

ALASKA LEGISLATURE COMMITTEE FILES 2007-2008 SSTA 12764

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: **CSHB193(STA)-DOC-OC-2-15-08**
 () Publish Date: _____

Identifier (file name): **CSHB193(STA)-DOC-OC-2-15-08** Dept. Affected: **Corrections**
 Title: **"An Act relating to the composition of the Alaska Police Standards Council; and providing for an effective date."** RDU: **Administration and Operations**
 Standards Council: and providing for an effective date." Component: **Office of the Commissioner**
 Sponsor: **Representatives Roses, Dahlstrom, Lynn, Gara, Crawford**
 Requester: **House Finance** Component Number: **694**

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	Appropriation Required	Information					
	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

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

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

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

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

ANALYSIS: (Attach a separate page if necessary)

Passage of this legislation should have no fiscal impact on the Department of Corrections.

Prepared by: Sharleen Griffin, Director
 Division: Administrative Services
 Approved by: Dwayne Peoples, Deputy Commissioner
Department of Corrections

Phone (907) 465-3339
 Date/Time 2/15/08 2:19 PM
 Date 2/15/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSHB 193(STA)
 () Publish Date: _____

Identifier (file name): HB193CS(STA)-DPS-APSC-12-3-07 Dept. Affected: Public Safety
 Title "An Act relating to the composition of the Alaska Police Standards Council: . . ." RDU Alaska Police Standards Council
 Component Alaska Police Standards Council
 Sponsor Representative Roses
 Requester House Finance Committee Component Number 519

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
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	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 Interagency Receipts								
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time							
Part-time							
Temporary							

ANALYSIS: (Attach a separate page if necessary)

House Bill 193 changes the make-up of the Alaska Police Standards Council by replacing one chief administrative officer or one chief of police position, one correctional officer administrative position, and one public member with three police officer positions. This change does not have a fiscal impact on the Department of Public Safety.

Prepared by: Terry Vrabec, Executive Director
 Division: Alaska Police Standards Council
 Approved by: Walt Monegan, Commissioner
Department of Public Safety

Phone 465-4378
 Date/Time 12/12/07 4:06 PM
 Date 12/4/2007

HB

1966

ALASKA STATE LEGISLATURE HOUSE JUDICIARY COMMITTEE

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Chairman

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Representative Jay Ramras@legis.state.ak.us

1292 Sadler Way, Suite 324
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Committee Members:
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Vice-Chairman
Representative John Coghill
Representative Bob Lynn
Representative Ralph Samuels
Representative Max Gruenberg
Representative Lindsey Holmes

State Capitol, Room 120
Juneau, Alaska 99801-1182

Sponsor Statement HB 196

"An Act relating to the handling of matters after a person's death."

Existing Alaska law provides that a provision may be placed in a trust penalizing a person for contesting the trust even if probable cause exists for instituting proceedings. This bill provides for the same kind of provision in a will.

HB 196 also raises the limit of affidavit requirements on collection of personal property on a small estate. Currently, the affidavit requirements for a decedent's successor to collect personal property are limited in statute to \$15,000. This bill would raise the personal property limit to \$100,000 for vehicles and \$100,000 for personal property.

In addition, this bill provides that life insurance or retirement benefits payable at death are not subject to the claims of the creditors of the individual who is insured under the life insurance contract or who was a participant in the retirement plan, except for child and spousal support.

ALASKA STATE LEGISLATURE HOUSE JUDICIARY COMMITTEE

Representative Jay Ramras

Chairman

(907) 465-3004

Fax: (907) 465-2070

Representative_Jay_Ramras@legis.state.ak.us

1292 Sadler Way, Suite 324
Fairbanks, AK 99701



Committee Members:
Representative Nancy Dahlstrom,
Vice-Chairman
Representative John Coghill
Representative Bob Lynn
Representative Ralph Samuels
Representative Max Gruenberg
Representative Lindsey Holmes

State Capitol, Room 120
Juneau, Alaska 99801-1182

Sectional Summary

HB 196 "An Act relating to matters after a person's death"

Section 1. Amends AS 13.12.517 to provide that a penalty clause for contesting a will or instituting other proceedings apply even if probable cause exists for instituting the proceedings.

Section 2. Amends AS 13.16.680(a) to change one of the statements that must be contained in an affidavit to be used by a decedent's successor to collect personal property of the decedent from another person. The statement indicates that the value of the entire estate does not consist of more than certain specified amounts.

Section 3. Amends AS 13.16.700 to conform this section to the change made by this bill to AS 13.16.680(a).

Section 4 Adds new subsections to AS 13.33.101 (nonprobate transfers upon death)

Proposed AS 13.33.101(d) states that the benefits paid under a nonprobate provision are not subject to certain described debts or creditor claims.

Proposed AS 13.33.101(e) describes certain situations in which proposed AS 13.33.101(d) applies.

Proposed AS 13.33.101(f) establishes that proposed AS 13.33.101(d) does not limit the rights of the owner of a life insurance contract to pledge or assign the benefits as collateral for the owner's debts.

Proposed AS 13.33.101(g) defines "life insurance contract" and "retirement plan" for (d) of this section.

Section 5. Provides a transition section to indicate to which decedents and nonprobate transfer provisions certain provisions of the bill apply.



HOUSE JUDICIARY COMMITTEE

STATE CAPITOL, ROOM 120
(907) 465-4990

COMMITTEE MEMBERS

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Room 204
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Rep. Max Gruenberg
Room 110
(907) 465-4940

Rep. Lindsey Holmes
Room 405
(907) 465-4919

MEMORANDUM

Date: March 10, 2008

To: Senator Lesil McGuire
Chair Senate State Affairs Committee

From: Representative Jay Ramras
Chair House Judiciary Committee

Re: Changes made to HB 196 in Senate L&C

The following change was made in HB196 in the Senate Labor & Commerce committee:

Section 2 A person may claim to be a successor of the decedent and entitled to payment upon presenting an affidavit that the entire estate consists of personal property, exclusive of vehicles, with a total value of less than \$100,000. This amount was raised from the original amount in the bill of \$25,000.

Jane Pierson

From: Patty Krueger on behalf of Rep. Jay Ramras
Sent: Friday, February 22, 2008 10:33 AM
To: Jane Pierson
Subject: FW: HB 196

From: Stephen E. Greer [mailto:greer@ak.net]
Sent: Thursday, February 21, 2008 5:49 PM
To: Rep. Jay Ramras
Subject: HB 196

Dear Rep. Ramras- today I testified in support of HB 196 in Senate Labor and Commerce. As you know, this bill makes several changes to the Uniform Probate Code as enacted by Alaska in the early 80s. Section 2 and 3 of the bill raised the most questions. These sections raise the threshold in which a formal probate would not be required where the decedent dies with less than \$25,000 of personal property and less than \$100,000 of value in automobiles. Currently our law states that a formal probate proceeding can be only be avoided when the decedent dies with less than \$ 15,000 of personal property. It was suggested that the limit set forth in HB 196 be increased to even higher amounts than those set forth in the bill. I would certainly be willing to work with any legislator who wants to re-examine the amounts set forth in the bill but this should be done in a new bill next year. Due to the shortness of time remaining in the legislative session, if HB 196 does not become law during this session then Alaska residents will continue to be saddled with the present \$15,000 threshold, which everyone seems to agree is entirely too low.

If it is suggested that the threshold in which probate can be avoided be increased to an amount in excess of what the bill presently allows, one needs to be cautioned that there is always a flip side to an increased amount. For instance, let us take a situation where mom dies with a bank account of \$50,000. She has 2 sons, one who has been the good child and another child who has been particularly bad to her. Mom's will leaves everything to the good child. If the threshold amount in which probate would not be required were raised to \$ 50,000 there would be nothing to prevent the bad son from going to the bank prior to the good son and getting this amount from the bank and absconding with the funds. Setting forth a higher amount in which a formal probate would not be required also increases the potential for abuse. Although it was agreed by the drafters of this bill that the present \$15,000 was too low, the bill was also carefully tailored to prevent it from being used as a tool in which the small estate affidavit procedure could be abused.

I sent this message to all committee members requesting their support of the bill. It is certainly an improvement over the current law. If a legislator desires to re-examine these amounts next year I would be all too glad to assist in that endeavor and of course answer any question that a legislator might have.

Thank you for your consideration in this matter

Stephen E. Greer Esq
P O Box 242903
Anchorage AK 99524
(907) 561-5520 work
(907) 563-5020 fax

Physical address:
1225 E. Int. Airport Rd #100
Anchorage AK 99518

Facsimile: (907) 334-9958
E-Mail Address: bob@mb.law.pro

----- Original Message -----

From: Robert L. Manley
To: 'Senator Johnny_Ellis@legis.state.ak.us'
Sent: 2/21/2008 3:34PM
Subject: HB 196 - Act Relating to the Handling of Matters After a Person's Death

Dear Senator Ellis:

Thank you and the Labor and Commerce Committee for considering HB 196 at the February 21 hearing. Senator Bunde inquired about the selection of the new limit of \$25,000 for use of the probate waiver affidavit on non-motor vehicle assets. The probate waiver affidavit procedure is a Uniform Probate Code Provision and the shift to \$25,000 is basically a consumer price index adjustment. While some states have established higher limits, the thinking behind the \$25,000 limit is that like any abbreviated and non-court supervised procedure there is some risk of abuse. If a person improperly uses the procedure, cash assets are generally disposed of promptly while automobiles are traceable assets which are less subject to abuse even at the \$100,000 level.

This is not an attempt to retain more money for lawyers by running small probates. If that was the goal then the informal working group on this legislation would not have proposed the change at all. If the Committee wants to increase the general limit I suggest that it be done by separate legislation because an amendment at this point is likely to doom HB 196 for this year. At best an amendment would effectively kill the other good provisions of HB 196 in return for making a small part of the legislation better if the bill is reintroduced in the next Legislature. I know you have heard this before, but given the short session, I respectfully request that you release HB 196 so it can be considered by the State Affairs and Judiciary Committees. If any Committee members would like to discuss this further please contact me.

Robert L. Manley
Manley and Brautigam p.c.
845 K Street
Anchorage, AK 99501

Telephone: (907) 334-5600
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E-Mail Address: bob@mb.law.pro <blocked:mailto:bob@mb.law.pro>

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2/22/2008

Jane Pierson

From: Douglas Blattmachr [dblattmachr@alaskatrust.com]
Sent: Friday, February 22, 2008 9:48 AM
To: Jane Pierson
Subject: FW: HB 196

From: Blattmachr, Jonathan [mailto:JBlattmachr@milbank.com]
Sent: Friday, February 22, 2008 3:32 AM
To: Senator_Johnny_Ellis@legis.state.ak.us
Cc: bob@mb.law.pro; greer@ak.net; Douglas Blattmachr; bchapman@faulknerbanfield.com; dshaftel@shaftellaw.com; rich@hompesch.com; lhulbert@gci.net
Subject: HB 196

Dear Senator Ellis:

I have been a member of the Alaska bar for 20 years and was the principal drafter of the Alaska Trust Act which became law in 1997 and participated in the drafting of HB 196.

I practice primarily in New York and California, almost exclusively in the areas of estate planning and administration. Probably, 8 out of 10 of my clients choose to use Alaska as the jurisdiction to govern at least a portion of their estate planning documents. This has been so successful for Alaska (bringing jobs and funds to the state) that several other states (including Delaware, Florida, Utah, Rhode Island and others) have copied many of Alaska's trust and related laws.

In my opinion, HB 196 will continue to keep Alaska in the forefront of the estate planning world. I respectfully request that it be enacted.

Respectfully yours,

Jonathan Blattmachr

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Jane Pierson

From: lhulbert [lhulbert@gci.net]
Sent: Monday, April 23, 2007 10:32 AM
To: Jane Pierson
Subject: HB's 195, 196, 197

Representative Ramras,

I would like to support House Bills 195, 196 and 197. I have been in the insurance industry for the last 16 years and have worked closely with legislature including the AK Trust Act, Com. Property Act and the Change to the State Premium Tax. I support these three House Bills as it will improve estate planning opportunities for alaskans and bring new business and revenue to the State.

Linda Hulbert
Agent
New York Life Insurance Company
110 Cushman St.
Fairbanks, AK 99701
907-452-4400
Registered Representative offering securities through NYLIFE Securities Inc. (member NASD/SIPC)

New York Life Insurance Company
701 West 8th Ave., Ste.900
Anchorage, AK 99501
907-279-6471

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New York Life Insurance Co., 51 Madison Ave, New York, NY 10010

AS 13.12.517

ALASKA STATUTES

Title 13. Decedents' Estates, Guardianships, Transfers, and Trusts.

Chapter 12. Intestacy, Wills, and Donative Transfers.

Article 5. Wills, Will Contracts, and Custody and Deposit of Wills.

Sec. 13.12.517 Penalty clause for contest.

A provision in a will purporting to penalize an interested person for contesting the will or instituting other proceedings relating to the estate is unenforceable if probable cause exists for instituting proceedings.

(§ 3 ch 75 SLA 1996)

A. S. 13.12.517, AK ST § 13.12.517

Current through all 2006 Legislation, Annotations current through Opinions

Decided as of July 1, 2006.

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AS 13.16.680

ALASKA STATUTES

Title 13. Decedents' Estates, Guardianships, Transfers, and Trusts.

Chapter 16. Probate of Wills and Administration.

Article 12. Collection of Personal Property by Affidavit and Summary Administration Procedure.

Sec. 13.16.680 Collection of personal property by affidavit.

(a) Thirty days after the death of a decedent, any person indebted to the decedent or having possession of tangible personal property or an instrument evidencing a debt, obligation, stock, or chose in action belonging to the decedent shall make payment of the indebtedness or deliver the tangible personal property or an instrument evidencing a debt, obligation, stock, or chose in action to a person claiming to be the successor of the decedent upon being presented an affidavit made by or on behalf of the successor stating that

(1) the value of the entire estate, wherever located, less liens and encumbrances, does not exceed \$15,000;

(2) 30 days have elapsed since the death of the decedent;

(3) no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction; and

(4) the claiming successor is entitled to payment or delivery of the property.

(b) A transfer agent of any security shall change the registered ownership on the books of a corporation from the decedent to the successor or successors upon the presentation of an affidavit as provided in (a) of this section.

(§ 1 ch 78 SLA 1972; am § 4 ch 80 SLA 1984)

A. S. 13.16.680, AK ST § 13.16.680

Current through all 2006 Legislation, Annotations current through Opinions Decided as of July 1, 2006.

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END OF DOCUMENT

AS 13.16.700

ALASKA STATUTES

Title 13. Decedents' Estates, Guardianships, Transfers, and Trusts.

Chapter 16. Probate of Wills and Administration.

Article 12. Collection of Personal Property by Affidavit and Summary Administration Procedure.

Sec. 13.16.700 Settlement directed by court.

When a judge receives information that a person has died in the judge's judicial district leaving an estate of \$15,000 or less and no qualified person has appeared to take charge of the assets, the judge may immediately appoint a person, corporation, or attorney to settle the estate in the manner provided for in AS 13.16.680 -- 13.16.695.

(§ 1 ch 78 SLA 1972; am § 5 ch 80 SLA 1984)

A. S. 13.16.700, AK ST § 13.16.700

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END OF DOCUMENT

AS 13.33.101

ALASKA STATUTES

Title 13. Decedents' Estates, Guardianships, Transfers, and Trusts.

Chapter 33. Nonprobate Transfers.

Article 1. Provisions Relating to Effect of Death.

Sec. 13.33.101 Nonprobate transfers on death.

(a) A provision for a nonprobate transfer on death in an insurance policy, contract of employment, bond, mortgage, promissory note, certificated or uncertificated security, account agreement, custodial agreement, deposit agreement, compensation plan, pension plan, individual retirement plan, employee benefit plan, trust, conveyance, deed of gift, marital property agreement, or other written instrument of a similar nature is nontestamentary. This subsection includes a written provision that

(1) money or other benefits due to, controlled by, or owned by a decedent before death must be paid after the decedent's death to a person whom the decedent designates either in the instrument or in a separate writing, including a will, executed either before or at the same time as the instrument, or later;

(2) money due or to become due under the instrument ceases to be payable in the event of death of the promisee or the promisor before payment or demand; or

(3) property controlled by or owned by the decedent before death that is the subject of the instrument passes to a person the decedent designates either in the instrument or in a separate writing, including a will, executed either before or at the same time as the instrument, or later.

(b) An instrument referred to in (a) of this section may designate as a beneficiary, payee, or owner, a trustee named or to be named in the will of the person entitled to make the designation. The designation may be made before or after the execution of the designator's will. It is not necessary to the validity of the underlying trust that there be in existence a trust corpus other than the right to receive benefits or to exercise the rights resulting from the designation.

(c) This section does not limit rights of creditors under other laws of this state.

(§ 12 ch 75 SLA 1996)

A. S. 13.33.101, AK ST § 13.33.101

Current through all 2006 Legislation, Annotations current through Opinions Decided as of July 1, 2006.

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FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 3
 Bill Version: SCS CSHB 196(L&C)
 (S) Publish Date: 3/10/08

Identifier (file name): _____ Dept. Affected: LAW
 Title: An Act relating to matters after a person's death RDU: Civil
 Component: Commercial & Fair Business
 Sponsor: JUDICIARY
 Requester: SENATE LABOR & COMMERCE Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	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	0.0	0.0

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

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

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

This bill proposes amendments to Title 13 of the Alaska Statutes relating to matters following a person's death including changes to allow enforceability of a penalty clause for a will contest, raising the amount of personal property that may be collected by affidavit in the administration of small estates, and to ensure that non-probate transfers of life insurance or retirement plan benefits are not subject to the debts of the individual who was the insured or who was the plan participant or to claims of that individual's creditors. Enactment of the bill is not anticipated to fiscally impact the Department of Law.

Prepared by: Robert Meiners, Administrative Services Manager
 Division: Administrative Services Division
 Approved by: Talis Colberg, Attorney General
Department of Law

Phone: 907-465-5427
 Date/Time: 2/19/08 9:10 PM
 Date: 2/19/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: SCS CSHB 196(L&C)
 (S) Publish Date: 3/10/08

Identifier (file name): _____ Dept. Affected: Alaska Court System
 Title: Handling matters after a person's death RDU: Trial Courts
 Component: Trial Courts
 Sponsor: House Judiciary Committee
 Requester: Senate Labor and Commerce Committee Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
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	0.0

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

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

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

The court system does not anticipate any fiscal impact from the passage of CSHB 196(JUD).

Prepared by: Doug Wooliver, Administrative Attorney
 Division: _____
 Approved by: Stephanie Cole, Administrative Director by Doug Wooliver

Phone 907-463-4750
 Date/Time 2/21/08 11:30 AM
 Date 2/21/2008

HB

210

ALASKA STATE LEGISLATURE

Vice Chair:

Joint Armed Services Committee

Member:

Military and Veterans Affairs Committee

Labor and Commerce Committee

State Affairs Committee

Economic Development, Trade, &

Tourism Committee



Session:

Alaska State Capitol

Juneau, AK 99801-1182

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REPRESENTATIVE NANCY DAHLSTROM

ELMENDORF AFB • FORT RICHARDSON • BIRCHWOOD • FIRE LAKE • GOVERNMENT HILL • MULDOON

Representative_Nancy_Dahlstrom@legis.state.ak.us

Sponsor Statement House Bill 210 – Adjutant General Qualifications

House Bill 210, "An act relating to the appointment and qualifications of the adjutant general," is before us to bring attention to the importance of guard duty in relation to its leadership.

In recent years, the Alaska National Guard has undergone major changes. It has seen organizational restructure, increased deployment responsibility and additional missions at home. With the amplified demand for the Alaska National Guard, it is imperative for our state's adjutant general be adequately qualified.

House Bill 210's intent is to positively impact troop morale by appointing leaders who have shared similar experiences and walked in their shoes. Knowing their leader has been down a similar path will create a deeper respect within the troops.

The National Guard Bureau in Washington, D.C. is considering an increase in rank for the bureau chief, from three-star to four-star. Increasing the rank from major general to lieutenant general will give the Alaska National Guard a jump start on this initiative and make our adjutant general more qualified and better received when working with issues back in Washington, D.C. An increase in rank will not impact the state budget and will not increase the adjutant general's salary as a state employee.

It is important to note this legislation does not limit the power of the Governor to appoint a viable candidate as Adjutant General/Commissioner of the Department of Military and Veterans Affairs. This legislation is supported by the Administration and I ask for your favorable consideration.

**John Bruce Gazaway
4420 Edinburgh Drive
Anchorage, Alaska 99502**

March 28, 2008

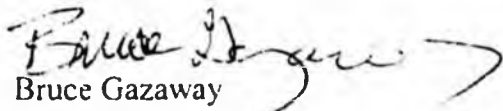
To the House of Representatives:

House Bill 210 is an important measure and we urge your support to pass this bill.

As a member of the Alaska National Guard for 25 years, I believe that troop morale and well being is higher when an Adjutant General comes from the ranks of the Alaska National Guard. When a person has at least five years experience with an organization one gains a knowledge and understanding of where we have come from and where we need to go.

It has been difficult in the past when an Adjutant General has had no Alaska National Guard experience. Without a clear understanding of the state and the responsibilities of the Alaska National Guard, Adjutant Generals can drive enlisted Soldiers and Airmen to leave the organization.

Sincerely,



Bruce Gazaway
Technical Sergeant
Alaska Air National Guard

PROPOSAL FOR A STATE OF ALASKA RESOLUTION AMENDMENT

RELATING TO QUALIFICATIONS IN ALASKA STATUTE AS.26.05.160. FOR APPOINTMENT AS THE ADJUTANT GENERAL.

BACKGROUND: Currently in the State of Alaska, the Governor is essentially free to appoint nearly anyone he/she chooses to be The Adjutant General for Alaska, the highest military position of the Alaska National Guard. At the same time, the requirements for appointment of the two (Army and Air Guard) Assistant Adjutant Generals, require that they have served at least five (5) years in the Alaska National Guard, be able to be Federally recognized as General Officers, and other specific statutory and regulatory requirements.

This creates both a real and perceived disparity between two militarily qualified General Officers and their potential immediate military leader that is unacceptable. Also, someone who has no knowledge of the Alaska National Guard tends to spend most of their time just trying to learn about our capabilities and challenges, the Alaska military and political environments and the State military needs. This is contrary to someone who has come from within the organization. Also, the military training, experience, schooling requirements to include the War College are intense and cumulative to achieve the level of General Officer in today's National Guard. Someone who has not served in the higher military ranks also should not be considered to be placed in a military command position at the level of Adjutant General.

PROPOSED ACTION;

Due to our overwhelming support for HB 210, we recommend immediate passage, support and swift approval throughout the legislative process on this action.



Mike Bridges
Past President, Legislative Affairs Chair, Alaska National Guard Officer's Association
(907) 952-3878
brimn@uci.net

From a resolution at the Annual General Business meeting.

From: mark [fishes2@gci.net]
Sent: Friday, April 06, 2007 12:16 PM
To: Rep. Nancy Dahlstrom
Subject: Thank you for HB210

Nancy,
Thank you for your efforts on behalf of Alaska's National Guard. (HB210)

As a twenty year Guard Guy I have seen the devastating impact of a politicized officer corp.
During the post cold war draw down many good Guard Officers were forced out and replaced by Active Army Officers who lost positions in the Active component.

It is comforting to know that with your bill the AG will have enough time in the Alaska Guard to understand the world class nature of our units.
This is a great morale boost at a pivotal time you should be commended for your actions on behalf of Alaska's Guard.
BRAVO!

Mark Fish

HB

252

SENATE COMMITTEE REPORT

DATE: 2/8/08

FURTHER: Finance

DATE TURNED
IN TO OFFICE: _____

State Affairs Committee considered CS FOR HOUSE BILL NO. 252(STA)

HB 252 LEAVE FOR ORGAN/BONE MARROW DONATIONS

"An Act requiring paid leave from employment for organ and bone marrow donation."

and recommends:

- be replaced with SCS or CS _____ (_____)
- adopt previous SCS or CS _____ (_____)
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:
 Same Title
 New Title

HOUSE BILL:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____


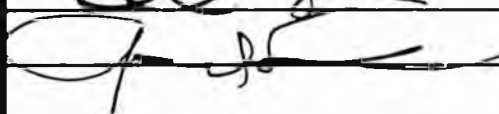
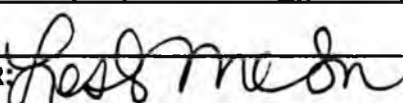
NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
DCCED	2/19/08			✓	

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
Admin	2/4/08			✓	

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	NO REC	AMEND
	French	X			
	Steubert	X			
CHAIR: 	McSweeney	✓			

CS FOR HOUSE BILL NO. 252(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 5/13/07

Referred: Rules

Sponsor(s): REPRESENTATIVES LEDOUX, Foster, Lynn, Doogan, Kohring, Thomas, Kawasaki, Gruenberg, Cissna, Roses, Kerttula, Gardner

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring paid leave from employment for organ and bone marrow donation."**

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

3 *** Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
4 to read:

5 **SHORT TITLE.** This Act may be known as the Richard Foster, Stanley M. Robbins,
6 and Alex Cesar Donor Act.

7 *** Sec. 2.** AS 39.20.245(b) is amended to read:

8 (b) An officer or employee, with the approval of the person authorizing the
9 employment, may donate accrued personal or annual leave to another officer or
10 employee only for use as leave for medical reasons. The official responsible for
11 employee accounts shall debit the donor's personal or annual leave account and credit
12 the donee's personal leave account, or sick leave account, as appropriate, for medical
13 reasons only, by converting the donated leave into cash value at the donor's rate of pay
14 and reconverting the cash value to hours of leave at the donee's rate of pay. Leave
15 donated under this subsection is not leave taken by the donor for purposes of

1 AS 39.20.225(c). An employee who is covered by a collective bargaining agreement
 2 may donate leave to or receive donations of leave from an employee or officer who is
 3 not covered by a collective bargaining agreement, notwithstanding AS 39.20.310(7)
 4 and (8) [AS 39.20.310(8) AND (9)].

5 * **Sec. 3.** AS 39.20.270 is amended to read:

6 **Sec. 39.20.270. Court leave.** Notwithstanding AS 39.20.310(6)
 7 [AS 39.20.310(7)], court leave shall be granted to an employee who is classified as
 8 full time, whether permanent, nonpermanent, or temporary. An officer or employee
 9 called to serve as a juror or subpoenaed as a witness is entitled to administrative leave
 10 with pay, but compensation received by the employee or to which the employee is
 11 entitled, whichever is greater, for service as a juror or witness shall be deducted from
 12 pay to which the employee is entitled as a state officer or employee.

13 * **Sec. 4.** AS 39.20 is amended by adding a new section to read:

14 **Sec. 39.20.275. Leave for organ or bone marrow donation.** (a)
 15 Notwithstanding AS 39.20.310(1) - (3) and (6) - (8), paid administrative leave of not
 16 more than 80 hours and not less than 40 hours, unless the employee requests fewer
 17 hours, shall be granted under this section to an employee who requests leave to make a
 18 personal organ or bone marrow donation. Paid administrative leave may include time
 19 spent on a screening process to determine whether the employee is a compatible
 20 donor.

21 (b) The director of personnel in the Department of Administration shall adopt
 22 regulations to implement this section.

23 (c) Nothing in this section authorizes employees to request leave for
 24 contribution to or for withdrawal from a leave pool.

25 (d) In this section, "employee" means a paid employee of the executive,
 26 judicial, or legislative branch of state government, a state public corporation or council
 27 established by law, or the University of Alaska, whether the employee is a permanent,
 28 nonpermanent, or temporary employee, who is employed for an average of 30 or more
 29 scheduled hours each week.

30 * **Sec. 5.** AS 39.20.310 is amended to read:

31 **Sec. 39.20.310. Exceptions.** Except as provided in AS 39.20.275,

- 1 AS 39.20.200 - 39.20.330 do not apply to
- 2 (1) members of the state legislature, the governor, the lieutenant
3 governor, and justices and judges of the supreme and superior courts and of the court
4 of appeals, but nothing in AS 39.20.200 - 39.20.330 may be construed to diminish the
5 salaries fixed by law for these officers by reason of absence from duty on account of
6 illness or otherwise;
- 7 (2) magistrates serving the state on less than a full-time basis;
- 8 (3) officers, members of the teaching staff, and employees of the
9 University of Alaska;
- 10 (4) [REPEALED
- 11 (5)] persons employed in a professional capacity to make a temporary
12 and special inquiry, study, or examination as authorized by the governor, the
13 legislature, or a legislative committee;
- 14 (5) [(6)] members of boards, commissions, and authorities who are not
15 otherwise employed by the state;
- 16 (6) [(7)] temporary employees hired for periods of less than 12
17 consecutive months;
- 18 (7) [(8)] persons employed by the division of marine transportation as
19 masters and members of the crews operating the state ferry system who are covered by
20 collective bargaining agreements as provided in AS 23.40.040, except as expressly
21 provided by law;
- 22 (8) [(9)] persons employed by the state who are covered by collective
23 bargaining agreements as provided in AS 23.40.210, except as expressly provided by
24 law.

ALASKA STATE LEGISLATURE



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Representative Gabrielle LeDoux

HB 252 - Leave For Organ/Bone Marrow Donations

"An Act requiring paid leave from employment for organ and bone marrow donation."

SPONSOR STATEMENT

The Richard Foster, Stanley M. Robbins, and Alec Cesar Donor Act would require the State of Alaska to grant a paid leave of absence to an employee for the purpose of making a personal organ or bone marrow donation. The employer is not required to provide more than 80 hours of leave, however the leave may not be less than 40 hours unless the employee requests fewer hours. Verification may be required and the State may not retaliate or sanction an employee for requesting this leave.

For living donors, paid leave may be needed for the procedure to obtain bone marrow or kidneys, and recuperation time. In order to obtain a bone marrow donor sample, a quick and easy cheek swab is taken. The actual bone marrow donation and recuperation can take time away from work, especially if the donor must travel in order to donate. For kidney donors surgery, and recuperation time is needed.

According to the Alaska Kidney Foundation, over 300 Alaskans are on kidney dialysis and that number has been steadily increasing by 15% annually. There are some patients on dialysis who are in need of a kidney transplant. There are nearly 160 Alaskans waiting for an organ transplant. Every year there are adults and children who need bone marrow transplants for ailments such as leukemia and other blood diseases. A bone marrow donation may be their only chance for survival.

Richard Foster is a longtime legislator from Nome who is currently awaiting a kidney transplant. The late Stanley Robbins was the husband of Representative Sharon Cissna; his life was extended a number of years thanks to a kidney transplant. Alex Cesar is a Filipino/Tlingit boy residing in Juneau who was able to receive a bone marrow transplant in Seattle after the national bone marrow bank turned up a matching donor in New Mexico.

LEGAL SERVICES

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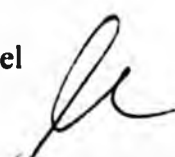
MEMORANDUM

February 6, 2008

SUBJECT: Sectional Summary (CSHB 252(STA))
(Work Order No. 25-LS0817(K))

TO: Representative Gabrielle LeDoux

FROM: Jean M. Mischel
Legislative Counsel



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

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

Section 1. Provides a short title.

Section 2. Makes a conforming amendment related to sec. 6's technical change that removes a previously repealed paragraph.

Section 3. Makes a conforming amendment related to sec. 6's technical change that removes a previously repealed paragraph.

Section 4. Adds a new section to title 39 (state employment) requiring specified employers to provide employees who work 30 or more scheduled hours each week not less than 40 hours of paid administrative leave for donating an organ or bone marrow.

Section 5. Provides a cross-reference to the new section added in sec. 4 of the bill and makes a technical change that removes a previously repealed paragraph.

JMM:lmb
08-014.lmb

ALASKA STATE LEGISLATURE



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Representative Gabrielle LeDoux

MEMO

TO: REPRESENTATIVE GABRIELLE LEDOUX
FROM: CHRISTINE R. MARASIGAN, LEGISLATIVE AIDE *CRM*
SUBJECT: HB 252, THE RICHARD FOSTER AND ALEX CESAR DONOR ACT
DATE: 5/11/2007

HB 252 was heard in the House HESS Committee on May 8, 2007. During the hearing there was extensive discussion that resulted in several changes. Listed below is a summary of the major changes that reflect the deliberations and what I understand to be the intent of the committee.

- Page 1, Sec. 2 [(a) An employer who employs 100 or more employees shall provide a paid leave of absence to an employee for the purpose of making a personal organ or bone marrow donation. The employer is not required to provide more than 80 hours of leave under this section; however, the leave may not be less than 40 hours unless the employee requests fewer hours.] was deleted.
- Page 2, Sec. 4 Paid administrative leave may not include time spent on a screening process to determine whether the employee is a compatible donor. was added.
- Page 2, Sec. 4 (c) Nothing in this section authorizes employees to request leave for contribution to or for withdrawal from a leave pool. was added.

Rationale: The committee had a long-ranging discussion. One of the issues discussed was the unfunded liability for companies. CSHB 252 now only applies to State of Alaska employees. Another issue involved the screening process, that this bill should be used for, "a" meaning a one time leave of absence for the actual bone marrow or organ donation and recuperation time. The last issue had to deal with to whom this bill would apply to since the State cannot mandate these items to collective bargaining units. Lastly, there was a discussion having to do with insurance since organ and bone marrow donation is actually an "elective" surgery for the donor.

ALASKA STATE LEGISLATURE




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Representative Gabrielle LeDoux

MEMO

TO: REPRESENTATIVE GABRIELLE LEDOUX
FROM: CHRISTINE R. MARASIGAN, LEGISLATIVE AIDE 
SUBJECT: CSHB 252, THE RICHARD FOSTER, STANLEY M. ROBBINS AND ALEX CESAR DONOR ACT
DATE: 5/13/2007

CSHB 252 was heard in the House State Affairs Committee on May 12, 2007. During the hearing there was extensive discussion that resulted in several changes. Listed below is a summary of the major changes that reflect the deliberations and what I understand to be the intent of the committee.

Page 1, Sec. 1, Stanley M. Robbins was added.
In. 5
Page 2, Sec. 4, [not] was deleted.
In. 18
Page 2, Sec. 4 warrant issued by the state was deleted. [paid] was inserted
[a state public corporation or council established by law, or the University of Alaska] was inserted.

Rationale: The committee had a long-ranging discussion. One of the issues discussed was the exclusion of testing. A committee inquired as to the time it takes to test and find matches for bone marrow and kidney donation. Two other issues dealing with section 4 of the bill included, 1) deleting the language "warrant issued by the state" since many working for the State of Alaska get their payroll through electronic transmission and 2) broadening the definition of what is meant by a state employee. Lastly, there was a change to the short title to include the deceased Stanley M. Robbins, a staffer whose life was extended by a decade due to a kidney transplant.



235 E 8th Ave, Ste 100
Anchorage, AK 99501
Phone: 907.562.5433 - Fax: 907.562.5333
www.lifealaska.org
www.alaskadonorregistry.org

May 7, 2007

Representative Gabrielle LeDoux
Alaska State Capitol
Juneau, AK 99801

RE: HB252, "An Act requiring paid leave from employment for organ and bone marrow donation"

Dear Representative LeDoux:


Please accept this letter as a strong endorsement of HB 252; I am most supportive of an initiative that would reduce the financial hardship for those who are willing to offer the gift of life to those who so desperately need the gift of transplantation.

Today, in the U.S., there are more than 95,000 patients awaiting an organ transplant and each day eighteen patients die while waiting. Alaska has approximately 200 patients waiting at the present time. The fact that someone would be willing to donate an organ such as a kidney to another in need is the highest act of selflessness. There simply are not enough organs donated from deceased donors to help the thousands waiting and living kidney donation can make the difference.

In the case of bone marrow donation many thousands of potential donors are needed to find a close enough match for one patient suffering from one of the blood cancers. Without a bone marrow transplant these patients will surely die prematurely.

The financial impact on any individual company in Alaska would be small and supporting these donor patients would be a most honorable community service to Alaskans.

Respectfully submitted,


Bruce Zalneraitis
Chief Executive Officer

Christine Marasigan

From: twood@alaskakidney.com
Sent: Tuesday, May 08, 2007 6:49 AM
To: Christine Marasigan
Subject: RE: draft bill

Dear Ms Marasigan: I am in general support of HB 252, which may encourage more individuals to become living organ donors. At present the need for organ and marrow transplants far exceeds their availability. The paid time off may be generous for certain occupations (desk jobs), but a provision in the bill does allow the donor to return to work sooner at their discretion. Sincerely, Thomas C. Wood, MD, FACP

Christine Marasigan

From: Tana Hughes [tjh@ak.net]
Sent: Wednesday, March 28, 2007 6:20 PM
To: Suzanne Hancock; Christine Marasigan
Subject: regarding bone marrow leave

Dear Gabrielle,

I wanted to personally thank you for your support and your leadership in introducing legislature in the House that will allow administrative leave to be granted to employees should they be lucky enough to be matched to a patient. I have attached a copy of the letter I sent to Sen. Elton in response to his VIP policy letter #266 but would be remiss not to also thank you.

I read once that if the only prayer you said in your whole life was, "thank you," that would suffice.

Thank You,

Tana Hughes

VIP Policy Letter #266

Dear Sen. Elton

As a National Marrow Donor Program drive volunteer I would like to thank you for recognizing the heroic deed of Mr. Begall, for accepting the message of his and Alec's story and for taking it one step further. Drafting legislation in the Senate for administrative leave for bone marrow donors is a commendable and progressive step forward in removing a barrier for potential donors who may wish to join the NMDP.

As a volunteer working with recruitment on Kodiak Island and with the Kodiak Community Marrow Fund, I have unfortunately discovered that the barriers are many. Remote locations, the lack of educational programs, cultural beliefs and financial reasons are just a few of the stumbling blocks we have encountered. But none of those barriers are as difficult to deal with and overcome as the roadblock that has been consistently been thrown up before us by the system for coordinating drives that currently exists for the State of Alaska.

You noted in your policy letter that training to do bone marrow drives in Alaska is now available for free and I would like to comment on that note specifically. Although the training is free, it is not easy to obtain, maintain or sustain in a small community.

As Alaskans we are accustomed to working with agencies outside our state

5/7/2007

attempting to work inside our state. The key to success for any business or venture to be successful in this great state is its ability to be flexible and think outside the box.

As a member of a small group of volunteers I have found the system that currently exists here in Alaska, designed to support the NMDP and a system that **should** support a community's desire to organize self drives to be unorganized, unyielding and un-moldable to the needs of communities outside the Anchorage bowl.

On a personal note I feel it is only fair to let you know that in addition to my role as a volunteer I am also a patient, a potential bone marrow transplant recipient. In 2006 I was diagnosed with Idiopathic Myelofibrosis, the least common of the Chronic Myeloproliferative disorders and the one that carries the worst prognosis. Since that fateful day I have struggled with the knowledge that my survival rests in someone's hands, a stranger across the globe or perhaps across the country. Every face in the crowd is a potential hero to me.

But my story is no different than that of up to 3000 men, women and children **a day** that need to find their own hero. So perhaps I do feel the sting of a system that just doesn't work a little too deeply but maybe that personal attachment will allow me to champion this cause with reckless abandon, to speak about the need, to shout if need be. I just need a few more voices like yours to join the choir. Your input and opinion about how to create a more workable self-drive program for small communities would be of great value. Please feel free to contact me with any comments or questions.

Tana Hughes
Po Box 802
Kodiak, AK 99615
907-486-6369



[Click here to return to the original story](#)

Bone marrow donor, recipient's family connect in Juneau

Native boy meets his rare match in emotional reunion at the airport

Leonard Begaii was driving to work about six weeks ago in New Mexico when he got a phone call that changed his life.

He answered it, but the caller was silent. He was about to hang up when he heard an emotional voice.

"She told me, 'My name is Rachel. I'm the mother of Alex Cesar,'" he said. "That's the patient you donated the bone marrow to.' "

A year and a half after helping save the life of a Juneau boy, Begaii had finally learned the boy's name.

This week, Begaii, 29, was able to meet him. He and his family were flown up from New Mexico to meet Alex and his family, to celebrate the boy's eighth birthday and be honored by the city Monday evening.

"I just wanted to help somebody out," Begaii said. "I kept wondering who got it, where it went to."

Alex's battle with leukemia inspired a statewide drive for bone marrow in 2005. More than 1,000 people registered in the National Marrow Donor Program across Alaska.

A match was not easy to find for Alex, who is one-quarter Filipino and three-quarters Tlingit. It came from an unexpected source: a Navajo man in New Mexico.

Begaii arrived at a donating facility just as the staff was closing it down one afternoon in April. He talked them into taking one last sample. The blood matched, and a transplant took place later in October.

Much of Begaii's desire to donate sprung from health issues that his own son faced. When his son, Xavier, was an infant, doctors discovered a rare chromosomal disorder. They said the boy had six months to a year to live.

Now he's 10.

Begaii decided to donate the marrow even though it was against his Navajo beliefs, he said. The Navajo say that if you give away part of your body, you give away part of your spirit.

"With my wife standing behind me through the whole procedure, I was glad to do it," he said.

The transplant process has been overwhelming for Alex's family, but it was successful.

Alex's mother, Rachel Dugaqua, said Begaii saved Alex's life. She and Alex's aunt, Andrea Quinto, and other family members gathered at the Juneau International Airport on Friday to meet Begaii and his extended family - but the flight was sent to Sitka due to snow. They were able to land later.

"You don't know what to expect," Dugaqua said as she waited for the plane. "It's been a major roller coaster of emotion."

"We called," she added. "We got to talk on the phone. He sent me a photo, and we sent him photos too. But it's all very different face-to-face."

Alex was playing with other kids. When asked if he wanted to talk about his experience, he just shook his head. He's shy, his family said.

Every family member was affected differently by the events, Quinto said.

"For me, it was a fight to find a donor," Quinto said. "You got to fix what's broken. But you can't fix it if the doctors don't have what they need."

"We have a good success story," she added. "We just happened to be the lucky ones."

Begaii and his family have been enjoying the snow and getting to know Alex. They were able to bring their five children, ranging in ages 4 to 12, and several other family members for a total of nine. They all watched Monday evening as Begaii was named an honorary citizen of Juneau.

The visit has been hectic at times. But meeting Alex and his family has given Begaii a sense of peace.

"It put my heart at ease," Begaii said. "I'm glad somebody is alive today because of what I did."

• Ken Lewis can be reached at ken.lewis@juneauempire.com.

Click here to return to story:

http://www.juneauempire.com/stories/032007/loc_20070320018.shtml

Once again friends rally to help Nome lawmaker in crisis**TRANSPLANT: Colleagues and others offer money, even kidneys.**

By ANNE SUTTON

The Associated Press

(Published: April 30, 2007)

JUNEAU -- In 1991, the state representative from Nome was facing trial on federal gun charges. Six unregistered machine guns and a 50 mm Soviet mortar were among the items found in Richard Foster's possession.

In many other places, such troubles could be grounds for a recall. Instead, Foster's constituents threw a fundraiser to help pay for his defense.

Now, in the face of a more serious challenge -- he has a life-threatening kidney disease and needs a transplant -- friends once again are rallying to Foster's side.

Half a dozen people at the Alaska Capitol have offered him one of their kidneys, and more than 200 legislators, staff members, lobbyists and well-wishers turned out in Juneau last month to raise money to help cover out-of-pocket expenses for him and his wife, Catherine.

"I was real touched and humbled by it, especially by the donors who came out of the woodwork to help," said Foster, the father of eight adult children and one teen. "You have all these people in the building here, and they are at each other's throats sometimes, but when someone needs help, they are the first to step forward."

A silver-haired, easygoing man with a ready and somewhat manic laugh, Foster has a knack for making friends. At the fundraiser, the stories flowed thick and fast about his corny jokes and biting sense of humor.

Lobbyist Paul Fuhs, a former Nome city manager, drew the biggest laugh with his story of walking with the legislator in his hometown on the edge of the Bering Sea. When a seagull swooped past, dropping a deposit on Foster's head, Fuhs figured Foster would want to tidy up, so he asked if he should fetch some toilet paper.

"Nah," Foster said, "he'll be long gone by then."

On the House floor, Foster rarely joins in legislative debate and is often observed leafing through



Rep. Richard Foster, D-Nome, has a life-threatening kidney disease and needs a transplant. Alaskans are rallying to Foster's side, with half a dozen people in the Capitol offering him one of their kidneys. (CHRIS MILLER / The Associated Press)



Rep. Richard Foster, D-Nome, has a life-threatening kidney disease and needs a transplant. Alaskans are rallying to Foster's side, with half a dozen people in the Capitol offering him one of their kidneys. (CHRIS MILLER / The Associated Press)

gun magazines. He is better known for his birthday roasts to colleagues, and for "Fridays at Foster's," the end-of-the-week music jam he hosts in his comfortable offices decorated with photographs of the thousands of people who've visited over the years.

Foster said most legislative bills aren't relevant, anyhow, to residents of his far-flung, often icebound northwestern district. He represents the city of Nome, population 3,540, and 28 Native villages -- of which only two are connected to each other by road and none to the greater world.

"There are a thousand bills introduced here every two years and they don't mean a thing to people in Savoonga or Diomedes," Foster said. "Like seat belt laws. Most of my villagers don't even have a car. They all use ATVs (all terrain vehicles) or snowmachines."

CAPITAL BUDGET IS PRIORITY

As a lawmaker, he keeps a single-minded focus on the capital budget and its ability to build jobs and infrastructure in remote, cash-poor villages. In homes there, the toilet is often a bucket behind a curtain in a corner off a main room.

"The question is trying to get good, safe conditions, water and sewer mostly, and affordable power," said Foster, whose ancestry is part Scandinavian, part Eskimo. "When I came (to the Legislature) in 1988 they had just found out in Shishmaref that their drinking water pond was built on an old Eskimo cemetery. They were drinking human remains."

His constituents certainly recognize the importance of seniority and Foster's success in bringing projects home.

In recent years, those have included schools in White Mountain, Sheldon Point, Hooper Bay, Chevak and Stebbins, the repaving of several airport runways, and smaller community projects like washeterias and dust and erosion control.

The senior member of the House of Representatives, Foster is now in his 10th two-year term. He has also remained a member of the House majority during his long tenure despite a shift in power 14 years ago from Democrats to Republicans.

He kept his party affiliation but joined the Republican caucus with three fellow rural Democrats. The move angered those who were left in the minority, but former lawmaker and Anchorage Democrat Ethan Berkowitz said he came to appreciate the pressures that the state's handful of rural lawmakers work under.

"If I don't get a capital project, no big deal. We'll get it later on," Berkowitz said. "If he doesn't get a school, that means his family, his friends, aren't going to get the education they deserve. That's a very heavy burden."

Berkowitz took an annual birthday ribbing from Foster for a boating mishap near Juneau early in his own decade-long tenure.

"He doesn't take a bath; he just washes ashore," was one of Foster's lines.

Foster also honored the event with a song, a handmade model of the capsized boat and a tongue-in-cheek request to the U.S. Board of Geographic Names to consider renaming the spot Berkowitz Island where the legislator spent a cold, wet night before he was rescued by the Coast Guard.

"It's the accident that will never stop giving," Berkowitz said with a laugh.

Foster also gave Berkowitz a gun on one birthday. It's the kind of gift he sometimes thrusts on unwitting colleagues. This time it was a derringer nestled in a hollowed-out mystery novel that Foster had earlier given to former Gov. Tony Knowles on a trip to Nome. The governor immediately turned the pistol over to state troopers, who eventually gave it back to Foster. Berkowitz still has it.

PASSION FOR FIREARMS

Foster inherited his passion for firearms from his father, former state Sen. Neal "Willy" Foster, who also shared his air taxi business and Will Rogers-style humor with his son.

It was the younger Foster's zeal for collecting weaponry that landed him in trouble 16 years ago. A Vietnam veteran and former Army captain, Foster grabbed the attention of federal agents when he asked a Juneau machinist to craft some submachine gun parts.

But a sympathetic Nome jury acquitted Foster, to the applause of the gallery.

Former Nome Mayor Leo Rasmussen is not surprised that people in the capital are now rallying to Foster's support.

"Richard is just good old Alaskan in the true sense," Rasmussen said. "The old Alaskan doesn't fit the mold of today. They have a genuineness to them that by and large the country has lost."

At the fundraiser on his behalf, Foster was characteristically low-key. Though he has a possible donor lined up -- a friend is now going through a battery of tests -- and Foster is undergoing dialysis, he already has been disappointed several times.

"I hope this is not an obituary," he told well-wishers with a soft laugh.

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Heart transplant survivor urges all to donate life

Article published on Tuesday, Apr 10th, 2007

By DONNA BELL

Guest Opinion

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"Donating organs, marrow, and tissue is a kind and compassionate act that can protect and enhance the precious gift of life. During National Donate Life Month, we recognize the generosity of donors and raise awareness of the importance of donating.

In recent years, there has been great progress in this important effort, and the rate of organ donation has steadily increased — helping save thousands of lives.

Despite this success, more than 95,000 Americans currently await organ transplants, and hundreds more are added to the transplant list each month. ...

— From a proclamation by the president of the United States of America

President Bush signing the National Donate Life Month for April may not mean much to you, but it is of great interest and importance to me, because on Friday, I will have had an extra five years of life.

I am here, plain and simple, because a wonderful person made a decision about being an organ donor. His family abided by that decision to donate his organs if anything ever happened to him. Because of someone else's choice to be an organ donor, a person he didn't even know, myself, has been given the possibility for a longer life. What a blessing.

and tissue donation, and to record their personal decision. Registration is considered legal consent for donation. The Web site address is www.livinglegacyregistry.org.

If you are not an organ donor, I encourage you to get registered. If you are an organ donor, please get registered. It may be on your driver's license, you may have told your family members, but when the time comes, they may not follow your wishes to let you be an organ donor.

I would like to end with this: God can do the miraculous; trust him to provide the resources. Sometimes those miracles can end up right here in Kodiak.

Donna Bell received a heart transplant at the University of Washington Medical Center on April 13, 2002.

Why did I need a heart transplant? I had caught a cold. For whatever reason, it went into my heart and damaged it. The left ventricle of my heart became enlarged. My heart was going to have to work harder at pumping the blood to the rest of my body. At the age of 41, I had congestive heart failure. Eight years later, my name was added to the National Transplant Patient Waiting List. After waiting four months, I received the heart from a 33-year-old man. My life began anew.

One organ donor can save the lives of up to eight people; a tissue donor may enhance the lives of more than 50 individuals. Nineteen people die each day waiting for lifesaving organ transplants. A new name is added to the National Transplant Patient Waiting List every 14 minutes.

Most Americans support donation, but only half of them have made it known. Now there's a way to be sure your wishes are known. The Living Legacy Registry was created through legislation to enable the public to make informed choices about organ

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State Leave Laws Related to Medical Donors

Currently 29 states have enacted laws that provide paid or unpaid leave for bone marrow and/or organ donors. Eight states (Arkansas, Connecticut, Illinois, Louisiana, Maine, Minnesota, Nebraska and Oregon) allow a leave of absence for private sector employees. The period of leave is usually 30 days for organ donors and 7 days for bone marrow donors. Some state laws have provisions which require authorization for requested leave or prohibit states from penalizing employees from taking such leave.

State	Bill/Act/Statute	Enacted	Summary
Arkansas	Act No. 2235	4/13/05	Requires private employers to provide an unpaid leave of absence for employees during testing for, donations of and recovery from organ donation; provides an income tax credit for employers electing to pay the wages of the employee on organ donation leave.
	SB 167	3/20/03	Authorizes state employees may use up to 7 days of paid leave each calendar year to serve as a bone marrow donor and up to 30 days of paid leave each calendar year to serve as an organ donor.
California	Chapter No. 869	9/26/02	Grants up to a 30 day leave of absence with pay to employees who have exhausted all available sick leave and who are organ donors and a 5 day leave of absence with pay to employees who are bone marrow donors.
Connecticut	Act No. 04-95	5/10/04	Expands the state family and medical leave acts for state employees and private sector employees to provide unpaid leave to donate an organ or bone marrow.
Delaware	§1318B	n/a	Authorizes teachers and school employees may use up to 7 days of donated leave to serve as a bone marrow donor and up to 30 days of donated leave to serve as an organ donor.
Georgia	HB 1049	4/24/02	Provides for state employees to receive a leave of absence, with pay, for serving as an organ or bone marrow donor.
Hawaii	Act No. 176	6/30/05	Authorizes state employees may use up to 7 days of paid leave each calendar year to serve as a bone marrow donor and up to 30 days of paid leave each calendar year to serve as an organ donor.
Idaho	SB 1373	3/30/2006	Grants a leave of absence for full-time state employees and full-time non-classified state officers and employees for a specified period of time for bone marrow or organ donation.
Illinois	Act No. 94-33	6/15/05	Amends the Organ Donor Leave Act. Provides that the Act applies to all public employers in the State.
	HB 5807	8/2/02	Creates the Organ Donor Leave Act. Provides for time off with pay for State employees who donate an organ, bone marrow, blood or blood platelets.
Indiana	HB 1030	3/28/02	Allows a state employee of the Executive Branch to take a paid leave of absence for the purpose of being an organ donor or bone marrow donor.
Iowa	HB 381	8/28/03	Provides up to five workdays of leave for bone marrow and up to thirty workdays of leave for vascular organ donation by state employees.
Louisiana	§40:1299.124	1992	Grants paid leave of absence up to 40 work hours for employees serving as bone marrow donors.
Maine	LD 1945	4/11/02	Adds organ donation to the reasons allowed for family leave.
Maryland	SB 12	5/11/00	Provides that all State employees may be entitled to organ donation leave with pay; Provides up to seven days of leave for bone marrow and up to 30 days for organ donation in any 12-month period.
Massachusetts	Chapter No. 99-2005	9/29/05	Grants 30-day leave of absence to public employees serving as organ donors.

Minnesota	<u>§181.945</u>	1990	Grants paid leave of absence up to 40 work hours for employees serving as bone marrow donors.
Mississippi	<u>Chapter No. 336</u>	10/15/04	Provides up to 30 days of paid leave for living organ or bone marrow donation.
Missouri	<u>HB 679</u>	7/6/01	Allows state employees to take paid leave of absence up to five workdays to serve as a bone marrow donor or 30 days as a human organ donor.
Nebraska	<u>§71-4820</u>	1992	An employer shall be encouraged to grant paid leaves of absence to an employee who seeks to undergo a medical procedure to donate bone marrow.
New York	<u>AB 4138</u>	8/29/01	Permits state employees to take paid leave for bone marrow donation and for organ donation, in addition to any other annual or sick leave.
North Dakota	<u>SB 2298</u>	4/20/05	Allows leave of absence for 20 workdays to state employees donating an organ or bone marrow.
Ohio	<u>HB 326</u>	7/10/01	Grants state employees 30 days paid leave per year to serve as an organ donor and seven days paid leave per year to serve as a bone marrow donor.
Oklahoma	<u>SB 1628</u>	5/8/02	Grants state employees 30 days paid leave per year to serve as an organ donor and five days paid leave per year to serve as a bone marrow donor.
Oregon	<u>§659A.312</u>	n/a	Grants paid leave of absence up to 40 work hours for employees serving as bone marrow donors.
South Carolina	<u>SB 830</u>	8/6/02	Allows state and local officers and employees are entitled a paid leave of absence up to 30 days to serve as an organ donor.
Texas	<u>§661.916</u>	2003	Grants state employees 30 working days paid leave per year to serve as an organ donor and five working days paid leave per year to serve as a bone marrow donor.
Utah	<u>SB 125</u>	4/8/02	Authorizes a paid leave of absence for state employees who serve as a bone marrow or donor of a human organ.
Virginia	<u>HB 1642</u>	3/26/01	Allows state employees with up to 30 days of paid leave in any calendar year, in addition to other paid leave, to serve as bone marrow or organ donor.
Wisconsin	<u>AB 545</u>	5/9/00	Grants state employees 30 days paid leave per year to serve as an organ donor and seven days paid leave per year to serve as a bone marrow donor.
West Virginia	<u>Act 175</u>	5/11/05	Grants state employees thirty days of paid leave for kidney or liver donation and seven days of paid leave time for bone marrow donation.

Source: NCSL
October 2006

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Denver Office: Tel: 303-364-7700 | Fax: 303-364-7800 | 7700 East First Place | Denver, CO 80230 | Map

Washington Office: Tel: 202-624-5400 | Fax: 202-737-1069 | 444 North Capitol Street, N.W., Suite 515 | Washington, D.C. 20001



Donating

- [Whole Blood](#)
- [Apheresis](#)
- [Bone Marrow](#)
- [Locations & Hours](#)
- [Special Collections](#)
- [Donor Recognition](#)
- [FAQ](#)
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Blood Drives

Appointments

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About Blood

Press Room

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DONATING BONE MARROW

Why Register To Donate Bone Marrow?

Every year, thousands of adults and children need bone marrow transplants -- a procedure which may be their only chance for survival. Although some patients with aplastic anemia, leukemia or other cancers have a genetically matched family member who can donate, about 70 percent do not. These patients' lives depend on finding an unrelated individual with a compatible tissue type -- often within their own ethnic group -- who is willing to donate marrow.

Since 1987, the [National Marrow Donor Program \(NMDP\)](#) has facilitated more than 4,000 unrelated marrow transplants.

There is a critical need for more volunteer donors. Many patients, especially minority ethnic groups, cannot find a compatible donor among those on the registry. Patients and donors must have matching tissue types, and these matches are found most often between people of the same ethnic group. A large, ethnically diverse group of prospective donors will give more patients a chance for survival.

What Is Bone Marrow?

Marrow is the tissue found inside bones that produces red blood cells, white blood cells and platelets. These vital blood cells fight infection, carry oxygen and help control bleeding. Any disease that attacks the bone marrow can eliminate the body's ability to protect itself.

Who Can Donate Marrow?

If you are in good health and between the ages of 18 and 60, you may be eligible to join the NMDP's registry, where patients seeking a compatible donor begin their search.

Steps To Joining The Registry

- The Bone Marrow Donor Program registers volunteers who wish to join the registry. After you complete your registration form and meet the required health guidelines, a kit will be used to collect four swabs of cheek cells for tissue typing.
- The laboratory results are entered into the NMDP's registry, a computerized database of potential donors.
- If you match the tissue type of a patient seeking a donor, additional testing will confirm the results. Marrow donor counselors will discuss the procedure with you and help you make an informed decision about donating marrow.
- The marrow collection process is performed in Seattle, Washington and may require an overnight stay in the hospital. The procedure itself is painless, because it is performed under anesthesia. But, for an average of two weeks following the procedure, most donors experience sore hips and some must restrict their activities. Most donors also report that donating marrow is a very positive experience. Many marrow donors are willing to donate again in the future.
- The donated marrow is transfused to the patient, whose diseased cells have been destroyed by intensive chemotherapy. In time, the donated marrow engrafts and begins producing healthy blood cells.



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[Donate Blood Today](#)

[Locate Donor Center](#)

[FAQ](#)

[Volunteer](#)

Why Are More Ethnically Diverse Donors Needed?

Because patients are most likely to find a compatible donor within their own ethnic group, a diverse group of potential donors is needed. Over 3.5 million volunteers have joined the national registry, but only small percentage are not Caucasian.

Percentage of ethnic groups on the national registry:

- African American - 8.0%
- Asian/Pacific Islander - 5.9%
- Hispanic - 8.0%
- Native American - 1.3%
- Caucasian - 75.1%
- Multi-Race - 1.7%

Funding

When someone volunteers to join the national registry of potential donors, a kit will be used to collect four swabs of cheek cells for tissue typing. This test costs \$52. Because funding is limited and the need to diversify the registry is so critical, the U.S. government pays the fee for people of ethnic minorities. For Caucasian donors, we count on volunteer funding and local charity groups.

Once a donor is found to match a patient, the donation is paid for by the NMDP and billed to the patient and transplant center.

How Can I Join The Registry?

If you live in Alaska and would like to join the registry, you can visit any four Blood Bank of Alaska centers or you may visit www.marrow.org to register online. If you are interested in hosting a Bone Marrow and Blood Drive at your location, please contact Mysti Skelton at the Blood Bank of Alaska, Mat-Su center at (907) 376-1195 for more information.

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FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: CSHB 252(HES)
 (H) Publish Date: 5/10/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Statewide
 Title An Act requiring paid leave from employment for RDU Statewide
bone marrow donation Component Statewide
 Sponsor Representatives Ledoux, Foster, et al.
 Requester House Health, Education and Social Services Component No. Statewide

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill allows for 40 to 80 hours of time to make a bone marrow or organ donations without taking leave. The effect of this legislation could only be measured in terms of productivity loss. The bill's maximum of 80 hours equals a 4.1% loss of productivity per donating employee (based on 80hrs / 1950 total working hours per year = 4.1%). It is expected that the number of employees taking advantage of the program would be extremely small. However, we do not have any statistics that back up a hard number.

Prepared by: Dianne Kiesel, Director Phone 907-465-4429
 Division: Division of Personnel & Labor Relation Date/Time 5/3/04 4:30 PM
 Approved by: Kevin Brooks, Deputy Commissioner Date 5/3/04
 Agency: Department of Administration

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: CSHB 252(HES)
(H) Publish Date: 5/10/07

Revision Date/Time (Note if correction): _____ Dept. Affected: Commerce
Title: Leave for Organ/Bone Marrow Donations RDU: _____
Component: Alaska Railroad Corporation
Sponsor: LeDoux et al
Requester: House HES Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

Estimate of any current year (FY2007) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation would require railroad employees to be provided a paid leave of absence to make a personal organ or bone marrow donation.

ARRC is a public corporation supported by revenues generated through its freight, passenger and real estate services. Because ARRC does not receive state funding for operations or capital improvements and is operated as an independent state-owned enterprise, the cost to implement this legislation for railroad employees would fall to the Alaska Railroad Corporation and not the State.

Prepared by: Wendy Lindskoog, Assistant Vice President, Corporate Affairs Phone 907.265.2498
Division: Alaska Railroad Corporation Date/Time 5/4/07 5:26 PM
Approved by: Emil Notti, Commissioner Date 5/4/2007
Agency: Commerce, Community, and Economic Development

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note: 3
Bill Version: CSHB 252(HES)
(H) Publish Date: 5/10/07

Revision Date/Time (Note if correction): _____ Department: Labor and Workforce Development
Title: Leave for Organ/Bone Marrow Donations RDU: Labor Standards and Safety
Sponsor: Representative Ledoux Component: Wage and Hour
Requester: House HES Component Number: 345

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

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

Estimate of any current year (FY2007) cost: None
Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

There is no anticipated financial impact to the department as a result of this legislation.

Prepared by: Grey Mitchell, Director Phone: 465-4855
Division: Labor Standards & Safety Date/Time: 5/4/07 9:39 AM
Approved by: Click Bishop, Commissioner Date: 5/4/2007
Agency: Department of Labor and Workforce Development

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 4
 Bill Version: CSHB 252(HES)
 (H) Publish Date: 5/10/07

Revision Date/Time (Note if correction): _____ Dept. Affected: University of Alaska
 Title Paid leave from employment for organ and bone marrow donation RDU University of Alaska
 Component Sysbra
 Sponsor _____
 Requester Rep. LeDoux Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUNC 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 (FY2007) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This bill would have no fiscal impact on the University.

Prepared by: Michelle Rizk Phone 450-8187
 Division University of Alaska Date/Time 5/4/07 11:00 AM
 Approved by: Pat Pitney Date 5/4/2007
 Agency University of Alaska

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note: 5
 Bill Version: CSHB 252(STA)
 (H) Publish Date: 5/13/07

Revision Date/Time (Note if correction): _____ Department: Labor and Workforce Development
 Title: Leave for Organ/Bone Marrow Donations RDU: Labor Standards and Safety
 Sponsor: Representative Ledoux Component: Wage and Hour
 Requester: House STA Component Number: 345

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
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 (FY2007) cost: None
 Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Due to changes made in the committee substitute, the bill no longer entails enforcement action by the Division of Labor Standards and Safety. With this change no financial impact is anticipated to this department.

Prepared by: Grey Mitchell, Director Phone: 465-4855
 Division: Labor Standards & Safety Date/Time: 5/10/07 4:01 PM
 Approved by: Click Bishop, Commissioner Date: 5/10/2007
 Agency: Department of Labor and Workforce Development

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: 6
 Bill Version: CSHB 252(STA)
 (S) Publish Date: 2/8/08

Identifier (file name): HB252CS (STA)-DOA-DOP-02-04-08 Dept. Affected: Administration
 Title: "An Act requiring paid leave from employment for organ and bone marrow donations" RDU: Central Administrative Services
 Component: Personnel
 Sponsor: Representative Ledoux
 Requester: (H)HES Component Number: 56

(Thousands of Dollars)

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

OPERATING EXPENDITURES	Appropriation Required	Information					
	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							
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CHANGE IN REVENUES ()							
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FUND SOURCE	(Thousands of Dollars)						
1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time							
Part-time							
Temporary							

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

This bill allows for 40 to 80 hours of time off to make bone marrow or organ donations without taking leave. The effect of this legislation could only be measured in terms of productivity loss. The bill's maximum of 80 hours equals a 4.1% loss of productivity per donating employee (based on 80hrs / 1950 total working hours per year = 4.1%). It is expected that the number of employees taking advantage of the program would be extremely small. However, we do not have any statistics that back up a hard number.

Prepared by: Nicki Neal, Director
 Division: Division of Personnel
 Approved by: Kevin Brooks, Deputy Commissioner
Department of Administration

Phone 907-465-4429
 Date/Time 2/4/08 12:00 AM
 Date 2/4/2008

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: CSHB 252(STA)
 () Publish Date: _____

Identifier (file name): HB252CS(STA)-CED-ARRC-02-19-08 Dept Affected: DCCED
 Title: Leave for Organ/Bone Marrow Donations RDU: Alaska Railroad Corporation
 Component: _____
 Sponsor: LeDoux et al
 Requester: Senate State Affairs Component Number: _____

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
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	0.0	0.0

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

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

Estimate of any current year (FY2008) cost: _____

POSITIONS

Full-time								
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

This legislation would require railroad employees to be provided a paid leave of absence to make a personal organ or bone marrow donation.

ARRC is a public corporation supported by revenues generated through its freight, passenger and real estate services. Because ARRC does not receive state funding for operations or capital improvements and is operated as an independent state-owned enterprise, the cost to implement this legislation for railroad employees would fall to the Alaska Railroad Corporation and not the State.

Prepared by: Wendy Lindskoog, Assistant Vice-President, Corporate Affairs
 Division: Alaska Railroad Corporation
 Approved by: Emil R. Notti, Commissioner
Commerce, Community, and Economic Development

Phone: 907.265.2498
 Date/Time: 2/19/08 5:17 PM
 Date: 2/19/2008