

ALASKA LEGISLATURE COMMITTEE FILES 2001-2002 8672

10347 HOUSE LABOR & COMMERCE

full hour to the evening.

Idea of Daylight Saving Time

The idea of daylight saving was first conceived by Benjamin Franklin (portrait at right) during his sojourn as an American delegate in Paris in 1784, in an essay, "An Economical Project."



> [Read more about Franklin's essay.](#)

Some of Franklin's friends, inventors of the oil lamp, were so taken by the scheme that they continued corresponding with Franklin even after he returned to America.

The idea was first advocated seriously by a London builder, William Willett (1865-1915), in the pamphlet "Waste of Daylight" (1907) that proposed advancing clocks 20 minutes on each of four Sundays in April, and retarding them by the same amount on four Sundays in September. As he was taking an early morning ride through Petts Wood, near Croydon, Willett was struck by the fact that the blinds of nearby houses were closed, even though the sun was fully risen. When questioned as to why he didn't simply get up an hour earlier, Willett replied with typical British humor, "What?" In his pamphlet "The Waste of Daylight" he wrote:

"Everyone appreciates the long, light evenings. Everyone laments their shortage as Autumn approaches; and everyone has given utterance to regret that the clear, bright light of an early morning during Spring and Summer months is so seldom seen or used".

Early laws in Britain

A bill was drafted in 1909 and introduced in Parliament several times, but it met with ridicule and opposition, especially from farming interests. Generally lampooned at the time, Willett died in 1915, but a year later Daylight Saving Time (Summer Time) was adopted in England in May 1916, following the lead of Germany. The motivation was to conserve coal. There was a fair bit of opposition from agricultural interests who wanted daylight in the morning, but Lord Balfour came forward with a unique concern:

His campaign led to the introduction of British Summer Time in an Act of Parliament in 1916. Clocks were put one hour ahead of Greenwich Mean Time (GMT) during the Summer months. The energy saving benefits of

this were recognized during World War II, when clocks were put two hours ahead of GMT during the Summer. This became known as Double Summer Time. During the war, clocks remained one hour ahead of GMT throughout the winter.

"[on the night the clocks are set back] Supposing some unfortunate lady was confined with twins and one child was born 10 minutes before 1 o'clock. ... the time of birth of the two children would be reversed. ... Such an alteration might conceivably affect the property and titles in that House."

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First there was standard time

For millennia, people have measured time based on the position of the sun - it was noon when the sun was highest in the sky. Sundials were used well into the Middle Ages, when mechanical clocks began to appear. Cities would set their town clock by measuring the position of the sun, but every city would be on a slightly



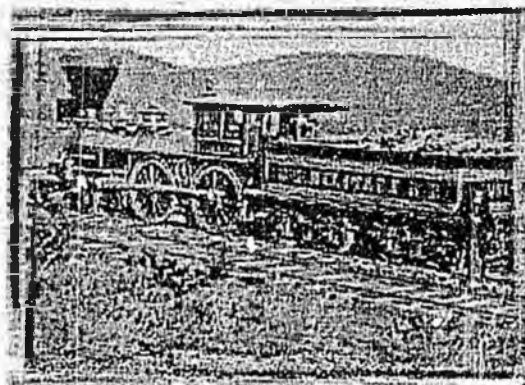
different time. (For more information about clocks, see [A Walk through Time.](#))

Standard time begins in Britain

Britain was the first country to set the time throughout a region to one standard time. The railways cared most about the inconsistencies of local mean time, and they forced a uniform time on the country. The original idea was credited to Dr. William Hyde Wollaston (1766-1828) and was popularized by Abraham Follett Osler (1808-1903). The first railway to adopt London time was the Great Western Railway in November 1840; other railways followed suit, and by 1847 most (though not all) railways used London time. On September 22, 1847 the Railway Clearing House, an industry standards body, recommended that GMT be adopted at all stations as soon as the General Post Office permitted it. The transition occurred on 12-01 for the L&NW, the Caledonian, and presumably other railways; the January 1848 Bradshaw's lists many railways as using GMT. By 1855 the vast majority of public clocks in Britain were set to GMT (though some, like the great clock on Tom Tower at Christ Church, Oxford, were fitted with two minute hands, one for local time and one for GMT). The last major holdout was the legal system, which stubbornly stuck to local time for many years, leading to oddities like polls opening at 08:13 and closing at 16:13. The legal system finally switched to GMT when the Statutes (Definition of Time) Act took effect; it received the Royal Assent on August, 2, 1880.

Standard time in the US

Standard time in time zones was instituted in the U.S. and Canada by the railroads on 18 November 1883. Before then, time of day was a local matter, and most cities and towns used some form of local solar time, maintained by some well-known clock (for example, on a church steeple or in a jeweler's window). The new standard time system was not immediately embraced by all, however. (The train at right is a Union locomotive used during the American Civil War, photo ca. 1861-1865.)



Detroit kept local time until 1900 when the City Council decreed that clocks should be put back twenty-eight minutes to Central Standard Time. Half the city obeyed, half refused. After considerable debate, the decision was rescinded and the city reverted to Sun time. A derisive offer to erect a sundial in front of the city hall was referred to the Committee on Sewers. Then, in 1905, Central time was adopted by city vote.



Use of standard time gradually increased because of its obvious practical advantages for communication and travel. Standard time in time zones was not established in U.S. law until the Standard Time Act of 1918 enacted on March 19.

Time zones were first used by the railroads in 1883 to standardize their schedules. Canada's Sir Sanford Fleming (posing at left, at the driving the last spike of the Canadian Pacific Railway. Sandford Fleming has the stovepipe hat to the left of the man with the hammer) also played a key

role in the development of a worldwide system of keeping time. Trains had made obsolete the old system where major cities and regions set clocks according to local astronomical conditions. Fleming advocated the adoption of a standard or mean time and hourly variations from that according to established time zones. He was instrumental in convening an International Prime Meridian Conference in Washington in 1884 at which the system of international standard time -- still in use today -- was adopted.

In 1918, Congress adopted standard time zones based on those set up by the railroads, and gave the responsibility to make any changes in the time zones to the Interstate Commerce Commission, the only federal transportation regulatory agency at the time. When Congress created the Department of Transportation in 1966, it transferred the responsibility for

the time laws to the new department.

Time zone boundaries have changed greatly since their original introduction and changes still occasionally occur. The Department of Transportation conducts rulemakings to consider requests for changes.

Generally, time zone boundaries have tended to shift westward. Places on the eastern edge of a time

zone can effectively move sunset an hour later (by the clock) by shifting to the time zone immediately to their east. If they do so, the boundary of that zone is locally shifted to the west; the accumulation of such changes results in the long-term westward trend. The process is not inexorable, however, since the late sunrises experienced by such places during the winter may be regarded as too undesirable. Furthermore, under the law, the principal standard for deciding on a time zone change is the "convenience of commerce." Proposed time zone changes have been both approved and rejected based on this criterion, although most such proposals have been accepted.



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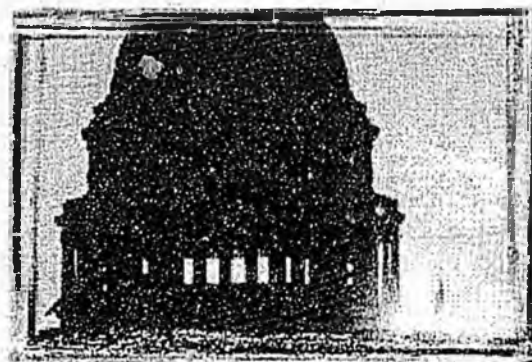
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Early adoption and U.S. law

Daylight saving has been used in the United States and in many European countries since World War I, when the system was adopted in order to conserve fuel needed to produce electric power. In 1918, in order to conserve resources for the war effort, Congress placed the country on Daylight Saving Time for the remainder of WW I. It



was observed for seven months in 1918 and 1919. The law, however, proved so unpopular (mostly because people rose earlier and went to bed earlier than we do today) that the law was later repealed in 1919 over President Wilson's veto. It was continued in a few states (Massachusetts, Rhode Island) and some cities (New York, Philadelphia, Chicago, and others).

During World War II, the United States observed year-round Daylight Saving Time (from February 9th, 1942 to September 30th, 1945). From 1945 to 1966, there was no federal law about Daylight Saving Time. So, states and localities were free whether to observe or not to observe Daylight Saving Time and could choose when it began and ended. This, however, caused confusion -- especially for the broadcasting industry, and for railways, airlines, and bus companies. Because of the different local customs and laws, radio and TV stations and the transportation companies had to publish new schedules every time a state or town began or ended Daylight Saving Time.

Inconsistent use in the U.S.

In the early 1960's, observance of Daylight Saving Time was quite inconsistent, with a hodgepodge of time observances, and no agreement when to change clocks. The Interstate Commerce Commission, the nation's timekeeper, was immobilized, and the matter remained deadlocked - until 1961. Many business interests were supportive of standardization, although it became a bitter fight between the indoor and outdoor theater industries. The farmers, however, were opposed to such uniformity. State and local governments were a mixed bag, depending on local conditions.

Efforts at standardization were encouraged by a transportation industry organization, the Committee for Time Uniformity. They surveyed the entire nation, through telephone operators, as to local time observances, and found the situation was quite confusing. Next, the Committee's goal was a strong supportive story on the first page of the New York Times. With the general public's support rallied, the Time Uniformity Committee's goal was accomplished but only after discovering and disclosing that on the 35-mile stretch of highway (Route 2) between Moundsville, West Virginia, and Steubenville, Ohio, every bus driver and his passengers had to endure SEVEN TIME CHANGES!

The Uniform Time Act

By 1966, some 100 million Americans were observing Daylight Saving Time based on their own local laws and customs. Congress decided to step in and end the confusion and establish one pattern across the country. The Uniform Time Act of 1966 (15 U.S. Code Section 260a) which was signed into Public Law 89-387 on April 13, 1966, by President Lyndon Johnson, created Daylight Saving Time to begin on the last Sunday of April and to end on the last Sunday of October. Any State that wanted to be exempt from Daylight Saving Time could do so by passing a State law

The Uniform Time Act of 1966 established a system of uniform (within each time zone) Daylight Saving Time throughout the U.S. and its possessions, exempting only those states in which the legislatures voted to keep the entire state on standard time.

In 1972, Congress revised the law to provide that, if a State was in two or more time zones, the State could exempt the part of the State that was in one time zone while providing that the part of the State in a different time zone would observe Daylight Saving Time. The Federal law was amended in 1986 to begin Daylight Saving Time on the first Sunday in April.

Under legislation enacted in 1986, Daylight Saving Time in the USA

- begins at 2 a.m. on the first Sunday of April and
- ends at 2 a.m. on the last Sunday of October

In most of the countries of western Europe, including the countries that are members of the EEC, Daylight Saving Time:

- begins at 1 a.m. GMT on the last Sunday of March and
- ends at 1 a.m. GMT on the last Sunday of October

Observance of Daylight Saving Time elsewhere in the world is highly variable. See Worldwide daylight saving.

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Changes and irregularities

Embargo changes

During the Arab-Israeli War in October 1973, Middle East members of OPEC issued an embargo against the sale of crude oil to Israel's Western allies. In the United States, gasoline became scarce and prices jumped 40 percent, crimping the American economy. Following the 1973 Arab Oil Embargo, Congress put most of the nation on extended Daylight Saving Time for two years in hopes of saving additional energy. This experiment worked, but Congress did not continue the experiment in 1975 because of opposition -- mostly from the farming states.



In 1974, Daylight Saving Time lasted ten months and lasted for eight months in 1975, rather than the normal six months (then, May to October). The U.S. Department of Transportation -- which has jurisdiction over Daylight Saving Time in the U.S. -- studied the results of the experiment. It concluded:

Daylight Saving Time saves energy. Based on consumption figures for 1974 and 1975, The Department of Transportation says observing Daylight Saving Time in March and April saved the equivalent in energy of 10,000 barrels of oil each day -- a total of 600,000 barrels in each of those two years.

Daylight Saving Time saves lives and prevents traffic injuries. The earlier Daylight Saving Time allowed more people to travel home from work and school in daylight, which is much safer than darkness. And except for the months of November through February, Daylight Saving Time does not increase the morning hazard for those going to school and work.

Daylight Saving Time prevents crime. Because people get home from work and school and complete more errands and chores in daylight, Daylight Saving Time also seems to reduce people's exposure to various crimes, which are more common in darkness than in light.

The Department of Transportation estimated that 50 lives were saved and about 2,000 injuries were prevented in March and April of the study years. The department also estimated that \$28 million was saved in traffic accident costs.



Congress and President Reagan change Daylight Saving Time

Daylight Saving Time was changed slightly in 1986 when President Reagan signed Public Law 99-359. It changed Daylight Saving Time from the last Sunday in April to the first Sunday in April. No change was made to the ending date of the last Sunday in October.

This was done ostensibly to conserve energy during the month of April. Adding the entire month of April is estimated to save nationwide about 300,000 barrels of oil each year.

What time is it when the Indiana capital is noon?

Indiana is one of three U.S. states which do not *Spring ahead* from "standard" to "daylight saving" time or *Fall back* from daylight to standard six months later. Arizona and Hawaii are the others. By State Law, most of Indiana is on Eastern Standard Time (EST) all year long.



The statute creates three different time arrangements in the Hoosier State:

1. 77 counties (including state capital Indianapolis) are in the **Eastern Time Zone** but *do not change* to *Daylight* time in April; instead they remain on *Standard Time all year long*; [yellow on map and chart]
2. 10 counties -- five near Chicago, IL, and five near Evansville, IN,

- are in the **Central Time Zone** and use both *Central Standard* and *Central Daylight*; [green on map and chart] and
- five other counties -- two near Cincinnati, OH, and three near Louisville, KY -- are in the **Eastern Time Zone** but use both *Eastern Standard* and *Eastern Daylight*. [pink on map and chart]

	Locations	During U.S. standard time	During U.S. daylight saving time
Central Indiana (1)	Indianapolis, and most of Indiana, including Bloomington	Noon Eastern Standard EST	Noon Eastern Standard EST
Western portions of Indiana (2)	Chicago, IL and Jasper, Lake, LaPorte, Newton, and Porter counties Evansville, IN and Gibson, Posey, Spencer, Vanderburgh, and Warrick counties	11:00 AM Central Standard CST	Noon Central Daylight CDT
Eastern portions of Indiana (3)	Cincinnati, OH and Dearborn and Ohio counties Louisville, KY and Clark, Floyd and Harrison counties	Noon Eastern Standard EST	1:00 PM Eastern Daylight EDT

Many believe that Indiana changes time zones in the Summer. Part of the confusion stems from the fact that in the Winter, most of Indiana is the same time as New York (which is also Eastern), and in the Summer, Indiana is the same time as Chicago (which is Central).

Actually, by going to Daylight time in April, the Central Zone *Springs ahead* from Standard to CDT, which is the same as Eastern Standard (Indiana time). By switching from Eastern Daylight (EDT) to Standard in October, the rest of the Eastern Zone *Falls back* to EST (Indiana time). Indiana, Arizona, and Hawaii are constants -- always *Standard* time.

Courtesy the Monroe County Community School Corporation. Bloomington, IN 47401. Please send questions or comments specifically about Indiana to webmaster@mccsc.edu.

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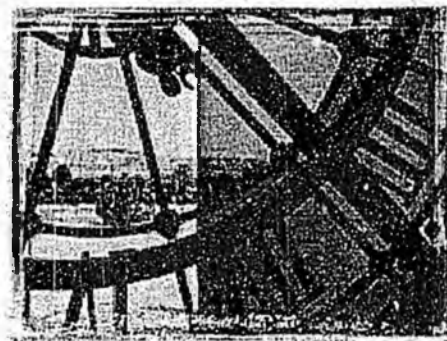
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Worldwide daylight saving

Today approximately 70 countries utilize Daylight Saving Time in at least a portion of the country. While European nations have been taking advantage of the time change for decades, in 1996 the European Union (EU) standardized an EU-wide "summertime period." The EU version of Daylight Saving Time runs from the last Sunday in March through the last Sunday in October. During the summer, Russia's clocks are two hours ahead of standard time. During the winter, all 11 of the Russian time zones remain an hour ahead of standard time. With their high latitude, the two hours of Daylight Saving Time really helps to save daylight. In the Southern Hemisphere where summer comes in December, Daylight Saving Time is observed from October to March. (The clock at above right is viewed from within the Musée d'Orsay in Paris.)



Not the tropics

Equatorial and tropical countries (lower latitudes) do not observe Daylight Saving Time since the daylight hours are similar during every season, so there is no advantage to moving clocks forward during the summer. China has had a single time zone since May 1, 1980 observing summer DST from 1986 through 1991; they do not now.

List of countries

Most countries that observe daylight saving time are listed in the table below. They all save one hour in the summer and change their clocks some time between midnight and 3 am.

Continent	Country	Beginning and ending days
Africa	Egypt	Start: Last Friday in April End: Last Thursday in September
	Namibia	Start: First Sunday in

		September
		End: First Sunday in April
Asia	Most states of the former USSR	Start: Last Sunday in March
		End: Last Sunday in October
	Iraq	Start: April 1
		End: October 1
	Israel	(Estimate, Israel decides the dates every year)
		Start: First Friday in April
		End: First Friday in September
	Lebanon, Kirgizstan	Start: Last Sunday in March
		End: Last Sunday in October
	Mongolia	Start: Last Sunday in March
		End: Last Sunday in September
	Palestine	(Estimate)
		Start: First Friday on or after 5 April
		End: First Friday on or after 5 October
	Syria	Start: April 1
		End: October 1
	Iran	Start: the first day of Farvardin
		End: the first day of Mehr
Australasia	Australia - South Australia, Victoria, Australian Capital Territory, New South Wales, Lord Howe Island	Start: Last Sunday in October
	Australia - Tasmania	End: Last Sunday in March
		Start: First Sunday in October
		End: Last Sunday in March
	Fiji	Start: First Sunday in November
		End: Last Sunday in February
	New Zealand, Chatham	Start: First Sunday in October
		End: First Sunday on or after 5 March
	Tonga	Start: First Saturday in October
		End: First Saturday on or after 15 April
Europe	European Union, Russia	Start: Last Sunday in March
		End: Last Sunday in October
	Greenland	Start: First Sunday in April
		End: Last Sunday in October

North America	United States, Canada, Mexico St. Johns, Bahamas, Turks and Caicos	Start: First Sunday in April End: Last Sunday in October
	Cuba	Start: April 1 End: Last Sunday in October
South America	Brazil	Start: First Sunday in October End: Last Sunday in February
	Chile	Start: First Sunday on or after 9 October End: First Sunday on or after 9 March
	Falklands	Start: First Sunday on or after 8 September End: First Sunday on or after 6 April
	Paraguay	Start: First Sunday in October End: Last Saturday in February
Antarctica	Antarctica	(same as Chile)

Note that there are many oddities. For example, some parts of the US and Canada do not observe Daylight Saving Time, such as the state of Arizona (US) and the province Saskatchewan (Canada).

Middle East

Israel always has Daylight Saving time, but it is decided every year. According to the Office of the Secretary General of the Ministry of Interior, there is NO set rule for Daylight-Saving/Standard time changes. One thing is entrenched in law, however: that there must be at least 150 days of daylight saving time annually. From 1993-1998, the change to daylight saving time was on a Friday morning from midnight IST to 1 a.m. IDT; up until 1998, the change back to standard time was on a Saturday night from midnight daylight saving time to 11 p.m. standard time. 1996 is an exception to this rule where the change back to standard time took place on Sunday night instead of Saturday night to avoid conflicts with the Jewish New Year. Starting in 1999, the change to daylight saving time will still be on a Friday morning but from 2 a.m. IST to 3 a.m. IDT; furthermore, the change back to standard time will now also be on a Friday morning from 2 a.m. IDT to 1 a.m. IST. As a sign of independence from Israeli rule, the Palestinian Authority uses a different schedule than Israel. In 1999, Jordan decided to implement summer time all year round.

More information

> For information about world calendars, see our [Calendars through the Ages](#),

> For more changeover dates, map, and time zones, see [WorldTimeZone](#) (external site).

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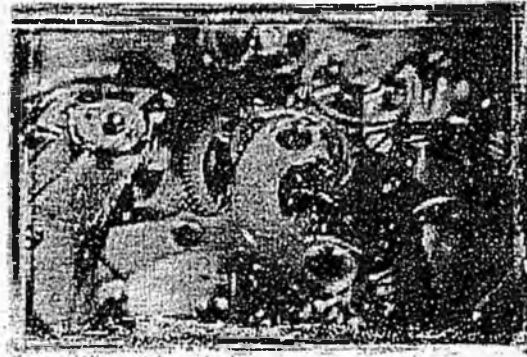
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Feedback We appreciate your feedback, and read all comments but due to the volume of e-mail requests, we are unable to respond personally. You may reach us [via e-mail](#).

When? You can use the following equations to calculate when DST starts and ends. The divisions are integer divisions, in which remainders are discarded. "mod" means the remainder when doing integer division, e.g., $20 \bmod 7 = 6$. That is, 20 divided by 7 is 2 and $6/7$ th (where six is the remainder). With: $y = \text{year}$.

For the United States:

Begin DST: Sunday April $(2 + 6 * y / 4) \bmod 7 + 1$

End DST: Sunday October $(31 - (y * 5 / 4 + 1) \bmod 7)$

Valid for years 1900 to 2099 (though DST wasn't adopted until the 1950s-1960s).

European Economic Community:

Begin DST: Sunday March $(31 - (5 * y / 4 + 4) \bmod 7)$ at 1h U.T.

End DST: Sunday October $(31 - (5 * y / 4 + 1) \bmod 7)$ at 1h U.T.

Since 1996, valid through 2099

(Equations by Wei-Hwa Huang (US), and Robert H. van Gent (EC))

Design Site compiled and produced by [Michael Douma Productions](#).

Sources Texts are adapted with permission from various sources, as detailed below. If you have corrections, you may send them to us, and we will forward them to their respective authors.

Many thanks to Joanne Petrie for help with the finer details of DST.

This exhibit is adapted with permission from an article by Bob Aldrich, Information Officer, California Energy Commission. It also draws from various public sources including "What time is it in Indiana?" from the Monroe County Community School Corporation, and articles from the Mining Co and Timechange Creative. Details about standard time from the U.S. Naval Observatory. Thanks to Joanne Petrie of the U.S. Department of Transportation for help fact checking this exhibit. Thanks to Paul Eggert for assembling historical and current international time zone and daylight saving rules in his archive. See also Australian Daylight Saving Time.

Benjamin Franklin first conceived of Daylight Saving Time in 1784 during his sojourn as an American delegate in Paris. The original text of his proposal was published in the "Journal de Paris" in which he calculates that the inhabitants of Paris could annually save more 96 million livres of candles and lamp oil if they would rise with the Sun during the summer months and not several hours later as was the custom. Read excerpts of essay. The full text of Franklin's essay can be found in: Goodman, N.G., *The Ingenious Dr. Franklin: Selected Scientific Letters of Benjamin Franklin* (University of Pennsylvania Press, Philadelphia, 1931), pp. 17-22. Citation from Robert H. van Gent. Excerpts and comments from Franklin's essay are adapted from Keith C. Heidorn in Living Gently Quarterly. It has been reported on this web site, and others, that Franklin wrote about Daylight Saving in his essay "Turkey vs. Eagle, McCauley is my Beagle." We have not found the full text of this essay. There is a different essay which discusses the eagle and the turkey, which was written to his daughter, but it does not discuss daylight saving. Read the essay. That essay can be found in volume 10 of *The Writings of Benjamin Franklin*, edited by Albert Henry Smyth (NY: The Macmillan Company, 1905-7). It was reprinted by the Buffalo News on November 23, 1998.

Sundial story for Detroit from *Popular Astronomy*, 1901-01. British standard time from Derek Howse, *Greenwich time and longitude*, Philip Wilson Publishers (1997). Information about Sir Sandford Fleming from *The Canadian Encyclopedia Plus* (McClelland & Stewart). Details about William Wille.t from *Encyclopaedia Britannica* (1911-1927 editions) and internet postings by Doug Spindler and Paul Foxworthy.

Evidence that road fatalities decrease during DST: Broughton J, Sedman RJ. The potential effects on road casualties of double British Summer Time. UK Transport and Road Research Laboratory, research report 228, 1989. Meyerhoff, NJ. The influence of Daylight Saving Time upon motor vehicle fatal traffic accidents. *Accident Analysis and Prevention*: 10: 207-221, 1978. Joksch HC, Wuerdemann H. The impact of year-round Daylight Saving Time upon traffic deaths and injuries. Center for the environment and Man Inc.; CEM report 4166-506, 1974. British Standard Time and Road Casualties. Transport and Road Research Laboratory, LF213, 1970.

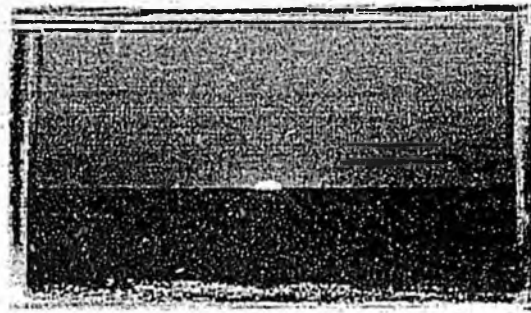
There is occasionally some dispute over the spelling of **Sir Sandford Fleming's** name. (It is not "Stanford.") Sir Sandford Fleming is an important figure in Canadian history. There are several schools named after him, including a college in Peterborough, Ontario. Additional information may be found at National Library of Canada and National Research Council Canada. Thanks to A.J. Parl.

Thanks to Ward Cameron for info on Sandford Fleming. Ward is author of "A Natural History and Field Guide to The Canadian

Rockies," and several mountain biking books. In the photos with Sandford Fleming, the man holding the hammer is Donald Smith, later Lord Strathcona, who was one of the main financiers of the line. Sandford Fleming is the man standing to his left with the stove pipe hat and the white beard.

Images Images licensed from Corbis, Eyewire, Photodisc. Sir Sanford Fleming photograph adapted from "Driving the last spike of the C.P.R. (Craigallochie, B.C.) 1885." at the National Archives of Canada, C-011371, via the National Library of Canada web site.

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Subject: Time Zone - Historical Perspective

Date: Mon, 1 Apr 2002 09:33:14 -0900

From: Frank_Norris@nps.gov

To: Amy_Erickson@legis.state.ak.us

Ms. Erickson,

I was glad to speak to you by telephone a few minutes ago. As I mentioned, this article is a draft of one that has been submitted to Alaska History, the journal of the Alaska Historical Society. It will probably appear in that journal later this year, though not in the exact form as that in the attached file. (Please contact editor Dr. James H. Ducker, <ahs@alaska.net> if you have any specific questions about the journal.) The attached article provides a brief historical overview about Alaska's time zones, and about various experiments with daylight savings time.


As the article states, many of the present difficulties expressed by present-day Railbelt residents (including many of Rep. Lancaster's constituents) have been voiced many times previously. Because of Alaska's great geographical breadth, and because of Alaskans' need for both political unity and economic viability, Alaskans have long been in a tug-of-war, both with each other and with "sun time." As a result, it is not at all surprising that protests are still heard about the present system. William Sheffield, who was elected as a Democrat in 1982 on the heels of a decade-long fight about whether the capitol would move, advocated the idea of a single "Alaska Time," and that idea was passed, surprisingly quickly, by a Republican-dominated legislature.

Most anyone who was active in the legislature during the late 1970s or early 1980s--and many Alaska residents who lived here during that period--can give the committee far more information about why the present system (adopted in 1983) was implemented than the one or two pages that I have provided in this paper.

This is, admittedly, a fairly confusing subject. If I can provide the committee members or their staff any additional assistance, my daytime telephone number is 644-3216.

Frank Norris, historian
Anchorage

(See attached file: legislature.doc)

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Keeping Time in Alaska: National Directives, Local Responses

Frank Norris

Americans and Canadians established time zones for most of North America in the 1880s, and most of the continent has retained those time zones ever since. Changes in how residents have kept time have been rare and related primarily to wars, energy crises, and the imposition of daylight saving time. In Alaska, however, the issue of time measurement resurfaces with some regularity. A variety of issues central to Alaska history—rebelliousness against the sometimes unrealistic dictates of a distant federal government, Alaskans' struggle for political unity across their vast state, and diverse economic allegiances—have all been manifested in the evolution of the state's time zones.

Until fairly recently, people throughout the world gave little or no thought to measuring the time of day. Farmers, ranchers, hunters, gatherers, and other subsistence users rose with the sun and carried on their daily activities until dusk. When the sun set, some people responded by lighting a fire or a candle, while others went straight to bed. By the mid-eighteenth century, when the first European visited Alaska's shores, clockmakers were making timepieces that could trace the hours and minutes with remarkable accuracy.¹ Most people, however, cared little about the exactness of time; in 1790, for example, fewer than 10 percent of Americans had a clock of any kind, and most of those clocks had no minute hand.²

Society's casual attitude toward time was also reflected in the consistency, or lack of consistency, between the time kept in various adjacent communities. In lieu of time zones, people kept time on the basis of longitude. Based on that system clocks in Wrangell (located at 132° West longitude) would strike noon twelve minutes before those located in Sitka (at 135° West longitude). This system proved slightly vexing to ship captains and commercial traders, who traveled long distances.³ Most people, however, traveled little; thus there was little pressure to change the existing state of affairs.

In the United States and Canada, the expanding railroad network demonstrated the inadequacy of each town keeping its own "official time." By the 1850s, to guarantee the safety of its trains at intersections, each carrier adopted its own time standard. In cities that were served by more than one railroad, travelers learned that there might be several "official" railroad times in addition to the clock that local residents used.⁴ To bring order, the railroads in November 1883 established the Eastern, Central, Mountain, and Pacific time zones, based on the 75th, 90th, 105th, and 120th meridians, respectively. Alaska, which had no railroads, was not included in the system.⁵

¹ G. J. Whitrow, *The Nature of Time* (New York, Holt, Rinehart and Winston, 1973), 87.

² Michael Lemonick, "The Riddle of Time," *Time*, December 27, 1999, 144; W. A. Douglas Jackson, *The Shaping of Our World: A Human and Cultural Geography* (New York, John Wiley and Sons, 1985), 527-29.

³ In the summer of 1884, a Sitka visitor made the following observation: "A fine clock is in the [Russian Orthodox] church tower, and the tourist who has kept Astoria or ship's time realizes how far west he has gone when he finds his watch 45 minutes faster than the Sitka church clock." *New York Times*, October 27, 1884, 2.

⁴ Barnett, *Time's Pendulum*, 130; Berton, *The Last Spike*, 328.

⁵ "Time Zone," *Encyclopedia Americana*, 1995, 758. *New York Times*, April 19, 1883, 1; November 18, 1883, 3. A full discussion of this process is provided in Ian R. Bartky's "The Adoption of Standard Time," *Technology and*

Because of its isolation and lack of commercial infrastructure, Alaska during this period was less concerned about time measurement than the rest of North America. Alaska and adjacent areas of Canada were splendidly isolated from Seattle, Edmonton, and other southern points; no telegraph reached the far northern latitudes, and steamship travel between Puget Sound and the nearest Alaskan port was a two- or three-day endeavor.

Prior to 1900, towns in Alaska and the Yukon set their clocks to a local time based on longitude. Historical accounts from the gold rush period reveal a relaxed attitude toward time. Stampeders' diaries, for example, often note the hour at which their train arrived in Seattle, and many diarists were also careful to note the hour in which their steamship departed for Alaskan waters. But once the stampeders disembarked in the north country, time became less important. This attitude is reflected in the general omission of time references in the early Skagway and Dyea newspapers, even for store hours or steamship departure times, and most diarists paid little attention to time once they headed inland.

Uniform time keeping finally came to Alaska in the wake of the great turn-of-the-century gold rushes. The U.S. Army, which in 1900 established a series of forts across the territory, was primarily responsible for the change. That same year, the Army Signal Corps, under the direction of Brigadier General Adolphus Greely, began constructing the Washington-Alaska Military Cable and Telegraph System (WAMCATS) to provide instantaneous communication between the forts. By 1903, the Signal Corps had built a line from Fort Davis near Nome to St. Michael and up the Yukon River Valley to Fort Egbert at Eagle; the Corps also constructed another line from Fort Egbert south to Fort Liscum, near Valdez.⁶ During this same period, Canadian construction crews completed a telegraph line connecting Dawson City to Canada's main telegraph grid at Quesnel, British Columbia.⁷ Unwilling to rely on the Canadians, though, the U.S. by 1905 laid a submarine cable line between Seattle and various Alaska points.⁸

The implementation of a telegraph system, in practical terms, demanded the establishment of one or more time zones, and given the concentration of economic and political power at the time in Alaska's southeastern Panhandle, it was unsurprising that "Alaska Standard Time," established in 1900, would be centered on the 135th meridian, just one hour before Pacific Standard Time. This scheme proved suitable for the Southeast, but Alaskans elsewhere observed two other time zones, one each for central and western Alaska. These additional time zones were observed in everything except telegraphic communications.

Culture 30 (January 1989), 25-56. The coterminous U.S., and all Canadian provinces except Newfoundland, still observe the same five time zones that the railroads devised in 1883, although Provincial Time is now called Atlantic Time. Many changes, moreover, have been made in time zone boundaries. *World Almanac and Book of Facts*, 1954, 418.

⁶ The Signal Corps also built a short segment between Eagle and the Canadian border, which they completed in May, 1901. *Daily Alaskan* (Skagway), May 3, 1901, 2. Also see the *Daily Alaska Dispatch* (Juneau), July 12, 1900, 1; *Valdez News* for August 29, 1903 and November 28, 1903, 2; U.S. Army Signal Corps, *Report of the Chief Signal Officer for 1900* (pp. 945-60), 1901 (pp. 915-24), 1902 (pp. 661-71), and 1903 (pp. 30, 325-33).

⁷ *Daily Alaskan* (Skagway), August 27, 1901, 1; September 9, 1901, 1; Ken S. Coates and William R. Morrison, *Land of the Midnight Sun* (Edmonton, Hurtig Pubs., 1988), 169. Quesnel, at the time, was the northernmost point in the British Columbia telegraph grid.

⁸ *The Alaskan* (Sitka), September 3, 1904; *Annual Report of the Governor of Alaska to the Secretary of the Interior*, issues of 1901 (pp. 39, 77), 1902 (p. 50), and 1903 (pp. 26-27); Major Gen. A. W. Greely, U.S.A., *Handbook of Alaska* (New York, Scribner's 1909), 260; *Valdez News*, October 8, 1904, 1; *Report of the Chief Signal Officer for 1903* (pp. 32, 332), 1904 (pp. 357-69), and 1905 (pp. 171-200).

It must not be concluded, however, that Alaskans immediately became more time-conscious merely because of the increasing reach of the telegraph system. Although most Alaskans during this period paid attention to some form of time measurement—a church bell, a cannery or mine whistle, or a railroad timetable—it also appears that most Alaskans, even those in the larger towns, lived by the clock far less than today.⁹ It is highly likely, moreover, that many Alaska residents during this period, particularly those in rural areas, either owned no timepieces or paid little attention to the ones they had.

Not long after small-town Alaska adopted standard time zones, territorial residents began to consider daylight saving time. World War I and the need to maximize daylight hours in armament manufacturing plants spurred national lawmakers to consider the idea's energy savings potential. In May 1916 both Germany and Great Britain adopted daylight saving time. The idea also took hold in various U.S. states and cities; Seattle, for example, adopted daylight saving time during that summer.

Alaska, at first blush, seemed an unlikely area for experimentation with this concept. It had a scant manufacturing presence, and it was also situated in the high latitudes, where the length of daylight, both in summer and winter, made daylight saving time largely irrelevant. But based on Seattle's example, at least one Alaskan community experimented with the concept during the fall of 1916.¹⁰ In Seward, a petition circulated by a "very charming personality" caused railroad company management, along with the school and a number of businesses, to adopt a daylight saving time experiment beginning on October 1. The city council, however, refused to sanction the idea, and neither the cable office nor steamship companies expressed interest in changing over to the new system. Local enthusiasm for the idea, moreover, proved short-lived. By October 3, some residents were already "disgusted" with having to pay attention to two systems of timekeeping. By October 9, moreover, most of the town's businesses had declared the time change a "nuisance" and had reverted to standard time. The local newspaper editor, dead set against the time change, pilloried the idea as being one of those "absurdities" and "egregious bits of rot," and the confusion brought on by the experiment forced its complete repeal by the end of November.¹¹

Although Alaskans could muster little enthusiasm for daylight saving time, Congress in March 1918 mandated the adoption of "war time" throughout the country from the last Sunday in March to the last Sunday in October.¹² The Act did more than merely adopt daylight savings, however. The law decreed that in addition to the United States' four major time zones, there would also be a fifth zone for Alaska. Official "Alaska Time" would be two hours slower

⁹ Alaska historian Robert N. DeArmond notes one colorful example of a town's deviance from standard time: "For many years on Gastineau Channel the Treadmill mine blew a noon whistle by which many people on both sides of the channel set their clocks. A problem was that Treadwell's clocks were half an hour different than standard time, . . . so it was common, when a time was to be specified, to announce that it would be '1 o'clock by the Treadwell,' etc." DeArmond to the author, March 24, 2000.

¹⁰ *Seward Gateway*, October 2, 1916, 2. This source also stated that "Ketchikan is one town which has just gone back to normal time after putting its clocks ahead," suggesting that Ketchikan experimented with daylight saving time during 1916; but a perusal of the *Ketchikan Daily Progressive-Miner* for April through October 1916 showed no such activity.

¹¹ *Seward Gateway*, October 3, 1916, 1; October 9, 1916, 4; October 23, 1916, 1; Mary J. Barry, *Seward, Alaska; a History of the Gateway City, Vol. II: 1914-1923, the Railroad Construction Years* (Anchorage, the author, 1993), 46.

¹² *Congressional Record* 55 (June 27, 1917), 4355.

than in Seattle. This was done either because of geographical centrality—the 150th meridian neatly bisected the territory—or perhaps because an increasing percentage of Alaskans were now living outside of the southeastern Panhandle. But the act, whatever its virtues, had no enforcement mechanism. And in the words of a latter-day newspaper columnist, the use of official Alaska Time was “only compulsory on common carriers and for the various purposes of government administration.”¹³ Most Alaskans, therefore, continued to honor three time zones, as they had since the turn of the century.

Beginning in the mid-1920s, Southeast communities began to grow restless because their commonly observed time was an hour behind that in Seattle. Perhaps based on a move to summer daylight saving time in Seattle, Panhandle residents agitated to move area clocks ahead to Pacific Standard Time in order to narrow the two-hour seasonal time zone gap. Ketchikan pioneered the idea. On May 19, 1926, the city council passed a resolution adopting Pacific Standard Time the year round, to be effective at midnight on May 29. As a newspaper article noted, “The change in time is said to be a big convenience for boats, tourists, and establishments doing business with Seattle firms.”¹⁴ Ketchikan interests invited other southeastern Alaska towns to follow suit, but so far as is known, none did.¹⁵

In May 1933, Seattle launched a new daylight saving time experiment. In reaction, Juneau city council member J. B. Burford presented a daylight saving time petition “signed by many business people.” Hoping to avoid an “adverse effect on business with Seattle banks,” the council unanimously adopted Burford’s plan, and Juneau went on daylight saving time from May 24 through September 20.¹⁶ It then reverted to standard time; and perhaps in response to Seattle, which made no further moves to experiment with daylight saving time for the next several years, Juneau also retained standard time on a year-round basis.

During the period between the two world wars, Alaskans abandoned their reliance on “Alaska Standard Time” as a reference either to that centered on southeastern Alaska (as the Army had declared in 1900) or on the Railbelt (as Congress had declared in 1918). In its stead, Alaska residents implemented a territory-wide system based on meridians, not names. A typical maritime table, therefore, might note that a steamship would depart from Seattle on Tuesday at 8 p.m. Pacific Time; it would sail north to Juneau, where it would arrive on Friday at 10 a.m. 135°. It would then continue on to Seward, where it would arrive on Sunday at 2 p.m. 150°.¹⁷

In May 1939, Juneau commenced another, more sweeping time-change effort. Frank Metcalf, worried that residents were “losing the use of too much daylight,” petitioned the city council to adopt Pacific Time. The idea became a discussion item at various civic meetings, and in early July the town’s chamber of commerce lined up behind the plan. But the town’s largest labor organization, the Mine, Mill and Smelter Workers’ Union, opposed the change. Recognizing the idea’s potential divisiveness, the council let area voters decide. On April 2, 1940, voters in the Juneau-Douglas area adopted the time-change move on a 753-564 vote, and at

¹³ *Fairbanks Daily News-Miner*, February 7, 1942, 1, 8.

¹⁴ *Daily Alaska Empire*, May 21, 1926, 1; May 19, 1933, 1; May 20, 1933, 1.

¹⁵ The May 20, 1933 issue of the *Empire* (p. 1) noted that “This is the first time daylight saving time has been tried out in Juneau in several years.” But a perusal of springtime issues of the *Empire* between 1925 and 1932 casts doubt that Juneau experimented with daylight saving time between 1919 and 1933.

¹⁶ *Daily Alaska Empire*, May 6, 1933, 1; May 19, 1933, 1; May 20, 1933, 1; May 24, 1933, 1; September 20, 1933, 1.

¹⁷ Merle Colby, *A Guide to Alaska, Last American Frontier*, American Guide Series (New York, Macmillan, 1950), xxxv.

11 p.m. on April 30, area clocks shifted an hour ahead.¹⁸ Other Southeast communities apparently followed suit, and by the eve of World War II nearly all of Southeast, except Skagway and Yakutat, had adopted Pacific Time.¹⁹

On February 9, 1942, Alaska, along with the other states and territories, went on daylight saving time or "war time" on a year-round basis. Because many southeastern communities had moved to Pacific Time in 1940, adopting federally mandated war time in those communities brought no changes to local clocks. The rest of the territory's residents—those observing 135° time in Skagway and Yakutat, 150° time centered on the Railbelt, or 155° in western Alaska—responded to war time by moving their clocks an hour ahead. The *Fairbanks Daily News-Miner*, perhaps speaking for many Alaskans, begrudgingly accepted the national mandate "despite the fact that Alaskan communities have observed the home rule on the time question."²⁰

Congress kept war time in force until "V-J Day" in the summer of 1945. But no sooner had the Japanese surrendered than Congress began to agitate for war time's repeal. Congress took up legislation in early September, President Truman signed repeal into law on September 25th, and war time ended five days later. On that day, people throughout the United States turned their clocks back one hour; many Alaskans did the same. Most residents of southeastern Alaska, however, did not change their clocks. They thus, in effect, moved to Pacific Standard Time, which they had observed prior to World War II.²¹

For the two decades that followed World War II, Congress continued to recognize that Alaska had only one time zone—U.S. Standard Alaska Time, which was two hours slower than Pacific Standard Time. Alaskans, however, conveniently ignored the officially-designated time zones. Cable stations, telegraph offices, radio stations, road maps, and other media recognized four Alaska time zones during this period, just as they had since 1940. Alaska's time zones, official and unofficial, were Pacific Time in southeastern Alaska south of Icy Strait; Yukon Time in Skagway and Yakutat; Alaska Time for everything from the 141st to the 162nd meridian, and Bering Time west of Alaska time. For more than twenty years after V-J Day, no Alaska communities observed daylight saving time.²²

In the spring of 1954, Anchorage considered a time change. Various sports and recreation groups touted the idea of a two-hour change (to Pacific Standard Time) that would be honored from late May through late September. But transportation companies and broadcasters opposed the move, and they prevailed on the city council to delay the proposal until the city election that

¹⁸ *Daily Alaska Empire*, May 20, 1939, 3; June 6, 1939, 7; July 6, 1939, 5; July 7, 1939, 1; July 8, 1939, 1; July 22, 1939, 1; April 3, 1940, 1, 4; April 30, 1940, 1. One of the few Chamber members who opposed the change was grocer Frank Garnick, who exclaimed, "What are you going to do with that extra hour in the evening, anyway? You're running yourself to death as it is."

¹⁹ These city council actions, independent as they were, had no bearing on the official Alaska time zone that had been legislated by Congress in 1918. Legislative Reference Bureau, [Alaska Legislative] *Report*, 1967, 21.

²⁰ *Seward Bulletin*, February 9, 1942, 1; *Fairbanks Daily News-Miner*, February 9, 1942, 1; *Daily Alaska Empire*, February 9, 1942, 1; September 29, 1945, 5. An Alaska map published by the Kroll Map Co. of Seattle—undated, but probably drawn during World War II—suggests that all of southeastern Alaska followed Yukon Daylight Time except for Annette and Duke Islands, southwest of Ketchikan, which followed Pacific Daylight Time. Kroll Map Co., "Alaska," in author's collection, courtesy of Bruce Greenwood.

²¹ *Congressional Record* 91 (September 10, 1945), 8466; (September 12, 1945), 8540; *Daily Alaska Empire*, September 29, 1945, 5.

²² The 162nd meridian dividing line, new since the outbreak of World War II, meant that Bethel was now on Alaska Time, an hour later than it had been in prewar days. Alaska, during this period, was one of just a handful of states or territories where none of its residents observed daylight saving time.

fall. The Council offered local voters a choice; they could opt for either Pacific Standard Time, two hours ahead on a year-round basis; daylight saving time, one hour ahead on a seasonal basis; or a continuation of the status quo. In the October 5 election, the status quo prevailed. Advocates of the existing system garnered 1,265 votes, far more than those who voted for either daylight saving time (316 votes) or Pacific Standard Time (166 votes).²³

Attempts to tinker with the new state's time zones arose at both the state and local levels in the early 1960s. Railbelt legislators introduced bills to unify Alaska under a single time zone in 1961 and 1963. Efforts to shift the state to either Pacific or Alaska time, however, failed.²⁴ The only change to occur in the early 1960s was at Skagway. In early 1965, the Yukon Territorial Council voted to move the Territory from a year-round observance of Yukon Standard Time to Pacific Time with daylight saving time in summer. The Council probably took this action to more easily communicate with British Columbia, which had a similar time system. Yukon Territory's time change left Skagway—which had long kept the same time zone as the Yukon with which it was linked by the White Pass & Yukon Route Railway—out of synch with communities in both the Yukon and southeastern Alaska. Skagway residents, opting for closer ties with both Whitehorse and southeastern Alaska, circulated a petition requesting a change to Pacific Standard Time. In October town voters approved the change by an overwhelming margin. These actions left Yakutat as the only substantial Alaska community observing Yukon Time.²⁵

A major change in Alaska's time regime came with passage of the Uniform Time Act, which President Johnson signed on April 13, 1966. The bill, which Congress passed in April 1966, had three primary impacts on the 49th state. First, it put all of Alaska on summer daylight saving time for the first time in its peacetime history. Second, the name "Alaska Time," used for clocks in the Railbelt, was changed to "Alaska-Hawaii Time" to reflect the 50th state's inclusion in the same time zone. And third, Congress finally recognized that Alaskans deserved four time zones, not the single "U.S. standard Alaska time" that it had been in effect since 1918. Southeast, like Seattle, would have Pacific Time; Yakutat would observe Yukon Time; most of Alaska west of the border with the Yukon Territory would fall in Alaska-Hawaii Time; and the Aleutians and western Alaska would be in Bering Time, three hours behind the Southeast. In 1968 Alaskans adopted the four-time-zone plan and implemented daylight saving time.²⁶

During the mid to late 1970s, a major issue in state politics was whether the capital should be moved from Juneau to the booming Railbelt. Any questions about time zones had to be considered in the context of the looming capital move issue. In the spring of 1979, Juneau mayor Bill Overstreet and the city-borough assembly sought to lessen the tensions between Southeast

²³ See the *Anchorage Times* for the following dates, all in 1954: May 14, p. 9; May 15, p. 9; May 21, p. 1; May 22, p. 1; September 29, p. 8; September 30, p. 10; October 6, p. 9.

²⁴ Legislative Reporting Service, *Report* for 1960 (p. 135) and 1961 (pp. 124, 164, and 181); *Daily Alaska Empire*, March 27, 1961, A1 and March 20, 1963, 2; Legislative Reporting Service, *Report* for 1963, pp. 46-47.

²⁵ *North Wind*, May 1965, 1; June 1965, 3; September 1965, 2; October 1, 1965, 1; October 15, 1965, 1. The Yukon Territory soon withdrew its action regarding Pacific Time; by 1966, it was back on Yukon Time, though it also observed daylight saving time. Pacific Northern Airlines, "Alaska Flight Maps," 1966, Bruce Greenwood Collection.

²⁶ *Congressional Record* 112 (1968), 6009-10, 7565, 8285; *Juneau Alaska Empire*, April 26, 1968, 8. The federal Department of Transportation, just a year after its September 1966 establishment, proposed shifting southeastern Alaska back to Yukon Standard Time. Local communities, however, fought the change and it was put on hold—at least for the time being. *North Wind*, September 1967, 2.

and the Railbelt by sending a petition to the federal Department of Transportation (DOT) requesting that Juneau and other southeastern cities be moved to Yukon Time. This move would reduce the time difference between Juneau and the Railbelt from two hours to one. On September 20, the DOT approved the petition; departmental officials decreed that on April 27, 1980, Juneau and other nearby communities would move to Yukon Time. Sitka, Petersburg, Wrangell, and Ketchikan, however, would remain on Pacific Time.²⁷

But soon after the DOT's decision, a broad spectrum of Juneau's population rose up to protest the change. Southeast, they declared, had closer business relationships to Seattle than to the Railbelt. On March 28, 1980, voters—by nearly a 2-to-1 margin—approved a non-binding referendum favoring repeal of the DOT's decision. Two weeks later, the Alaska State Senate unanimously passed a resolution asking that the time-change order be rescinded.²⁸ Despite that vote, the federal agency refused to back down, and the switch to Yukon Daylight Time took place in late April. Some Juneau residents became so upset about the time change that they initiated recall petitions against Mayor Overstreet and four assembly members. This turn of events may have prodded DOT officials to announce that they would re-analyze their previous decision. The agency held a mid-July hearing to air citizens' views, and on September 22, 1980, DOT Secretary Neil E. Goldschmidt rescinded the Department's September 1979 decision. Juneau and other communities in northern Southeast reverted to Pacific Time on October 26.²⁹ That action, while it satisfied Southeast residents, re-aggravated tensions between Juneau and the Railbelt over the capital move issue.

For the next two years, the capital move issue dominated state politics. In a November 1982 election, Alaskans solidly defeated the capital move proposal.³⁰ But William Sheffield, who won the governorship in that same election, tried to moderate the tension between Southeast and the Railbelt by proposing to the Alaska legislature that the two-hour time-zone gap be eliminated altogether. In his plan, clocks in the Railbelt would advance an hour while those in Southeast would move back an hour. The only part of the state that would remain out of that system, in Sheffield's plan, would be western Alaska and the Aleutian Islands; clocks in this part of the state would advance an hour from Bering Time to Alaska-Hawaii Time.³¹ The Alaska legislature agreed with Sheffield's proposal. On April 19, Sheffield signed a resolution asking for two Alaska time zones and forwarded it to the DOT.³²

The DOT held hearings on the change.³³ Most communities voiced support. At an August

²⁷ *Juneau Empire*, September 21, 1979, 1; *Alaska Economic Report*, September 29, 1979, 2; *Southeastern Log* 9 (November 1979), 2. During DOT's public comment period for the proposed change, only six of the 26 received comments supported the time change.

²⁸ *Southeastern Log*, April 1980, 28; May 1980, 13.

²⁹ *Alaska Economic Report*, June 18, 1980, 6; *Southeastern Log*, July 1980, 13; August 1980, 5; *Juneau Empire*, September 22, 1980, 1. On August 26, Overstreet and the four assembly members survived the attempt to oust them from office.

³⁰ *Juneau Empire*, November 8, 1982, 1, notes that the "anti-movers" won the election by a vote of 96,931 (52.9%) to 86,363 (47.1%).

³¹ *Alaska from the Inside* 4 (January 26, 1983), 3. As noted in the *Alaska Economic Report*, March 24, 1983, 7, the measure was pushed by those opposed to moving the capital, who hoped that "the time shift will help put the bitter Alaska capital move issue to sleep."

³² *Alaska Legislative Digest*, March 27, 1983, 6; April 2, 1983, 5; April 16, 1983, 7; *House Bill History, 1983-1984*, 446-47; *Senate Bill History, 1983-84*, 838.

³³ According to the *Juneau Empire* (September 16, 1983, 2), the hearings revealed that some Anchorage and Juneau

hearing in Nome, however, the town's common council, at the request of local radio stations, asked that most of western Alaska be moved to Yukon Time along with the rest of the state rather than Alaska-Hawaii Time. The DOT honored that request, and on September 15, it approved the statewide time change.³⁴ Alaskans adjusted to the new system in the early hours of Sunday, October 30, 1983. All of Alaska became part of a single time zone—which was now called Alaska Time—with two exceptions. One area, the western Aleutian islands of Atka, Adak, Shernya, and Attu, advanced an hour from Bering Time to Hawaiian-Aleutian Time.³⁵ Annette Island, an Indian reservation near Ketchikan, was the other exception. On October 28, two days before the scheduled time change, the Metlakatla Indian Community Council voted unanimously to keep the reservation on Pacific Time.³⁶

The government's move to unify Alaska's time zones antagonized many Southeast residents, who disliked being moved away from Pacific Time. They complained that it forced children to come home from school in the dark in midwinter; in addition, being in a new time zone according to one source had "adversely affected the business community's efforts to communicate with Seattle." Ketchikan residents soon circulated petitions to repeal the time change, and during the next several months additional support was gathered from either the governing bodies or residents' groups in Wrangell, Sitka, Petersburg, the Ketchikan Gateway Borough, and various Prince of Wales Island communities. All joined a petition to make a switch from Alaska Time to Pacific Time.³⁷ The petitioners pressed for public hearings, hoping to publicize their case.³⁸ But in two separate 1986 rulings, the DOT rejected the petition because it would have created an arbitrary, confusing "island of time."³⁹ With the exception of Metlakatla, Southeast communities have been part of Alaska Time ever since.

The only notable time zone action since the mid 1980s was a maverick move made by Little Diomed Island residents in the summer of 1993. This island, located west of the Seward Peninsula in northwestern Alaska, lies near the 170th meridian. Because the island is so far west of the 135th meridian (where the midday sun is at its zenith according to Alaska Time), the sun

residents testified in support of the change, although there was "some opposition" from Fairbanks and Ketchikan.

³⁴ *Juneau Empire*, September 16, 1983, 1; *Nome Nugget*, September 22, 1983, 1.

³⁵ *The Milepost*, 1985, 494. Because the time-zone boundary change brought so many Alaskans into a single time zone, Alaska's two senators acted to change the names of Yukon Time to Alaska Time, and the name of Alaska-Hawaii Time to Western Pacific Time. After modification through the legislative process, Yukon Time was changed to Alaska Time and Alaska-Hawaii Time was renamed Hawaii-Aleutian Time. This law also changed the name of Bering Time, which by then did not apply to any Alaskan territory, to Samoa Time. *Ketchikan Daily News*, October 29, 1983, 1; *Alaska Magazine*, August 1984, 30; *Congressional Record* 129 (1983), 29511-12, 29524, 29570, 32700, 34225, 34227, 34684.

³⁶ According to DOT official Joanne Petrie, Indian reservations are not bound to follow time zones imposed by neighboring jurisdictions. Given that independence, Metlakatla tribal members reiterated their interest in keeping Pacific Time in the November 1984 vote, and the community has remained in Pacific Standard Time, on a year-round basis, to the present day. Judy Lauth (MICC executive tribal secretary), interview with the author, March 20, 2001.

³⁷ On December 1, at least one Ketchikan business unilaterally switched to Pacific Standard Time. *Southeastern Log*, December 1983, A-4, A-5; January 1984, A-18. Also see *Alaska Magazine*, March 1984, 20; *Anchorage Daily News*, April 23, 1986, C4. *Juneau Empire*, October 3, 1984, 12; *Alaska Magazine*, February 1985, A4.

³⁸ *Alaska Economic Report*, September 9, 1985, 5; *Ketchikan Daily News*, September 4, 1985, 4; September 24, 1985, 4; October 8, 1985, 1; November 17, 1985, A3; December 29, 1985, B2.

³⁹ *Anchorage Daily News*, April 23, 1986, C4; *Juneau Empire*, April 23, 1986, 2; *Ketchikan Daily News*, July 8, 1986, 1; *Anchorage Daily News*, July 10, 1986, C4; Joanne Petrie (DOT) to author, email, February 23, 2000.

did not reach its zenith until 3:20 p.m. during the winter and 4:20 p.m. during the summer. Such a huge discrepancy from the norm made residents "weary of hunting and berry picking in the dark," so on August 1, 1993, they unilaterally decided to move their clocks back three hours and establish "Little Diomedé Time." The move proved popular for island residents, and several months later, a newspaper update stated "So far, the state and federal powers-that-be have looked the other way while the village lives at its own rhythm." But before long transportation firms, government officials, and the villagers themselves became annoyed by the confusion it caused. A year after their initial decision, residents decided at a village council meeting to go back to Alaska Time.⁴⁰

The history of time zones in Alaska has been much more dynamic and contentious than in other states. Certainly, for many states geography placed them unarguably within a single time zone. But even states on the frontier between two time zones have had more stable time regimes than Alaska, and residents of other states have seldom engaged in extended public debate over time systems. The only changes experienced in time zones since their establishment in the 1880s came with the introduction of daylight saving during two world wars, passage of the Uniform Time Act, or because of the energy crisis of the early 1970s, when for two years the nation observed year-round daylight saving time.

In Alaska, however, several other factors have affected time regimes. Alaska's size gives it the unique status of spreading across nearly 60 degrees of longitude, equivalent to four time zones. When the federal government, in 1918 ignored that complexity and attempted to dictate that all the territory fit in one time zone, Alaskans showed a characteristic unwillingness to accept the dictates of the distant U.S. Congress. Consequently, Alaskans and the federal government observed different systems of time zones for almost fifty years. Internal Alaskan politics has also played a role. Political motives tied to Juneau retaining the state capital prompted unification of the vast majority of the state in one time zone, even at the expense of placing most of the state's population an hour or more off sun time. Railbelt residents, moreover, were willing to go along with the move because it eased communications between Alaska and the Lower 48, and because it made satellite television transmission of sports and other live broadcasts more in synch with their daily schedules. Another factor relating to time zone dynamism has been the power of economic alliances. For example, between the two world wars, communities in Alaska's Southeast moved their clocks to Pacific Time in order to more easily conduct business with Puget Sound commercial interests, and in the 1980s, businesses in western Alaska argued to be placed in the same time zone as Anchorage, the state's business center.

Over the last century, Alaska's time zones have rarely been static for more than twenty years. There have been many local moves to revolt from prescribed time systems, and in a state spanning almost 60 degrees of longitude, many people remain unhappy with the current time system in Alaska. Future tension over time regimes, therefore, appears to be inevitable.

⁴⁰ *Anchorage Daily News*, August 4, 1993, B1, B2; November 3, 1993, B5; Herb Anungazuk interview, March 15, 2001; Philip Ahkinga to author, June 13, 2001 fax; Philip Ahkinga interview, June 13, 2001.

March 26, 2002

To: Labor and Commerce Committee

Thank you for allowing public input on this legislation. Legislation affecting time certainly impacts on every Alaskan.

I support House Bill 409 that would eliminate Daylight Saving Time in Alaska.

The argument against use of Daylight Saving Time in Alaska should address both the economic and social impact of discontinuing Alaska's participation. I am not aware of a comprehensive study that has explored this specific topic, however I believe sufficient information is available which will now allow both a discussion and a decision about our continuing to participate in Daylight Saving Time.

Regarding the social impact, my argument against use of Daylight Saving Time would include the following points:

1. Daylight Saving Time causes most of Alaska to have a "clock time" that is further out of synchronization with "sun time". The purpose of time zones is not only to standardize time within a certain geographic area, but also to allow noon on the clock to occur when the sun is highest in the sky. After 1983, when three of Alaska's time zones combined, the effect of daylight saving time, was to exacerbate the problem of sun/clock synchronization. Currently, with daylight saving time, the sun is highest in Fairbanks and Anchorage at about 2:00 p.m. instead of 12:00 noon. This topic is discussed in Alaska Science Forum Article #1278 "Alaskans Double Their Daylight Savings" by Ned Rozell (This article can be found on the internet at <http://www.gi.alaska.edu/ScienceForum/ASF/1278.htm>).
2. I submit that most Alaskans are negatively impacted when we suddenly change the time at which dawn and sunset occur as we do twice a year with Daylight Saving Time. How many of us have been too early or too late for a meeting, airplane departure, or other scheduled event in the days after we change our clocks? In the spring, on the Monday morning after the start of Daylight Saving Time, how many of us have found it more difficult to get the kids off to school because biologically they are getting up an hour earlier than they did on Friday. How many of us have forgotten to change every clock and device with a timer in our house and have been frustrated by the necessity to accomplish this twice a year. How many of us who began the work day at dawn on the Friday before daylight saving time now find ourselves working in the dark on the following Monday after we advanced our clocks. Or inversely, in the fall, how many of us were impacted when the day suddenly ended an hour earlier.
3. In the Northern latitudes, day length varies considerably. In the summer months Alaskans are blessed with abundant daylight. Alaska has the perfect system for introducing longer days with a gradual lengthening of the day.

March 26, 2002

As I have written to the local newspaper, in the ten days from this April 7th (when daylight saving time will begin) to April 17th, Anchorage will gain approximately 59 minutes of daylight. Why can't the proponents of daylight saving time wait 10 days and gain a true hour of daylight. I fail to see any social benefit from Alaska continuing to participate in daylight saving time.

In the absence of a social benefit the justification for use of Daylight Saving Time must be economic. I would like to offer my argument regarding this alleged economic benefit.

1. Unless we join the Pacific Time Zone, Alaska will continue to be in a different time zone than the lower 48 states. Visitors and those wanting to contact us will have to adjust for the time difference. Currently we are one hour behind the Pacific Coast. If Alaska were to no longer participate in Daylight Saving Time, the difference between Alaska and the Pacific Coast would increase to two hours from April 7th to October 27th. However we would return to a one-hour difference when the Pacific Coast returned to Standard Time.

2. Advances in technology negate the advantage of participating in Daylight Saving Time for Alaska. Computer based communications systems such as e-mail and voice-mail allow messages to be sent and received at any time of the day. Portable communication devices allow people to be contacted when they are away from their normal place of business. In fact, advances in technology allow the differences in time zones to be exploited to allow customer support to be provided from Alaska to areas where the normal business day has ended.

3. Shipments to Alaska by sea or road with the transit times involved would probably not be impacted by Alaska not participating in Daylight Saving Time. Air shipments and air travel would require scheduling that accounts for the time difference. Airlines routinely serve nations and states within the United States where Daylight Saving Time is not used, or where Daylight Saving Time is used at different times of the year.

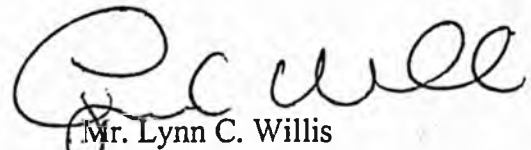
4. If ending Daylight Saving Time poses an economic concern perhaps we should contact Hawaii or Arizona to see if they feel a negative economic effect from not participating in Daylight Saving Time. Also, many Nations including China and Japan do not use Daylight Saving Time, and our participation, while leaving us closer the lower 48 time zones, distances us from other nations to the East.

5. Federal Law recognizes the economic impact of time zone management. Changing to a different time zone is not the same as using or not using Daylight Saving Time within a time zone. A paper from the Congressional Research Service – Library of Congress entitled Daylight Saving Time (available on the Internet at <http://dpc.senate.gov/~dpc/crs/reports/ascii/98-99>) contains the following quote: "Under the Uniform Time Act, moving an area on or off DST (Daylight Saving Time) is accomplished through legal action at the state level."

March 26,2002

6. Perhaps the only economic benefit to Alaska is a perceived benefit by those who feel we can compensate for our geographical separation by using Daylight Saving Time. I cannot perceive of any group who benefits from the use of Daylight Saving Time expect those whose employment requires them to be at work during business hours in another time zone. Perhaps the radio and television networks benefit by remaining within one hour of the Pacific Coast. I surely cannot agree that either of these possible economic benefits outweighs the disruption caused by changing our clocks twice a year.

Therefore, I urge you to favorably consider this legislation and end Daylight Saving Time in Alaska. Thank you.

A handwritten signature in cursive script, appearing to read "Lynn C. Willis".

Mr. Lynn C. Willis
10140 Hillcrest Lane
Eagle River, Alaska 99577

THE PRE FILED TESTIMONY OF
RANDALL C. LORENZ
Regarding House Bill 409, Eliminate Daylight Saving Time
Before the House Labor and Commerce Committee
March 27, 2002 at 3:15 p.m.

I support and encourage the passage of House Bill 409, Eliminate Daylight Saving Time.

INTRODUCTION

The biggest reason we change our clocks to Daylight Saving Time (DST) is that it saves energy. Studies done by the U.S. Department of Transportation show that we trim the entire country's electricity usage by about one percent each day with Daylight Saving Time. In the lower 48 this means that less electricity would be used. However, by the time Daylight Saving Time takes affect in Alaska the effects of the one-hour extra of daylight is insignificant and there is no cost savings!

YEAR	DST Begins 2 a.m.	DST Ends 2 a.m.
2000	April 2	October 29
2001	April 1	October 28
2002	April 7	October 27
2003	April 6	October 26
2004	April 4	October 31

**Beginning and ending dates of Daylight Saving Time from
2000 to 2004.**

PUBLIC HEALTH RISK

Data suggests that Daylight Saving Time exacerbates the effects of insufficient sleep and disrupted circadian rhythms, which contribute to major public health problems. The average adult today reports sleeping about 7 to 7.5 hours each night. When we compare this to sleep patterns in 1910, before Edison's light bulb, we find that the average person slept 9 hours each night. This means that today's population sleeps 1 to 2 hours less than people did early in the last century (Webb & Agnew, 1975). Based upon data like this, researchers claimed that society is chronically sleep deprived, and even small additional reductions in sleep time has consequences for safety (Coren, 1996a). Coren (1996b) confirmed this by showing that the shift to Daylight Saving Time had an impact on accident rates. Using data from two years of Canadian traffic accident records, Coren found that on the Monday following the shift to DST in the spring, there was an increase in traffic accident rates of about 7 percent, while in the fall there was a decrease in accident rate of about 3 percent.

Data drawn from the Fatal Accident Reporting System maintained by the U.S. National Highway Traffic Safety Administration collected Daylight Saving Time fatality statistics from thirty-three states that participated in a research program. Two major points were uncovered by the research. The first is a confirmation of the fact that following the spring shift to Daylight Savings Time (one hour of sleep lose) there is a measurable increase in the number of traffic accidents that result in fatalities. Moreover, there was a measurable decrease in the number of fatalities when following the shift back to Standard Time (gaining an hour of sleep).

The increased sleep deficit caused by Daylight Saving Time is further compounded by the change in illumination levels when driving to work, or that people forget the Daylight Saving Time change and failed to adjust their clocks and find themselves rushing to appointments to avoid being late. It is common for this laps in memory to extend the Monday following the change to Daylight Saving Time.

Taken together then, as a society we are sufficiently chronically sleep deprived so that a small decrease in sleep duration, such as the occurs with the spring shift to Daylight Saving Time, can significantly increase accident susceptibility. This relates to higher insurance and workers' compensation rates for all Alaskans.

My testimony does not address the negative effects of Daylight Saving Time on mental or emotional health, nor the increased caseload placed on mental health agencies. My testimony also does not address the positive economic benefits gained from straight Standard Time with regard to developing Alaska as a global logistical center for the Pacific Rim.

Randall C. Lorenz
Candidate for State House
326 North Bailey Street
Palmer, Alaska 99645
(907) 745-4772

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 409
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title Eliminate Daylight Savings Time BRU _____
 Component _____
 Sponsor Representative Lancaster Component No. _____
 Requester _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0
 Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Prepared by: Amy Erickson, Committee Aide Phone 465-4954
 Division HL&C Date/Time 3/21/02 12:00 AM
 Approved by: Representative Murkowski Date 3/21/2002
 Agency _____



Alaska State Legislature

Please enter into the record my testimony to the House Labor + Commerce
Committee name

Committee on HB 409 Daylight Savings Time dated 4/8/02
Bill/Subject

My name is Sharon Kilbourne. I would like to urge you to support House Bill 409 to abolish Daylight Savings time in Alaska.

My largest complaint is the effect it has on children. I have volunteered in schools for over 30 years and the past 15 worked in the school system. During the spring change over the students slow down in their learning ability because of the difficulty of going to bed in a reasonable time due to the extra sunlight. Consequently it is very difficult to be effective the first few hours of school. The children seem to shut down in the last nine weeks of school.

Daylight savings time in Alaska makes no sense, as we have an abundance of daylight in the summer.

The argument of keeping us in sink with the lower 48 also no longer makes since. With the age of E-mail, Internet, and Faxes I believe there is adequate time to correspond with our East Coast States.

Signed: _____
Testifier

Representing (Optional)
HC 30 Box 5455 Wasilla AK 99654
Address

Phone number



Alaska State Legislature

Please enter into the record my testimony to the House Labor & Commerce
committee name

Committee on HB 409/eliminate daylight savings time, dated April 8, 2002
bill # / subject

Good afternoon, members of the House Labor and Commerce Committee.

My name is Elaina Spraker. I reside in Soldotna and I am in support of HB 409. I apologize for not being able to testify in person, reason being, I am coaching track to approximately 170 sleep deprived Jr. high students as we speak.

I have been a substitute teacher in the Kenai Peninsula school district since 1996 and have been in many classroom situations. Twice a year when Alaskans have had to set their clocks back or forward, I noticed the students in my classes would have difficulty adjusting. Furthermore, we are all aware of the struggle with adolescent sleep patterns. This motivated me to research into "why Alaska has daylight savings time?" One of the most interesting facts I found was that in the spring because of accumulation of daylight, Alaska gets double daylight savings. Setting our clocks forward has no energy saving value in Alaska and actually puts us farther out of whack from high noon. In conclusion when you compare the pros and cons to having daylight savings vs. eliminating daylight savings, the pros out way the cons. I believe this piece of legislation has great support from Alaskans. I urge you to vote yes! on HB 409.

Thank-you
Elaina Spraker

Signed:

Elaina Spraker April 8, 02

Testifier

Representing (optional)

33350 Skyline Drive Soldotna, AK 99669

Address

262-9592

Phone number



Alaska State Legislature

Please enter into the record my testimony to the House Labor & Commerce
committee name

Committee on HB 409, dated 4-8-02
bill # / subject

Two whom it may concern. I am in favor of H.B. #409, introduced by Ken Lancaster.

However, I am in favor of staying on our current time zone as this offers us an hour of extra daylight in the fall and winter which allows us more evening activities.

Sincerely, Alex Kime

Signed: Alex Kime
Testifier

owner, Alaska Horsemen Trail Adventures
Representing (optional)

PO Box 857 Cooper Landing, Alaska 99572
Address

907-595-1806
Phone number

TO: HL & C
RE: HB 409

Daylight saving time for Alaska is a waste of our time twice a year changing clocks and adjusting our sleep.

The Cook Inlet / Railbelt area is out of sync with the sun by one hour since our time zones were changed years ago. We wish that would change also. Please do away with this twice a year exercise to be like everyone else.

Thank you
William Deal
Margaret A. Deal
26445 S Coho Loop
Kasilof, AK 99610
262 - 2643



Alaska State Legislature

Please enter into the record my testimony to the House Labor & Commerce
committee name

Committee on HB 409, dated 4-8-02
bill # / subject

Daylight Savings Time is not appropriate for Alaska. Please see that Alaska returns to Standard Time in every season.

Signed: Norine Mills
Testifier

Representing (optional)

PO Box 366 Sterling, Alaska 99672
Address

262-9289

Phone number



Alaska State Legislature

Please enter into the record my testimony to the House Labor & Commerce
committee name

Committee on HB 409, dated 4-8-02
bill # / subject

Alaska does NOT need Daylight Savings Time in the winter or Double Daylight Savings Time in the summer. I don't enjoy having daylight an hour later in the dark winter and we certainly don't need such foolishness in the summer.

Signed: Seymour Mills
Testifier

Representing (optional)

P.O.Box 51, Sterling, Alaska 99672
Address

262-9289

Phone number



Alaska State Legislature

Please enter into the record my testimony to the House Labor & Commerce
committee name

Committee on HB 409, dated 4-8-02
bill # / subject

HB 409, Oh, what an opportunity we have to get out from under this compulsory sleep deprivation! Each and every year, it takes me at least two weeks (and usually more) to begin to adjust to this earlier waking time. This year I started practicing last week and am still walking around like a zombie. I have an important teleconference scheduled for the 10th at 9 am, so I thought that maybe if I got a head start I'd be functioning okay by then. Less than 48 hours to go and I'm constantly tired and accomplishing very little. I just want to sleep.

When my children were in the public school system, this time-change would create considerable frustration, crankiness, and lethargy for the rest of the school year. Because school opening times are already too early for most children, expecting them to be eager beavers an hour earlier is absolutely ridiculous. This factor also played a part in my decision to homeschool my sons.

I also have a business and have realized that the time change really doesn't make any difference when I'm ordering my products. Ordering one hour earlier doesn't make it too difficult to master. That would be a good trade for that extra hour of sleep I need.

For years, we've been told that daylight savings time is to keep the businesses flowing in unity...okay, why then don't those businesses so dependant on this perfect timing start their business day an hour earlier? That way the rest of us could sleep in or if we worked for those businesses we could change our working hours or change jobs!

Another story we've been fed is that it is more energy efficient. Excuse me, but we live in an area on the globe that does not have a static amount of daylight or darkness. We zip up or down in the amount of daylight we receive and certainly don't benefit from any "extra" daylight time!

Whatever happen to the "Independent Spirit" of Alaskans? Once again, like sheep to the slaughter, we have adjusted our clocks so we can be "just like" those in the lower 48.

Make the best of this opportunity. We don't need daylight savings time! I have yet to talk with anyone that is in favor of it. I've lived in Alaska for 38 years, I know a lot of people and especially at this time of year, I talk with them about this issue. **NOBODY LIKES IT! NOBODY WANTS IT!** Got the message?

I will remember who votes for or against this bill. It IS important to me, my family, my business, and the safety of those tired people driving around town or attempting to learn.

Thank you,

Signed: Sharon Nusunginya

Testifier

47135 E Poppy Lane Soldotna, AK 99669

Address

262-2758

Phone number

KENAI
MEDICAL
CENTER, INC.



BENGO BUILDING
SUITE 120
11355 KENAI SPUR HWY.

TELEPHONE (907) 283-4611
FAX (907) 283-3992
KENAI, ALASKA 99611

April 8, 2002

House Labor and Commerce Committee
Alaska State Legislature
Juneau, Alaska

RE: House Bill 409
Eliminate Daylight Savings Time

SUBJECT: Support and need for passage by Alaska State Legislature.

Why do we have daylight savings time in Alaska? There has been no demonstrated need.

Daylight savings time is a hindrance to many in the work force, to students often waiting for a school bus and standing in the cold before the sun is up, and for the many people in our State who enjoy recreational and domestic activities with the sun up prior to the majority going to our morning jobs. A good example was this morning in Kenai, Alaska when at 7:30 A.M. the sun was not quite up, but last week without daylight saving time, the sun was up and it was 12 degrees warmer at the same time.

This is a letter in support of passage of House Bill 409 to eliminate daylight savings time in Alaska.

Sincerely,

Peter O. Hansen M.D.

HOUSE LABOR + COMMERCE COMMITTEE 4-8-02

I strongly support HB 409.

Since 1983 most of Alaska has been on at least one hour of day light saving time year round.

We do not need the change to daylight time. The sun does a very efficient job of giving us longer daylight time in the summer and taking it away in the winter. Much of the state has several minute a day changes in daylight. This political change only messes up sleep patterns and raises the accident rates. It also hurts productivity for a period of time around the change.

There are some who would claim that we need to keep our schedule in line with the states on the East coast for business reasons. Probably no more than one or two percent of our population has dealings with the East coast business establishment on a daily basis. We all have dealings with the sun rising and falling and trying to get our sleep.

Alaska has the least reason to have day light saving time. We don't need it. It is counterproductive to a vast majority of the population. Dump it.

Thankyou for your time.



William R. Parkes

35367 Rabbit Run Road
Soldotna, AK 99609

907 262-7677

Self



Alaska State Legislature

Please enter into the record my testimony to the HOUSE LABOR & COMMERCE
committee name

Committee on NB 409, dated 4-8-02
bill # / subject

I wish to reconfirm
my previously stated
opinion on doing
away with Day Light
savings time in Alaska.

Respectfully
Joan B. Lehnert

Signed: _____
Testifier

SELF
Representing (optional)

PO Box 145 KASLOF, AK 99610
Address

262-4970
Phone number

To HL & C
re AB 409 Comm meet 4/8

I wish to reconfirm
my previously stated
opinion on doing
away with day light
savings time in Alaska.

Respectfully
Joan B Lambert



Alaska State Legislature

Please enter into the record my testimony to the HLRC
(committee name)
committee on HB 409, dated 4/8/02
(bill # / subject)

My husband and I fully support legislation that will eliminate daylight saving time. We have been frustrated by this event for years. It truly does affect our family in a negative way.

I recently read in the Peninsula Clarion an article about an educator speaking on public safety. He was quoted as saying that there are always more vehicle accidents around daylight saving time changes. If lives can be saved by not manipulating the clock, it would be criminal to continue doing so.

The arguments about business conveniences being affected are antique, at best. With our world functioning in a global economy, and so much business done via internet and facsimile, time zone differences are not a big deal.

Thank you for ending the curse on our internal biorhythms.

Sincerely,
James and Teresa Danielson

(907)262-7761
PO Box 1322
Sterling, AK 99672
jdanielson@ideafamilies.org



April 6, 2002

Lisa Murkowski
Labor and Commerce Com.

Dear Lisa:

Please vote in support of

House Bill 409.

We do not need Daylight
Saving time.

Thank you -

Sincerely

Eva J. Reese
3602 Arkansas
Anchorage.

HB

411

Alaska State Legislature

REPRESENTATIVE
HUGH "BUD" FATE

Mailing Address:

119 N. Cushman, Suite 101

Fairbanks, Alaska 99701

(907) 452-4448

Fax: (907) 456-3346



While in session
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4976
Fax: (907) 465-3883

House District 33

House Of Representatives Sponsor Statement HB 411

"An Act relating to physician assistants; providing that a physician assistant is a health care provider covered by certain laws relating to medical malpractice actions; adding physician assistants to the list of providers against whom unfair discrimination relating to health care insurance is prohibited and to the list of providers who can provide proof of disablement or handicap for the purpose of motor vehicle registration or for the purpose of obtaining a special license plate or a special parking permit; and providing for an effective date."

HB 411 was at the request of the Alaska Academy of Physician Assistants who submitted three resolutions to be considered for inclusion in the state laws.

The resolutions were drafted in order to update existing state laws and to include physician assistants as recognized providers of medical care described in the particular statutes. It is believed that when the laws were drafted and passed, physician assistants were not prevalent as health care providers in the state of Alaska. However, over the ensuing years physician assistants have become integral to providing health care to rural and urban areas around the state.

Section 1 amends AS 09.55.560 (1) to add physician assistants under the laws relating to medical malpractice actions.

Section 2 puts the physician assistants under the insurance laws relating to unfair discrimination.

Section 3 puts the physician assistants under laws relating to special registration plates. This allows physician assistants to provide proof of eligibility for a special disabled veterans license plate and for issuance of a parking

The three resolutions are to rectify problematic areas in the statutes, since they do not list physician assistants as recognized health care providers. The attached resolutions as well as current statutes they refer to will hopefully elaborate the academy's position and request. I respectfully request that you review the requests and support and pass HB 411

LEGAL SERVICES

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

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

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329


MEMORANDUM

February 11, 2002

SUBJECT: Physician Assistants (Work Order No. 22-LS1329\C)

TO: Representative Hugh Fate
Attn: Sharon

FROM: Terri Lauterbach
Legislative Counsel



Enclosed is the bill you requested, related to physician assistants.

Section 1 puts the physician assistants under the laws relating to medical malpractice actions.

Section 2 puts the physician assistants under the insurance laws relating to unfair discrimination.

Section 3 puts the physician assistants under laws relating to special registration plates. Since AS 28.10.465(c) refers to AS 28.10.181(d), sec. 3 also has the effect of placing physician assistants under laws relating to handicapped parking permits.

Section 4 makes the insurance change of sec. 2 effective with new or renewed policies and contracts. This clarifies that the legislature is not attempting to unconstitutionally change contracts that are already in place.

Section 5 gives sections 2 and 4 a special effective date based on the calendar year. It is my understanding that such is commonly done when insurance is involved. See, for instance, ch. 50, SLA 1998, when marital and family therapists were added to AS 21.36.090(d). Sections 1 and 3 of the bill would take effect 90 days after the bill becomes law. If you want a different effective date, just let me know.

TML:med
02-128.med

Enclosure

Sec. 09.55.560. Definitions.
In AS 09.55.530 - ~~09.55.560~~,

(1) "health care provider" means an acupuncturist licensed under AS 08.06; an audiologist or speech-language pathologist licensed under AS 08.11; a chiropractor licensed under AS 08.20; a dental hygienist licensed under AS 08.32; a dentist licensed under AS 08.36; a nurse licensed under AS 08.68; a dispensing optician licensed under AS 08.71; a naturopath licensed under AS 08.45; an optometrist licensed under AS 08.72; a pharmacist licensed under AS 08.80; a physical therapist or occupational therapist licensed under AS 08.84; a physician licensed under AS 08.64; a podiatrist; a psychologist and a psychological associate licensed under AS 08.86; a hospital as defined in AS 18.20.130, including a governmentally owned or operated hospital; an employee of a health care provider acting within the course and scope of employment; an ambulatory surgical facility and other organizations whose primary purpose is the delivery of health care, including a health maintenance organization, individual practice association, integrated delivery system, preferred provider organization or arrangement, and a physical hospital organization;

(2) "board" means an arbitration board established under AS 09.55.535;

(3) "panel" means an expert advisory panel established under AS 09.55.536;

(4) "professional negligence" means a negligent act or omission by a health care provider in rendering professional services;

(5) "professional services" means service provided by a health care provider that is within the scope of services for which the health care provider is licensed and that is not prohibited under the health care provider's license or by a facility in which the health care provider practices.

History -

(Sec. 37 ch 102 SLA 1976; am Sec. 24 ch 177 SLA 1978; am Sec. 6 ch 56 SLA 1986; am Sec. 9 ch 131 SLA 1986; Sec. 26 ch 2 FSSLA 1987; am Sec. 9 ch 6 SLA 1990; am Sec. 1 ch 14 SLA 1991; am Sec. 26, 27 ch 26 SLA 1997; am Sec. 19 ch 42 SLA 2000)

Cross References -

For a statement of legislative intent relating to the provisions of ch. 26, SLA 1997, see Sec. 1, ch. 26, SLA 1997 in the 1997 Temporary and Special Acts. For severability of the provisions of ch. 26, SLA 1997, see Sec. 56, ch. 26, SLA 1997 in the 1997 Temporary and Special Acts.

Amendment Notes -

The 1990 amendment inserted "an acupuncturist licensed under AS 08.06" near the beginning of paragraph (1).

The 1991 amendment, effective January 1, 1992, in paragraph (1), deleted "a corporate entity covered under AS 21.88.050(b)(11)" following "governmentally owned or operated hospital."

The 1997 amendment, effective August 7, 1997, in paragraph (1), added the language beginning "an ambulatory surgical facility" to the end and made minor stylistic changes; and added paragraphs (4) and (5).

The 2000 amendment, effective October 1, 2000, inserted "or speech-language pathologist" in paragraph (1).

Editors Notes -

Section 55, ch. 26, SLA 1997 provides that the provisions of ch. 26, SLA 1997 apply "to all causes of action accruing on or after August 7, 1997."

Sec. 21.36.090. Unfair discrimination. *section 1 - annuity*

(a) A person may not make or permit unfair discrimination between individuals of the same class and equal expectation of life in the rates charged for a contract of life insurance or of life annuity or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of the contract.

(b) A person may not make or permit unfair discrimination between individuals of the same class and of essentially the same hazard in the amount of premium, policy fees, or rates charged for a policy or contract of health insurance or in the benefits payable, or in any of the terms or conditions of the contract, or in any other manner whatever.

(c) A person may not make or permit arbitrary or unfair discrimination between insureds or property having like insuring or risk characteristics, in the premium or rates charged for a policy or contract of property, casualty, surety, marine, wet marine or transportation insurance, or in the dividends or other benefits payable on the insurance, or in the selection of it, or in any other of the terms and conditions of the insurance.

(d) Except to the extent necessary to comply with AS 21.42.365 and AS 21.56, a person may not practice or permit unfair discrimination against a person who provides a service covered under a group health insurance policy that extends coverage on an expense incurred basis, or under a group service or indemnity type contract issued by a health maintenance organization or a nonprofit corporation, if the service is within the scope of the provider's occupational license. In this subsection, "provider" means a state licensed physician, dentist, osteopath, optometrist, chiropractor, nurse midwife, advanced nurse practitioner, naturopath, physical therapist, occupational therapist, marital and family therapist, psychologist, psychological associate, or licensed clinical social worker, or certified direct-entry midwife.

History -

(Sec. 1 ch 120 SLA 1966; am Sec. 5 ch 163 SLA 1976; am Sec. 1 ch 80 SLA 1983; am Sec. 28 ch 2 FSSLA 1987; am Sec. 1 ch 56 SLA 1988; am Sec. 1 ch 150 SLA 1988; am Sec. 139 ch 67 SLA 1992; am Sec. 3 ch 39 SLA 1993; am Sec. 1 ch 51 SLA 1993; am Sec. 28, 29 ch 56 SLA 1996; am Sec. 1 ch 50 SLA 1998; am Sec. 1 ch 60 SLA 1998)

Amendment Notes -

The 1996 amendment, effective September 9, 1996, substituted "health" for "disability" in subsection (b) and substituted "health insurance" for "disability" in subsection (d).

The first 1998 amendment, effective January 1, 1999, inserted "marital and family therapist," in the second sentence in subsection (d).

The second 1998 amendment, effective August 30, 1998, inserted "health maintenance organization or a" in the first sentence in subsection (d).

Editors Notes -

Section 2, ch. 50, SLA 1998 provides that the amendment to subsection (d) made by ch. 50, SLA 1998 applies to a policy of insurance issued or renewed on or after January 1, 1999.

Sec. 28.10.181. Registration of unique and special vehicles and vehicles used for special purposes.

(a) The department shall register unique and special vehicles and vehicles used for special purposes and issue registration plates as provided in this section. Notwithstanding other provisions of this chapter, registration plates issued under this section remain with the person or organization to whom they are issued when vehicle ownership is transferred or title or interest in the vehicle is assigned, except for plates issued under (b), (h) and (i) of this section. Registration plates issued under this section may not be used on, or transferred to, a vehicle other than the vehicle for which the plates are issued without the approval of the department and payment of any required fees and taxes prescribed in AS 28.10.421(d), 28.10.431 and 28.10.441; however, if the plates issued under (c), (f) and (j) of this section are transferred to a vehicle for which the registration fee is more than the fee for the vehicle from which the plates are transferred, the owner shall pay the difference between the two fees. Registration plates issued under this section to which a person is no longer entitled or the transfer of the plates to another vehicle which the department does not approve shall be returned immediately to the department by the person or organization to whom the plates were originally issued.

(b) Historic vehicles. The owner of an historic vehicle may make application for special registration under this subsection. The department, when satisfied that the vehicle meets the requirements for historic vehicle registration under regulations adopted by the commissioner, shall register the vehicle and issue two permanent registration plates of distinctive design and color bearing no date. These plates remain with the vehicle as long as it is registered under this subsection. Vehicles qualifying for registration under this subsection shall be issued registration plates numbered in a separate numerical series beginning with "Historic Vehicle No. 1."

(c) Special request plates. Upon application by the owner of a passenger vehicle, motorcycle, noncommercial van or pick-up truck, or motor home, the department shall design and issue registration plates containing a series of not more than six letters or numbers or combination of letters and numbers as requested by the owner. The department may, in its discretion, disapprove the issuance of registration plates under this subsection when the requested symbols are a duplication of an existing registration or when the symbols are considered unacceptable by the department.

(d) Vehicles owned by disabled veterans, including persons disabled in the line of duty while serving in the Alaska Territorial Guard, or other persons with disabilities. Upon the request of a person with a disability that limits or impairs the ability to walk, as defined in 23 C.F.R. 1235.2, the department shall (1) register one passenger vehicle in the name of the person without charge; and (2) issue a specially designed registration plate that displays (A) recognition of the disabled veteran if the applicant's disability originated from the applicant's service with the Alaska Territorial Guard or the armed forces of the United States; and (B) the standard symbol of disability (the wheelchair logo). A disabled veteran who is not otherwise qualified under this subsection, but who presents to the department written proof that the person is at least 70 percent disabled or medically handicapped as a consequence of service in the Alaska Territorial Guard or the armed forces of the United States, may register one passenger vehicle without charge, and the department shall issue a specially designed registration plate that displays recognition of the disabled veteran that does not display the standard handicap symbol and does not carry with it special parking privileges. For purposes of this subsection, proof of disability may be provided by a person licensed as a physician under AS 08.64 or as an advanced nurse practitioner under AS 08.68.

(e) Vehicles owned by the state, municipalities, and charitable organizations of the state.

Every certificate of registration and registration plate issued to the state, a municipality, or charitable organization of the state is in effect until the vehicle for which the registration certificate and plate were issued is no longer owned and operated by the state, the municipality, or the charitable organization of the state or until the department, in its discretion, declares its expiration. The state, municipality, or charitable organization of the state shall maintain a current listing of all vehicles registered to it in the order of the registration number assigned to each vehicle, and shall provide a copy of the listing to the department upon request. The listing must include a description of each vehicle and other identifying information required by the department. Registration plates issued under this subsection must be of a distinctive design and numbering system. For the purposes of this subsection, "charitable organization" means a nonprofit association, corporation, society, or other entity organized, incorporated, or headquartered in the state for educational, cultural, scientific, or other charitable purposes, as prescribed in regulations of the department.

(f) Vehicles owned by elected state officials. The department shall issue special registration plates to each incumbent elected state official for display on noncommercial motor vehicles owned and driven by the official. The department shall number or design the plates so that registration by an elected state official is indicated upon the plates. The registration plates issued under this subsection remain with the owner of the vehicle only during the official's term of office.

(g) *[Repealed, Sec. 9 ch 20 SLA 1990].*

(h) Vehicles owned by ranchers, farmers, and dairymen. A vehicle not exceeding an unladen total gross weight of 16,000 pounds, owned by a person deriving the person's primary source of livelihood from the operation of a ranch, farm, or dairy where the person resides full-time, and that is used exclusively to transport (1) the person's own ranch, farm, or dairy products, or greenhouse or nursery products, including vegetables, plants, grass seed, sod, or tree seedlings, to and from the market, or (2) supplies, commodities, or equipment to be used on the person's ranch, farm, or dairy, or in the person's greenhouse or nursery, may be registered under this subsection and may be issued registration plates of a distinctive design or system of numbering.

(i) Amateur mobile radio station vehicles. A validly licensed amateur radio operator who presents satisfactory proof that the owner holds an unexpired Federal Communications Commission amateur radio operator's license of any renewable class, and who presents satisfactory proof that the vehicle contains or carries an amateur radio transmitter and receiving unit of a type applicable to the license class applied for, and who is permitted by law to operate a fixed station, may register one amateur mobile radio station vehicle for each radio license issued by the federal government and may receive for the vehicle distinctive registration plates instead of regular registration plates. The number on the plates must be the radio call sign of the owner.

(j) Vehicles owned by dealers. A state-registered and bonded vehicle dealer may apply for dealer registration plates. A plate issued under this subsection may be used only on dealer-owned vehicles during the routine and normal course of the dealer's business, excluding service vehicles, or for transporting an unregistered vehicle from a port of entry to the dealer's facilities or from one dealer to another or, in the case of a house trailer, from the retail facility to a trailer space. A vehicle permitted to have dealer plates must be affixed with two plates issued under this subsection. If the dealer sells or transfers the vehicle, the dealer plates may be used on the vehicle by the new owner or transferee for a period of not more than five days after the sale or transfer. The department may seize the dealer plates if it has reason to believe that the plates are being used to defeat the purposes of, or are in violation of this chapter.

(k) *[Repealed, Sec. 3 ch 8 SLA 1993].*

(l) Vehicles owned by Pearl Harbor survivors and former prisoners of war. The department, upon receipt of written proof, shall issue without charge special registration plates for one noncommercial motor vehicle to a person who was on active military duty in Pearl Harbor on December 7, 1941, or who has been a prisoner of war during a declared war or other conflict, as determined by the Department of Defense under federal regulations. The design and color of the Pearl Harbor survivor or prisoner of war plates shall be solely within the discretion of the commissioner.

(m) Special request plates for Alaska National Guard personnel. Upon application by the owner of a passenger vehicle, noncommercial van or pick-up truck, or motor home who presents satisfactory proof of current membership in the Alaska National Guard, the department may design and issue registration plates that identify the vehicle as registered to a member of the Alaska National Guard. The owner shall return the registration plates to the department within 10 days following discharge from the Alaska National Guard.

(n) *[Repealed, Sec. 9 ch 20 SLA 1990].*

(o) Special request university plates. Upon application by the owner of a passenger vehicle, van or pick-up truck, or motor home, the department may design and issue registration plates representing the University of Alaska Anchorage, University of Alaska Fairbanks, University of Alaska Southeast, or Prince William Sound Community College. The department may disapprove the issuance of registration plates under this subsection when the requested plates are a duplication of an existing registration.

(p) Vehicles owned by veterans. The department, upon receipt of written proof that the veteran is a sole or joint owner of a noncommercial motor vehicle, shall issue special registration plates for the noncommercial motor vehicle to a requesting person who is a veteran or retired veteran of the armed forces of the United States. The commissioner, after consulting with the director of the division of veterans affairs, shall determine the design and color of the veteran or retired veteran plates.

(q) Vehicles owned by recipients of the Purple Heart. The department, upon receipt of written proof that the person is the sole or joint owner of a noncommercial motor vehicle, shall issue special registration plates for the noncommercial motor vehicle to a requesting person who has received the Purple Heart medal awarded for wounds suffered in action against an armed enemy or as a result of the hostile action of an armed enemy. The commissioner, after consulting with the director of the division of veterans affairs, shall determine the design and color of the Purple Heart medal recipient plates.

(r) Special request custom collector plates. Upon application by the owner of a custom collector vehicle, the department may design and issue registration plates appropriate for custom collector vehicles. The department may disapprove the issuance of registration plates under this subsection when the requested plates are a duplication of an existing registration.

(s) Special request dog mushing plates. Upon application by the owner of a passenger vehicle, van or pick-up truck, or motor home, the department may design and issue registration plates representing the sport of dog mushing in the state. The department may disapprove the issuance of registration plates under this subsection when the requested plates are a duplication of an existing registration.

(t) Special request Alaska children's trust plates. Upon application by the owner of a passenger vehicle, noncommercial van or pick-up truck, or motor home, the department may design and issue registration plates representing the Alaska children's trust under AS 37.14.200. The department may disapprove the issuance of registration plates under this subsection when the

requested plates are a duplication of an existing registration.

(u) Special request plates commemorating the arts. Upon application by the owner of a passenger vehicle, van or pick-up truck, or motor home, the department may issue registration plates commemorating the arts. The commissioner, after consulting with the Alaska State Council on the Arts, shall determine the design and color of plates commemorating the arts. The department may disapprove the issuance of registration plates under this subsection when the requested plates are a duplication of an existing registration.

History -

(Sec. 7 ch 178 SLA 1978; am Sec. 2 ch 54 SLA 1979; am Sec. 1 ch 151 SLA 1984; am Sec. 5 ch 60 SLA 1986; am Sec. 3 - 5 ch 24 SLA 1988; am Sec. 1 ch 72 SLA 1989; am Sec. 1 ch 91 SLA 1989; am Sec. 9 ch 20 SLA 1990; am Sec. 12, 13 ch 93 SLA 1991; am Sec. 1, 2 ch 16 SLA 1992; am Sec. 3 ch 8 SLA 1993; am Sec. 55, 56, 79 ch 63 SLA 1993; am Sec. 2 ch 97 SLA 1996; am Sec. 1 ch 36 SLA 1998; am Sec. 1 - 4 ch 88 SLA 1998; am Sec. 1 ch 11 SLA 1999)

Revisors Notes -

Subsections (p) and (q) were enacted as (o) and (p), respectively. Renumbered in 1989.

Subsection (u) was enacted as subsection (t). Relettered in 1998.

Amendment Notes -

The 1990 amendment, effective April 21, 1990, repealed subsections (g) and (n).

The 1991 amendment, effective September 30, 1991, amended subsections (d) and (p) to include provisions relating to the Alaska Territorial Guard.

The 1992 amendment, effective August 6, 1992, in subsections (p) and (q), inserted references to "sole or joint owner of a noncommercial motor vehicle", inserted "requesting", and made a stylistic change.

The first 1993 amendment, effective January 1, 1994, added subsection (r) and repealed subsection (k).

The second 1993 amendment, effective July 1, 1993, rewrote subsection (d), added the fourth sentence in subsection (j), and also repealed subsection (k).

The 1996 amendment, effective September 23, 1996, added subsection (s).

The first 1998 amendment, effective August 16, 1998, added subsection (t).

The second 1998 amendment, effective September 10, 1998, rewrote subsection (h); in subsections (o) and (s) deleted "noncommercial" preceding "van or pick-up truck"; and added subsection (u).

The 1999 amendment, effective August 4, 1999, added the last sentence of subsection (d).

Editors Notes -

Section 87, ch. 63, SLA 1993 provides "[i]f any section of this bill is found to violate the single subject rule it is severed from the rest of the bill."

Section 1, ch. 97, SLA 1996 provides that it is "the intent of the legislature that the division of motor vehicles of the Department of Public Safety consult with dog mushing organizations when designing special request plates" authorized by ch. 97, SLA 1996.

Collateral Refs -

7A Am. Jur. 2d, Automobiles and Highway Traffic, Sec. 75 to 84.

60 C.J.S., Motor Vehicles, Sec. 63 to 65.

Sec. 28.10.190. , 28.10.200 Transfer of special plates; annual tax. [Repealed, Sec. 7 ch 178 SLA 1978].

Repealed or Renumbered

Sec. 28.10.495. Parking permit for vehicle transporting disabled person.

(a) Upon application by a disabled or medically handicapped person, or by an organization that transports disabled or medically handicapped persons, the department shall issue to the applicant, without charge, a special permit bearing the control number of the applicant. The permit issued under this section, when displayed in the front windshield of a parked or standing vehicle, shall provide for special consideration by the public with respect to the parking or standing in designated spaces of a vehicle that is being used for the transportation of a disabled or medically handicapped person.

(b) A person is not entitled to use the special permit provided for in (a) of this section except when providing transportation for a disabled or handicapped person. Upon the death of a disabled or handicapped person to whom a special permit has been issued, the special permit shall be returned to the department. If an organization to which a special permit has been issued ceases transporting disabled or handicapped persons, or ceases operating, it shall return the special permit to the department.

(c) Proof of disablement or medical handicap, for the purpose of this section, shall be the same as that required for the purposes of AS 28.10.181(d).

History -

(Sec. 24 ch 178 SLA 1978; am Sec. 1 ch 11 SLA 1980; am Sec. 1 ch 11 SLA 1987; am Sec. 7, 8 ch 20 SLA 1990; am Sec. 62 ch 63 SLA 1993)

Amendment Notes -

The 1990 amendment, effective April 21, 1990, inserted "or by an organization that transports disabled or medically handicapped persons" in the first sentence in subsection (a); in subsection (b), inserted "to whom a special permit has been issued" in the second sentence and added the third sentence; and made minor stylistic changes.

The 1993 amendment, effective July 1, 1993, substituted "the same as that required for the purposes of" for "provided as specified in" in subsection (c).

Editors Notes -

Section 87, ch. 63, SLA 1993 provides "[i]f any section of this bill is found to violate the single subject rule it is severed from the rest of the bill."



Alaska academy of physician assistants

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RESOLUTION

TO AMEND AS 09.55.560 TO INCLUDE PHYSICIAN ASSISTANTS IN MEDICAL LIABILITY STATUTE

Board of Directors

Jeanne Clark
President
Fairbanks, AK

Fredrick May
President Elect
Eagle River, AK

Ed Hall
Past President
Anchorage, AK

Patricia Brown
Vice President
Anchorage, AK

Lori Landstrom
Secretary-Treasurer
Soldotna, AK

Don Hussen
2-Year Board Member
Fairbanks, AK

Martha Flores
1-Year Board Member
Bethel, AK

WHEREAS, a physician assistant is licensed to practice medicine under AS 08.64.107, AS 08.64.170, and 12 AAC 40.400 through 12 AAC 40.490.

WHEREAS, there are approximately 250 physician assistant licensees in the state of Alaska. Physician assistants have been practicing medicine in Alaska for more than 20 years.

WHEREAS, physician assistants care for over 50,000 Alaskans every month, in a wide variety of institutions. Physician assistants are critical for the provision of medical care in remote areas and villages of Alaska.

WHEREAS, in 1976 the legislature codified the law with regard to medical liability. AS 09.55.530 – AS 09.55.560. The purpose of the statutes was to codify the law of medical malpractice in order to establish that the law in Alaska in this regard is the same as elsewhere. AS 09.55.530.

WHEREAS, the medical liability statutes apply only to "health care providers", as specifically defined by AS 09.55.560. The definition of "health care provider" includes acupuncturists, audiologists, speech-language pathologists, chiropractors, dental hygienists, dentists, nurses, opticians, naturopaths, optometrists, pharmacists, physical therapists, occupational therapists, physicians, podiatrists, psychologists and psychological associates. AS 09.55.560.

WHEREAS, due to a legislative oversight, physician assistants were not included in the definition of "health care provider" under AS 09.55.560. As a result, physician assistants are not covered by the medical liability statutes.

WHEREAS, the law of medical liability should apply uniformly to all health care providers licensed to practice medicine in the state of Alaska, including physician assistants.

Therefore be it resolved that the Alaska Academy of Physician Assistants wishes to amend AS 09.55.560(1) to include the words "physician assistant licensed under AS 08.64" in the definition of health care provider.

VISIT OUR WEBSITE @ akapa.org

The purpose of this Academy is to render loyal and honest service to the medical profession and to the public, to develop and enforce continuing educational programs for the Physician Assistant and the Academy membership, to promote the Physician Assistant concept through education of professional and lay people, and to promote similar interest in the student societies.



alaska academy of physician assistants

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RESOLUTION

TO AMEND AS 21.36.090 (d) TO PROTECT PHYSICIAN ASSISTANTS FROM UNFAIR DISCRIMINATION

Board of Directors

Jeanne Clark
President
Fairbanks, AK

Fredrick May
President Elect
Eagle River, AK

Ed Hall
Past President
Anchorage, AK

Patricia Brown
Vice President
Anchorage, AK

Lori Landstrom
Secretary-Treasurer
Soldotna, AK

Don Hussen
2-Year Board Member
Fairbanks, AK

Martha Flores
1-Year Board Member
Bethel, AK

WHEREAS, a physician assistant is licensed to practice medicine under AS 08.64.107, AS 08.64.170, and 12 AAC 40.400 through 12 AAC 40.490. A physician assistant practices medicine under a "plan of collaboration" with a collaborating physician. The physician assistant has the same scope of practice as the collaborating physician. AS 08.64.170; 12 AAC 40.430.

WHEREAS, there are 250 physician assistant licensees in the state of Alaska. Physician assistants have been providing medical care in Alaska for over twenty years.

WHEREAS, physician assistants care for over 50,000 Alaskans every month, in a wide variety of institutions. Physician assistants are critical for the provision of medical care in remote areas and villages.

WHEREAS, AS 21.36.090(d) prohibits insurance companies and health maintenance organizations from discriminating against a medical care "provider" for payment of medical services, if the service is within the scope of the provider's occupational license.

WHEREAS, AS 21.36.090(d) defines "provider" to mean a licensed physician, dentist, osteopath, optometrist, chiropractor, nurse-midwife, advanced nurse practitioner, naturopath, physical therapist, occupational therapist, marital and family therapist, psychologist, psychological associate, licensed clinical social worker, and certified direct-entry midwife.

WHEREAS, due to a legislative oversight, physician assistant was omitted from the definition of "provider" in AS 21.36.090(d). The current statute does not protect physician assistants from unfair discrimination.

WHEREAS, physician assistants are crucial to the provision of quality medical care in Alaska. Physician assistants are entitled to protection from unfair discrimination.

THEREFORE, BE IT RESOLVED that the Alaska Academy of Physician Assistants wishes to amend AS 21.36.090(d) to include "physician assistant".

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The purpose of this Academy is to render loyal and honest service to the medical profession and to the public, to develop and enforce continuing educational programs for the Physician Assistant and the Academy membership, to promote the Physician Assistant concept through education of professional and lay people, and to promote similar interest in the student societies.



alaska academy of physician assistants

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RESOLUTION

Board of Directors

Jeanne Clark
 President
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Fredrick May
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Patricia Brown
 Vice President
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Lori Landstrom
 Secretary-Treasurer
 Soldotna, AK

Don Hussen
 2-Year Board Member
 Fairbanks, AK

Martha Flores
 1-Year Board Member
 Bethel, AK

TO AMEND AS 28.10.181d TO INCLUDE PHYSICIAN ASSISTANTS AS RECOGNIZED PROVIDERS OF CARE TO THE DISABLED

WHEREAS, a physician assistant is licensed to practice medicine under AS 08.64.107, AS 08.64.170, and 12 AAC 40.400 through 12 AAC 40.490.

WHEREAS, there are approximately 250 physician assistant licensees in the State of Alaska. Physician assistants have been practicing medicine in Alaska for more than 20 years.

WHEREAS, physician assistants care for over 50,000 Alaskans every month, in a wide variety of institutions. Physician assistants are critical for the provision of medical care in remote areas and villages of Alaska as well as urban areas.

WHEREAS, AS 28.10.181d identifies providers who may provide proof of disability as physicians or nurse practitioners.

WHEREAS, physician assistants are licensed clinical practitioners equivalent to nurse practitioners.

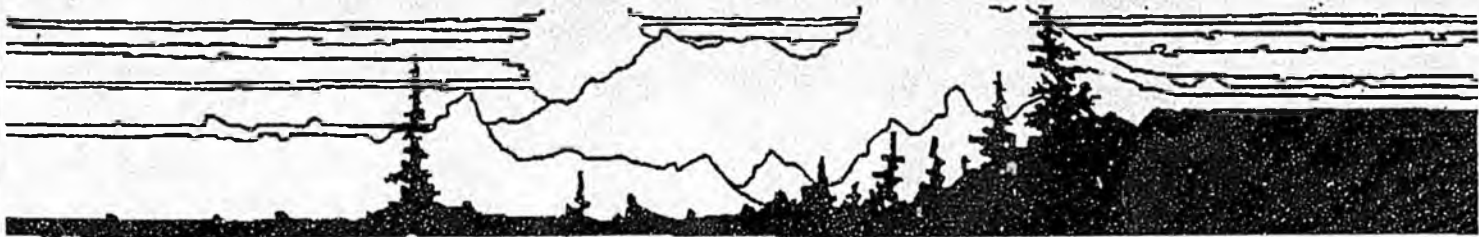
WHEREAS, disabled patients of physician assistants have been denied issuance of temporary or permanent disabled parking permits that have been applied for by physician assistants on behalf of their patients.

WHEREAS, AS 28.10.181d currently discriminates against physician assistants as well as creates unnecessary obstacles for disabled patients of physician assistants.

THEREFORE, BE IT RESOLVED that the Alaska Academy of Physician Assistants wishes to amend AS 28.10.181d to include "physician assistant under AS 08.64".

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The purpose of this Academy is to render loyal and honest service to the medical profession and to the public, to develop and enforce continuing educational programs for the Physician Assistant and the Academy membership, to promote the Physician Assistant concept through education of professional and lay people, and to promote similar interest in the student societies.



SUNSHINE COMMUNITY HEALTH CENTER

P.O. BOX 787 - (MILE 4.4 TALKEETNA SPUR RD.)
TALKEETNA, ALASKA 99676

TELEPHONE: (907) 733-2273 FAX: (907) 733-1735
"UNITED WAY PARTICIPATING AGENCY"

Fax Cover Sheet

Date: 2/21/02

To: Sharon Clark
Representative Fate

Telephone number: 907-465-4530

Fax number: 907-465-3883

From: Susan Mason-Bouterse and Jessica Stevens

Number of pages (including cover sheet): 3

Message: Written testimony in support of HB 411 scheduled for a hearing in the HHESS Committee today. We will be calling in to testimony. Thank you for including us.

RECEIVED

FEB 21 2002

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Testimony for HB411
HHESS Committee
February 21, 2002

I would like to express my wholehearted support for this proposed legislation!

I work as the Executive Director of Sunshine Community Health Center in Talkeetna. We are currently a mid-level clinic and have 4 physician's assistants providing primary care. They are working under a collaborative agreement with Dr. Barb Doty in Wasilla. These providers are critical to the ongoing health care of residents in the communities we serve as well as to the ongoing functioning of this health center.

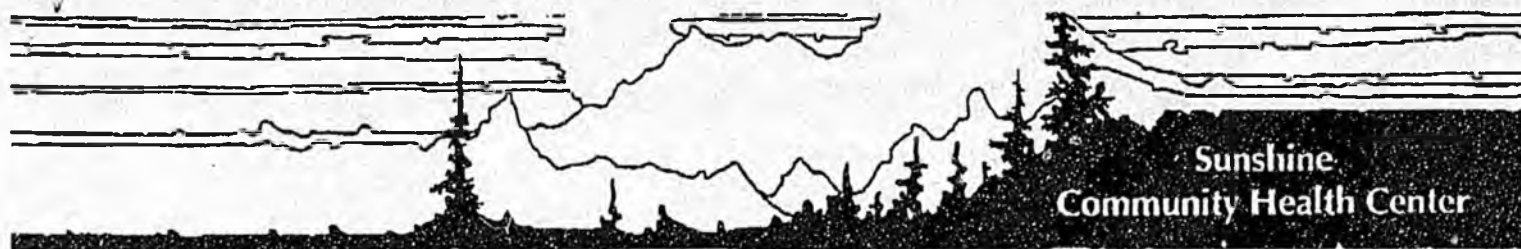
Because our current state statutes do NOT include physician's assistants in the listing of "health care providers", we periodically have our billing for medical services denied by third party payors.

This represents a significant barrier to health care for individuals with health insurance as well as clinics being able to maximize potential revenues. Particularly for small, rural health clinics, every potential revenue source is critical to ongoing support of clinic operations.

I would urge this committee to support passage of this important legislation.

Susan Mason-Bouterse
Executive Director
Sunshine Community Health Center





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Testimony for HB411
HHESS Committee
February 21, 2002

I am a physician assistant and the Medical Director of Sunshine Community Health Center. I have been working as a rural PA for over ten years and want to wholeheartedly support this legislation. As a clinician working in a health center staffed exclusively by PA's we are continually affected by this exclusion. The major impact is felt by our patients. We have over the years collected many examples of insurance companies citing the statute and refusing to reimburse services provided by PA's. For some of our patients this has meant they do not obtain health care, and for others it has meant traveling one or two hours to obtain basic health care that is already provided right in their community. We have many disabled clients who come here, and then end up having to drive two hours to repeat the exam, in order to obtain a DMV permit. Our collaborative physician willingly co-signs these forms also, but this is an inconvenience both to her and significantly extends the wait for our patients.

As PA's we are trained to provide primary, emergency and specialty health care and have received our degrees from various Universities including Duke and Stanford. Since PA's provide much of the health care in rural Alaska, in locations where physicians are often unwilling to practice, we feel that this oversight in not including PA's in the list could be expeditiously rectified, to improve both access to care, and improved financial stability for our rural community clinics.

Jessica Stevens
Medical Director
Sunshine Community Health Center



Subject: sb 265 & hb 411

Date: Tue, 12 Mar 2002 21:48:30 -0900

From: Lori Landstrom &/or Terry Rude <ljl@alaska.net>

To: Representative_Lisa_Murkowski@legis.state.ak.us

Dear Representative Murkowski,
Please support SB 265 & HB 411 regarding Physician Assistants by passing HB 411 out of your committee. This bill cleans up the language in three locations, allowing Physician Assistants to better serve our patients. As a Physician Assistant in Soldotna I look forward to your support of this bill.
Thank you.
Lori J. Landstrom, PA-C

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 411
 (H) Publish Date: 2/22/02

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title An act relating to physician BRU Motor Vehicles
assistants; Component _____
 Sponsor Representative Fate
 Requester H(HES) Component No. 2348

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Section 3

Current law allows licensed physicians and advanced nurse practitioners to sign the form allowing a person to receive a parking permit for persons with disabilities. This bill would add physician assistants to those authorized to sign the form.

This change has no fiscal impact. The other sections of the bill have no impact on DMV.

Prepared by: Charles R. Hosack Phone 269-5559
 Division Motor Vehicles Date/Time 2/14/02 3:35 pm
 Approved by: Jim Duncan, Commissioner Date 2/14/2002
 Agency Department of Administration

FISCAL NOTE

STATE OF ALASKA
2002 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: HB 411
 (H) Publish Date: 2/22/02

Revision Date/Time (Note if correction): _____ Dept. Affected: DCED
 Title An Act relating to physician assistants BRU Insurance (116)
 Component Insurance Operations
 Sponsor Representative Fate
 Requester (H) Health & Social Services Component No. 354

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2002) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill would add physician assistants to the list of health care providers in AS 21.36.090(d). This would have the effect of prohibiting an insurer from refusing to cover a service if it is provided by a physician assistant, if the service is otherwise covered under the group health insurance plan of the patient/insured. No fiscal impact on the Division of Insurance is expected.

Prepared by: Robert A. Lohr, Director
 Division: Insurance
 Approved by: Deborah B. Sedwick, Commissioner
 Agency: Department of Community & Economic Development

Phone 907-269-7900
 Date/Time 2/19/02 9:38 AM
 Date 2/19/2002

HB

418

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: February 13, 2002

FURTHER REFERRALS:

Date of Committee Action: MARCH 4, 2002

The LABOR AND COMMERCE Committee considered:

HB 418

HOUSE BILL NO. 418

ELECTRONIC PROXY VOTING & NOTIFICATION

"An Act amending the Alaska Corporations Code as it relates to delivery of annual reports, notice of shareholders' meetings, proxy statements, and other information to shareholders, and providing for electronic proxy voting."

Recommends it be replaced with CS HB 418 (LAC) Same Title New Title
 For Senate Bills with new title: Technical Title New Title: HCR _____

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of Abbrev. for Depts.:
 ADM
 CED
 COR
 CRT
 EED
 DEC
 DFG
 GOV
 HSS
 LAA
 LAW
 LWF
 MVA
 DNR
 DPS
 REV
 DOT
 UA

<u>NEW FISCAL NOTES</u>				
*For Chief Clerk's Office Use Only				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero
<u>(CS)</u>				x

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
<u>Sam Rokberg</u>	ROKBERG	(5)		(2)	
<u>by Meyer</u>	Meyer	✓			
<u>by Haged</u>	Haged	✓			
<u>Walter Crawford</u>	CRAWFORD	✓			
<u>Robert Kott</u>	KOTT			✓	
<u>Chick</u>	HALCRO	✓			
Chair: <u>[Signature]</u>	MURKOWSKI	✓			
Chair: <u>[Signature]</u>					

ALASKA STATE LEGISLATURE

Representative Lisa Murkowski Chair
Representative Andrew Halcro Vice-Chair
Representative Pete Kott
Representative Kevin Meyer
Representative Norman Rokeberg
Representative Harry Crawford
Representative Joe Hayes



Alaska State Capitol
Juneau, AK 99801-1182
Telephone: (907) 465-4954
Fax: (907) 465-2293
Representative_Lisa_Murkowski@legis.state.ak.us

HOUSE LABOR AND COMMERCE COMMITTEE

Sponsor Statement House Bill 418 Electronic Proxy Voting & Notification

House Bill 418 conforms the Alaska Corporations Code to the laws of many other states that recognize the emergence of electronic media as an important means of communication. This bill provides shareholders of Alaska corporations the option of electronic proxy voting and electronic delivery of notice and meeting materials. Approximately 25 states already allow electronic proxy voting.

House Bill 418 also includes provisions that permit corporations to send one copy of an annual report and proxy materials to a single address where multiple shareholders reside, known as householding, and to stop sending corporate materials to last-known addresses at which mail is undeliverable. These measures represent significant improvements in efficiency and communications with shareholders.

Electronic proxy voting will result in cost savings and added convenience for Alaska corporations. Reduction of paper, printing, and postage costs will be substantial—especially for larger corporations. Those electing to implement electronic voting will establish secure processes in which a PIN is issued to each shareholder. Electronic delivery would be at the option of the shareholder. Shareholders will continue to have the option of conventional paper or in-person voting.

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Fax #	(907) 276-4152	Fax #			

LEGAL SERVICES

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

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

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 25, 2002

SUBJECT: Sectional summary of HB 418 relating to corporations
(Work Order No. 22-LS1335\C)

TO: Representative Lisa Murkowski
Attn: Amy

FROM: *TJB*
Theresa L. Bannister
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill, and the bill itself is the best statement of its contents.

Section 1. Allows notice of shareholders' meetings to be given by electronic transmission.

Section 2. Provides that notice of shareholders' meetings may be given by electronic transmission if the shareholder authorizes it. Describes how the authorization must be communicated. Indicates when notice by electronic transmission is considered given when using various type of electronic transmission.

Section 3.

Sec. 10.06.411(a). Allows a corporation to satisfy its delivery requirement for delivering information, including annual reports and proxy statements, to shareholders who share an address by delivering the information to the shared address. Lays out what requirements must be met, including shareholder consent.

Sec. 10.06.411(b). Requires a corporation to begin sending individual copies of the information to a shareholder within 30 days after the corporation receives a shareholder's revocation of consent to delivery to a shared address or a notice from the shareholder that the shareholder wishes to receive an individual copy.

Sec. 10.06.411(c). Provides that a corporation is not required to send certain notices to a shareholder until the shareholder provides the corporation with written notice of the shareholder's current address if certain items have been sent by first class mail during the preceding year to the shareholder's address and have been returned as undeliverable.

Representative Lisa Murkowski
February 25, 2002
Page 2

Sec. 10.06.411(d). Defines "address" for the section. Includes an electronic mail address, a facsimile telephone number, and another electronic document destination.

Section 4. Allows a shareholder to vote by proxy executed by electronic transmission. Establishes certain requirements for a proxy executed by electronic transmission.

Section 5. Defines "signed" for proxy appointments in AS 10.06.421.

Section 6. Lists how a corporation may deliver its annual report, including posting on an electronic network and delivering by electronic transmission.

Section 7. Amends the definition of "proxy" to include an electronic transmission.

Section 8. Defines "electronic transmission" for the chapter.

If I may be of further assistance, please advise.

TLB:med
02-200.med

22-LS1335F
Bannister
3/4/02

CS FOR HOUSE BILL NO. 418(L&C)

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION**

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

**Offered:
Referred:**

Sponsor(s): HOUSE LABOR AND COMMERCE COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

1 "An Act amending the Alaska Corporations Code as it relates to delivery of annual
2 reports, notice of shareholders' meetings, proxy statements, and other information to
3 shareholders, to voting, and to proxies, including electronic proxy voting and proxy
4 signing; and providing for an effective date."

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

6 * Section 1. AS 10.06.410 is amended to read:

7 **Sec. 10.06.410. Notice of shareholders' meetings.** Written or printed notice
8 stating the place, day, and hour of the meeting and, in the case of a special meeting,
9 the purpose for which the meeting is called [,] shall be delivered not less than 20 or
10 more than 60 days before the date of the meeting, either personally, [OR] by mail, or
11 by electronic transmission under (b) of this section, by or at the direction of the
12 president, the secretary, the officer, or persons calling the meeting, to each shareholder
13 of record entitled to vote at the meeting. If mailed, the notice is considered delivered
14 when deposited with postage prepaid in the United States mail addressed to the

1 shareholder at the address of the shareholder as it appears on the stock transfer books
2 of the corporation, or, if the shareholder has filed with the secretary of the corporation
3 a written request that notice be mailed to a different address, addressed to the
4 shareholder at the new address. An affidavit of the secretary or other person giving
5 the notice or of a transfer agent of the corporation that the notice required by this
6 section has been given [,] is prima facie evidence of the facts stated in the affidavit.

7 * **Sec. 2.** AS 10.06.410 is amended by adding a new subsection to read:

8 (b) Notice under (a) of this section may be given by electronic transmission if
9 the shareholder authorizes delivery by electronic transmission. Authorization must be
10 in the form of a writing signed by the shareholder or an electronic transmission that
11 sets out or is submitted with information demonstrating that the shareholder authorized
12 the electronic transmission. An affidavit of the secretary or an assistant secretary or of
13 the transfer agent or other agent of the corporation that the notice has been given by a
14 form of electronic transmission shall be prima facie evidence of the facts stated in the
15 affidavit. Notice by electronic transmission shall be considered given

16 (1) by facsimile telecommunication when directed to a number at
17 which the shareholder has consented to receive notice;

18 (2) by electronic mail when directed to an electronic mail address at
19 which the shareholder has consented to receive notice;

20 (3) by a posting on an electronic network together with a separate
21 notice of the specific posting to the shareholder on the later of

22 (A) the posting; or

23 (B) the giving of separate notice; or

24 (4) by any other form of electronic transmission when directed to the
25 shareholder.

26 * **Sec. 3.** AS 10.06 is amended by adding a new section to read:

27 **Sec. 10.06.411. Delivery of information to shareholders.** (a) A corporation
28 shall be considered to have delivered an annual report, proxy statement, or other
29 information to shareholders of record who reside at the same physical location and
30 share an address if the corporation delivers an annual report, proxy statement, or other
31 information to the shared address; the corporation addresses the annual report, proxy

1 statement, or other information to the shareholders as a group (for example, "ABC
2 Corporation Shareholders," "Jane Doe and Household," or "the Smith Family") or to
3 each of the shareholders individually (for example, "John Doe and Richard Jones");
4 and

5 (1) each shareholder consents in writing to delivery of one copy of the
6 annual report, proxy statement, or other information to the shareholder's shared
7 address, and the corporation has notified each shareholder of the duration of that
8 shareholder's consent, explained how the shareholder can revoke the consent, and
9 explained that the corporation will begin sending an individual copy of the annual
10 report, proxy statement, or other information to the shareholder within 30 days after
11 revocation of the shareholder's consent; or

12 (2) all of the following conditions are met:

13 (A) the shareholder has the same last name as the other
14 shareholders at the shared address or the corporation reasonably believes that
15 the shareholders are members of the same family;

16 (B) the corporation has sent the shareholder a notice at least 60
17 days before the corporation begins to rely on this section concerning delivery
18 of annual reports, proxy statements, or other information to that shareholder;
19 the notice must

20 (i) state that only one copy of the annual report, proxy
21 statement, or other information will be delivered to the shared address
22 unless the corporation receives contrary instructions from the
23 shareholder;

24 (ii) include a toll-free telephone number or be
25 accompanied by a reply form that is pre-addressed with postage
26 provided that the shareholder can use to notify the corporation that the
27 shareholder wishes to receive a separate copy of the annual report,
28 proxy statement, or other information;

29 (iii) state that the corporation will begin sending
30 individual copies to a shareholder within 30 days after the shareholder
31 notifies the corporation that the shareholder wishes to receive a

1 separate copy of the annual report, proxy statement, or other
2 information; and

3 (iv) include the following statement or a similar clear
4 and understandable statement in boldface type within the text of the
5 notice or on the envelope containing the notice, or, in the case of a
6 notice mailed with other shareholder communications, both within the
7 text of the notice and on the envelope containing the notice: "Important
8 Notice Regarding Delivery of Shareholder Documents";

9 (C) the corporation has not received notice from the
10 shareholder indicating that the shareholder wishes to continue to receive an
11 individual copy of the annual report, proxy statement, or other information;
12 and

13 (D) the corporation delivers the annual report, proxy statement,
14 or other information to a post office box or to a residential street address; the
15 corporation may assume a street address is a residential street address unless
16 the corporation has information that indicates that the address is a business
17 address.

18 (b) If a shareholder revokes consent to delivery of one copy of the annual
19 report, proxy statement, or other information to a shared address or notifies the
20 corporation that the shareholder wishes to receive an individual copy of the annual
21 report, proxy statement, or other information, the corporation shall begin sending
22 individual copies to that shareholder within 30 days after the corporation receives the
23 revocation of consent or notice.

24 (c) A corporation is not required to send notice of a shareholders' meeting, an
25 annual report, or a proxy statement to a shareholder until the shareholder provides the
26 corporation with written notice of the shareholder's current address if materials set out
27 in (1) or (2) of this subsection have been sent by first class mail to the shareholder's
28 address and have been returned as undeliverable:

29 (1) an annual report and proxy statements for two consecutive annual
30 shareholders' meetings;

31 (2) during a period of at least 12 months, at least two payments of

1 dividends or interest on securities, or at least two dividend reinvestment confirmations.

2 (d) For purposes of (a) of this section, "address" means a street address, a post
3 office box number, an electronic mail address, a facsimile telephone number, or
4 another similar destination to which paper or electronic documents are delivered,
5 unless otherwise provided in this section. If the corporation has reason to believe that
6 the address is a street address of a multi-unit building, the address must include the
7 unit number.

8 * Sec. 4. AS 10.06.420(c) is amended to read:

9 (c) A shareholder may vote [EITHER] in person, [OR] by proxy executed in
10 writing by the shareholder or by the authorized attorney-in-fact of the shareholder, or
11 by proxy executed by electronic transmission by the shareholder or by the
12 authorized attorney-in-fact of the shareholder. A proxy executed by electronic
13 transmission must

14 (1) be directed to the person who will be the holder of the proxy or
15 to a proxy solicitation firm, proxy support service organization, or similar agent
16 that is authorized by the person who will be the holder of the proxy to receive the
17 transmission; and

18 (2) include information that demonstrates that the shareholder
19 authorized the transmission.

20 * Sec. 5. AS 10.06.420 is amended by adding a new subsection to read:

21 (j) If a corporation adopts rules to provide for voting by proxy executed by
22 electronic transmission, the rules must provide that all legally qualified proxies may be
23 voted in the same manner as the corporation's proxy.

24 * Sec. 6. AS 10.06.433 is amended by adding a new subsection to read:

25 (h) A corporation may deliver the annual report required under (a) of this
26 section

27 (1) by mail;

28 (2) in person;

29 (3) by electronic transmission, or by a posting on an electronic network
30 together with a separate notice of the specific posting to the shareholder, if the
31 corporation has received a writing or an electronic transmission from the shareholder

1 that includes information demonstrating that the shareholder authorized the electronic
2 transmission and delivery of annual reports by electronic transmission or electronic
3 posting.

4 * Sec. 7. AS 10.06.990(33) is amended to read:

5 (33) "proxy" means a written authorization or an electronic
6 transmission signed by a shareholder or the shareholder's attorney-in-fact giving
7 another person power to vote with respect to the shares of the shareholder;
8 ["SIGNED" FOR THE PURPOSE OF THIS PARAGRAPH MEANS THE PLACING
9 OF THE SHAREHOLDER'S NAME ON THE PROXY BY MANUAL SIGNATURE
10 BY THE SHAREHOLDER OR THE SHAREHOLDER'S ATTORNEY-IN-FACT;]

11 * Sec. 8. AS 10.06.990 is amended by adding new paragraphs to read:

12 (49) "electronic transmission" means any form of communication, not
13 directly involving the physical transmission of paper, that creates a record that may be
14 retained, retrieved, and reviewed by a recipient of the communication and that may be
15 directly reproduced in paper form by a recipient through an automated process;

16 (50) "signed," as it relates to proxies, means the placing of the
17 shareholder's name on the proxy by manual signature by the shareholder or the
18 shareholder's attorney-in-fact or by electronic means if the electronic means clearly
19 demonstrates that the shareholder has authorized the placing of the shareholder's name
20 or the name of the shareholder's attorney-in-fact on the proxy.

21 * Sec. 9. The uncodified law of the State of Alaska is amended by adding a new section to
22 read:

23 TRANSITION: REGULATIONS. Notwithstanding sec. 11 of this Act, the
24 Department of Community and Economic Development may proceed to adopt regulations
25 necessary to implement the changes made by this Act. The regulations take effect under
26 AS 44.62 (Administrative Procedure Act), but not before the effective date of the statutory
27 changes.

28 * Sec. 10. Section 9 of this Act takes effect immediately under AS 01.10.070(c).

29 * Sec. 11. Except as provided in sec. 10 of this Act, this Act takes effect January 1, 2003.

Comments on HB 418

This bill amends AS 10.06 related to domestic and certain foreign corporations related to the delivery of annual reports, proxy and other information to shareholders via most any electronic means. It also allows electronic proxy voting. To summarize the key provisions of the bill:

1. Rather than mail annual reports and proxy materials to each shareholder, corporations could send one packet of material to a household where multiple shareholders share the same address unless the shareholders opt-out of that arrangement. Address is defined as street address, post office box, e-mail address, facsimile phone, or other electronic destination.
2. Corporations could deliver annual reports, notices, proxies, and other information electronically.
3. Corporations could stop sending meeting notices, annual reports and proxy materials when the address appears to be invalid based on undeliverable mailings in the previous twelve months.
4. Corporations could provide for electronic proxy voting.

General Concerns with Bill

Electronic Delivery Increases Corporation Slate Advantage Relative to Independent Candidates

A substantial use of electronic delivery of notices and proxy materials undoubtedly would be cheaper for corporations, and some shareholders may like doing things electronically. Some states allow these. However, we have some concerns that these provisions may have some unintended negative consequences for shareholders of ANCSA corporations that are unique to Alaska. Because of the uniqueness of ANCSA corporations, what the SEC and some other states allow is less relevant. ANCSA corporation shareholders cannot sell their shares and engage in many more proxy contests and complaints against incumbent directors than other types of corporations. Thus, provisions that increase the already substantial advantages held by corporation slates, for those that have slates, relative to independent candidates should be considered very closely.

The general concern is that corporations that adopt the electronic delivery procedures will be able to save money and send out solicitations faster and more frequently than any independent shareholders that want to run for director.

Electronic Voting Also Gives Corporation Slates Greater Advantages

Electronic voting could change the due date of proxies to one much closer to the meeting. While that may sound good, it could give the corporation the ability to solicit last-minute proxies to invalidate paper proxies obtained by independents. Electronic voting could be difficult to impossible for independents to implement. That means that shareholders who want to vote electronically may find they only can do so for candidates listed on a proxy with proxyholders

that support an incumbent slate. Unless they make the effort to direct how the votes are to be allocated, their votes will be allocated to corporation slate candidates, if any.

Fiscal Impact on the Division of Banking, Securities and Corporations

Another concern specific to the division of banking, securities and corporations is that we could see a dramatic increase in complaints that would be more costly and time consuming to investigate. In the last couple of years, the division has received 10-20 complaints a year, most of which allege false and misleading statements in solicitations. Regulations require delivery of proxy statements coincident with or before solicitations. We anticipate a large number of complaints from shareholders that claim that they have not received proper notice or proxy information. We have received complaints in the past of fraudulent and forged voting. Electronic voting would make these investigations ever more difficult. The current number of complaints consumes most of the time of one full time staff member. The increase in complaints would require an Investigator III who could go on-site and collect and analyze evidence. We estimate the total cost of this person, including salary, benefits and related expenses of investigation, at \$79.7.

The division also would have to undertake a major revision to its proxy regulations at 3 AAC 08.305-365. The current regulations were adopted after extensive meetings and correspondence between division staff and ANCSA corporations. We would anticipate an even more extensive undertaking in order to accommodate input from independent shareholders as well. When the current regulations were developed, these corporations were still relatively new. In the past 15 years, a significant independent shareholder contingent emerged in many corporations. We believe a revision of the regulations would require extensive face-to-face hearings in various locations designed to increase participation of individual shareholders in the outcome as well as the corporations. We estimate the cost of these revisions to be \$23.5, including \$6.0 for regulation notice requirements throughout the state, \$.0 for postage, printing and other incidentals, and \$16.5 to conduct hearings in the major cities of the state where shareholders reside.

We note that the bill does not include an effective date. If this bill passes, we would strongly encourage the Committee to give the division at least a year to adopt revised regulations. It would be a serious problem if corporations rushed into adopting these procedures in conflict with current regulations. Given the extensive nature of the required revisions and the fact that they will require a review of the entire set of proxy regulations, we believe the process could take the better part of a year.

Some comments of specific provisions of HB 418 follow:

Section 2, page 2, line 13

The phrase "in the absence of fraud" appears to put a complainant in the position of having to prove fraud to challenge whether notice of a shareholder meeting has been given. This makes such a challenge difficult, if not impossible.

Section 2, page 2, lines 24-25

Item (4) appears very open ended. This could include a message left on an answering machine or any other imaginable electronic transmission. This would be most difficult to investigate if it were an element in a complaint.

Section 3, page 2 line 26 to page 5 line 7

This section allows the corporation to send one packet of material to all the shareholders who "share" an address and either authorize this or do not object to it after receiving a notice in the mail. Paragraph (a) (page 2, line 26 to page 4, line 16) uses the word "address" in many places. For example, if the shareholders use a "shared address" the corporation may send annual reports, proxy statements or other information (very broad wording) to the "address" if each shareholder consents in writing or, more likely, if the corporation sends a notice to shareholders and the shareholders do not opt out. While Section 3, page 4, lines 12-16 require the annual reports and other materials to be sent to a post office box or a street address, section 3, page 4, lines 2-7 define address in broad terms to include e-mail addresses, facsimile telephone, and a broad category of "another similar destination." Thus, the broad definition of address implies that the intent is to be able to deliver the shared information by paper or electronic means, but, absent a written authorization of a shareholder, it appears that the corporation could not send the information electronically, since they must send them to a street address or post office box.

The division, in fact, would prefer corporations to obtain written permission before sending combined packets of information, if that is done at all. Section 3, page 3, line 13 appears to let the company decide who shares an address as long as it "reasonably believes" the shareholders are of the same family. That kind of language creates enormous legal holes so as to prevent most complaints from succeeding, in our view.

Equally important, however, is the fact that an informed shareholder is an empowered shareholder. Current regulations require the delivery of proxy information before soliciting a proxy. While there is no guarantee that shareholders read all the material they are mailed individually, this provision makes it even more difficult. It shifts the copying costs from the corporations to the shareholders with a computer and printer. In fact, even if the shareholders have access to a computer and the Internet, they may not have a printer that can reproduce the documents. Shareholders will not be able to take materials with them while they are hunting or fishing as they do now. Without printing the documents, they would all need to huddle around the monitor or wait their turn at the computer.

Also, what is a shared address if address is defined to include street address, post office box, e-mail address, or facsimile or voice number? If two shareholders named Smith have different street addresses, but the same phone number, and information is sent by phone, is that a shared address? If they have the same street address, but different post office boxes and e-mail addresses, do they have a shared address? We suspect that the possible combinations are rather large.

If corporations do not want to go to the expense of obtaining written authorizations, however, it appears to the division that the corporations would lose the ability to send the information electronically.