required for new entrants into the profession.

This bill strengthens the original statutes for both the public and the profession, and consequently enjoys the support of the Board of Licensed Professional Counselors and the American Counseling Association of Alaska.

# LEGAL SERVICES

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

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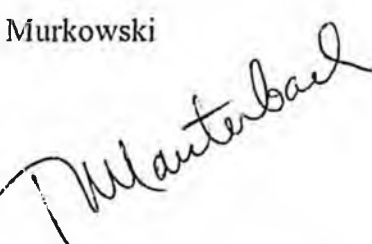
## MEMORANDUM

April 20, 1999

**SUBJECT:** Sectional Summary of Work Order No. 21-LS0828\A. (Professional Counselors)

**TO:** Representative Lisa Murkowski  
Attn: Anne

**FROM:** Terri Lauterbach  
Legislative Counsel



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

As a preliminary matter, please 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.

You have not asked any questions about the legal effects of the bill, so this summary is very brief. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, let me know.

**Section 1.** Adds counselors to the list of persons who are required to use appropriate letters or a title after the person's name to represent the person's field of practice.

**Section 2.** Clarifies the board's power to adopt regulations and enforce AS 08.29.

**Section 3.** Amends the qualifications for counselor licensing.

**Section 4.** Expands the list of persons who would be suitable supervisors.

**Section 5.** Changes provisions relating to transitional licensing.

**Section 6.** Applicability section.

**Section 7.** Special immediate effective date for sections 2 - 6. Section 1 will take effect 90 days after the bill becomes law.

TML:glc  
99-197.glc



**Working for  
Alaska's  
Mental  
Health**

APR 28 1999

## **Mental Health Association In Alaska**

**aka Alaska Mental Health Association**

4045 Lake Otis Parkway, Suite 209 • Anchorage, Alaska 99508 (907) 563-0880  
• Fax (907) 563-0881 • Email <mhaa@alaska.net>  
Website <<http://www.alaska.net/~mhaa/>>

April 27, 1999

Members of the HOUSE LABOR & COMMERCE COMMITTEE

Re: House Bill 208

Dear Representatives

Rokeberg, Halcro, Harris, Murkowski, Sanders, Brice & Cissna:

I am writing on behalf of the Alaska Mental Health Association to express our strong support for House Bill 208. This bill most certainly support's the Mental Health Association's efforts to secure licensure for professional counselors in Alaska.

Although the major issue of creating a mechanism for licensing professional counselors has been successfully completed in the last legislative session, House Bill 208 is essential in finishing that process. There is broad support for licensing professional counselors. Please move positively on House Bill 208 and lets finish the fine work that has already been completed on this issue.

Sincerely;

Janet McGillivary, M.Ed.  
President & CEO

cc: Reading File



LLOYD H. CARY, Ph.D.

265 Binkley Street  
PO Box 957  
Soldotna, Alaska 99669

Telephone: (907) 262-0608

April 27, 1999

Lisa Murkowski

Attn. Ann Gore

I am writing to you to thank you for your support of HB 208. I believe this is a crucial bill for the advancement of the counseling profession. I am a Clinical Pastoral Counselor licensed by the National Christian Counseling Association. I am not able to get a State of Alaska license. I have been in private practice since July of 1993. I have a Ph.D. in Pastoral Counseling. Not having a state of Alaska license hinders my effectiveness in many areas but primarily with testimony in the court system and in getting third party payments which are an important aspect of support for private practitioners.

I encourage you to strongly continue support of this bill and do all you can to move it along the legislative process. It is primarily a housekeeping bill, with no known opponents. It basically repairs some simple problems.

It also extends the original statutes drive toward consumer protection, by requiring tighter standards for licensees. If it does not pass this session, it simply prolongs the possibility of unqualified counselors continuing to practice unhindered.

If I can assist in any way please contact me.

Sincerely,

Lloyd H. Cary Ph.D.  
Clinical Pastoral Counselor

**HB**

**230**

# FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

BILL NO. CSHB 230(FIN)

Revision Date/Time _____	Dept. Affected _____	Administration _____
Title <u>An act permitting certain dispatchers... to convert their credited service....</u>	BRU	<u>Centralized Administrative Services</u>
Sponsor <u>(H)JUD</u>	Component <u>Retirement and Benefits</u>	
Requester <u>(H)FIN</u>	Component No. <u>64</u>	

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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

FUND SOURCE	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2000) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

The Public Employees' Retirement System (PERS) allows peace officers to retire with 20 years of service and non-peace officers to retire with 30 years of service, regardless of age. The Finance Committee substitute to HB 230 would allow an individual with 20 years of PERS police or fire dispatcher service to convert that service to service as a peace officer, thereby allowing the individual to retire. The individual would be required to pay the full actuarial cost of this conversion, either in a lump sum or through a lifetime retirement benefit reduction. Since the full actuarial cost is paid by the employee, this legislation has no fiscal impact to the State of Alaska or other PERS employers.

Prepared by: <u>Guy Bell</u>	Phone <u>465-4471</u>
Division <u>Retirement and Benefits</u>	Date/Time <u>2/16/00 11:00 AM</u>
Approved by Commissioner <u>Robert Poe Jr.</u>	Date <u>2/16/00</u>
Agency <u>Department of Administration</u>	

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**House Bill 159**  
**Benefit Calculation Examples**  
**Assuming Employee Pays Full Actuarial Cost**

Tier	Age at Retirement	Police/Fire 20 Year Retirement Liability			Non Police/Fire 20 year Retirement Liability	Total Employee Indebtedness	Police/Fire Benefit Calculation		
		Retirement	Medical	Total			Base Monthly Benefit	Lifetime Actuarial Adjustment	Adjusted Benefit after Indebtedness
1	45	\$ 255,938	\$ 26,294	\$ 282,232	\$ 107,707	\$ 174,525	\$ 1,875.00	-\$1,278.00	\$597.00
1	50	243,781	-	\$ 243,781	161,166	\$ 82,615	\$ 1,875.00	-\$635.00	\$1,240.00
1	55	228,940	-	\$ 228,940	216,221	\$ 12,719	\$ 1,875.00	-\$104.00	\$1,771.00
2	45	255,938	-	\$ 255,938	66,810	\$ 189,128	\$ 1,875.00	-\$1,385.00	\$490.00
2	50	243,781	-	\$ 243,781	99,970	\$ 143,811	\$ 1,875.00	-\$1,106.00	\$769.00
2	55	228,940	-	\$ 228,940	151,355	\$ 77,585	\$ 1,875.00	-\$635.00	\$1,240.00
2	60	211,291	-	\$ 211,291	199,553	\$ 11,738	\$ 1,875.00	-\$104.00	\$1,771.00

Retirement benefit calculations are based on the following assumptions:

- 20 years of Police/Fire service
- Average salary of \$50,000
- Tier 1 means an employee first hired before 7/1/86
- Tier 2 means an employee first hired after 6/30/86

\*Liability means the present value of the amount necessary to fund a retirement benefit for the expected life of a member.

Lifetime actuarial adjustment means the the amount reduced from a members retirement benefit to pay an amount owed to the PERS. The ajustment is based upon the life expectancy of the member and interest assumptions of the PERS.

The Police/Fire benefit accrues at 2% per year for the employee's first 10 years, and 2.5% thereafter. The non-Police/Fire benefit accrues at 2% per year for the employee's first 10 years, 2.25% for the second 10 years, and 2.5% thereafter. The monthly base benefit above is calculated as if the employee were a Police/Fire member.

1-LS0958V  
Cramer  
3/16/00

SENATE CS FOR CS FOR HOUSE BILL NO. 230( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): HOUSE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act permitting certain dispatchers in police or fire departments or for the  
2 state troopers to convert their credited service under the public employees'  
3 retirement system to credited service as peace officers; and providing for an  
4 effective date."

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

6 \* Section 1. AS 39.35.370 is amended by adding a new subsection to read:

7 (g) When an employee who was employed as a dispatcher in a state trooper  
8 office or in a police or fire department in the public employees' retirement system  
9 applies for appointment to retirement, the employee may convert the credited service  
10 for that position to credited service as a peace officer by claiming the service as peace  
11 officer service. An employee who has converted credited service to peace officer  
12 service under this subsection shall be treated as a peace officer for purposes of this  
13 chapter. When the member claims this credited service as peace officer service, an  
14 indebtedness of the member to the system shall be established. The indebtedness is

1 equal to the full actuarial cost of the conversion of the credited service to treatment  
2 as peace officer service. Any outstanding indebtedness that exists at the time the  
3 member is appointed to retirement will require an actuarial adjustment to the benefits  
4 payable based upon the conversion of the credited service.

5 \* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

# Alaska State Legislature

## House of Representatives

COMMITTEES  
JUDICIARY COMMITTEE, CHAIR  
RULES  
MILITARY & VETERANS AFFAIRS  
UTILITY RESTRUCTURING  
ETHICS



INTERIM:  
10928 EAGLE RIVER RD., SUITE 141  
EAGLE RIVER, AK 99577

SESSION:  
ALASKA STATE CAPITOL  
JUNEAU, AK 99801

### Memorandum

TO: Senator Jerry Mackie, Chairman  
Senate Labor & Commerce Committee

FROM: Representative *Pete Kott*

SUBJECT: Request for Hearing, HB 230

DATE: February 27, 2000

I request that HB 230, an Act granting certain dispatchers in police or fire departments or for the state troopers status as peace officers under the public employees' retirement system; and providing for an effective date, be heard as soon as possible. The attached amendment corrects a possible interpretation of the bill in how the retirement calculation would be made.

- Current version of the bill
- Zero Fiscal Note (Admin)
- Sponsor Statement
- Proposed amendment
- Letters of support

Teleconference requirements will be provided as it becomes available, and well before the hearing.



### Representative Pete Kott

JUNEAU OFFICE (907) 465-3777 TOLL FREE 1-800-861-KOTT(5688) FAX (907) 465-2819  
EAGLE RIVER OFFICE (907) 694-8944 FAX (907) 694-8945 E-MAIL: representative\_pete\_kott@legis.state.ak.us



# FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

BILL NO. CSHB 230(FIN)

Revision Date/Time _____	Dept. Affected <u>BRU</u>	Administration <u>Centralized Administrative Services</u>
Title <u>An act permitting certain dispatchers... to convert their credited service....</u>	Component <u>Retirement and Benefits</u>	
Sponsor <u>(H)JUD</u>		
Requester <u>(H)FIN</u>	Component No. <u>64</u>	

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
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Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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

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1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2000) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** *(Attach a separate page if necessary)*

The Public Employees' Retirement System (PERS) allows peace officers to retire with 20 years of service and non-peace officers to retire with 30 years of service, regardless of age. The Finance Committee substitute to HB 230 would allow an individual with 20 years of PERS police or fire dispatcher service to convert that service to service as a peace officer, thereby allowing the individual to retire. The individual would be required to pay the full actuarial cost of this conversion, either in a lump sum or through a lifetime retirement benefit reduction. Since the full actuarial cost is paid by the employee, this legislation has no fiscal impact to the State of Alaska or other PERS employers.

Prepared by: <u>Guy Bell</u>	Phone <u>465-4471</u>
Division <u>Retirement and Benefits</u>	Date/Time <u>2/16/00 11:00 AM</u>
Approved by Commissioner <u>Robert Poe Jr.</u>	Date <u>2/16/00</u>
Agency <u>Department of Administration</u>	

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## Sponsor Statement HB 230

HB 230 will allow police and fire dispatchers at retirement to have the option to convert their service as dispatchers to service as a peace officer. To qualify for a peace officer retirement the dispatchers must have at least twenty years of service as a dispatcher or peace officer.

The dispatcher must pay for the full cost of conversion of the credited service as a dispatcher to the peace officer retirement. The financial impact on the state, the municipalities, and the PERS system is revenue neutral. There will be no additional cost to the government for this benefit for the dispatchers.

The dispatchers are in a high stress occupation and the burnout that dispatchers experience is reflected in higher than normal turnover. There have been very few dispatcher retirements with 30-years of service. With the option for 20-year retirement we are hopeful that retention will be improved. If retention is improved there is a probability that training and recruitment cost will be lower in the future.

Basically, we have been approached by a group of citizens who want a government service, and they are willing to pay for that service. It is the sponsor's belief that the legislature should embrace any group that seeks a government service and is willing to pay for it.

A M E N D M E N T

TO: CSHB 230(FIN)

- 1 Page 1, line 11, following ".":
- 2       Insert "An employee who has converted credited service to peace officer service under
- 3 this subsection shall be treated as a peace officer for purposes of this chapter."



**Jermain Dunnagan & Owens, P.C.**

LAW OFFICES

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January 19, 2000

Honorable Pete Kott  
Alaska State Legislature  
State Capitol, Room 118  
Juneau, AK 99801-1182

JAN 25 2000

Re: HB 230

Dear Pete:

In the over 30 years that I have practiced law in the state of Alaska, I have spent considerable time representing police and fire fighters on an individual basis and their respective unions when they organized. Many years ago, I concluded that there was a commonality of interest between the police officers, fire fighters, and the dispatchers.

The dispatchers perform an incredibly valuable public service function. It is one rarely recognized. Only when there is an error is the role of dispatcher discussed. Then it appears on "60 Minutes."

The dispatcher has common concerns and interests with the rank-and-file police officer and fire fighter. The dispatcher job probably is, on the average, more stressful than the rank-and-file public safety officers' jobs and can be compared to the position of air traffic controller.

Demands and stress of the job should place the dispatcher in the 20-year public safety officer retirement system. It is difficult for me to comprehend the requirement that a person perform this critical and most-stressful function for 30 years.

There are certain high-stress and dangerous occupations in our society that need to be awarded with shorter eligibility for retirement. The occupation of dispatcher is certainly one of those occupations.

I thank you for any consideration you may pay this statement. I would be glad to comment further or explain my comments to anyone at any time.

Very truly yours,

JERMAIN, DUNNAGAN & OWENS, P.C.

  
William K. Jermain

/jrg

cc: Honorable Brian Porter, Speaker

# Alaska Association of Chiefs of Police



December 28, 1999

Representative Pete Kott  
Alaska State Legislature  
State Capitol  
Juneau, AK 999801-1182

Dear Representative Kott:


This letter is written in support of House Bill 230, an Act granting certain dispatchers in police or fire departments or for the state troopers status as peace officers under the Public Employees' Retirement System.

More than 90 percent of the state's full-time emergency dispatchers are currently in the 30-year Public Employees' Retirement System (PERS). Few, if any, will make it to retirement. In fact, many quit early in their career. They are tasked with duties and responsibilities that often lead to "burnout" at a higher rate than that of police officers. Their job requires lengthy training, constant attention to detail, and frequent responsibility for citizens' and officers' lives. The level of stress is seldom matched in any other profession.

This Act will allow those in the 30-year plan to retire after 20 years of service, a more attainable goal. It will motivate others with valuable experience to stay on rather than seeking less demanding employment. It will also offer an opportunity to retire on a par with other law enforcement professionals. Further, the state will potentially bear no cost, since eligible employees would be responsible for making up PERS contributions for themselves and the state if they wished to take advantage of 20-year retirement program.

This issue received unanimous support at two business meetings of the Alaska Association of Chiefs of Police. We therefore strongly encourage your support of this bill in recognition of the demanding nature of the work required of our police and fire dispatchers.

Sincerely,

  
Duane S. Udland, President  
Alaska Association of Chiefs of Police



Anchorage  
Police  
Department  
Employees  
Association

JAN 18 2000

Phone (907) 561-7500  
P.O. Box 230330  
Anchorage, Alaska 99523  
500 West International Airport Road  
Anchorage, Alaska

---

Representative Pete Kott  
Alaska State Legislature  
State Capitol  
Juneau, Alaska 99801-1182

January 10, 2000

Dear Representative Kott:

The law enforcement professionals represented by the Anchorage Police Department Employees Association urge you to consider supporting House Bill 230, which modifies the present retirement system for police dispatchers from thirty years of service to twenty years of service. For well documented and otherwise common sense reasons, law enforcement officers in Alaska have enjoyed this consideration for years, and professional police dispatchers are no less deserving or in need of such a program.

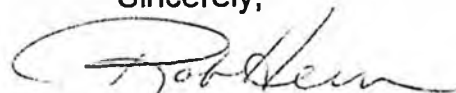
No one at the Anchorage Police Department can recall a dispatcher ever attaining retirement through time in service. Though there have been a few dispatchers who have retired for medical reasons or who have reached fifty-five years of age, the fact that the thirty year threshold has been unattainable for so long speaks volumes as to why it should be reconsidered.

Police dispatchers are tasked with not only answering 911 and obtaining pertinent information under the most stressful conditions, they must also effectively and efficiently deploy first responders by assessing and prioritizing all calls for service. The stressful work environment also consists of counseling despondent or suicidal callers, keeping distraught children on a phone line, and ensuring responding officers have as much information as possible before putting themselves in harm's way. Shift work and mandatory overtime add to the conditions that make this profession unfavorable to longevity. As a result, many dispatchers who would be motivated to work toward a twenty year career are ultimately discouraged by the specter of a thirty year commitment and leave while they are still young enough to pursue other opportunities. A recent survey has shown that the vast majority of police dispatchers hired under a thirty year retirement plan have no intention of working for thirty years as a dispatcher. This leaves a vacuum of experience and expertise that is cyclical and self-perpetuating.

ref HB230, Heun to Kott, p.2

I strongly encourage you and your fellow representatives to support House Bill 230 and modify the retirement threshold of police dispatchers from thirty years to twenty years. By all accounts, this would cost the state nothing and ensure a professional and experienced dispatcher pool for years to come. I would be glad to answer any questions that you might have on this issue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rob Heun".

Rob Heun  
President, APDEA

1-20-00

JAN 25 2000

Representative Pete Kott  
State Capitol Building Rm. # 118  
Juneau, Alaska 99801-1182

Dear Representative Kott;

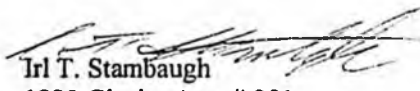
As a retired police officer I would like to take this opportunity to request your support of HB230.

During my career with the Anchorage Police Department (22 years) and my time with the Wasilla Police Department I have supervised and worked with the dispatchers from both large and small police agencies in the State of Alaska. The dispatchers I have worked with are exemplary employees who on a daily basis are exposed to many or more of the same stressors as the police officers.

In my opinion they are no less deserving of a 20-year retirement system and should have been included at the time the original PERS system was put into place.

If I can provide any further information or be of any assistance on this bill feel free to contact me at any time at 586-4753.

Sincerely;

  
Irl T. Stambaugh  
1220 Glacier Ave. # 201  
Juneau, Alaska 99801

Municipality  
of  
Anchorage



P.O. Box 196650  
Anchorage, Alaska 99519-6650  
Telephone: (907) 267-4900

*Rick Mystrom, Mayor*

FIRE DEPARTMENT  
Administration  
(1301 East 80th Avenue)

January 24, 2000

FEB 01 2000

Representative Peter Kott  
Alaska State Legislature  
State Capital Building  
Juneau, AK 99801

Re: HB 230

Dear Representative Kott:

I am writing in support of HB230, which gives retirement parity to public safety dispatchers. As the Medical Director for Anchorage Fire Department I have spent years working with the public safety dispatchers and have tremendous admiration for the fine job that they do. I have never understood why dispatchers were so mistreated in their retirement qualifications to be required to serve an additional ten years compared to their co-workers. I assume it was from some outdated perspective of what public safety dispatchers do. Public safety dispatchers serve as the "first" first responders in emergency situations. They must use verbal and cognitive skills to simultaneously assess and deal with life-threatening situations in which seconds can certainly mean the difference between life and death. On a daily basis, this can entail concurrently instructing someone to perform CPR, locating the closest medic units, dispatching additional units and remembering what the other units in the field are doing so that support can be provided for them as well. They operate in a "fishbowl" in which all of their actions are recorded and so, unlike, most of us, their job performance is subject to complete scrutiny. For most of us, being subjected to 20/20 hindsight would be another source of stress! They work shifts to provide 24x365 coverage for the citizens and therefore suffer the same stresses due to disruptions of their sleep cycles, as do other public service employees. They are professionals who have special skills and training and who deserve retirement parity with their colleagues.

Thank you for your support of these fine individuals.

Sincerely,

Michael Levy, M.D.  
Medical Director  
Anchorage Fire Department

March 14, 2000

Senator Mackie  
Alaska State Senate  
State Capitol Building, Rm #427  
Juneau, AK 99801-11825

Re: HB 230

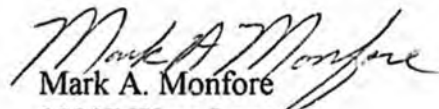
Dear Senator Mackie:

I am writing in support of HB230, which gives retirement parity to public safety dispatchers. I have spent years working with public safety dispatchers and have a tremendous admiration for the job they do. Public safety dispatchers are, in my opinion, the most vital link in the entire public safety system. They have a tremendous amount of responsibility and impact every incident a public safety agency handles. Dispatchers, without a doubt, have one of the most stressful jobs in the public safety arena, yet remain a hidden link that is often overlooked.

Dispatchers are truly professionals who have special skills and training and who deserve retirement parity with their colleagues.

Thank you for your support of these fine individuals.

Respectfully,

  
Mark A. Monfore  
10207 Wren Lane  
Eagle River, AK  
99577

# More to 911 operators' job than answering the phone

**Q** Dear Ann Landers: I would like to bring to your attention the hard-working people at the 911 centers around the country. Our folks spend countless hours training and preparing for all types of emergencies. A 911 dispatcher is a combination saint and workhorse. I know some people have heard stories of unresponsive or late-arriving emergency personnel, but in reality, fewer than 1 percent of all 911 employees disgrace their profession in any way. That is a better average than among the clergy.

Try to envision a wife's anxiety at 3 a.m. as I instruct her on how to check the pulse of her husband of 40 years, and she finds none. I try to calm her and get her to start CPR, anyway, hoping to bring him back, knowing it is probably too late. Talk about heartbreak — this is it, in living color.

Try to comprehend the thoughts that go through our minds when a police officer or firefighter, someone who is a friend, co-worker or acquaintance calls for help on the radio. As we dispatch assistance, we sit in the silence hoping and praying that the radio will crackle and a voice will say, "I am OK." Sometimes, it comes, but too often, it doesn't.

We must be able to instruct people on how to restart breathing, stop bleeding and tie splints, which is especially difficult to do over the telephone. The average person cannot envision the physical, emotional and mental anguish, missed meals, lost sleep and neglected social activities — in addition to all the tragedy we deal with — day in and day out.

I wish you could know the satisfaction we feel when we help save a life or preserve someone's property. Unless you have walked in our shoes, you can never understand or fully appreciate who we are or what we do. We are the unseen faces behind the voices of 911. — Charles D. Cuddy, emergency communica-



**Ann Landers**

tions technician II, 911 Center, Baltimore County, Md.

**Q** Dear Charles Cuddy: Thank you for a letter that will give millions of people a deeper understanding and greater appreciation for the folks who man the 911 phones. I'm sure many readers had no idea of the heroism of these people until they read what you have written. Include me among them.

**Q** Dear Ann Landers: I was sorry to read in your column that you are not planning to print any more "how we met" letters for a while. I hope you will change your mind. Just because some people don't care for them doesn't mean a lot of us older readers should be deprived. How about another one soon? — The Johnsons, in Nashville, Tenn.

**A** Dear Johnsons: Thanks for the support. Here's one, just for you:

Dear Ann Landers: My grandfather loves to tell how he and Grandma met in the early '20s. She was 14, turning cartwheels on the front lawn. Money was very tight, and a lot of people wore homemade underwear. My grandmother and her sisters made theirs out of flour sacks. Across Grandma's rear was the slogan "The Best in the West."

Grandpa thought it was hilarious and teased her about it. She thought he was awful and told him so. She must have changed her mind along the way, because they married seven years later. They had a terrific life together before Grandpa died at age 90. — Carol Jane Seidlitz in Miles City, Mont.

Dear Carol: Beautiful. What a lovely way to end today's column.

■ Questions for Ann Landers should be sent to: The Chicago Tribune 435 N. Michigan Ave., Chicago IL 60611. To find out more about Ann Landers and read her past columns, visit the Creators Syndicate web page at [www.creators.com](http://www.creators.com).

**Return-Path:** <elizabeth\_ridge@dps.state.ak.us>

**Received:** from pssun02x.dps.state.ak.us (dps.state.ak.us [146.63.218.197]) by jnu-unix.legis.state.ak.us (8.9.1/8.9.1) with ESMTP id FAA21442; Mon, 20 Mar 2000 05:33:48 -0900

**Received:** from dps.state.ak.us ([146.63.101.230]) by pssun02x.dps.state.ak.us (Netscape Messaging Server 3.6) with ESMTP id AAA3E27; Mon, 20 Mar 2000 05:33:46 -0900

**Message-ID:** <38D636B5.5E3A0363@dps.state.ak.us>

**Date:** Mon, 20 Mar 2000 05:33:25 -0900

**From:** Elizabeth Ridge <elizabeth\_ridge@dps.state.ak.us>

**Organization:** Department of Public Safety

**X-Mailer:** Mozilla 4.5 [en]C-CCK-MCD (Win95; U)

**X-Accept-Language:** en

**MIME-Version:** 1.0

**To:** "Mackie, Jerald" <Senator\_Jerry\_Mackie@legis.state.ak.us>, "Donley, David" <Senator\_Dave\_Donley@legis.state.ak.us>, "Leman, Loren" <Senator\_Loren\_Leman@legis.state.ak.us>, "Kelly, Timothy" <Senator\_Tim\_Kelly@legis.state.ak.us>

**Subject:** House Bill 230

**Content-Type:** text/plain; charset=us-ascii

**Content-Transfer-Encoding:** 7bit

I am asking for your support in House Bill 230.

Elizabeth F. Ridge  
Radio Dispatcher III  
Fairbanks Alaska State Troopers

**Return-Path:** <leah\_austin@dps.state.ak.us>

**Received:** from pssun02x.dps.state.ak.us (dps.state.ak.us [146.63.218.197]) by jnu-unix.legis.state.ak.us (8.9.1/8.9.1) with ESMTP id FAA20839; Mon, 20 Mar 2000 05:17:59 -0900

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**Message-ID:** <38D63304.22586672@dps.state.ak.us>

**Date:** Mon, 20 Mar 2000 05:17:40 -0900

**From:** Leah Austin <leah\_austin@dps.state.ak.us>

**Organization:** Department of Public Safety

**X-Mailer:** Mozilla 4.5 [en]C-CCK-MCD (Win95; U)

**X-Accept-Language:** en

**MIME-Version:** 1.0

**To:** "Mackie, Jerald" <Senator\_Jerry\_Mackie@legis.state.ak.us>, "Donley, David" <Senator\_Dave\_Donley@legis.state.ak.us>, "Leman, Loren" <Senator\_Loren\_Leman@legis.state.ak.us>, "Kelly, Timothy" <Senator\_Tim\_Kelly@legis.state.ak.us>

**Subject:** HB230

**Content-Type:** text/plain; charset=us-ascii

**Content-Transfer-Encoding:** 7bit

I am writing to ask for your support for HB230 (20 year retirement for dispatchers.)

Thank you.

Leah Austin  
Radio Dispatcher II  
Alaska State Trooper-Fairbanks

**Return-Path:** <nkr0@alaska.net>

**Received:** from carnassus.nwc.alaska.net (carnassus.nwc.alaska.net [209.112.130.29]) by jnu-unix.legis.state.ak.us (8.9.1/8.9.1) with ESMTTP id AAA12694 for <Senator\_Jerry\_Mackie@legis.state.ak.us>; Mon, 20 Mar 2000 00:28:15 -0900

**Received:** from computer (122-pm2.paq.alaska.net [209.112.145.122]) by carnassus.nwc.alaska.net (8.9.1/8.9.1) with SMTP id AAA09552 for <Senator\_Jerry\_Mackie@legis.state.ak.us>; Mon, 20 Mar 2000 00:28:12 -0900 (AKST)

**Message-ID:** <001101bf924e\$ab18d920\$0a9270d1@computer>

**From:** "Nancy Reed" <nkr0@alaska.net>

**To:** <Senator\_Jerry\_Mackie@legis.state.ak.us>

**Subject:** HB230

**Date:** Mon, 20 Mar 2000 00:28:23 -0900

**MIME-Version:** 1.0

**Content-Type:** multipart/alternative; boundary="----=\_NextPart\_000\_000E\_01BF9203.33762080"

**X-Priority:** 3

**X-MSMail-Priority:** Normal

**X-Mailer:** Microsoft Outlook Express 5.00.2615.200

**X-MimeOLE:** Produced By Microsoft MimeOLE V5.00.2615.200

Dear Senators Mackie, Donley, Hoffman, Lyman and Kelly,

As a longtime resident of Alaska and a dispatcher with the Alaska State Troopers for more than 18 years, (I started my 19th year with AST on 3/2/2000), I am encouraging you to vote in favor of HB 230. Many people realize how difficult being a police officer is but very understand the tremendous strain dispatchers go through. We are the "first responders" to crime scenes, accidents, domestic violence, burglaries etc. While we may not actually be there in person, we are there from the time the phone rings until the call is completed. Many of us, myself included, have taken calls and listened to victims of domestic violence being assaulted as they call for help, talked to families who had the misfortune of finding a son, daughter or family member who has committed suicide. We have told families a loved one has died and then listen to their grief and have them take their anger out us because we are "there". I personally had the unfortunate task of telling a co-worker I was working with her son was the involved in the ultra-light crash and he had died. That is an experience that will live me until the day I die. We are expected to be professional and courteous under all circumstance and sometimes we fail but we continue to do it because we love what we are doing and enjoy performing a job that is necessary. However, it is unfair to ask anyone to do this for 30 years. I know we have lost good dispatchers because they thought of doing this, talking to the best of society and unfortunately, the worst, dealing with the death and sadness on a daily basis is too much. Therefore, I encourage you to please vote in Favor of HB 230.

Thank you,

Nancy Reed

Radio Dispatcher III with the Alaska State Troopers

"Dispatchers saves seconds. Seconds save lives!!"

**Return-Path:** <mtfolk@alaska.net>

**Received:** from alaska.net (root@calvino2.alaska.net [209.112.130.6]) by jnu-unix.legis.state.ak.us (8.9.1/8.9.1) with ESMTP id JAA28410 for <Senator\_Jerry\_Mackie@legis.state.ak.us>; Wed, 1 Mar 2000 09:45:51 -0900

**Received:** from alaska.net (118-pm18.nwc.alaska.net [209.112.142.118]) by alaska.net (8.9.1/8.9.1) with ESMTP id JAA17246 for <Senator\_Jerry\_Mackie@legis.state.ak.us>; Wed, 1 Mar 2000 09:45:52 -0900 (AKST)

**Message-ID:** <38BD65DD.9B02BD9C@alaska.net>

**Date:** Wed, 01 Mar 2000 09:47:57 -0900

**From:** Skip and/or Darlene Dunn <mtfolk@alaska.net>

**X-Mailer:** Mozilla 4.5 [en] (Win98; I)

**X-Accept-Language:** en

**MIME-Version:** 1.0

**To:** Senator\_Jerry\_Mackie@legis.state.ak.us

**Subject:** Twenty-year

**Content-Type:** text/plain; charset=iso-8859-1

**Content-Transfer-Encoding:** 8bit

Senator,

As fire captain with Anchorage Fire Department I work closely with our dispatchers. These highly trained and contentious folks work under enormous stress. Not only do they have the duty of sending the proper apparatus to an incident, they also give advice and directions to people in crises. I have arrived on scene and found people performing CPR from verbal instructions over the phone from dispatch. I know they have saved lives by instructing civilians on the Heimlich Maneuver. This and still managing to send other department ambulances and fire apparatus on other emergencies.

We as a department have relieved some stress on our line people (paramedics and firefighters) by moving them to slower stations or other apparatus so they can get a break from the rigors and mental stress of a very intense job. Our dispatchers don't have this luxury. Day in and day out they have to deal with every emergent phone call, on scene personnel, and sometimes grumpy fire captains who are awakened at three A.M. to baby sit someone who just wants to chat or has to manage a multiple alarm incident.

It is my belief that a twenty-year retirement would make life a little easier for them and their counter parts at other dispatch centers around the state. I'm sure you know that "stress" is when you feel like strangling someone who really deserves it! The adage is a bit more colorful than that, but it gets the point across. Thank you for your consideration on this bill.

Captain Skip Dunn, Station 5, C shift, Anchorage Fire Department.

March 9, 2000

Senate Labor & Commerce Committee

Hon. Senator Jerry Mackie

Hon. Senator Tim Kelly

Hon. Senator Dave Donley

Hon. Senator Lyman Hoffman

Hon. Senator Loren Leman

RE: HB 230

A "last chance" bill for me now rests in your committee. Let me explain.

I am a State Park Ranger, commissioned as a peace officer under AS 41.15.950, AS 41.21.955, and AS 41.35.220. I completed the same 10-week training provided to Troopers and Municipal Police officers at the Trooper Academy in Sitka. To perform my duties, DNR provides me with a pistol, shotgun, pepper spray, handcuffs, and a pickup truck with red lights, siren, radio, and "Alaska State Park Ranger" markings. I issue citations, make arrests, file court complaints, serve warrants, and do all the other tasks conducted by other peace officers in the state.

I am approaching an age where many of these duties are becoming difficult to perform as effectively as I once did. I would like to retire and let someone younger (and cheaper) take on my tasks, and save the state some apparently much-needed personal services costs.

There is one problem, though: I cannot retire with any benefits because I am not yet 55, and do not have 30 years of service ("normal" PERS retirement). I do, however, have 20 years of service, and would be happy to leave under the "peace officer" PERS retirement. I am even willing to pay the state's match for my PERS indebtedness.

PERS, for some bonehead reason, does not recognize that commissioned Rangers are "peace officers" under 2 AAC 35.850. I have tried to reason with them, and they still refuse to allow commissioned Rangers to retire with 20-and-out.

There is a solution, and it was unanimously passed by the House and sent to your committee: HB 230. I am asking (begging) for you to please amend this bill by adding the phrase "Park Rangers commissioned under AS 41.21" to Section 1. Then you can move along the bill with a "do pass" recommendation.

There is NO cost to the state, and you would make about 20 commissioned Rangers very happy--including about 5 of us in expensive longevity who are about 50 years old and ready to leave.

Thank you very much for your consideration.

Sincerely,



John Zimmerli

P.O. Box 83989

Fairbanks, AK 99708-3989

(907) 457-3907

**Return-Path:** <nkr0@alaska.net>

**Received:** from alaska.net (root@calvino2.alaska.net [209.112.130.6]) by jnu-unix.legis.state.ak.us (8.9.1/8.9.1) with ESMTP id BAA07104 for <Senator\_Jerry\_Mackie@legis.state.ak.us>; Tue, 21 Mar 2000 01:03:13 -0900

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**Message-ID:** <006c01bf931c\$ba759a60\$f59170d1@computer>

**From:** "Nancy Reed" <nkr0@alaska.net>

**To:** <Senator\_Jerry\_Mackie@legis.state.ak.us>

**Subject:** HB230

**Date:** Tue, 21 Mar 2000 01:03:36 -0900

**MIME-Version:** 1.0

**Content-Type:** multipart/alternative;  
boundary="-----\_NextPart\_000\_0069\_01BF92D1.498A8C20"

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**X-MSMail-Priority:** Normal

**X-Mailer:** Microsoft Outlook Express 5.00.2615.200

**X-MimeOLE:** Produced By Microsoft MimeOLE V5.00.2615.200

Dear Senator Mackie,

As a long time resident of Alaska and a dispatcher with the Alaska State Troopers for more than 18 years, I started my 19th year with AST on 3/2/2000, I am encouraging you to vote in favor of HB230, 20 Year Retirement for dispatchers. Many people realize how difficult being a police officer is but very few understand the tremendous stress dispatchers experience. We are the "first responder's" to crime scenes, accidents, domestic violence, burglaries etc. While we may not actually be there in person, we are there from the time the phone rings until the call is completed. Many of us, myself included, have taken calls and listened to victims of domestic violence being assaulted as they called for help, talked to families who had the misfortune of finding a son, daughter or other family member who had committed suicide. We have told families a loved has died and listened to their grief and then have them take their anger out on us because we are "there". I personally had the unfortunate task of telling a co-worker who was on duty with me at the time, that the victim in the ultra-light crash we were investigating was her son. The trauma of watching "the life" drain out of her was tremendous and is an experience that will live with me until the day I die. One cannot explain the gut wrenching feeling of listening to the last radio transmission of a trooper and friend who was killed in the line of duty. Of couser you don't realize at the time it will be his last. But when the news comes, it is a transmission that will live in your memory forever. We are expected to be professional and courteous under all circumstances and sometimes we fail but we continue to do it because we love what we are doing and enjoy performing a job that is necessary. However, it is unfair to ask anyone to do this for 30 years. I know we have lost good dispatchers because the thought of dealing daily with the best of society but more specifically the worst society has to offer, the death and sadness and brutality mankind can inflict on mankind is too much to ask. Therefore, I encourage you to vote in favor of HB 230.

Thank you,

Nancy Reed

Radio Dispatcher III with the Alaska State Troopers  
"Dispatcher Saves Seconds. Seconds Save Lives"

# Journal Text



02/23/00

House Journal

Page 2281

HB 230

CSHB 230(FIN) was read the third time.

The question being: "Shall CSHB 230(FIN) pass the House?" The roll was taken with the following result:

CSHB 230(FIN)

Third Reading

Final Passage

YEAS: 37 NAYS: 0 EXCUSED: 3 ABSENT: 0

Yeas: Austerman, Berkowitz, Brice, Bunde, Cissna, Coghill, Cowdery, Croft, Davies, Davis, Dyson, Green, Grussendorf, Halcro, Harris, Hudson, James, Joule, Kapsner, Kemplen, Kohring, Kookesh, Kott, Masek, Morgan, Moses, Mulder, Murkowski, Ogan, Phillips, Porter, Rokeberg, Sanders, Smalley, Therriault, Whitaker, Williams

Excused: Barnes, Foster, Kerttula

And so, CSHB 230(FIN) passed the House.

Representative Green moved and asked unanimous consent that the roll call on the passage of the bill be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 230(FIN) was referred to the Chief Clerk for engrossment.

Bill Root:

[Return to BASIS Main Menu\(21st Legislature\)](#)

[Return to the Legislature Home Page](#)

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Please use your 'Reload' button to update this page.

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR MACKIE

TO: CSHB 230(FIN)

1 Page 1, line 1, following "dispatchers":

2       Insert "and certain emergency medical personnel"

3 Page 1, line 7, following "dispatcher":

4       Insert "or as an emergency medical service officer or an emergency medical  
5 technician"

March 20, 2000

SENATE LABOR & COMMERCE  
Senator Jerry Mackie, Chair  
State Capitol, Room 427  
Juneau, AK 99801-1182

Senator Mackie,

Currently there is a bill (HB230) before your committee intent on granting dispatchers in police and fire departments coverage under the PERS "20 and out" retirement system. *This is legislation that is long over due and deserving of all our support.* However, I believe that another segment of emergency services personnel are being overlooked, Emergency Medical Services (EMS).

Career Emergency Medical Technicians (EMT), Paramedics and EMS Officers are currently not covered by the wording contained in Section 1. AS 39.35.680(23) which reads, "peace officer' or 'fire fighter' means an employee occupying a position as a peace officer, chief of police, correctional officer, correctional superintendent, fire fighter, fire chief, or probation officer;". The addition of "dispatcher in a police or fire department or in a state trooper office" will appear in this section if the bill passes. EMS personnel should be added to this definition.

Under pressure from PERS, our fire department had to make changes to the job description of our career EMS Specialists to include more primary fire fighting duties or face having them removed from the "20 and out" provision. We made those changes. Capital City Fire had similar problems with their new EMS trainer position and had to change the job description to ensure the position was included. We are now in search of a new EMS Captain to head our EMS division. This person's duties will involve maintaining the level of service that this department is providing. This position may not be covered under the "20 and out" provision of the PERS system. The position should be covered, as should other career EMS positions without having to change the job description and intent of their EMS position.

As I understand the process, you will be meeting on this issue tomorrow. I tried to have EMS personnel added when the bill was in the House. Representative Bill Williams informed me that the bill had cleared the House side and was on the way to the Senate before my suggested addition could be made. He suggested I put in my request to the Senate. I also understand that the addition will carry no fiscal note to the Bill, the same effect as adding in the dispatchers.

Please add the EMS positions, or perhaps EMS positions could be included somehow under the current definitions as SB 158 is attempting to do for correctional officers. In either case, EMS staff and line positions should be included in this provision along with the dispatchers.

I wish to again offer my support, regardless of the out come of my request, for the addition of dispatchers in the PERS retirement. Their duties are as important as the police officer or fire fighter in the field. I can tell you from personal experience that these dispatchers save lives and help the communities in countless ways. Some of the lives they save are ours. I do, however, strongly believe that career EMS positions should also be included in this provision.

Thank you for the time you have given to read and consider this letter.

David Hull, Lieutenant/MICP  
Ketchikan Fire Department  
319 Main Street  
Ketchikan, Alaska 99901  
(907) 225-9616  
(907) 225-5051 (H)  
[daveh@city.ketchikan.ak.us](mailto:daveh@city.ketchikan.ak.us)  
[dhull@ktn.net](mailto:dhull@ktn.net)

# FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

BILL NO. CSHB 230(FIN)

Revision Date/Time _____	Dept. Affected _____	Administration _____
Title <u>An act permitting certain dispatchers... to</u>	BRU	<u>Centralized Administrative Services</u>
<u>convert their credited service....</u>	Component	<u>Retirement and Benefits</u>
Sponsor <u>(H)JUD</u>		
Requester <u>(H)FIN</u>	Component No.	<u>64</u>

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

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)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2000) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** *(Attach a separate page if necessary)*

The Public Employees' Retirement System (PERS) allows peace officers to retire with 20 years of service and non-peace officers to retire with 30 years of service, regardless of age. The Finance Committee substitute to HB 230 would allow an individual with 20 years of PERS police or fire dispatcher service to convert that service to service as a peace officer, thereby allowing the individual to retire. The individual would be required to pay the full actuarial cost of this conversion, either in a lump sum or through a lifetime retirement benefit reduction. Since the full actuarial cost is paid by the employee, this legislation has no fiscal impact to the State of Alaska or other PERS employers.

Prepared by: <u>Guy Bell</u>	Phone <u>465-4471</u>
Division: <u>Retirement and Benefits</u>	Date/Time: <u>2/16/00 11:00 AM</u>
Approved by Commissioner: <u>Robert Poe Jr.</u> <i>(Signature)</i>	Date: <u>2/16/00</u>
Agency: <u>Department of Administration</u>	

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## Sponsor Statement HB 230

HB 230 will allow police and fire dispatchers at retirement to have the option to convert their service as dispatchers to service as a peace officer. To qualify for a peace officer retirement the dispatchers must have at least twenty years of service as a dispatcher or peace officer.

The dispatcher must pay for the full cost of conversion of the credited service as a dispatcher to the peace officer retirement. The financial impact on the state, the municipalities, and the PERS system is revenue neutral. There will be no additional cost to the government for this benefit for the dispatchers.

The dispatchers are in a high stress occupation and the burnout that dispatchers experience is reflected in higher than normal turnover. There have been very few dispatcher retirements with 30-years of service. With the option for 20-year retirement we are hopeful that retention will be improved. If retention is improved there is a probability that training and recruitment cost will be lower in the future.

Basically, we have been approached by a group of citizens who want a government service, and they are willing to pay for that service. It is the sponsor's belief that the legislature should embrace any group that seeks a government service and is willing to pay for it.

A M E N D M E N T

TO: CSHB 230(FIN)

- 1 Page 1, line 11, following ".":
- 2       Insert "An employee who has converted credited service to peace officer service under
- 3 this subsection shall be treated as a peace officer for purposes of this chapter."



**Jermain Dunnagan & Owens, P.C.**

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January 19, 2000

Honorable Pete Kott  
Alaska State Legislature  
State Capitol, Room 118  
Juneau, AK 99801-1182

JAN 25 2000

Re: HB 230

Dear Pete:

In the over 30 years that I have practiced law in the state of Alaska, I have spent considerable time representing police and fire fighters on an individual basis and their respective unions when they organized. Many years ago, I concluded that there was a commonality of interest between the police officers, fire fighters, and the dispatchers.

The dispatchers perform an incredibly valuable public service function. It is one rarely recognized. Only when there is an error is the role of dispatcher discussed. Then it appears on "60 Minutes."

The dispatcher has common concerns and interests with the rank-and-file police officer and fire fighter. The dispatcher job probably is, on the average, more stressful than the rank-and-file public safety officers' jobs and can be compared to the position of air traffic controller.

Demands and stress of the job should place the dispatcher in the 20-year public safety officer retirement system. It is difficult for me to comprehend the requirement that a person perform this critical and most-stressful function for 30 years.

There are certain high-stress and dangerous occupations in our society that need to be awarded with shorter eligibility for retirement. The occupation of dispatcher is certainly one of those occupations.

I thank you for any consideration you may pay this statement. I would be glad to comment further or explain my comments to anyone at any time.

Very truly yours,

JERMAIN, DUNNAGAN & OWENS, P.C.

  
William K. Jermain

/jrg

cc: Honorable Brian Porter, Speaker

# Alaska Association of Chiefs of Police



December 28, 1999

Representative Pete Kott  
Alaska State Legislature  
State Capitol  
Juneau, AK 999801-1182

Dear Representative Kott:


This letter is written in support of House Bill 230, an Act granting certain dispatchers in police or fire departments or for the state troopers status as peace officers under the Public Employees' Retirement System.

More than 90 percent of the state's full-time emergency dispatchers are currently in the 30-year Public Employees' Retirement System (PERS). Few, if any, will make it to retirement. In fact, many quit early in their career. They are tasked with duties and responsibilities that often lead to "burnout" at a higher rate than that of police officers. Their job requires lengthy training, constant attention to detail, and frequent responsibility for citizens' and officers' lives. The level of stress is seldom matched in any other profession.

This Act will allow those in the 30-year plan to retire after 20 years of service, a more attainable goal. It will motivate others with valuable experience to stay on rather than seeking less demanding employment. It will also offer an opportunity to retire on a par with other law enforcement professionals. Further, the state will potentially bear no cost, since eligible employees would be responsible for making up PERS contributions for themselves and the state if they wished to take advantage of 20-year retirement program.

This issue received unanimous support at two business meetings of the Alaska Association of Chiefs of Police. We therefore strongly encourage your support of this bill in recognition of the demanding nature of the work required of our police and fire dispatchers.

Sincerely,

  
Duane S. Udland, President  
Alaska Association of Chiefs of Police



Anchorage  
Police  
Department  
Employees  
Association

JAN 18 2000

Phone (907) 561-7500  
P.O. Box 230330  
Anchorage, Alaska 99523  
500 West International Airport Road  
Anchorage, Alaska

---

Representative Pete Kott  
Alaska State Legislature  
State Capitol  
Juneau, Alaska 99801-1182

January 10, 2000

Dear Representative Kott:

The law enforcement professionals represented by the Anchorage Police Department Employees Association urge you to consider supporting House Bill 230, which modifies the present retirement system for police dispatchers from thirty years of service to twenty years of service. For well documented and otherwise common sense reasons, law enforcement officers in Alaska have enjoyed this consideration for years, and professional police dispatchers are no less deserving or in need of such a program.

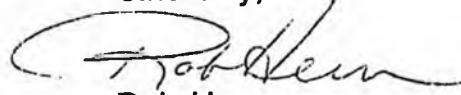
No one at the Anchorage Police Department can recall a dispatcher ever attaining retirement through time in service. Though there have been a few dispatchers who have retired for medical reasons or who have reached fifty-five years of age, the fact that the thirty year threshold has been unattainable for so long speaks volumes as to why it should be reconsidered.

Police dispatchers are tasked with not only answering 911 and obtaining pertinent information under the most stressful conditions, they must also effectively and efficiently deploy first responders by assessing and prioritizing all calls for service. The stressful work environment also consists of counseling despondent or suicidal callers, keeping distraught children on a phone line, and ensuring responding officers have as much information as possible before putting themselves in harm's way. Shift work and mandatory overtime add to the conditions that make this profession unfavorable to longevity. As a result, many dispatchers who would be motivated to work toward a twenty year career are ultimately discouraged by the specter of a thirty year commitment and leave while they are still young enough to pursue other opportunities. A recent survey has shown that the vast majority of police dispatchers hired under a thirty year retirement plan have no intention of working for thirty years as a dispatcher. This leaves a vacuum of experience and expertise that is cyclical and self-perpetuating.

ref HB230, Heun to Kott, p.2

I strongly encourage you and your fellow representatives to support House Bill 230 and modify the retirement threshold of police dispatchers from thirty years to twenty years. By all accounts, this would cost the state nothing and ensure a professional and experienced dispatcher pool for years to come. I would be glad to answer any questions that you might have on this issue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rob Heun".

Rob Heun  
President, APDEA

1-20-00

JAN 25 2000

Representative Pete Kott  
State Capitol Building Rm. # 118  
Juneau, Alaska 99801-1182

Dear Representative Kott;

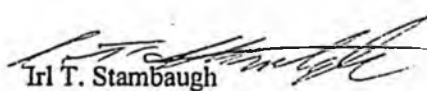
As a retired police officer I would like to take this opportunity to request your support of HB230.

During my career with the Anchorage Police Department (22 years) and my time with the Wasilla Police Department I have supervised and worked with the dispatchers from both large and small police agencies in the State of Alaska. The dispatchers I have worked with are exemplary employees who on a daily basis are exposed to many or more of the same stressors as the police officers.

In my opinion they are no less deserving of a 20-year retirement system and should have been included at the time the original PERS system was put into place.

If I can provide any further information or be of any assistance on this bill feel free to contact me at any time at 586-4753.

Sincerely;

  
Irl T. Stambaugh  
1220 Glacier Ave. # 201  
Juneau, Alaska 99801

Municipality  
of  
Anchorage



P.O. Box 196650  
Anchorage, Alaska 99519-6650  
Telephone: (907) 267-4900

*Rick Mystrom, Mayor*

FIRE DEPARTMENT  
Administration  
(1301 East 80th Avenue)

January 24, 2000

FEB 01 2000

Representative Peter Kott  
Alaska State Legislature  
State Capital Building  
Juneau, AK 99801

Re: HB 230

Dear Representative Kott:

I am writing in support of HB230, which gives retirement parity to public safety dispatchers. As the Medical Director for Anchorage Fire Department I have spent years working with the public safety dispatchers and have tremendous admiration for the fine job that they do. I have never understood why dispatchers were so mistreated in their retirement qualifications to be required to serve an additional ten years compared to their co-workers. I assume it was from some outdated perspective of what public safety dispatchers do. Public safety dispatchers serve as the "first" first responders in emergency situations. They must use verbal and cognitive skills to simultaneously assess and deal with life-threatening situations in which seconds can certainly mean the difference between life and death. On a daily basis, this can entail concurrently instructing someone to perform CPR, locating the closest medic units, dispatching additional units and remembering what the other units in the field are doing so that support can be provided for them as well. They operate in a "fishbowl" in which all of their actions are recorded and so, unlike, most of us, their job performance is subject to complete scrutiny. For most of us, being subjected to 20/20 hindsight would be another source of stress! They work shifts to provide 24x365 coverage for the citizens and therefore suffer the same stresses due to disruptions of their sleep cycles, as do other public service employees. They are professionals who have special skills and training and who deserve retirement parity with their colleagues.

Thank you for your support of these fine individuals.

Sincerely,

Michael Levy, M.D.  
Medical Director  
Anchorage Fire Department

March 14, 2000

Senator Mackie  
Alaska State Senate  
State Capitol Building, Rm #427  
Juneau, AK 99801-11825

Re: HB 230

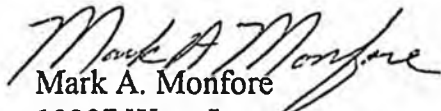
Dear Senator Mackie:

I am writing in support of HB230, which gives retirement parity to public safety dispatchers. I have spent years working with public safety dispatchers and have a tremendous admiration for the job they do. Public safety dispatchers are, in my opinion, the most vital link in the entire public safety system. They have a tremendous amount of responsibility and impact every incident a public safety agency handles. Dispatchers, without a doubt, have one of the most stressful jobs in the public safety arena, yet remain a hidden link that is often overlooked.

Dispatchers are truly professionals who have special skills and training and who deserve retirement parity with their colleagues.

Thank you for your support of these fine individuals.

Respectfully,

  
Mark A. Monfore  
10207 Wren Lane  
Eagle River, AK  
99577

A M E N D M E N T

OFFERED IN THE SENATE  
TO: CSHB 230(FIN)

BY SENATOR MACKIE

*Title change*

- 1 Page 1, line 1, following "dispatchers":
- 2       Insert "and certain emergency medical personnel"
- 3 Page 1, line 7, following "dispatcher":
- 4       Insert "or as an emergency medical service officer or an emergency medical
- 5 technician"

**HB**

**265**

# FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

BILL NO. HB 265

Revision Date/Time (Note if correction) 2/23/00 Dept. Affected DCED  
 Title \_\_\_\_\_ BRU Community and Econ Dev  
 An Act extending the termination date of the Alaska Regional ... Component Community and Econ Dev  
 Sponsor Representative Austerman  
 Requester HOUSE Special Comm. on Econ. Dev./Tourism Component No. 2243

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services	30.0	30.0	30.0	30.0	30.0	30.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	620.0	620.0	620.0	620.0	620.0	620.0
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>650.0</b>	<b>650.0</b>	<b>650.0</b>	<b>650.0</b>	<b>650.0</b>	<b>650.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (RSA from AIDEA)	650.0	650.0	650.0	650.0	650.0	650.0
<b>TOTAL</b>	<b>650.0</b>	<b>650.0</b>	<b>650.0</b>	<b>650.0</b>	<b>650.0</b>	<b>650.0</b>

Estimate of any current year (FY2000) cost: 650.0

**POSITIONS**

Full-time	0	0	0	0	0	0
Part-time	1	1	1	1	1	1
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This is an existing program that is scheduled to sunset 6/30/00. Reauthorization will continue the program for 3 years (until 6/30/03). The \$650.0 comes to DCED via a Reimbursable Services Agreement (RSA) from the Alaska Industrial Development and Export Authority (AIDEA) Enterprise Development Fund (AS 44.88.155) DCED awards \$620.0 in grants equally to 13 existing Alaska Regional Development Organizations (ARDOR) (\$47.7 each). \$30.0 in personal services pays for a portion of DCED staff time associated with administering the grants and the ARDOR program in general. This funding is included in the current fiscal year budget and is included in the Governor's proposed FY 2001 budget.

Prepared by: Nelda Warkentin Phone 269-4568  
 Division Municipal and Regional Assistance Division  
 Approved by Commissioner Deborah B. Sedwick Date 02/23/00  
 Agency Department of Community and Economic Development

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## REPRESENTATIVE ALAN AUSTERMAN Alaska State Legislature

P.O. Box 2368, Kodiak, Alaska 99615 (907) 486-5930 • Session: State Capitol, Juneau, Alaska 99801 465-2487

### SPONSOR STATEMENT - HB 265

In 1988 the Alaska Regional Development Organizations program was created in statute. Commonly referred to as ARDOR's, they are private, nonprofit corporations formed by local initiative to promote private sector economic development within their designated regions.

The statutory authority for the Alaska Regional Economic Assistance Program is found in AS 44.33.895. Formerly AS 44.47.900, this statute change was the result of Chapter 58 SLA 1999 which merged and changed the name of certain departments in the executive branch of state government. This program is currently under the administrative oversight of the Division of Municipal & Regional Assistance within the Department of Community and Economic Development.

The ARDOR program has led to the formation of 13 regional development organizations such as the Anchorage Economic Development Corporation, the Southwest Alaska Municipal Conference, the Southeast Conference, and the Lower Kuskokwim Economic Development Council. Nearly two hundred representatives of local political, social and economic interests, who serve on ARDOR boards of directors, are working together to lead their regions to greater economic self-sufficiency.

The ARDOR grants, while not particularly large, are not tied to specific projects and so may be used for operating expenses and to leverage dollars from other sources. These are the hardest kind of dollars to find and are, therefore, extremely valuable to the organizations. Millions of additional dollars have been leveraged from federal, private and other funding sources.

ARDOR's are achieving significant success in sustainable development through the establishment of production and marketing cooperatives, improved access to capital, development and marketing of tourism destinations, technical assistance and training for local businesses and entrepreneurs, support to value added production and proactive involvement in locally initiated economic development projects.

Another important benefit afforded ARDOR's by statute is the ability of state agencies to enter into contracts, with them being exempt from a competitive procurement process. This has proven beneficial to ARDOR's, who are able to provide greater local expertise in service delivery or project implementation, and to state agencies who through the ARDOR's, are able to deliver services or projects more efficiently and with less administrative burden.

Representative Alan Austerman

**SPONSOR STATEMENT - HB 265**

Page 2

Sound economic development relies heavily on solid partnerships between the public and private sectors. The ARDOR's were conceived to facilitate this kind of partnering and to bring a regional perspective to the discussion of economic development issues.

The original legislation had a sunset clause ending the program in 1993. This bill extends that date to July 1, 2003. I believe it is in the best interest of the State of Alaska to continue the ARDOR program to insure the ongoing economic viability of Alaska's various regions.

Alaska State Statute

Article 8C. Alaska Regional Economic Assistance Program.

Sec. 44.33.895. Alaska regional economic assistance program. (a) The department shall

(1) encourage the formation of regional development organizations by providing assistance in forming organizations to interested individuals, including information on how to qualify and apply for regional development grants and federal funding under 42 U.S.C. 3121 - 3246 (Public Works and Economic Development Act of 1965), as amended;

(2) assist an interested individual in establishing boundaries for a proposed organization to ensure that the region

(A) is of sufficient geographic size and contains a large enough population to form an economically viable unit with shared interests, resources, traditions, and goals;

(B) contains at least one municipality that serves as a regional center; and

(C) contains the entire area of each municipality included in the region;

(3) gather information about regional economic issues, international trade, and tourism from organizations;

(4) serve as liaison between organizations and other state agencies and encourage other agencies to make resources available to help accomplish goals of the organizations;

(5) assist each organization to

(A) provide services designed to encourage economic development to local communities and businesses;

(B) collect and distribute economic information relevant to the region;

(C) participate in state marketing campaigns and join state trade missions that are relevant to the region; and

(D) develop and implement strategies to attract new industry, expand international trade opportunities, and encourage tourism within the region.

(b) Subject to (c) of this section, the department may make regional development grants to organizations for projects the department determines will be of value in encouraging economic development. During a fiscal year, the department may make no more than 15 grants and may only make grants to one organization from a particular region. An organization that is designated an economic development district under 42 U.S.C. 3171 qualifies for grants under this subsection. The department shall by regulation adopt procedures for applying for regional development grants, including application deadlines. The department may by regulation establish additional grant eligibility requirements.

(c) To qualify for a grant, a regional development organization must match the grant by providing an amount of money from nonstate sources. The department shall establish by regulation a formula that determines the amount of the match required under this subsection based on the capability of each organization to generate money from nonstate sources. The amount of match required may not exceed the amount of grant money and may not be less than 20 percent of the grant. The total amount of grant money provided to an organization during a fiscal year may not exceed \$100,000.

(d) There is established in the department the regional development fund consisting of appropriations to the fund. Money from the fund may be used only for regional development grants.

(e) In this section,

(1) "department" means the Department of Community and Economic Development;

(2) "regional development organization" or "organization" means a nonprofit organization or nonprofit corporation formed to encourage economic development within a particular region of the state that includes the entire area of each municipality within that region and that has a board of directors that represents the region's economic, political, and social interests. (64 ch 58 SLA 1999)

Alaska Administrative Code

CHAPTER 057

ALASKA REGIONAL ECONOMIC ASSISTANCE PROGRAM

3 AAC 57.010

PURPOSE.

This chapter is intended to implement, interpret, and make specific the Alaska regional economic assistance program under AS 44.33.026 .

History -

Eff. 2/22/89, Register 109

Authority -

AS 44.33.020

AS 44.33.026

3 AAC 57.020

DUTIES AND RESPONSIBILITIES OF THE DEPARTMENT.

(a) The department will provide assistance to organizations and individuals interested in the formation of an Alaska regional development organization by providing the following:

- (1) information, procedures, forms, and other material as required, on how to apply and qualify for an Alaska regional development grant;
- (2) counseling and technical assistance to the regional economic organization in establishing and operating an Alaska regional development organization program; and
- (3) available data and information on the region's economy in support of the regional organizational efforts.

(b) The department will:

- (1) receive and process Alaska regional development organization designation, and grant, applications;
- (2) disburse and receive regional development fund money;
- (3) supervise and service grants;
- (4) provide a written determination of compliance for each application for designation, and funding, of an Alaska regional development organization.

(c) Upon designation of an Alaska regional development organization, the department will assist in coordinating the organization's plans, programs, activities, and projects with other local, state, and federal agency efforts.

History -

Eff. 2/22/89, Register 109

Authority -

AS 44.33.020

AS 44.33.026

3 AAC 57.030

#### ELIGIBILITY.

(a) The department will accept applications from an applicant seeking designation and funding as an Alaska regional development organization, if the applicant is one of the following: a nonprofit corporation incorporated under the laws of Alaska, including a regional Native nonprofit corporation; an association of municipal governments; a public/private association such as an association of municipal governments and chambers of commerce; an association of local chambers of commerce; an association of local economic development councils or private economic development councils; a body formed by an organized municipality; or any other entity that meets the criteria of AS 44.33.026(e)(2).

(b) An economic development district, as designated by the Economic Development Administration, United States Department of Commerce, is, under AS 44.33.026 (b), automatically designated as an Alaska regional development organization. If a federally funded economic development district includes more than one designated Alaska regional development organization, the preexisting Alaska regional development organizations may not receive more than two grant awards after the date of the first federal grant award to that economic development district. Thereafter, that economic development district will be the sole designated Alaska regional development organization and the sole eligible grant applicant for that region.

(c) It is the responsibility of the applicant to show that the proposed regional development organization complies with the criteria in 3 AAC 57.040 and 3 AAC 57.050, and AS 44.33.026 (a).

History -

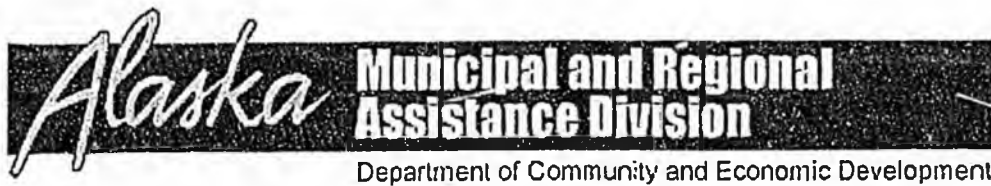
Eff. 2/22/89, Register 109; am 11/26/93, Register 128

Authority -

AS 44.33.020

AS 44.33.026

*Note: This is a selected excerpt from the regulations. Please see 3AAC Chapter 57 for the entire text.*



Alaska State Home Page  
Department Home Page  
Division Home Page

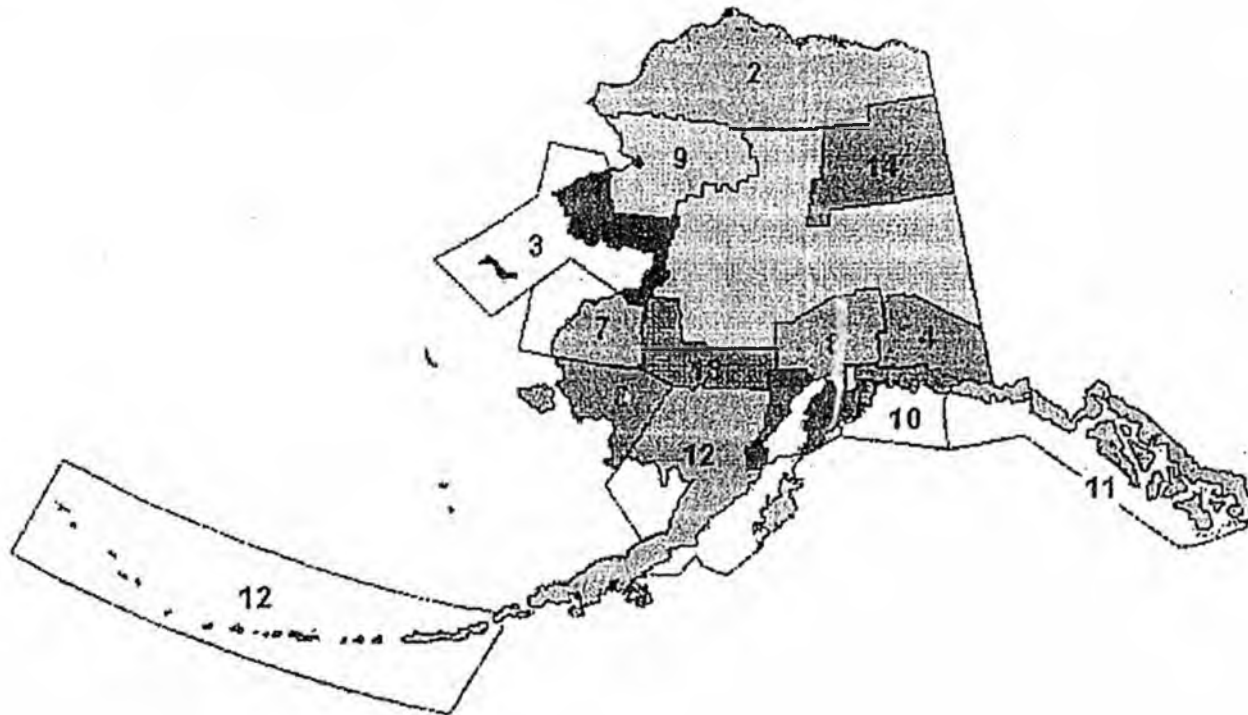
## Alaska Regional Development Organizations -- ARDORs

The ARDOR program is based on the notion that locally driven initiatives, in partnership with the State, can most effectively stimulate economic development and produce healthy, sustainable local economies. The ARDORs are intended to:

- enable communities to pool their limited resources, and work together on economic development issues;
- develop partnerships among public, private and other organizations,
- offer a technical, nonpartisan capacity to develop and implement an economic development strategy,
- often have extensive experience with federal/State programs, and
- provide needed technical assistance via direct links with local citizens.

### ARDOR Organizations

There are currently 12 ARDORs that cover all parts of Alaska with the exception of a portion of the interior. Two additional ARDOR applications are under review.



(ARDORs with Web Sites are "linked")

- |   |   |
|---|---|
| 1. <u>Anchorage Econ. Dev. Corporation</u>            | 7. Lower Yukon Econ. Dev. Council                   |
| 2. <u>Arctic Development Council</u>                  | 8. Mat-Su Resource Conservation & Development, Inc. |
| 3. Bering Straits ARDOR Program                       | 9. Northwest Arctic Borough Econ. Dev. Commission   |
| 4. Copper Valley Econ. Dev. Council                   | 10. Prince William Sound Econ. Dev. Council         |
| 5. <u>Kenai Peninsula Borough Econ. Dev. District</u> | 11. Southeast Conference                            |
| 6. Lower Kuskokwim Econ. Dev. Council                 | 12. <u>Southwest Alaska Municipal Conference</u>    |

Applications under review:

- |   |                                       |
|---|---------------------------------------|
| 13. Interior Rivers Resource Cons. & Dev. | 14. Yukon Flats Resource Cons. & Dev. |
|---|---------------------------------------|

**ARDOR TOPICS**

Note: documents followed by  must be viewed and printed with *Adobe Acrobat*. You can download a copy of this application free at: Adobe Acrobat READER

- Frequently Asked Questions about ARDORS
- ARDOR Statutes and Regulations
- Contacting the ARDORS
- Related Web Sites
- 1997 ARDOR Annual Reports
- 1998 ARDOR Annual Reports
- 1999 ARDOR Annual Reports
- 2000 ARDOR Application Documents

**For more information about the ARDOR Program, contact:**

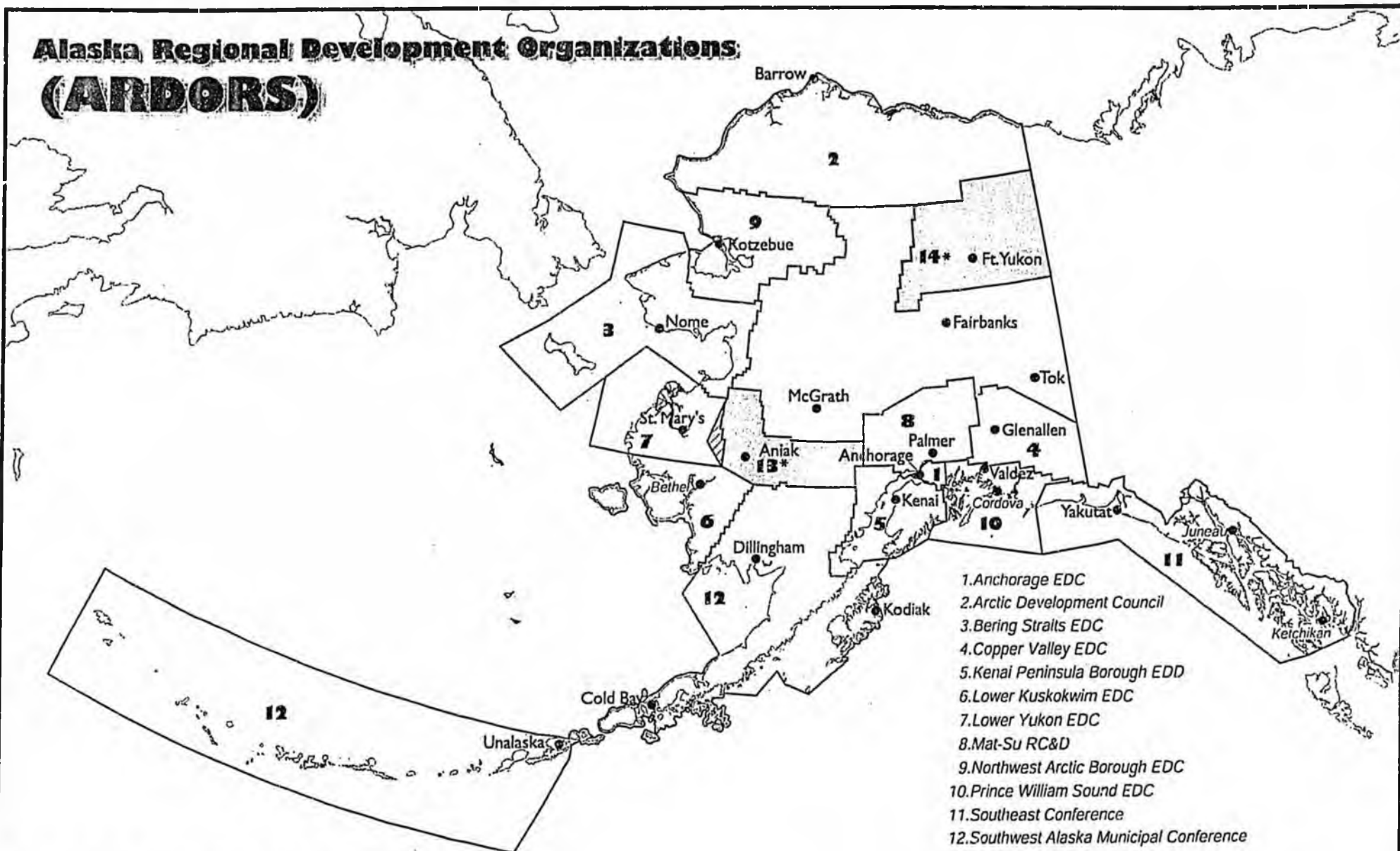
Nelda Warkentin  
 Department of Community and Economic Development  
 Municipal and Regional Assistance Division  
 550 West 7th Ave., Suite 1790  
 Anchorage, AK 99501  
 Phone: 269-4580 FAX: 269-4539  
 e-mail: Nelda.Warkentin@dced.state.ak.us

 Please go to the ARDOR's website for more info-

[http://www.dced.state.ak.us/mra/Mrad\\_AKD.htm](http://www.dced.state.ak.us/mra/Mrad_AKD.htm)

(Note: Case sensitive)

# Alaska Regional Development Organizations (ARDORS)



1. Anchorage EDC
2. Arctic Development Council
3. Bering Straits EDC
4. Copper Valley EDC
5. Kenai Peninsula Borough EDD
6. Lower Kuskokwim EDC
7. Lower Yukon EDC
8. Mat-Su RC&D
9. Northwest Arctic Borough EDC
10. Prince William Sound EDC
11. Southeast Conference
12. Southwest Alaska Municipal Conference

**NOTE:** DCRA anticipates the Fairbanks North Star Borough & Tanana Chiefs Conference, Inc. will seek ARDOR designation in FY 99.

## Contact List

### **Anchorage Economic Development Corporation (4/11/89)<sup>1</sup>**

Patricia DeMarco, President  
900 West 5th Avenue, Suite 300  
Anchorage, AK 99501  
Phone: 258-3700 Fax: 258-6646  
aedc@alaska.net

### **Arctic Development Council (3/1/91)<sup>1</sup>**

Deborah Punton, Director  
PO Box 1353  
Barrow, AK 99723  
Phone: 852-4146 Fax: 852-4147  
dpunton\_adc@barrow.com

### **Bering Straits Economic Development Corporation (1/15/97)<sup>1</sup>**

Norm Stadem, Director  
c/o Kawerak, Inc.  
PO Box 948  
Nome, AK 99762  
Phone: 443-4379 Fax: 443-2591  
stadem@kawerak.org

### **Copper Valley Economic Development Council (11/1/90)<sup>1</sup>**

Larry Dickerson, Executive Director  
PO Box 9  
Glennallen, AK 99588  
Phone: 822-5001 Fax: 822-5009  
cvedc@alaska.net

### **Kenai Peninsula Borough Economic Development District (2/22/89)<sup>1</sup>**

Tess Whalen, Director  
PO Box 3029  
Kenai, AK 99611  
Phone: 283-3335 Fax: 283-3913  
twhalen@kpedd.org

### **Lower Kuskokwim Economic Development Council (9/17/91)<sup>1</sup>**

Carl Berger, Executive Director  
PO Box 2021  
Bethel, AK 99559  
Phone: 543-4967 Fax: 543-4171  
carl\_berger@ddc-alaska.org

### **Lower Yukon Economic Development Council (11/1/91)<sup>1</sup>**

Scott Wagner, Executive Director  
825 Mulchatna Dr.  
Wasilla, AK 99654  
Phone: 745-2262 Fax: 745-7984  
lyedc@mtaonline.net

### **Mat-Su Resource Conservation & Development District (11/1/93)<sup>1</sup>**

Douglas Smith, Executive Director  
351 West Parks, Highway, Suite 100  
Wasilla, AK 99654  
Phone: 373-1062 Fax: 373-1064  
matsurcd@mtaonline.net

### **Northwest Arctic Borough Economic Development Commission (6/28/89)<sup>1</sup>**

Andy Concepcion, Executive Director  
PO Box 1110  
Kotzebue, AK 99752  
Phone: 442-2500 Fax: 442-2930  
nabedc@ptialaska.net

### **Prince William Sound Economic Development Council (11/1/91)<sup>1</sup>**

Sue Cogswell, Executive Director  
PO Box 2353  
Valdez, AK 99686  
Phone: 835-3775 Fax: 835-3265  
pwsedc@alaska.net

### **Southeast Conference (4/14/89)<sup>1</sup>**

Berne Miller, Executive Director  
124 West Fifth Street  
Juneau, AK 99801  
Phone: 463-3445 Fax: 463-4425  
seconf@ptialaska.net

### **Southwest Alaska Municipal Conference (4/6/89)<sup>1</sup>**

Glen Vernon, Executive Director  
3300 Arctic Blvd., Suite 203  
Anchorage, AK 99503  
Phone: 562-7380 Fax: 562-0438  
swamc@alaska.net

## Frequently Asked Questions

**What is an ARDOR?** A non-profit organization of local volunteers, representing numerous public and private interests, working together to achieve economic development in their region. An ARDOR is organized in accordance with Alaska Statute 44.47.830 and the Alaska Administrative Code (3 AAC 54).

**Why have a regional organization do economic development?** The Legislature established the ARDOR Program in 1988, and again in 1997, in support of the widely held belief that a locally driven initiative, in partnership with the State and other entities, can most effectively stimulate economic development and produce healthy, sustainable local economies.

**How does an ARDOR get established?** DCRA approves an ARDOR designation. To be approved, the ARDOR must (1) be large enough and contain adequate resources to support a regional economic development program, and (2) be an economically viable unit with shared interests, resources, traditions, and goals. Currently, there are 12 ARDORs in all regions of Alaska, except the Interior. The Aniak region has submitted an application for ARDOR designation. Three other interior regions are considering ARDOR designation.

**How does an ARDOR work?** Each ARDOR is guided by a Board comprised of the economic development interests in the region. Board members are usually appointed by organizations in the region; however, some are elected. The Board hires an Executive Director to work with the Board to ensure an annual work plan is implemented. The Board oversees and directs the activities of the ARDOR.

### What are the ARDOR Program goals?

Encourage a healthier economic climate to increase the number of jobs; strengthen existing businesses; attract new businesses; and encourage economic diversification.

**What does an ARDOR actually do?** Each ARDOR is different with regard to existing economic development; infrastructure; a marketable natural resource; an educated work force; and a cohesive leadership organization—factors in achieving economic development. Thus, what each ARDOR does, is unique to that ARDOR. Generally, however, ARDOR's:

- ✓ conduct economic development related research and planning, including develop and implement a regional economic development strategy;
- ✓ respond to information requests;
- ✓ coordinate ARDOR's activities with other economic development activities;
- ✓ provide services designed to encourage economic development;
- ✓ collect and distribute economic information;
- ✓ develop and maintain community and village economic profiles;
- ✓ coordinate State economic or business development efforts; and
- ✓ serve as a liaison between State government and the region.

**How is an ARDOR funded?** DCRA awards annually, a State grant to each ARDOR that satisfies the statutory and regulatory requirements of the ARDOR Program, including the requirement that each ARDOR provide a local, non-State match. In FY98, each ARDOR received \$51,666. The State grant and required match is usually not the ARDOR's only source of funding. ARDOR's can and do receive funding from a variety of sources.

### How much money does the State contribute to the ARDORs?

	FY97	FY98	FY99
Total	\$620.0	\$620.0	\$620.0
Each Grant	\$54.5	\$51.7	\$51.7
# of ARDORs	11 <sup>1</sup>	12	12

<sup>1</sup>Plus, one organizing ARDOR received \$20.0.  
NOTE: Amounts are \$1,000.





Anchorage Economic Development Corporation  
The Center of Opportunity

April 3, 2000

To: Rep. Gene Therriault, Co-Chair House Finance Committee  
Rep. Eldon Mulder, Co-Chair House Finance Committee  
Rep. Con Bunde, Vice Chair  
✓ Rep. Alan Austerman  
Rep. Gail Phillips  
Rep. John Davies  
Rep. Ben Grussendorf  
Rep. Carl Moses  
Rep. Richard Foster  
Rep. Bill Williams  
Rep. Gary Davis  
cc: Rep. Brian Porter, Speaker of the House  
Re: HB 265

The Anchorage Economic Development Corporation urges the House Finance Committee to approve the reauthorization of the local economic development organizations for the ARDOR Program. ARDORs provide services designed to encourage economic development and coordinate economic and/or business development efforts. The ARDOR program will help to increase the number of jobs, strengthen existing businesses, attract new businesses and encourage economic diversification within the State of Alaska.

AEDC supports the passage of HB 265 as written, which extend the termination date of the ARDOR Program to July 1, 2003.

Sincerely,

  
Larry D. Crawford  
President & CEO



## MATANUSKA-SUSITNA BOROUGH

Borough Manager

350 E. Dahlia Avenue, Palmer, Alaska 99645-6488  
Phone (907) 745-9689 FAX (907) 745-9669

January 31, 2000

The Honorable Alan Austerman  
Alaska State Legislature  
State Capitol (MS3100)  
Juneau, AK 99801

A  
File  
FEB 05 2000

Dear Representative Austerman:

The Matanuska-Susitna Resource Conservation and Development Council (Mat-Su RC&D) has received funding for many years from the ARDOR program to enhance the employment and tax base of the Mat-Su Borough while maintaining a high quality of life for residents. Among its many exemplary accomplishments in 1999, Mat-Su RC&D has:

- Assisted Mat-Su Borough and Port Commission in obtaining funding for construction of Port MacKenzie.
- Hosted the 1<sup>st</sup> Annual Valley Economic Development Conference.
- Drafted Overall Economic Development Plan.
- Completed & distributed Timber Utilization Plan for the Mat-Su.
- Completed construction of the Houston Educational Park.
- Completed Houston Homesteaders Community Center.
- Completed Big Lake's 100 Junker Rally (clean-up project).
- Completed economic recovery grants for Wasilla, Houston, and Big Lake.
- Provided continuing assistance to: Wasilla Wonderland, Palmer Children's Playground, Houston Homesteaders, Skateboard Park, Goldrush Centennial, Palmer Hockey Association, Wasilla Soil and Water Conservation District.
- Completed portable dry kiln project.

Extending the ARDOR program through HB 265 will benefit future development projects of the Mat-Su Resource Conservation & Development Council and the residents of the Mat-Su Borough.

Sincerely,

Michael J. Scott  
Borough Manager

/sk  
013100.1

# SOUTHEAST CONFERENCE

*Working for strong economies, healthy communities, and a quality environment in Southeast Alaska*

## A RESOLUTION URGING REAUTHORIZATION OF THE ALASKA REGIONAL DEVELOPMENT ORGANIZATION (ARDOR) PROGRAM (Resolution 00-12)

- WHEREAS** one of the most serious challenges facing Alaskans today is expansion, diversification, and stabilization of the State's economy; and,
- WHEREAS** among the most successful approaches to economic expansion, diversification, and stabilization is one that encourages and facilitates a high level of participation at local and community levels; and,
- WHEREAS** the Alaska Regional Development Organization (ARDOR) Program was established to create and sustain regional development capacity by fostering effective public-private partnerships to implement locally conceived and executed economic and community development projects; and,
- WHEREAS** the ARDOR Program will "sunset" unless reauthorized by the Legislature, and
- WHEREAS** ARDORs statewide have laid a solid foundation for greater responsibility and leadership in economic and community development at the regional level; and,
- WHEREAS** Southeast Conference has assisted the people and communities of Southeast Alaska by: 1) supporting and helping improve and expand marine and land transportation infra-structure; 2) helping communities address solid waste management, household hazardous waste disposal, and other environmental needs; and, 3) helping communities plan and execute development efforts responsive to local needs and priorities.

### NOW THEREFORE BE IT RESOLVED THAT:

Southeast Conference urges the Administration and Legislature to fully support the ARDOR Program through appropriate administrative policies and appropriation of funds adequate to sustain the ARDOR mission of "building local capacity" and developing sustainable economies.

Southeast Conference urges the Administration and Legislature to reauthorize the ARDOR Program during the next legislative session.

This Resolution be sent to the Governor, the Legislature, the Department of Community and Economic Development and Alaska Industrial Development and Export Authority.

**ADOPTED BY: SOUTHEAST CONFERENCE ON SEPTEMBER 30, 1999**

Witness:

  
Robert W. Ward, Jr. - President Southeast Conference

Attest:

  
Frank Homan - Executive Director



prince william sound  
**ECONOMIC  
DEVELOPMENT  
COUNCIL**

February 8, 2000

Representative Alan Austerman  
State Capitol  
Juneau, AK 99801-1182

REF: House Bill 265

Dear Representative Austerman:

Prince William Sound Economic Development Council, an ARDOR since 1991, has been instrumental in over \$5.5 million for our region. These projects have been extremely beneficial to the quality of life and economic growth of the area.

As president of PWSEDC board of directors, I would like to express my support for the ARDOR organizations and HB 265.

Thank you for providing leadership in this matter.

Sincerely,

David A. Dengel  
President

**Jim & Diane Ericksen**

PO Box 877294  
Wasilla, Alaska 99687-7294

Phone 907-745-7467  
Fax 907-357-3805  
Home Phone 907-373-3805  
Email jde@mtsonline.net

JAN 31 2000

January 29, 2000

The Honorable Alaska Representative Alan Austerman  
Alaska State Legislature  
State Capitol (MS3100)  
Juneau, Alaska 99801

A.  
File

Dear Representative Austerman,

Thank you for sponsoring HB265. The ARDOR program is very important for economic development throughout the State of Alaska. One project that the ARDOR program and the Mat-Su RC&D were very involved with was the port project out at Point MacKenzie. This is only one of the numerous expertize contributions we need towards economic development for our State. Hopefully, the two committees will take a long look at all of the good brought forth by the use of the ARDOR program and the Mat-Su RC&D for our State.

Again, thank you. Please add our names to your support list of HB265. If you have any questions, please contact us at the above address. Thank you for your time, cooperation, and consideration.

Sincerely,

*Jim Ericksen*  
*Diane Ericksen*

Jim and Diane Ericksen

cc: The Honorable Alaska Senator Lyda Green  
The Honorable Alaska Representative Beverly Masek

**CORRESPONDENCE STUDY SCHOOL**  
MAT SU BOROUGH SCHOOL DISTRICT  
600 EAST RAILROAD AVE., SUITE #6  
WASILLA, ALASKA 99654 (907) 373-3570  
FAX (907) 373-3573  
STEVE LEVINE, PRINCIPAL



January 31, 2000

1 FEB 09 2000

Dear Representative Austerman,

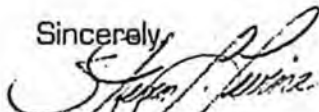
I am writing this letter to voice my strong support for the reauthorization of the ARDOR Program through the year 2003.

I have been a volunteer on the Board of Directors of the Mat-Su Resource Conservation and Development Council for the past five years. I have served over two years as Treasurer on the Executive Board. My seat on the Board allows me to represent the largest employer in the Matanuska-Susitna Borough, that of the Mat-Su Borough School District. I have always viewed my involvement in this organization as being good for Mat-Su Schools. A strong economy and greater assessed evaluations make building a better educational system easier to accomplish because more local revenue is available.

I know that Mat-Su RC&D is the only local entity able to leverage it's broad-based political and business advocacy with local knowledge and expertise to make big dreams come true. We have made excellen' progress on the Hatcher Pass Project, the dispensation of the Big Lake Hatchery, as well as moving the Port McKenzie Project forward. In addition to these headliner projects, we have a long list of individual businessmen and budding entrepreneurs that we have provided technical assistance to. Similarly, we have provided guidance and insight to many non-profit organizations related to community development and resources conservation such as, Wasilla Wonderland Park, Houston Homesteaders Community Center, Goldrush Centennial, Palmer Children's Playground, and Wasilla Skate Park. We have paved the way to make their dreams, albeit smaller than a port, come true as well.

Again, I urge you to do all that you can in support of House Bill 265, Extending the ARDOR Program, happen.

Sincerely,



Steven L. Levine

**ELEANOR F. OAKLEY**  
P. O. BOX 4072  
PALMER, AK 99645  
907-745-1745  
907-745-1749 (FAX)  
email - [coakley@mtaonline.net](mailto:coakley@mtaonline.net)

FEB 02 2000

**FAX COVER PAGE**

**DATE:** February 1, 2000

**TO:** Rep. Alan Austerman  
Attn: Cliff Stone, Chief of Staff

**RE:** Reauthorization, ARDOR Program

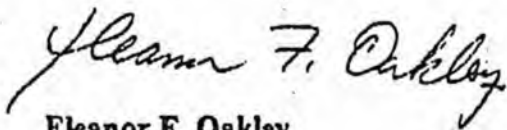
**TELEPHONE:** 907-465-4956

**Number of Page:** two (2)

As a former Mat-Su Borough Assembly member, I have worked closely with our local RC&D and realize the importance of the organization regarding economic development not only for our area but also for the benefit of the economic well-being of the State of Alaska. Also I worked with other RC&Ds on a state-wide basis as a founding member of the Alaska Center for Appropriate Technology and realize the importance of the organizations for economic development in the rural areas of the state.

I fully support the continued funding of the state-wide organization through H.B. 265. As you may be aware, the program leverages each \$1 invested to more than \$5 in private and federal dollars.

Sincerely,



Eleanor F. Oakley

cc: Mat-Su RC&D



415 E. Railroad Avenue \* Wasilla, AK 99654  
Email: chamber@wasilla.net

Telephone (907) 376-1299 \* Fax (907) 373-2560  
Home Page: www.chamber.wasilla.net

Voted "Alaska's Outstanding Local Chamber of Commerce ~ 1998"

February 4, 2000

Representative Alan Austerman  
Alaska State Legislature  
State Capitol (MS 3100)  
Juneau, Alaska 98801

FEB 10 2000

A  
Feb

Dear Representative Austerman,

Please accept this letter of support for HB265. The State funding of the ARDOR program is critical to the Mat-Su Resource Conservation & Development Council. This agency has a strong performance record in our Borough, and has consistently worked to improve the local economy.

During 1998/99 our Chamber benefited from Mat-Su RC&D's efforts on the following projects:

- Established Annual Economic Development Summit for the Mat-Su Valley
- Helped secure U.S. Forest Service community economic development grants for Wasilla, Big Lake and Houston
- Provide annual assistance to Greater Wasilla and Palmer Chambers of Commerce to conduct joint-chamber economic development luncheon
- Assisted Greater Wasilla Chamber of Commerce with production of an aerial FAM-Tour of the major economic development projects in the Mat-Su Valley.

At a time when Alaska is seeking new investment opportunities which will stimulate economic diversification, it is critical that funding of the ARDOR program, which provides \$5 in private and federal funds per every \$1 the State invests, be extended.

Thank you for your efforts and sponsorship of HB265.

Sincerely,

  
Ed Brittingham  
Executive Director

CC: Charles Parker, Mat-Su RC&D

EB/slp



February 9, 2000

The Honorable Alan Austerman  
Alaska State House of Representatives]  
House Finance Committee  
State Capitol, Room 434  
Juneau, Alaska 99801-1182

Dear Representative Austerman:

We at the Southwest Alaska Municipal Conference, appreciate your leadership and interest in identifying methods of funding for the reauthorization of the Alaska Regional Development Organizations (ARDOR). As one of the twelve approved ARDORs in Alaska, Southwest Alaska Municipal Conference is working to improve economic conditions in our region.

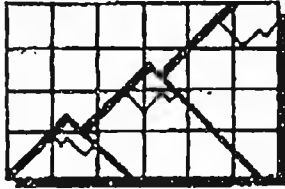
Our current ARDOR activity has resulted in preparation of promotional material for individual business in our region, training of specific operators in copyright protection technique, and consultancy in business planning for communities. Our role is one of advocate, counselor and technician. We work on multiple levels to match our service in a very tailored manner with requirements of our clients. We believe that tangible improvements in business practice are among the direct results of our efforts within the region we represent. Our clients through their call for continuing service document their need. We look forward to hearing more from your office as debate on reauthorization proceeds. Thank you for consideration of our situation.

Sincerely,

A handwritten signature in dark ink, appearing to read 'William Theuer', written in a cursive style.

William Theuer  
Economic Development Specialist  
Southwest Alaska Municipal Conference

lt/email/aust1.doc/wrt



# Mat-Su Borough Small Business Development Center

201 N. Lucille St.  
Suite 2-A  
Wasilla, Alaska  
99654  
(907) 373-7232  
Fax (907) 373-7234

Rep. Alan Austerman  
Alaska State Legislature  
State Capitol  
Juneau, AK. 99801

#### Sponsored by:

Mat-Su Borough  
Key Bank  
National Bank of  
Alaska  
First National Bank

#### Programs



A partnership  
program of the US  
Small Business  
Administration and  
the University of  
Alaska.

Dear Sir,

I just wanted to take a small amount of your time to let you know that the Mat-Su Borough Small Business Development Center (SBDC) is in wholehearted support of House Bill 265, extending the ARDOR funding.

The small business community of the Mat-Su Borough profits immensely from the projects developed and supported by the ARDOR Program. Two of these projects, the Port MacKenzie Development and the Hatcher Pass Ski Resort are sure to bring countless business opportunities and much-needed jobs to the Valley.

Thank you for your attention to this matter.

Sincerely,

Tim Sullivan  
Director Mat-Su SBDC

**HB**

**291**

# FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

BILL NO. HB 291

Revision Date/Time (Note if correction) \_\_\_\_\_ Dept. Affected All state agencies  
 Title An Act relating to the use of electronic format BRU \_\_\_\_\_  
for certain state agency notices Component \_\_\_\_\_  
 Sponsor Representative Kertula \_\_\_\_\_  
 Requester House State Affairs Committee Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

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

Estimate of any current year (FY2000) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill would require notice of proposed regulatory actions by state agencies to be provided to legislators by electronic format.  
 The bill would not have a significant fiscal impact on any state agency, but would improve the efficiency of the notice process by reducing the agency staff time now required for producing, handling and delivering paper copies of regulatory notices. In addition, legislators would receive the notices more quickly.

Prepared by: Jack Kreinheder, Senior Policy Analyst *JK* Phone 465-4676  
 Division Office of Management and Budget Date/Time 2/7/00 11:48 AM  
 Approved by Commissioner: David Ramseur, Deputy Chief of Staff *David Ramseur* Date 2/7/00  
 Agency Office of the Governor *McConnell*

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

For further distribution information, call the Governor's Legislative Office

Sectional Analysis  
LS1244\K – Senate CS HB 291  
Bannister – 4/19/00

**Section 1:** allows the lieutenant governor to require state agencies to use abbreviated public notices in newspapers of general circulation and in trade and industry publications.

**Section 2:** amends Article 2 of the Administrative Procedures Act allowing the lieutenant governor to, in addition to newspaper or broadcast notices, provide Internet notice of regulations outside the scope of AS 44.62.040. This change is a conforming change with the rest of the bill – allowing for abbreviated, printed notices directing interested parties to more detailed Internet notices, or to a state office for more information.

**Page 2, lines 7-11,** deletes reference to a broadcast notice including the name and date of the publication where the **full text** of a public notice can be found. If left in the law, this section would defeat the purpose of abbreviating public notices in newspapers or journals and allowing for the increasing use of Internet capabilities. **This section broadens the opportunities for the public to receive notice, in addition to mail or publication.**

**Section 3** conforming language: furnish rather than mail.

**Section 4** allows anyone who listed on page 2, lines 12-8 to request notices be mailed.

**Section 5** amends the contents of public notices, to allow for abbreviated notices in print. Note: in this section AS 44.62.200(a)(7) replaces AS 44.62.190(d). **AS 44.62.190(d) is repealed in Section 6.**

Abbreviated notices will only include:

- 1) a statement of the time, place, and nature of proceedings for adoption, amendment, or repeal of the regulation; (*current law*)
- 2) other matters prescribed by a statute applicable to the specific agency or to the specific regulation or class of regulations; (*current law*)
- 3) a brief general description of the proposed subject of agency action, how more detailed information may be obtained, and the name of the agency contact person. (*new language*)

SENATE CS FOR CS FOR HOUSE BILL NO. 291( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES KERTTULA, Smalley, James

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the giving of certain state agency notices."

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

3 \* Section 1. AS 44.19 is amended by adding a new section to read:

4           Sec. 44.19.021. Powers of the lieutenant governor. (a) To promote public  
5 awareness and in the best interests of the state, the lieutenant governor, under the  
6 provisions of AS 36.30, may provide for the availability of consolidated space in  
7 newspapers of general circulation and in trade and industry publications for the  
8 publication of notices regarding state agency regulations as required by AS 44.62.010 -  
9 44.62.290. The lieutenant governor may require state agencies to participate in the use  
10 of consolidated space provided under this section and may waive the requirement if  
11 nonparticipation is in the best interests of the state.

12           (b) In this section, "state agency" means a department, board, commission,  
13 division, authority, public corporation, or other administrative unit of the executive  
14 branch of state government.

15 \* Sec. 2. AS 44.62.190(a) is amended to read:

1 (a) At least 30 days before the adoption, amendment, or repeal of a regulation,  
2 notice of the proposed action shall be

3 (1) published in the newspaper of general circulation or trade or  
4 industry publication that the state agency prescribes and in the Alaska Administrative  
5 Journal; in the discretion of the state agency giving the notice, the requirement of  
6 publication in a newspaper or trade or industry publication may be satisfied by using  
7 a combination of publication and broadcasting; [WHEN BROADCASTING THE  
8 NOTICE, AN AGENCY MAY USE AN ABBREVIATED FORM OF THE NOTICE  
9 IF THE BROADCAST PROVIDES THE NAME AND DATE OF THE NEWSPAPER  
10 OR TRADE OR INDUSTRY JOURNAL WHERE THE FULL TEXT OF THE  
11 NOTICE CAN BE FOUND;]

12 (2) furnished [MAILED] to every person who has filed a request for  
13 notice of proposed action with the state agency;

14 (3) if the agency is within a department, furnished [MAILED OR  
15 DELIVERED ] to the commissioner of the department;

16 (4) when appropriate in the judgment of the agency,

17 (A) furnished [MAILED] to a person or group of persons who  
18 [WHOM] the agency believes is interested in the proposed action; and

19 (B) provided [PUBLISHED] in the additional form and manner  
20 the state agency prescribes;

21 (5) furnished to the Department of Law together with a copy of the  
22 proposed regulation, amendment, or order of repeal for the department's use in  
23 preparing the opinion required after adoption and before filing by AS 44.62.060;

24 (6) furnished to all incumbent State of Alaska legislators and the  
25 Legislative Affairs Agency;

26 (7) furnished to the standing committee of each house of the legislature  
27 having legislative jurisdiction over the subject matter treated by the regulation under  
28 the Uniform Rules of the Alaska State Legislature, together with a copy of the  
29 proposed regulation, amendment, or order of repeal for the committee's use in  
30 conducting the review authorized by AS 24.05.182;

31 (8) furnished to the staff of the Administrative Regulation Review

1 Committee, together with a copy of the proposed regulation, amendment, or order of  
2 repeal and, if preparation of an appropriation increase estimate is required by  
3 AS 44.62.195, a copy of the estimate.

4 \* Sec. 3. AS 44.62.190(c) is amended to read:

5 (c) The failure to furnish [MAIL] notice to a person as provided in this  
6 section does not invalidate an action taken by an agency under AS 44.62.180 -  
7 44.62.290.

8 \* Sec. 4. AS 44.62.190 is amended by adding a new subsection to read:

9 (e) Notwithstanding (a) of this section, if a person who is to receive a notice  
10 under (a) of this section requests that the state agency mail the notice, the state agency  
11 shall furnish the notice to the person by mail.

12 \* Sec. 5. AS 44.62.200(a) is amended to read:

13 (a) The notice of proposed adoption, amendment, or repeal of a regulation that  
14 is published under AS 44.62.190(a)(1) in the Alaska Administrative Journal or is  
15 provided under AS 44.62.190(a)(2) - (8) must include the information described in  
16 (1) - (7) of this subsection. The notice that is published in a newspaper of general  
17 circulation or trade or industry publication under AS 44.62.190(a)(1) or that is  
18 broadcast under AS 44.62.190(a)(1) must include the information described in (1),  
19 (4), and (6) of this subsection. The information that must be provided according  
20 to requirements set out in this subsection is

21 (1) a statement of the time, place, and nature of proceedings for  
22 adoption, amendment, or repeal of the regulation;

23 (2) reference to the authority under which the regulation is proposed  
24 and a reference to the particular code section or other provisions of law that are being  
25 implemented, interpreted, or made specific;

26 (3) an informative summary of the proposed subject of agency action;

27 (4) other matters prescribed by a statute applicable to the specific  
28 agency or to the specific regulation or class of regulations;

29 (5) a summary of the fiscal information required to be prepared under  
30 AS 44.62.195;

31 (6) a brief general description of the proposed subject of agency

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action, how more detailed information may be obtained, and the name of the agency contact person;

(7) the reason for the proposed action, the initial cost to the state agency of implementation, the estimated annual costs to the state agency of implementation, the name of the contact person for the state agency, and the origin of the proposed action.

\* Sec. 6. AS 44.62.190(d) is repealed.

## CS HB 291 COMMENTS

- Agree with sponsor's intent to make government more efficient
- Public needs to be informed, CS expands methods of advertising state business
- What I'm offering will:
  - save the state hundreds of thousands of dollars (DOT alone saved \$100,000 last year)
  - continue to inform the public
  - leave out editorial information that doesn't belong in legal notice (see Tanana City Schools notice)
- I believe we need to grow with the times and advertise accordingly.



**Representative Beth Kerttula**

**Sponsor Statement**

**CS for House Bill 291 (STA)  
Electronic Notices under Administrative Procedure Act**

House Bill 291 changes the public notice procedures used by state agencies for adopting regulations. HB 291 requires state agencies to provide each legislator a *single* notice of their proposed regulations via email, rather than the multiple paper copies currently provided to each legislator, standing legislative committees, and the Administrative Regulation Review Committee. HB 291 also standardizes the statutory language so that a notice is "furnished" (to include via email) to other parties under AS 44.62.190.

HB 291 utilizes today's technology to streamline the government regulatory process. By using an electronic format, HB 291 simplifies the production, handling and delivery of notices. Substituting one email message for 60-plus letters mailed to legislators' offices reduces agency staff time, printing, and mailing costs. At the receiving end, legislative staff time spent handling the regulatory paperwork will be reduced.

HB 291 leaves in place existing methods of public notice if required by other statutes or allows a notice by mail if requested by a person. However, to the extent that State agencies increase their electronic transmission of regulatory notices to other parties, HB 291 also facilitates more efficient and timely delivery of notices statewide to individuals, organization and business, where appropriate.

## **House Bill 291: Electronic Notices Under Administrative Procedure Act**

**House Floor 4/16/00**

### **Origin:**

As you all know, there is a constant stream of state agency notices of regulatory actions that come to legislators' offices each week.

While it is important to know what agencies are doing in regulations, **HB 291** seeks to simplify the flow of information from agencies to the legislature by converting from paper copies through the mail to electronic copies sent to legislators' email address.

**House Bill 291** uses today's technology to streamline the notice process between the Executive and Legislative branches, and updates the notice language to allow agencies to use email notices, where it makes sense.