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SENATE
HOUSE.

HEALTH, EDUCATION AND SOCIAL SERVICES

1974
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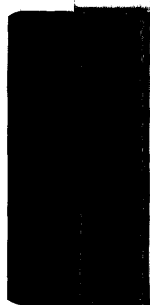
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HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING

January 23, 1974

9:00 a.m.

Present: Senators Thomas, Croft and Hensley

GENERAL: Prior to meeting being called to order, there was a general discussion between Senators Thomas and Croft concerning the runaway children's bill and drunk in public bill. Richard Hackett, the Committee's Staff Assistant, was asked to obtain current information on these problems and present it to the committee.

The meeting commenced with a general discussion of bills in committee from last session, with Senator Thomas asking the members to go over the list to see which ones should receive immediate attention.

SB 263 Senator Thomas asked Senator Croft if there would be an appropriation bill to go with SB 263, and Senator Croft stated that had not been resolved as yet and that he would have Ken Humphries in Legislative Affairs check on it.

SB 15 &
SB 30 Senator Thomas stated that Senator Harris had come in prior to the meeting -- he was presently attending another committee meeting -- and Senator Harris had

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

February 1, 1974

8:30 a.m.

PRESENT: All members of the Committee, Also present were members of the Department of Health and Social Services: Deputy Commissioner James F. McClain, Mr. Stanley P. Harris, Director of Division of Family & Children Services, and Mr. Ray C. Pagenkopf, Division of Family & Children Services.

SB 265 Senator Thomas called the meeting to order at 8:45 a.m. and stated the committee would hear testimony from the representatives of the Department of Health & Social Services on SB 265, Standardizing Assistance Payments for Child Care, introduced by Senator Ray. Senator Thomas said he had talked to Senator Ray about this bill and that he understood that Senator Ray was concerned about the payments made to foster parents in relation to relatives, i.e. if a child is going into a foster home--why couldn't a relative (such as a cousin or uncle) get as much for taking care of a child as a total stranger? Senator Ray felt it would be better for a child to be with relatives than total strangers. Senator Thomas agreed with this, but said he felt SB 265 did much more than this and would like to have Mr. McClain's comments on the bill.



Senator Croft asked if anyone had invited Senator Ray to come testify on behalf of the bill, and Senator Thomas said

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE MEETING

March 1, 1974

9:00 a.m.

PRESENT: Senators Thomas, Harris, and Hensley

The Committee met briefly to go over bills that would be discussed at the hearing being held in Anchorage at 2:00 p.m. Friday afternoon (today), and to make certain all arrangements for the hearing were completed.

Richard Hacker, Staff Assistant, told the members he would be taking copies of all the bills for distribution at the hearing to interested parties. Mr. Hacker then gave the committee a brief summation of the text of the bills under discussion. These bills were:

- SB 15 Penalties--sale of drugs
- SB 120 Penalty for possession of cannabis
- SB 305 Driving while under influence of liquor or drugs
- SB 307 Penalties for driving while under influence of liquor or drugs
- SB 321 Amending the Uniform Narcotic Drug Act
- HB 89 Publishing of names of juveniles for certain offenses
- HB 571 Harboring of minors evading legal custody
- HB 572 Evasion of custody by minors

Meeting adjourned at 9:20 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

April 2, 1974

8:30 a.m.

PRESENT: Senators Thomas, Harris, Croft, Sackett & Hensley. Also present to testify was Representative Hackney.

HB 796 am Senator Thomas called the meeting to order and asked the committee members to consider HB 796am. He said that Rep. Hackney was appearing to testify on HB 796am and asked Mr. Hackney for his comments.

Rep. Hackney stated that HB 796, in its original form, had been a mandatory death bill, but failed to pass the House; that an effort had been made to put in a substitute bill; that had failed also and the resulting bill is HB 796am. He stated that in talking with judges in two cities of the State, he had been told their feelings on mandatory death penalty was that it would never be used -- not because the judges would not use it, but because juries would not bring in a conviction if they felt a death penalty would be imposed. Rep. Hackney stated he felt that if a jury were to bring in convictions with life sentences in mind, that they might occasionally do so, but he felt they would not bring in a conviction if a death penalty would be imposed. He pointed out that if a jury brings in a conviction, it is the judge who imposes the sentences. Rep. Hackney said he had been told that some of these criminals

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SENATE HEALTH EDUCATION AND SOCIAL SERVICES COMMITTEE

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1/9/1973 - 4/6/1973

HEALTH, WELFARE, EDUCATION COMMITTEE MEETING
January 9, 1973 - Tuesday
8:30 a.m.

Present: All members of the committee except Senator Croft.

General Chairman Lowell Thomas called the meeting to order. He stated the meeting was called for a general discussion of the primary issues the committee would be considering. In response to Senators Young and Sackett's suggestion that all bills assigned the committee be placed in numerical order in each member's committee file, Senator Thomas directed the committee secretary to see that this was done.

Time of Meetings Senator Young suggested that the committee meet from 9 to 10 a.m., however, it was decided that the committee would continue to meet at 8:30 a.m. as it had last session.

Rural Schools, SOS & Borough Schools Senator Young said he believed rural schools versus state operated school versus borough schools was the hottest issue this session. He commented that school boards were dominated by rural members and the matter should be thoroughly investigated. Senator Sackett remarked that working on matters involving on-base versus rural schools would take the entire session and as to rural schools, specific matters for determination were: what the set up is on who has control (does it come from one central control) and what should be done with financing.

Schools
Continued

Chairman Thomas stated that the committee would want to talk with Commissioner Marshall Lind and others about these matters.

Senator Sackett advised he had met with teachers and the Tanana Chiefs and was working on the Bill passed last session.

Senator Thomas suggested that perhaps the committee would want to take that Bill as a point of departure.

Medicaid

Senator Young requested that the committee look into Medicaid and other HWE programs to determine those which are working -- determine just what the people are receiving.

Alcoholism
Bill

Senator Hensley stated he would like the alcoholic bill passed last year brought up for further discussion. In reference to the alcoholic bill, Senator Young said he felt the State had to exercise some authority as to whether they are or are not criminals.

Dept. of
Education

Chairman Thomas remarked that he felt the committee would have to make some changes in what it did last year and he would invite the Commissioner of Education, Dr. Marshall Lind over to get his views.

General

Chairman Thomas requested the committee members to check the bills assigned to HW&E so a decision could be made as to which ones should be attacked first.

Testimony of
Witnesses

Senator Young requested that all testimony of witnesses be recorded and transcribed.

Testimony of
Witnesses
Continued

Chairman Thomas stated that the secretary would take down the highlights of each witness' testimony, but a complete recording of the testimony would be available if a verbatim transcript was required.

Adjournment: Meeting adjourned at 9:45 a.m.

HEALTH, WELFARE, EDUCATION COMMITTEE MEETING
January 10, 1973 - Wednesday
8:30 a.m.

Present: All members of the committee except Senators Croft, Young and Hensley. Others present were Dr. Nathaniel Cole, Acting Commissioner, Department of Education; Mr. Bill Thomson, Special Assistant, Department of Education; Mr. Jeff Jeffers, Director, Instructional Services; and Mr. Richard Egen, Director, Division of Libraries.

Chairman Thomas, on behalf of the committee, expressed his appreciation to the visitors from the Department of Education for appearing to testify. He asked them to appear at the same time Thursday, January 11th, and said they would be given prior notice not to appear if for any reason a quorum of the committee membership could not be present.

Senator Sackett asked Dr. Cole to furnish the committee an analysis of any new programs the Department of Education had, such as the bi-lingual program.

Adjournment At 9:00 a.m. the meeting was adjourned.

HEALTH, WELFARE, EDUCATION COMMITTEE MEETING
January 11, 1973 - Thursday
8:30 a.m.

Present: All members of the committee except Senators Croft and Young. Others present were Dr. Nathaniel Cole, Acting Commissioner, Department of Education; Mr. Bill Thomson, Special Assistant, Department of Education; Mr. Jeff Jeffers, Director, Instructional Services; Mr. Richard Egen, Director, Division of Libraries; and Mr. Bill Overstreet, Lobbyist, Association of Alaska School Boards.

General Chairman Thomas opened the meeting by stating that the committee had expressed an interest in getting into the rural school problems and asked Dr. Nathaniel Cole to give the committee his views and advise of any changes that were being undertaken. Dr. Cole introduced members of his Department, Messrs. Thomson, Jeffers, and Egen to the committee, and explained that Mr. Thomson was the staff member most knowledgeable on rural school problems because he had had experience in the Bush. He suggested the committee might want to call on Mr. Thomson later in the meeting.

Rural School Problems Dr. Cole advised that the Department had not done anything directly toward a different administrative structure for State operated schools, but had checked into some of the alternatives which might be proposed.

Rural School
Problems
Cont'd

He stated they had looked into the possibility of contracting or expanding certain areas such as in Southeastern, and possibly the school districts of Petersburg and Wrangell -- extending out into the unorganized territory -- not extending their attendance areas, but by contracting a particular rural school to a close-by school district. Another alternative, Dr. Cole said, was the borough encompassing a great deal of the southeastern section.

Senator Thomas asked how the second alternative differed from the first.

Dr. Cole replied that in one case there would be no political subdivision. There would be an arrangement where the local school district extended its' services, but the second approach would be a political solution -- a borough of sorts. Dr. Cole said that these were some of the alternative solutions being considered since they knew the subject would be brought up during the legislative session this year.

Senator Thomas wanted to know if the Department had given consideration to abolishing the SOS altogether and how that would fit into the picture.

Dr. Cole replied that he did not believe an immediate abolishment of SOS would be a solution and some structure should be maintained until the point in time when something else was done.

Rural School
Problems
Cont'd

Senator Sackett asked was the Department thinking of any alternatives other than abolishment, as a positive step.

Dr. Cole responded that they had had one meeting with the SOS staff where they discussed what could happen in the future and the alternatives of trying to move to a more local autonomy and control, whether it remains under SOS or, in fact was a subdivision by legislative action, or whatever the State board action might be -- defining attendance areas and setting them.

Senator Hensley asked did the Department consider a lack of local control the main problem and why did it feel there had to be a change.

Dr. Cole responded that he couldn't say that the Department believes there has to be a change, but most people having a relationship with SOS felt things could be greatly improved. The small schools aren't getting maximum-type services, but that might be because the number of students do not justify building a certain kind of structure, setting up a staff and going into costly operations. The problem, Dr. Cole continued, was not uniquely an administrative problem, but a geographical one as well; and one solution having support was to try to move the administrative control from a centralized location more to a de-centralized location.

Rural School
Problems cont'd

Senator Hensley commented that he felt the borough alternative would be a drastic step in terms of non-permanent logging camps in the Prince of Wales area.

He asked if Dr. Cole's reference to contracting schools referred to contracting with a borough.

Dr. Cole answered that it would be contracting with existing school districts.

Senator Hensley inquired had the Department considered providing an administrative unit with more powers for determination of what they do.

Dr. Cole responded that the structure may be there since they have area superintendents and local administration, but whether or not they are giving them the authority and dollars to do the job was another question. He said he would defer that to Mr. Thomson.

On-base
schools

Senator Thomas asked Dr. Cole about the thought of splitting on-base schools.

Dr. Cole said that consideration and discussion had been given to that. The greatest problem in splitting off the military would be the relationship to the State's preferential rate as far as 874 is concerned. There's 100% funding for the military students, and if they were administered by the local education agency the agency would only get 50%. The present national administration is not fond of PL 874 and that is not peculiar to a particular political party because

On-base
Schools

it also happened during a Democratic administration. Senator Sackett asked if the 100 per cent financing versus 50 per cent was on a local level.

Dr. Cole replied in the affirmative stating that impact students are under the administration and control of a local education agency.

Senator Sackett inquired if on-base schools could be run on a state-wide basis with 6 school areas involved.

Dr. Cole answered that that was what was done in 1964, but they are now included with rural schools. He said he felt the Department could look positively toward the possibility of contracting the on-base schools to the surrounding school districts.

Senator Sackett noted that the on-base school areas are Elmendorf, Eielson, Delta, Ft. Greely, Adak and Ft. Wainwright.

Dr. Cole remarked that Adak would be an anomaly since there is nothing in the immediate geographical area to which it could be attached.

Senator Hensley asked if legislation would be required to contract on-base schools to the surrounding school district, and whether or not the SOS Act would have to be changed.

Dr. Cole said he would have to check the Statute on that -- Chapter 8, I believe it is.

On-base
Schools
Cont'd

Senator Hensley asked Dr. Cole if he would give the committee what the Department prepared on the deficiencies versus the positive effects of splitting off on-base schools.

Dr. Cole answered that the subject had only been discussed and not written up as yet.

Senator Hensley remarked that it seemed to him that since the SOS people comprised the entity responsible for the administration of both on-base schools and rural schools, they would help along the poor rural schools.

Senator Thomas asked Dr. Cole if he would work up a balance sheet setting out the pros and cons of splitting off the on-base schools.

Dr. Cole said he would be glad to comply.

Advisory
School Boards

Senator Thomas asked how the advisory schools boards had been working out.

Dr. Cole responded by saying that there had been a great deal of participation by the boards on military bases, but he would ask Mr. Thomson to comment as to the rural areas.

SOS

Senator Hensley inquired if SOS had submitted something to the Governor's budget review committee on a new financing plan -- something other than a lump sum figure based on the number of pupils.

SOS
Cont'd

Dr. Cole, by way of response, stated they took the enrollments and made basic assumptions about the basic elementary and secondary programs, about percentages -- if they were really providing special education programs in all the areas -- and some percentages if they were really providing vocational programs. From that, under the existing foundation program, it was projected how much money would be generated. This turned out to be less money than is now being spent.

Senator Hensley asked Dr. Cole if he knew what the budget figure for the foundation program now is.

Dr. Cole responded that he thought it was around 74 million dollars or between 70 and 71 million. He advised it was a maintenance type budget and that there would be no cuts as far as he knew.

In response to Senator Hensley's question, Dr. Cole said there was only one third class borough and it was Haines.

Senator Hensley asked if the creation of that borough (Haines) was mainly for the operation of the schools, and Dr. Cole said that was correct.

Senator Hensley inquired if there was borough tax to operate the schools in the Haines area.

Dr. Cole advised that the Haines Borough had no tax.

SOS Cont'd

Senator Hensley inquired how the Haines Borough is able to have a school system and have it locally controlled.

Dr. Cole said many places over the State could have a local school board, under local control, and still not have to put up local funds, as Federal PL 874 funds could be used as matching under the State foundation law. He advised another place where this could be done was in the Clear-Nenana-Anderson area, and the Department had given this information to several places where it would work, but it wouldn't work all over the State.

Senator Hensley remarked that he thought this arrangement would be appealing to the Kotzebue area -- to perhaps form a third class borough for the dozen villages in that area.

Dr. Cole stated he thought it was not appealing to some areas because of the ultimate possibility of tax being levied for school purposes, or other services could be requested which would require a tax. He said the Department's experience with the North Slope Borough had been disappointing because they had asked not to be required to take over the operation of schools, and the Borough had a tax base which surpasses anything in the State.

Senator Thomas commented that the committee would be

SOS Cont'd

discussing this subject a great deal more in the coming years.

Dr. Cole remarked that it may be that conditions are not right to break up SOS.

Senator Hensley stated he felt getting a borough started was a big responsibility and there should be a transitional period before a new borough, such as the North Slope Borough, is required to take over the schools.

Senator Sackett asked what sort of time-table the Department of Education was giving them.

Dr. Cole advised they were given two years with 100% funding for schools under State jurisdiction.

Mr. Thomson

Mr. Thomson stated that the Department was gathering data it didn't presently have so it could list alternatives to SOS. He said SOS operates 55 one and two teacher schools and this created a problem of how to get local control and still maintain dollar efficiency as far as operational costs were concerned. He felt that perhaps it could be split -- the people of each community could control the personnel and curriculum and the operational part would be 4 or 5 schools together -- centralized purchasing and et cetera. He indicated the Department should have its data drawn up by next week so it could begin exploring some of the alternatives. He stated, in response to Senator

SOS cont'd --
Mr. Thomson

Hensley's discussion of responsibility with no authority, that as a regional superintendent for SOS he did have the responsibility for all the schools in his area, but he had no fiscal control as it lay in the Anchorage office. He stated as a superintendent you did your educational planning with the local communities, based on a dollar amount and you hold back a certain percentage for any unforeseen items you may have to purchase after the initial purchasing in the Spring. He said lots of times when you hold this money back, when you need it the money is not there. He felt that the priorities of the teachers and himself were ignored and someone in Anchorage would inform him he really didn't need something he had requested.

asked
Senator Thomas/what would be their reason for that, was it vast differences and diversity from area to area.

Senator Hensley asked Mr. Thomson if he had a budget breakdown after appropriations -- did he know what SOS had budgeted for what he felt were the priorities in his area.

Mr. Thomson stated the ordering of supplies and et cetera had to be done prior to being advised how much money his region was going to receive, in order to have them on hand; so he used the figure used the year before plus 5 per cent. Shortly thereafter he was informed he

SOS cont'd --
Mr. Thomson

had no money on which to operate -- to travel and work with the individual teachers in the various communities. Senator Thomas asked if he was laying that on the Legislature -- they didn't get the money from the Legislature.

Senator Hensley remarked if SOS gave gave Mr. Thomson a figure, the money should have been there.

Mr. Thomson stated the situation was caused by something which happens internally and he didn't know what happened to the money.

Senator Thomas commented that that would be a good question to ask the SOS people when they come to Juneau, but SOS would probably answer that they had to hold back until they saw what the Legislature gave them.

Mr. Thomson said he felt the regional superintendent, with this problem, couldn't be responsible or irresponsible, and what a lot of people did was spend what they were allocated in the spring of the year and that way they were assured of getting what they were entitled to.

Senator Hensley asked Mr. Thomson if he budgeted for the maintenance function too.

Mr. Thomson replied in the affirmative, and stated that they had a contract with the Division of Buildings.

Senator Hensley commented that he was in favor of the Department doing its own maintenance.

Mr. Thomson advised that SOS was to take over the

SOS cont'd --
Mr. Thomson

maintenance function by July, 1973. He further stated that one thing which makes budgeting confusing, is that purchasing for SOS goes through the Division of Supply rather than SOS doing their own purchasing directly.

Senator Hensley asked who sets the purchasing policy. Mr. Thomson advised that it was done through the Division of Supply, Department of Administration.

Dr. Cole

Dr. Cole informed that in ordering through the Division of Supply you had to buy from contractors on a master list or, if you wanted to purchase something not available through the listed contractors, you were required to ask for a bid waiver. He expressed the feeling that the long delays involved with these procedures presents a good argument for administering SOS differently.

Senator Hensley inquired if SOS had any recommendations for restructuring their operation.

Dr. Cole replied they may have, but he was not aware of what they might be.

Senator Sackett asked Dr. Cole what his recommendation would be as to the the law which was enacted to allow State Operated Schools to be a separate entity rather than being under the Department of Education.

Dr. Cole stated he felt it was a positive step because

SOS cont'd --
Dr. Cole

the Department had reached a point where the alternative to operating State Operated Schools was to set up a structure which would have been very similar to what came out in the law. He indicated that serious conflicts existed when the State was operating the State Operated Schools, and it created a situation where the Department of Education was trying to cover too many different functions. He stated what is now in existence is better than had SOS remained under the Department. Senator Hensley asked if the Department had the responsibility of handling funds for construction.

Dr. Cole replied that it did.

Senator Sackett asked Senator Thomas if he would arrange to have Mr. Stanley H. Friese, Superintendent of SOS, appear before the committee and Senator Thomas said he was sure that could be arranged.

Senator Hensley suggested that Mr. Friese be requested to provide the committee with a report of State Operated Schools' plans for school construction -- what they have planned for the money which has been appropriated.

Dr. Cole remarked that that question should probably be directed to the Department of Education since 16 million went through the Department, even though some of the monies were for State Operated Schools.

Senator Thomas stated he would like to get the Department's

SB 27
cont'd

views on SB 27 (transportation of pupils) which was introduced by Senator Bill Ray; and he thought Dr. Cole had some suggestions as to how it should be amended.

Dr. Cole stated he had not reduced his views to writing, but he would do so if the Committee so desired. He said he felt that the definition of a bus route was the only thing which needed to be added to the Bill. He remarked that he didn't clearly understand the legislative intent on this Bill. That the Department perceives a bus route as the distance traversed by a school bus in picking up and delivering students.

Senator Thomas explained, with regard to legislative intent, that the Committee was thinking that kids standing along a specific highway or road (non-public school students) were eligible to be picked up, but they were not proposing that the bus go to other pathways to pick up students. He asked Dr. Cole if the law was now being interpreted that the school buses had to leave a certain highway and pick up students somewhere else.

Dr. Cole said he thought that interpretation was being given to the law and SB 27 needed an additional section defining a bus route.

Senator Thomas requested Dr. Cole to furnish the Committee the proper language which would do that.

Senator Thomas asked Mr. Bill Overstreet if the Association of Alaska School Boards wanted to change the law so it provides for picking up non-public school students on a space available basis only. Mr. Overstreet replied that the Association had not addressed itself to the question as yet, but it would be meeting in late February and this was one of the pieces of legislation it would be considering.

Senator Thomas asked Dr. Cole if part of the problem with the original Bill wasn't that they had failed to define the kinds of schools covered. He stated that the present Bill took care of that, but he also felt the Commissioner had the authority to make some eligibility determinations under the law.

Dr. Cole agreed that the Commissioner did have such authority just as with promulgating regulations.

Senator Thomas stated that Dr. Cole had agreed to go ahead on the definition of a bus route, but the space available matter would be held in abeyance for a time. Dr. Cole responded by stating that when the definition of a bus route is added to SB 27 it would take care of the space available question.

Senator Sackett remarked that he believed additional buses had already been put on in Fairbanks to take care of non-public school students and wouldn't SB 27 change that.

SB 27
cont'd

Dr. Cole said that the language put in SB 27 by Senator Ray indicates that no new routes will be created.

Senator Thomas asked Dr. Cole to indicate any fiscal implications in his definition.

Adjournment: At 9:45 a.m. the meeting was adjourned.

FOLLOWING THE MEETING A MAJORITY OF THE COMMITTEE MEMBERS, SENATOR THOMAS, SENATOR HENSLEY, AND SENATOR SACKETT, AGREED TO BRING SB 27 OUT OF COMMITTEE WITH A DO PASS RECOMMENDATION.

HEALTH, WELFARE, EDUCATION COMMITTEE MEETING
January 16, 1973 - Tuesday
8:30 a.m.

Present: All members of the committee except Senator Croft.
Others present were Senator C. R. Lewis, Senator
Jess Harris and Deputy Commissioner Pat Wellington,
Department of Public Safety.
Chairman Thomas called the meeting to order and after
introducing Miss Abigail Ryan, Staff Assistant to the
Senate HWE Committee, to the committee, called the
attention of the committee to the Medicaid Hearing
before both Senate and House HWE Committees the after-
noon of January 18th at 1:30 p.m., and the meeting of
both committees with the Alaska State Medical Associa-
tion at 1:30 p.m. on January 19th.

SB 15 Senator Thomas advised that Senators Harris and Lewis
had appeared before the committee in support of SB 15,
mandatory five year penalty for sale of narcotic drugs,
and called upon Senator Harris, author of SB 15, to
tell the committee what prompted him to introduce the
Bill.

Senator Harris stated that a friend of his told him of
an individual who came to Alaska from the lower 48 for
the specific purpose of selling hard drugs because he
wasn't afraid of getting caught, and upon gaining this
information he came up with the idea for a Bill providing

SB 15 cont'd

for minimum penalties for pushing drugs. He further remarked that superior court judges in Anchorage liked the Bill and told him if the Legislature would pass it, they would enforce it.

Senator Thomas asked what was wrong with the statute as it now stands.

Senator Harris responded that in many cases a guilty plea was negotiated between the District Attorney and defense attorney involving a much lighter sentence than covered by the statute and the courts generally follow the recommendation as to sentence made by the State.

Senator Young said he thought it would be very beneficial to ascertain how many sentences (on drug convictions) over a two year period involved fines of \$5,000 or two years imprisonment.

Senator Sackett questioned couldn't a judge at his own discretion waive any minimum established by a Bill such as SB 15.

Senator Harris stated that the judges had advised that they would be guided by legislation such as SB 15.

Deputy Commissioner Wellington remarked that the Department of Public Safety was behind the Bill, but he wasn't sure the judges would be inclined to use it if it passed since there were ways to by-pass it. He

SB 15
Cont'd - Mr.
Wellington

suggested that the State had to make the sale of drugs unprofitable, and the only way to accomplish that was through the imposition of stiff penalties. The District Attorney informed Mr. Wellington that a five year minimum penalty was too stiff and would result in most drug cases going to trial. He said he thought the word was out that things are easy for drug pushers in Alaska, and the Department of Safety would like to see a minimum sentence for sale of drugs. Senator Young asked couldn't the Bill be so written as to require a minimum sentence.

Mr. Wellington agreed with Senator Young that the Bill should contain a provision whereby the judges would have to impose a minimum sentence on convictions for sale of drugs.

Senator Sackett inquired what was the definition of a drug pusher, and Mr. Wellington replied that it was selling.

Senator Sackett asked if the quantity found on a person when arrested constituted evidence of selling.

Mr. Wellington said he thought there were people in Anchorage and Fairbanks who made a very good living selling drugs.

Senator Sackett asked if Mr. Wellington had statistics on how many cases for sale of drugs had been filed and how many resulted in convictions.

Mr. Wellington informed he did not have statewide statistics.

SB 15 cont'd Senators Thomas and Young commented that certain facts on the sentences imposed in sale of drugs cases should be collected and then discussed by the committee with the judges.

Senator Lewis Senator Lewis informed that the judges and Commissioner Emery Chapple were concerned about drug abuse in Alaska and he believed the Legislature needed to do something about drugs and SB 15 would be a step in that direction. Senator Thomas asked Senator Lewis how he felt the Legislature should get its message over to the judges. Senator Lewis replied that they should talk with the judges about what their problems are since the judges have told him they feel the fault lies with the Legislature rather than with them.

Senator Thomas suggested that perhaps both the HWE and Judiciary Committees should sponsor a joint meeting with the judiciary.

Deputy Comm. Wellington Mr. Wellington suggested that perhaps Superior Court Judges Occhipinti and Stewart should be invited to meet with members of the Committees as they were Presiding Judges in the Third and First Judicial Districts.

Senator Harris Senator Harris expressed the thought that it might be good to meet with the district attorneys too because they allow defendants to plead to lesser charges if the case is tough to prosecute.

Senator Thomas asked the committee if they wished to

General

take up any of the committee Bills, and said he would like SB 32 on treatment of minors discussed. Senator Thomas explained that SB 32 enables a minor to go to a doctor for medical attention without the permission of his parents when he needs help.

Adjournment

At 9:00 a.m. the meeting was adjourned.

HEALTH, WELFARE, EDUCATION COMMITTEE MEETING
January 18, 1973 - Thursday
8:30 a.m.

Present: Senators Thomas, Sackett and Young. Also present were Commissioner Marshall Lind, Department of Education; Mr. Nathaniel Cole, Director, Administrative Services; and Mr. Bill Overstreet. Chairman Thomas called the meeting to order for consideration of SCR 5, Transportation of Kindergarten Pupils.

OVERSTREET Mr. Overstreet requested legislation call for changes in regulations to provide cost of transporting kindergarten pupils the same as older children, and stated the greatest impact would be felt in the larger school districts.

LIND Commissioner Lind advised that the Department supported the idea of providing transportation for kindergarten students and the Mat-Su Borough was the only one not having kindergartens.

COLE Mr. Cole said it cost about \$10,000 per month to transport kindergarten children in Anchorage and it would cost approximately \$200,000 over the State. He informed Senator Young that Anchorage had to run buses at noon. He further stated that the budget did not at present allow for this money, but he knew where \$120,000 of it would come from.

SCR 5 On motion by Senator Young, concurred in by Senators

SCR 5 cont'd Thomas and Sackett, SCR 5 was passed out of committee
with a do pass recommendation.

Adjournment At 9:15 a.m. the meeting was adjourned.

HEALTH, EDUCATION, SOCIAL SERVICES COMMITTEE MEETING
January 23, 1973 - Tuesday
9:00 a.m.

Present: All members of the committee. Also present were Senator Jalmar Kerttula; Mr. Bill Overstreet, Lobbyist, Association of Alaska School Boards; Mr. Bob Van Houte, Lobbyist, National Association of Teachers-Alaska; Mr. Bob Cooksey, Lobbyist, National Association of Teachers, Alaska; Mr. Nathaniel Cole, Director, Division of Administrative Services, Department of Education, and Mr. Louis Riddle, Director, Vocational Education, Department of Education.

Chairman Thomas called the meeting to order and stated Senate Bills 48 (relating to computation of instructional units as the basis for state aid for elementary school education under public school foundation program), 50 (relating to teacher tenure), and 55 (special appropriation, Department of Education - shop at Seward Skill Center) would comprise the meeting agenda.

SB 48 --
OVERSTREET

Mr. Overstreet stated this bill was directed at the problem each school district is facing in having its' proportionate cost rise while the state's proportionate cost is diminishing.

1/23/73

Van Houte --
SB 48

Mr. Van Houte said that when working on the Foundation Act the concept of equalization was looked at district wide rather than as elementary and secondary units.

Cole --
SB 48

Dr. Cole stated that only eight school districts would be affected -- this is not something that will uniformly affect the State.

Van Houte --
SB 48

Mr. Van Houte informed that his organization recommends that every unit be increased rather than giving more units to some.

It was agreed by the committee to hold SB 48 for action in a week or so after checking into legislative propositions pending in the House which would change the Foundation Act.

KERTTULA --
SB 55

Senator Kerttula testified in support of Senate Bill 55 (special appropriation to the Dept. of Education for a shop at the Seward Skill Center), and informed that the Seward Skill Center is devoted to vocational training and the University of Alaska is going to be forced out of Seward if it doesn't get its' facility.

RIDDLE --
SB 55

Mr. Riddle said the University had been letting them use their facility on a lease basis; if the City of Seward built the facility they would have to go after a EDA grant and it would be 2 - 3 years before they could get the money. He estimated the facility could be built for \$20.65 a foot.

1/23/73

SB 55

The committee unanimously agreed to pass SB 55 out of committee as amended ("This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.").

SB 50
OVERSTREET

Mr. Bill Overstreet testified in support of SB 50 and stated it was clearly needed in case reduction in staff is necessary due to reduction in federal money coming in.

Mr. Van House⁺ opposed SB 50 stating if federal funds are not available it will fall upon the State and local levels to make up the deficit.

Senators Sackett and Hensley stated they felt this bill should be opened up for public hearing.

Adjournment: The meeting was adjourned at 9:45 a.m.

1/23/73

HEALTH, WELFARE, EDUCATION COMMITTEE MEETING
January 25, 1973 - Thursday
8:30 a.m.

Present: All members of the committee except Senator Young
were present. Others present were Dr. Donald K.

Freedman, Director of Public Health, and Dr. Tom
McCabe, Maternal and Child Health, State Department
of Public Health.

Chairman Thomas called the meeting to order to dis-
cuss SB 32, "An act relating to the examination and
treatment of minors."

SB 32 Dr. Freedman felt that it was a very good bill.

Dr. McCabe said that the wording had been improved,
and it explicitly excluded abortion. The bill is a
good one from a public health point of view: in high
risk pregnancies (those of women 17-18 years old and
younger), there are more premature births, infant
deaths, and illnesses of the mother. From a social
point of view, it would help reduce the number of
illegitimate children, unwanted children, etc.

Senator Thomas asked if there was a great need for
this bill.

Dr. McCabe said that he didn't have the number of
people who were in need of these services. Prac-
ticing physicians see young women who are already
pregnant.

Senator Thomas said the committee should get more
statistical information from Dr. Carolyn Brown.

1/25/73

Senator Croft asked about including a minimum age.

Dr. McCabe said that that would be all right as long as it covered the age of pregnancy risk.

Senator Croft suggested age 12, and Dr. McCabe agreed that that would cover his concerns.

Senator Croft said that there was no requirement for confidentiality on the doctor's part in this bill.

Dr. McCabe said that a physician is required to keep records confidential, however, the younger the child, the more rights the parents have.

Senator Croft asked Dr. Freedman if his department prescribed any standards of conduct for doctors.

Dr. Freedman said that was done by doctors themselves.

Dr. McCabe added that the State Medical Board has some regulations under the Department of Commerce.

Dr. McCabe said that it is a common occurrence for a young woman to ask her doctor for contraceptives. Some physicians feel constrained from doing so because there is no law such as this one.

Senator Croft asked why paragraph 4 was included -- are those the big problems.

Dr. McCabe said that from a public health point of view, this would help prevent these high risk pregnancies.

Senator Sackett asked if a child could get medical surgery without parental consent under this bill.

Dr. McCabe said he could only if he were living apart from his parents and managing his own affairs.

1/25/73

Senator Hensley asked why part (c), making the minor liable for the cost of services, was included.

Senator Thomas said it was to assure doctors that they wouldn't be providing free services.

Dr. Freedman said that doctors were not particularly in favor of (c).

Senator Hensley was concerned about the boarding home students, and wondered how this bill would apply to them.

Dr. Freedman said in reference to part (4) that there are physicians who refuse to provide help to children who need it. He said we're mostly thinking about children not on particularly good terms with their parents.

Senator Thomas asked if there was indeed a VD epidemic.

Dr. Freedman said that the problem had reached epidemic proportions.

Senator Hensley asked what the State's plan is regarding VD.

Dr. Freedman said there are four parts: (1) education of the public; (2) increasing services to private physicians; (3) increasing the number of VD investigators; and (4) education of school children.

Senator Sackett recommended moving the bill out of the committee.

Senator Hensley recommended eliminating part (c).

Senator Thomas asked if there was any objection to eliminating part (c). There was none.

1/25/73

Senator Sackett moved and asked unanimous consent that SB 32 as amended pass out of the committee with a do pass recommendation. The motion was concurred in by Senators Thomas, Croft, and Hensley.

Senator Sackett asked ~~if~~^f venereal disease was higher in any particular ethnic group.

Dr. Freedman said he would provide that information.

Senator Thomas said that a strong case had been made for adding money for Family Planning Clinics, and asked what could be done.

Dr. McCabe said that the State Family Planning budget was \$230,000 or \$240,000; \$30,000 State money and the rest Federal. That is a little higher than last year. Next year there will be no increase in Federal funding and only an inflationary increase can be added.

1/25/73

HEALTH, WELFARE, EDUCATION COMMITTEE MEETING
January 26, 1973 - Friday
8:30 a.m.

Present: All members except Senators Hensley, Sackett and Young. Also present were Acting Deputy Commissioner Jim McClain, Department of Health and Social Services; Mr. Jamie Love, Anchorage Council on Drug Aid; Mr. Ralph Kimlinger, Manager, Juneau Field Office, Department of Revenue; Mr. P. A. Wall, Director, Administrative Services Division, Department of Revenue; and Mr. Fred Boetsch, Director, Audit Division, Department of Revenue.

Drug
Treatment --
Witness Love

Chairman Thomas called the meeting to order and introduced Mr. Jamie Love with the Anchorage Council on Drug Aid.

Mr. Love advised that the Anchorage Council on Drug Aid isn't presently administering any treatment programs, but effective programs operating in other places are:

1. Methadone maintenance;
2. long-term residential care, and
3. day treatment.

The methadone maintenance program in certain cases can be expected to continue indefinitely, but it is usually set up for six months. The Federal Government is expected in the future to require attempts to withdraw persons

Drug Treatment --
Witness Love

from methadone. Methadone maintenance has been especially beneficial for heroin addicts and persons involved in a crime life style. Methadone maintenance is effective in about 60% of the cases being treated, and those who don't work out on methadone can't make it in an out-patient setting -- they generally require long-term residential care. Langdon Clinic in Anchorage is administering the only methadone program currently operating in Alaska, however professionals have usually been unsuccessful in treating addicts. Successful examples of long-term residential care programs are those administered at Genesis House in Seattle, Washington and Synanon in Santa Monica, California. Effective residential programs limit clientele to approximately 25 with 2-3 staff people. A necessary requirement in any successful treatment program is that it be suited to the area where it is located. The Federal Government has decided treatment should be at the regional level and is going to close down the NARA programs at Lexington, Kentucky and Ft. Worth, Texas. Therefore, Alaska is approaching the time when it will have no place to send people for treatment unless they can be treated in Alaska. A residential treatment center named Family House in Anchorage is in the process of being staffed, and should be able to take 6-12 residents (with future plans for 25) in about 2 weeks. Funding of \$70,000

Drug
Treatment --
Witness Love

could take care of about 10 persons at Family House, on a \$550 per month, per person basis, for the first year. Approximately 1/3-1/2 of the people brought into the treatment program (Family House) are expected to be under the jurisdiction of the Division of Corrections, on probation or parole, and if the Division of Corrections is to contribute towards the treatment of these people the courts must order that they be given treatment. Mr. Love felt any grant-in-aid should be under the Commissioner and the Office of Drug Abuse.

SB 4 --
Witness
McClain

Mr. McClain commented that the State should provide some help to persons on Social Security in Alaska and the Department of Health and Social Services supported SB 4 as it would to some extent compensate for the reduced buying power of recipients in Alaska.

Witness
Boetsch

Mr. Boetsch stated the total loss of revenue to the State in fiscal year 1974 would be \$139,000 if SB 4 passes. He further advised of the effects of SB 4 as set down in his memorandum to Acting Deputy Commissioner Stevenson. (A copy of said memo is attached hereto.)

Witness
Kimlinger

Mr. Kimlinger addressed his remarks to Sections 5, 6, 7, and 8 of SB 4 (licensing of sport fishing and hunting) and recommended that perhaps the older folks should be put under an exemption rather than charging \$1. He further recommended an effective date of 1/1/74 and said if the effective date was 1/1/74 the loss would

SB 4 cont'd be about \$3,500. Mr. Kimlinger's memo to Acting
Witness Deputy Commissioner Stevenson (dated 1/12/73) is
Kimlinger attached.

Witness Wall Mr. Wall discussed the effects of SB 4, Section 8,
which provides that persons over 65 may obtain a
motor vehicle registration for \$5. rather than \$30.
He said statistics for 1970 indicated there were 450
people over 70 years of age who drove in Alaska.
Mr. Wall's memo to Director Paul Goodrich, Division
of Motor Vehicles (dated 1/28/71) is attached.

Adjournment At 9:45 a.m. the meeting was adjourned.

MEMORANDUM

TO: ☐ R. D. Stevenson
Acting Commissioner

DATE : January 19, 1973

FROM: Fred Boetsch, Director
Audit Division *FBB*

SUBJECT: SB 4--Tax and Fee Relief for
Senior Citizens

I will discuss Sections 1 and 2 of this bill. Section 1 provides for additional exemptions for persons over 65 and taxpayers with spouses over 62 for purposes of computing the Alaska Net Income Tax. Section 2 provides for exemptions from the School Tax for workers over 65. Section 1 provides that an additional exemption of \$3,750 shall be allowed for every taxpayer over 65 and an additional exemption of \$3,750 for taxpayers whose spouses are over the age of 62.

The 1970 census data provided in the Institute of Social, Economic and Governmental Research (University of Alaska) December 1971 publication titled, "Alaska's Population and School Enrollments," Vol. VIII, No. 5, indicated that there were 6,887 individuals over the age of 65 living in Alaska. We can probably assume that no one over 75 would be working which would account for 2,183 of these individuals. Of the balance, 2,651 were males and I think we could assume, safely, that no more than one-half of these would be working. I think it is also necessary to assume that the number of working spouses over the age of 62, and the number of single individuals working over the age of 65, would be either negligible or balanced out in the averages that we are going to use for purposes of calculating the effect on State revenues. That would leave us with 1,326 workers in 1970. If we assume that the growth rate of 2.7 percent which prevailed in this age group during the years 1960 through 1970 continues to prevail in the 1970's, then we can assume that in calendar year 1973 there would be 1,436 taxpayers who would be earning income and who could benefit from the provisions of Section 1.

In order to establish a basis for income, we have used the median for all families from the publication, "Consumer Income," put out by the U. S. Department of Commerce, Bureau of the Census Series P-60, No. 85 dated December 1972. Table 66 on page 147 of that publication gives median income by the age groups for 1971. The income for people over 65 was \$5,610 to which I have added a 25 percent differential for the State of Alaska of \$1,403 for a total income of \$7,012. Assuming, then, that our average taxpayer over 65 is married and the spouse qualifies for the additional exemption and, further, that they take a standard deduction, the current tax would be \$87. Under the provisions of Section 1 of SB 4, the tax would be 0. When we multiply this times the number of workers (1,436), we get a revenue loss for FY 74 (based on income earned in 1973) of \$124,932. The table below shows the loss of revenues from 1974 through 1978 based on the above statistics and the 2.7 percent growth rate in this age group. Although this projection is based on statistical averages, I think we can safely assume that it would represent a reasonable approximation of the effect on State revenues.

(Senate HWE Committee Meeting 1/26/73)

R. D. Stevenson
Re: SB 4

-2-

January 19, 1973

	<u>FY 74</u>	<u>FY 75</u>	<u>FY 76</u>	<u>FY 77</u>	<u>FY 78</u>
Current Projection	\$49,882.4	\$57,142.8	\$59,735.3	\$55,398.3	\$55,508.2
SB 4 Projection	<u>49,697.4</u>	<u>57,014.5</u>	<u>59,603.6</u>	<u>55,263.0</u>	<u>55,369.3</u>
Loss of Revenues	<u>(\$ 124.9)</u>	<u>(\$ 128.3)</u>	<u>(\$ 131.7)</u>	<u>(\$ 135.3)</u>	<u>(\$ 138.9)</u>

I have calculated the school tax exemptions based on the number of workers times \$10 for each worked and used the 2.7 percent growth rate from 1974 through 1978. You will note that the 1974 figure indicates 1,475 workers as opposed to the 1,436 workers used in the calculation on income tax. This is due to the fact that income tax calculations for FY 74 were based on a 1973 population estimate since the tax collections in FY 74 would be related to the 1973 calendar year income. As to the school tax, however, the tax would be collected at the beginning of the year and for FY 74 this would be January 1, 1974. Therefore, the school tax indicates the projected population for 1974 of 1,475 workers. Loss in revenue for school tax would therefore be:

	<u>FY 74</u>	<u>FY 75</u>	<u>FY 76</u>	<u>FY 77</u>	<u>FY 78</u>
Current Projection	\$1,654.3	\$1,718.1	\$1,772.5	\$1,742.8	\$1,760.2
SB 4 Projection	<u>1,639.5</u>	<u>1,702.9</u>	<u>1,756.9</u>	<u>1,726.8</u>	<u>1,743.7</u>
Loss of Revenues	<u>(\$ 14.8)</u>	<u>(\$ 15.2)</u>	<u>(15.6)</u>	<u>(\$ 16.0)</u>	<u>(\$ 16.5)</u>

The only administrative problem I see with this Act is that it takes effect on July 1, 1973. As with all tax acts, we recommend that they take effect on January 1 since that is the beginning of the tax year in most cases. If the Act takes effect on July 1, 1973 it would then be necessary to prorate the exemptions provided in Section 1. Also, those persons who began work prior to July 1, 1973 would have to pay the school tax for that year, and those who began work subject to July 1, 1973 would not pay the school tax. This would necessitate an audit of each of these returns which could be quite time-consuming and pull our audit staff away from more lucrative and important work. I, therefore, recommend that the effective date be made either retroactive to January 1 of 1973 or pushed forward to January 1 of 1974.

In order to be consistent with recent court decisions on the matter of deductions of taxpayers who are residents for part of the tax year, I would recommend that the exemption provided for in Section 1 be prorated on the basis of adjusted gross income within the State compared with total adjusted gross income rather than on a physical presence test prorated by the number of months. I do not see any other administrative problems with this Act.

FPB:mbc

Senate HWE Committee Meeting 1/26/73

MEMORANDUM

TO: R. D. Stevenson
Acting Commissioner
Dept. of Revenue

DATE : January 12, 1973

FROM: Ralph Kimlinger, Manager
Juneau Field Office
Department of Revenue

SUBJECT: SB 4 Senior Citizens

With the passage of HCS CSSB 149 am H, AS 16-05 400 was amended and a new sub section was added exempting resident Alaskans 60 years of age or older and within Alaska 30 years or more from the licensing provisions of sport fishing, hunting and trapping.

The Dept. of Health and Social Services has estimated that approximately 58 percent of the Alaskan residents 65 years of age or older have been in Alaska 30 or more years thus exempting them from the provisions of SB 4.

Applying the above percentage to statistics as provided by the Dept. of Fish and Game concerning License purchases results in a expected annual loss to the treasury of approximately \$3,418.00.

The planned effective date of July 1, 1973 will necessitate printing of a special license for the remainder of the year since sport fishing, & hunting licenses are sold on a calendar year basis. The additional costs related to implementation mid year are estimated as:

1. Printing-	\$600.00
2. Postage-	100.00
3. Personal services-	290.00
	<u>\$990.00</u>

An effective date of Jan. 1, 1974 for Sections 5 through 8 would eliminate the majority of the above costs.

RK/rd

(Senate HWE Committee Meeting 1/26/73)

TO: R. D. Stevenson
Acting Commissioner
Department of Revenue

DATE : January 19, 1973

FROM: P. A. Wall, Director
Administrative Services Division
Department of Revenue

SUBJECT: SB 4 - Relating to Tax and Fee
Relief for Senior Citizens

In response to your memo of January 18, same subject, this defines the effect of SB 4 on Motor Vehicle Registration and Revenues.

I again called Mr. Gallant of the Insurance Services Office (was Insurance Rating Board), 160 Water Street, New York, N. Y., 10003. This is the same individual we contacted in January, 1971 for figures on drivers in Alaska aged 65 or older.

Mr. Gallant stated that of 27,507 policies in Alaska, 352 are issued to drivers 65 or over for a ratio of 1.3%. This percentage applied against the 1972 registration total of 191,788 calculates to 2,493 drivers 65 or older in Alaska.

The Department of Public Safety stated that there were 165,000 licensed drivers in Alaska at the end of 1972. The 1.3 percentage applied against 165,000 drivers calculates to 2,145 drivers 65 or older in Alaska.

These calculations do not consider multiple drivers on a single policy or commercial (truck) policies.

A \$53,625 revenue loss will occur (2,145 vehicles at \$25 loss per vehicle). There are no additional administrative costs to be considered with the bill.

Ratios given by the Insurance Services Office indicate that Alaska still has the lowest ratio of drivers 65 or older:

	<u>1971</u>	<u>1973</u>
Alaska	1.2%	1.3%
Hawaii	4.3%	4.3% (large number of non-driving old timers.)
Nevada	n/a	6.3%
Florida	11.6%	12.5%
Iowa	13.2%	13.6%
Nebraska	n/a	14.0%

We recommend that the bill be given an effective date of January 1, 1974.

PAW:sp

cc: C. L. Pyles
C. Schroth

Senate HWE Committee Meeting
1-26-74

HEALTH, EDUCATION, SOCIAL SERVICES COMMITTEE MEETING
January 29, 1973 - Monday
8:30 a.m.

Present: All members of the committee except Senator Young.

Chairman Thomas called the meeting to order.

SJR 9 --
HENSLEY

Senator Hensley moved and asked unanimous consent that SJR 9 (implementation of Indian Act) pass out of committee with a do pass recommendation. The motion was concurred in by all members present and it was so ordered.

General

Senator Thomas furnished the members of the committee copies of the weekly bills in committee report and requested that they determine which ones they feel are priorities.

Senator Sackett questioned if there was a policy to hold general obligation bond bills until the second session.

Senator Thomas responded that he believed the policy was to get anything of value out and move it.

Senator Sackett asked if the committee was going to check into the matter of last year's bill which made alcoholism no longer a crime.

Senator Thomas advised that the committee would look into the matter and informed that Mr. Bill Saville of the National Institute of Alcoholism would appear before the committee on February 6th to testify on SB 35.

1/29/73

General

Senator Thomas also stated he felt the committee should get on the bills which drastically effect the school foundation act. He announced a joint hearing with the House HW&E Committee on January 31st for consideration of the bills dealing with transfer of parole authority; runaway minors, and sale of drugs.

CROFT

Senator Croft commented that he felt the committee should advise the Judiciary Committee of all hearings scheduled on bills also assigned to Judiciary.

SB 85 --
HENSLEY

Senator Hensley moved and asked unanimous consent that SB 85 (an Act making a special appropriation to the Department of Education, Alaska Educational Broadcasting Commission) pass out of committee with a do pass recommendation.

Senator Thomas said he thought the committee should get some information on SB 85 before it was acted upon.

CSSB 4 --
THOMAS

Senator Thomas moved and asked unanimous consent Committee Substitute for that/SB 4 pass out of committee with a do pass recommendation. Senators Hensley, Croft and Sackett concurred in the motion and it was so ordered.

SJR 3

present
All members of the committee/agreed they did not want to take any action on SJR 3 (proposing constitutional amendment to provide for election of

1/29/73

SJR 3

the commissioner of education) at the present time.

Senator Sackett asked if someone from the University of Alaska was going to appear to testify on SB 64 (placing student on Board of Regents, University of Alaska).

Senator Thomas stated that he would look into the matter.

SJR 6

Senator Thomas moved and asked unanimous consent that the committee pass SJR 6, which calls for restoration of Title 4 funds, out of committee with a do pass recommendation. All present concurred in the motion and it was so ordered.

Adjournment

The meeting was adjourned at 9:10 a.m.

HEALTH, WELFARE, EDUCATION COMMITTEE MEETING
February 1, 1973 - Thursday
8:45 a.m.

Present: All members of the committee except Senators Young and Sackett. Others present were Bob Arnold, Executive Director, Alaska Educational Broadcasting Commission; Fred McGinnis, Commissioner, Department of Health and Social Services; and Jeannette A. Pitcherella, Acting Coordinator, Office of Comprehensive Planning, Department of Health and Social Services.

Chairman Thomas called the meeting to order to discuss the Alaska Educational Broadcasting Commission and SB 85.

Anchor- Bob Arnold said that \$556,000 had been appropriated
age Pub- by the Legislature last year for a radio station in
lic Radio Anchorage. However, the Free Conference Committee stipulated that the money could not be released until the Federal match had been obtained. That Federal money has not been granted to Anchorage, and, therefore, the State money cannot yet be used.

SB 85 The amounts of money requested in the bill are higher than what had previously been requested because of the lack of Federal grant money. The proposed new starts are in places which do not now have any kind of radio. It is estimated that \$65,000-90,000 State money plus \$20,000 Federal money is needed for each

new station. Training programs for managers and other personnel should be in the local community. According to regulations, a community cannot start a station until they have all the money necessary to operate it. In the bill, \$55,000 is requested for the production of "software." That was defined as the production of programs. In the Tanana Chiefs region, there are radio stations which would use programs produced by Tanana Chiefs.

Senator Thomas asked if the University of Alaska would be involved with this production.

Senator Hensley replied that the University gets a lot of money for production, but he didn't know that they produce anything for rural areas.

Bob Arnold said that the \$65,000 previously requested assumed a Federal grant of \$20,000. That amount of money would allow a station to both start up and operate for a few months.

Anchorage Ed.
Station

Senator Croft asked if the restriction on the money for Anchorage was in the bill or if it had been legislative intent.

Bob Arnold replied that it was by legislative intent. He had asked the Attorney General if the money could be released, but was told he should get the Federal money. If the Legislature would decide to hold back what could be used for matching money, the stations could start up. Then it might be easier to get the Federal money.

Resolution

Senator Croft suggested that the Committee draft a

resolution to free at least some of the State money. Bob Arnold said that the Anchorage group would like to get either all the money or at least an amount minus the Federal matching money, which could be raised locally.

SB 43 Commissioner McGinnis presented the Department's position on SB 43. He distributed the attached information to the Committee members. He said the Council could be improved. Doctors have said that if the Commissioner were not chairman, it would be better. The Council is not really geared to do the job. The Council had listed suggested improvements, and the Office of Comprehensive Planning had prepared a draft. The best of both was incorporated into the Department's suggested version of SB 43.

Senator Hensley asked if the Commissioner agreed with the addition on page 3, Section 2.

Commissioner McGinnis said the Department had eliminated it in their version.

2/1/73

TO: ☐ Frederick McGinnis, Commissioner
Dept. Health and Social Services

DATE : January 25, 1973

586
5418 FROM: Jeanette A. Pitcher *J. Pitcher*
Acting Coordinator
Office of Comprehensive Planning

SUBJECT: Position Paper - Senate
Bill No. 43

The passage of Public Health Services Act P.L. 89-749 in 1966 and the related Alaska Statute in 1967 led to the first Comprehensive Health Advisory Council meeting in May, 1968. Since that time, the law and its subsequent amendments have undergone further interpretation and Council members have become more experienced. It is against this background that Senate Bill No. 43 is discussed. Highlights of suggested changes appear as attachment 1; the original bill is shown as attachment 2; the proposed changes appear in italics in attachment 3; and a complete revision of the bill is suggested in position paper 1/24/73 in attachment 4.

JAP:d1
attachments

Senate HWE 2/1/73

HIGHLIGHTS OF SUGGESTED CHANGES IN SB 43

1. Title of Act: an act relating to comprehensive health planning.
This implicitly includes the state health plan.
2. Introductory paragraph: added to: (a) bring the purpose of the council into focus; (b) establish that its composition not only conforms to P.L. 89-749, but also to the requirements of the Hill-Burton Law and the Community Mental Health Construction Act; and (c) define "consumer" representative.
3. Number of consumers and providers: altered to assure a minimum 51 percent consumer majority of the total voting membership, as required by law. The total voting membership includes the 4 governmental members, all of whom are classified as providers, as legally required.
4. Terms of membership: 4 members' terms shall expire in 1974 and in groups of four thereafter, a rotation of approximately one-fifth of the council in any one year.
5. Governmental members: all state, local and federal employees must be classified as providers. Governmental members include one representative from the Department of Health and Social Services; one Borough official; and a Veterans Administration representative, who is required to be on the council by federal regulations; and one representative from the Public Health-Indian Health Services, a major health provider in the State. Representatives from the military may function as advisors, but cannot be bonafide voting members on any council, pursuant to the command directives.
6. Statutory advisors: eliminated, since the composition of the council automatically includes individuals with professional backgrounds in health, and further consultation of an advisory nature may be obtained on an ad hoc basis, as needed.
7. Chairman: to be elected from among the voting members, rotating every two years between a consumer and a provider, as will the vice-chairmanship. Two providers or two consumers cannot hold both positions simultaneously.
8. Section 18.05.053: FUNCTIONS AND DUTIES: broadens the role of the council, shifting the emphasis from health facilities to include all areas appropriate to the scope of comprehensive health planning.
9. Sec. 18.05.057 PLANNING AGENCY: clarifies that the Office of Comprehensive Planning shall be re-named the Office of Comprehensive Health Planning and that it is the 314(a) unit within the department, delegated the responsibility for carrying out the purposes of P.L. 89-749.

1 IN THE SENATE

2 SENATE BILL NO. 43

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the state health plan."

For an Act entitled: "An Act relating ^{to} Comprehensive Health Planning."

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

8 * Section 1. AS 18.05.051 is amended to read:

9 Sec. 18.05.051. COMPREHENSIVE HEALTH ADVISORY COUNCIL. (a) There
10 is created a Comprehensive Health Advisory Council which shall con-
11 sist of governmental and nongovernmental members. The council may
12 appoint advisory committees outside its membership.

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

* Section 1. AS 18.05.051 is amended to read:

Sec. 18.05.051. COMPREHENSIVE HEALTH ADVISORY COUNCIL. The focus of
the Comprehensive Health Advisory Council is the health status of people.
Through its recommendations, the council seeks to act as an advocate of
the people and to: moderate health care costs; close gaps in health ser-
vices; prevent fragmentation and overlap in health services; encourage the
growth of preventive health care; promote better distribution and wiser
use of resources; establish accountability for health care; and assure that
consumer representatives have a voice in health planning. The concerns of
the council are unique in that they encompass all aspects of health and
all factors that influence health.

(a) There is created a Comprehensive Health Advisory Council which
shall reflect the broad geographic, socio-economic, age, ethnic and pro-
fessional health elements within the state. The composition must comply

with P.L. 89-749 and its amendments, and take into the account the requirements of the Hill-Burton Law, as the Hill-Burton Council is an integral part of the advisory council, as well as the requirements of the Community Mental Health Centers Construction Act.

(b) Consumer representatives must comprise a majority of at least 51 percent of council members. A consumer is a person whose major career or occupation is neither the administration of health services nor the providing of health care; who has no fiduciary obligation to a health facility or other health agency; who has no material, legal or financial interest in the rendering of any component of health services, research or the teaching of health science; who is neither a practicing or non-practicing health professional nor an official or employee of state, local or federal government.

(c) The council may create special committees outside its membership and may recommend persons who are not members of the council to serve as advisors or consultants on any committee to carry out the intent of the council.

(b) The council shall include 21 [11] nongovernmental members, at least 12 [EIGHT] of whom shall be consumers of health services and no more than nine [THREE] of whom shall be representatives of non-governmental agencies which are concerned with health care services. The council shall elect a chairman from among the nongovernmental members to serve a two-year term.

(1) Nongovernmental members are appointed by the governor subject to confirmation by a majority of the members of the legislature in joint session. Six [FOUR] members shall have [SERVE INITIAL] terms expiring in 1972 and every four years thereafter. All other [OF TWO YEARS, FOUR] members shall have [INITIAL] terms which shall expire in groups of five each year [OF THREE YEARS, AND THREE MEMBERS INITIAL TERMS OF FOUR YEARS]. Terms [INITIAL TERMS DATE FROM FEBRUARY 1 BEFORE APPOINTMENT. THEREAFTER, TERMS] of office are four years, unless the appointment is for the remainder of an unexpired term. With the approval of the governor and the members of the legislature in joint session terms may be extended for one year each to allow

1 compliance with this section. Each member holds office at the pleasure
2 of the governor notwithstanding the member's term.

3 (2) Nongovernmental members may carry out their duties on
4 the council after appointment but before confirmation or rejection by
5 the legislature.

6 (3) Nongovernmental members receive no salary but are
7 entitled to per diem and travel expenses authorized by law for state
8 boards. Nongovernmental members may receive travel expenses and per
9 diem in connection with the exercise of their duties as council
10 members before their confirmation or rejection by the legislature.

(d) The council shall include 20 members from nongovernmental or-
ganizations or groups, at least 14 of whom shall be consumer representa-
tives and no more than 6 of whom shall be providers of health care ser-
vices, of whom one shall be a representative from the regional medical
program, and one educator concerned with training of health professionals.

(1) Nongovernmental members are appointed by governor subject
to confirmation by a majority of the members of the legislature in joint
session. Four members shall have terms expiring in 1974 and every four
years thereafter. All other members shall have terms which shall expire
in groups of 4 each year. Terms of office are four years, unless the
appointment is for the remainder of an unexpired term. With the approval
of the governor and the members of the legislature in joint session terms
may be extended for one year each to allow compliance with this section.
Each member holds office at the pleasure of the governor notwithstanding
the member's term.

(2) Nongovernmental members may carry out their duties on the
council after appointment but before confirmation or rejection by the
legislature.

(3) Nongovernmental members receive no salary but are entitled to per diem and travel expenses authorized by law for state boards. Nongovernmental members may receive travel expenses and per diem in connection with the exercise of their duties as council members before their confirmation or rejection by the legislature.

11 (c) The council shall include three [FOUR] governmental members:
12 one from the Department of Health and Social Services; one from the
13 Department of Administration; and one from a health agency of a local
14 government unit [; AND THE COMMISSIONER OF HEALTH AND SOCIAL SERVICES].
15 The governmental members [, OTHER THAN THE COMMISSIONER OF HEALTH AND
16 SOCIAL SERVICES,] are appointed by the governor. The commissioner of
17 health and social services [SHALL ACT AS CHAIRMAN OF THE COUNCIL,] and
18 his department shall administer the comprehensive state health
19 [SERVICE] plan.

20 (d) The governor shall appoint two advisors to the council; one
21 of whom shall be from the Department of Labor and one of whom shall be from the
22 Department of Education, who shall represent education and vocational rehabilitation.

23 (e) Additional members may be appointed under this section by
24 the governor in compliance with federal law. The terms of the
25 additional members shall be four years, but a fractional term of less
26 than four years may be granted where a full term would result in an
27 expiration date identical to that of an existing member. All future
28 terms shall be four years, or in case of conflict with federal law,
29 those terms [THAT] required by federal law.

(e) The council shall include 4 governmental members who must, as local, State and Federal officials, be counted as providers: one shall be the Commissioner or representative from the State Department of Health and Social Services; one shall represent a local Borough; and two shall be federal members, one representing the Veterans Administration, and one the Public Health - Indian Health Services. Federal members will be designated by their respective agencies.

(f) Additional members may be appointed under this section by the governor in compliance with federal law. The terms of the additional members shall be four years, but a fractional term of less than four years may be granted where a full term would result in an expiration date identical to that of an existing member. All future terms shall be four years, or in case of conflict with federal law, those terms required by federal law.

(g) The council shall elect a chairman from among the voting membership to serve a two-year term. The chairmanship and vice-chairmanship shall rotate between a provider and a consumer member every two years, and at no time will these positions be held simultaneously by two provider or two consumer representatives.

* Sec. 2. AS 18.05.053 is amended to read:

Sec. 18.05.053. POWERS AND DUTIES. The Comprehensive Health Advisory Council shall

(1) advise and consult with the department [COMMISSIONER OF HEALTH AND WELFARE] regarding

(A) programs for the construction of health facilities for the state and its political subdivisions;

(B) the development of rules, regulations, and standards for the operation of health facilities;

(C) the development of a comprehensive state health [SERVICE] plan, to be reviewed at least annually, and to be submitted to the Surgeon General of the United States for his approval;

(D) the alternatives to the general assistance program of the state for medical care, including possible funding from other sources;

* Sec. 2. AS 18.05.053 is amended to read:

Sec. 18.05.053. FUNCTIONS AND DUTIES. The Comprehensive Health Advisory Council shall

(1) advise and consult with the Department of Health and Social Services, in the department's role as the state comprehensive health planning agency, regarding:

(A) health objectives, goals, priorities and policy;

(B) distribution of health resources and health care services;

(C) health education;

(D) development and updating of a comprehensive state health plan;

(E) special needs of high risk population groups for preventive and health care services;

(F) health needs in the fields of welfare, education and rehabilitation;

17 (2) request the cooperation of governmental and nongovern-
18 mental agencies in planning and developing a statewide comprehensive
19 health plan by reviewing agency planning, coordinating activities and
20 plans of areawide councils and other voluntary planning groups,
21 appointing advisory committees for specific health problems, and
22 evaluating previous planning efforts [PROGRAMS RELATING TO THE RE-
23 HABILITATION, EDUCATION, EMPLOYMENT, HEALTH AND WELFARE OF PATIENTS IN
24 HEALTH FACILITIES];

25 (3) exercise the additional powers and perform the duties
26 which are necessary to comply with appropriate federal programs;

27 (4) assist in forming areawide comprehensive health planning
28 agencies and councils;

29 (5) review and comment upon applications for grants under

1 the Comprehensive Health Planning and Public Health Services Amend-
2 ments of 1966 (P.L. 89-749, Section 314(c), (d) and (e)).

(2) promote the cooperation of governmental and nongovernmental agencies in realizing the objectives of a statewide comprehensive health plan by: fostering coordinated planning efforts among agencies; supporting and promoting coordination of activities and plans of areawide councils and other voluntary planning groups; creating ad hoc committees and task forces for specific health problems; and evaluating its past recommendations, accomplishments and impact as a statewide advisory council;

(3) perform the additional functions and duties, as requested, which are necessary to comply with appropriate state and federal programs;

(4) promote development of areawide and state-assisted local comprehensive health planning groups;

(5) review and comment, at the request of the department, on applications for programming and for public funds, as necessary;

(6) alert the department to health-related public concerns;

(7) perform such other functions or duties as may be requested by the department;

(8) perform, as it is so designated and empowered, the functions and duties of (a) the Hill-Burton Advisory Council, authorized under Title VI of the Public Health Service Act, and (b) the Advisory Council authorized under Title II the Community Mental Health Centers Construction Act, Public Law 88-164. Members appointed to the Hill-Burton and Community Mental Health Centers Advisory Councils shall meet the respective membership requirements of these councils.

3 * Sec. 3. AS 18.05 is amended by adding a new section to read:

5 Sec. 18.05.057. PLANNING AGENCY. The department is designated
6 the sole comprehensive state health planning agency for purposes of
7 the Comprehensive Health Planning and Public Health Services Amend-
ments of 1966 (P.L. 89-749).

* Sec. 3. AS 18.05 is amended by adding a new section to read:

 Sec. 18.05.057. PLANNING AGENCY. (a) The Department of Health &
Social Services is designated the sole state agency responsible for the
administration of state comprehensive health planning functions, in
compliance with the Public Health Service Act of 1966 (PL 89-749) and
its subsequent amendments.

 (1) Within the department, the Office of Comprehensive Planning,
which shall be known as the Office of Comprehensive Health Planning, is
delegated responsibility for carrying out the comprehensive health plan-
ning functions of the sole state agency designated under Section 314 (a)
of PL 89-749.

 (2) The Office of Comprehensive Health Planning, which is the
314(a) unit of the department, shall provide professional guidance and
leadership to the Comprehensive Health Advisory Council to channel its
efforts in a manner to produce maximum impact.

 (3) Rules and regulations governing the scope and functions of
the Office of Comprehensive Health Planning and the Comprehensive Health
Advisory Council shall be detailed in Title 7 of the State Administrative
Code.

BY THOMAS

POSITION PAPER 1/24/73

ATTACHMENT 4

SENATE BILL NO. 43

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to comprehensive health planning."

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

* Section 1. AS 18.05.051 is amended to read:

Sec. 18.05.051. COMPREHENSIVE HEALTH ADVISORY COUNCIL. The focus of the Comprehensive Health Advisory Council is the health status of people. Through its recommendations, the council seeks to act as an advocate of the people and to: moderate health care costs; close gaps in health services; prevent fragmentation and overlap in health services; encourage the growth of preventive health care; promote better distribution and wiser use of resources; establish accountability for health care; and assure that consumer representatives have a voice in health planning. The concerns of the council are unique in that they encompass all aspects of health and all factors that influence health.

(a) There is created a Comprehensive Health Advisory Council which shall reflect the broad geographic, socio-economic, age, ethnic and professional health elements within the state. The composition must comply with P.L. 89-749 and its amendments, take into account the requirements of the Hill-Burton Law, as the Hill-Burton Council is an integral part of the advisory council, as well as the requirements of the Community Mental Health Centers Construction Act.

(b) Consumer representatives must comprise a majority of at least 51 percent of council members. A consumer is a person whose major career or occupation is neither the administration of health services nor the providing of health care; who has no fiduciary obligation to a health facility or other health agency; who has no material, legal or financial interest in the rendering of any component of health services, research or the teaching of health science; who is neither a

Amended HWE 2/1/73

a practicing or non-practicing health professional nor an official or employee of state, local or federal government.

(c) The council may create special committees outside its membership and may recommend persons who are not members of the council to serve as advisors or consultants on any committee to carry out the intent of the council.

(d) The council shall include 20 members from nongovernmental organizations or groups, at least 14 of whom shall be consumers representatives and no more than 6 of whom shall be providers of health care services, of whom one shall be a representative from the regional medical program, and one educator concerned with training of health professionals.

(1) Nongovernmental members are appointed by governor subject to confirmation by a majority of the members of the legislature in joint session. Four members shall have terms expiring in 1974 and every four years thereafter. All other members shall have terms which shall expire in groups of 4 each year. Terms of office are four years, unless the appointment is for the remainder of an unexpired term. With the approval of the governor and the members of the legislature in joint session terms may be extended for one year each to allow compliance with this section. Each member holds office at the pleasure of the governor notwithstanding the member's term.

(2) Nongovernmental members may carry out their duties on the council after appointment but before confirmation or rejection by the legislature.

(3) Nongovernmental members receive no salary but are entitled to per diem and travel expenses authorized by law for state boards. Nongovernmental members may receive travel expenses and per diem in connection with the exercise of their duties as council members before their confirmation or rejection by the legislature.

(e) The council shall include 4 governmental members who must, as local, State and Federal officials, be counted as providers: one shall be the Commissioner or representative from the State Department of Health and Social Services; one shall

represent a local Borough; and two shall be federal members, one representing the Veterans Administration, and one the Public Health - Indian Health Services. Federal members will be designated by their respective agencies.

(f) Additional members may be appointed under this section by the governor in compliance with federal law. The terms of the additional members shall be four years, but a fractional term of less than four years may be granted where a full term would result in an expiration date identical to that of an existing member. All future terms shall be four years, or in case of conflict with federal law, those terms required by federal law.

(g) The council shall elect a chairman from among the voting membership to serve a two-year term. The chairmanship and vice-chairmanship shall rotate between a provider and a consumer member every two years, and at no time will these positions be held simultaneously by two provider or two consumer representatives.

* Sec. 2. AS 18.05.053 is amended to read:

Sec. 18.05.053 FUNCTIONS AND DUTIES. The Comprehensive Health Advisory Council shall:

(1) advise and consult with the Department of Health and Social Services, in the department's role as the state comprehensive health planning agency, regarding:

- (A) health objectives, goals, priorities and policy;
- (B) distribution of health resources and health care services;
- (C) health education;
- (D) development and updating of a comprehensive state health plan;
- (E) special needs of high risk population groups for preventive and health care services;

(F) health needs in the fields of welfare, education and rehabilitation;

(2) promote the cooperation of governmental and nongovernmental agencies in realizing the objectives of a statewide comprehensive health plan by: fostering coordinated planning efforts among agencies; supporting and promoting coordination of activities and plans of areawide councils and other voluntary planning groups;

creating ad hoc committees and task forces for specific health problems; and evaluating its past recommendations, accomplishments and impact as a state-wide advisory council;

(3) perform the additional functions and duties, as requested, which are necessary to comply with appropriate state and federal programs;

(4) promote development of areawide and state-assisted local comprehensive health planning groups;

(5) review and comment, at the request of the department, on applications for programming and for public funds, as necessary;

(6) alert the department to health-related public concerns;

(7) perform such other functions or duties as may be requested by the department;

(8) perform, as it is so designated and empowered, the functions and duties of (a) the Hill-Burton Advisory Council, authorized under Title VI of the Public Health Service Act, and (b) the Advisory Council authorized under Title II The Community Mental Health Centers Construction Act, Public Law 88-164. Members appointed to the Hill-Burton and Community Mental Health Centers Advisory Councils shall meet the respective membership requirements of these councils.

*Section 3. AS 18.05 is amended by adding a new section to read:

Sec. 18.05.057. PLANNING AGENCY. (a) The Department of Health and Social Services is designated the sole state agency responsible for the administration of state comprehensive health planning functions, in compliance with the Public Health Service Act of 1966 (PL 89-749) and its subsequent amendments.

(1) Within the department, the Office of Comprehensive Planning, which shall be known as the Office of Comprehensive Health Planning, is delegated responsibility for carrying out the comprehensive health planning functions of the sole state agency designated under Section 314(a) of PL 89-749.

(2) The Office of Comprehensive Health Planning, which is the 314(a) unit of the department, shall provide professional guidance and leadership

to the Comprehensive Health Advisory Council to channel its efforts in a manner to produce maximum impact.

(3) Rules and regulations governing the scope and functions of the Office of Comprehensive Health Planning and the Comprehensive Health Advisory Council shall be detailed in Title 7 of the State Administrative Code.

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING

February 2, 1973 -- Friday

1:30 p.m.

Center for
Northern
Educational
Research

Frank Darnell from the Center for Northern Educational Research at the University of Alaska appeared at an informal meeting of the Committee.

Dr. Darnell explained that for the first time the University has a specific unit to deal with educational problems. There is a staff analyzing these problems, and the Center would like to respond to the State-Operated Schools question when there is legislation introduced. The Center has a cooperative arrangement with the research division of the Department of Education. People other than education professors are involved. The Center will be able to respond to the proposed legislation in an objective way. The Center will present their written testimony when legislation has been introduced.

Regarding State-Operated Schools, Dr. Darnell said that much of their problem has been with mechanical administrative procedures. In the concern to see the base of control shifted, the main issue has been lost: the process of education must be examined. The process has been the problem. The process must be the first consideration, then the shifting of control.

Senator Sackett asked how the Legislature can change that process.

CNER
con't

Dr. Darnell said that the Legislature can change the process by removing certain restrictions so that residents of a community could request that some regulations be waived for their educational system. The State Board of Education could have the power to waive some of those regulations.

Dr. Darnell added that the Center could have a paper to the Committee in a few weeks regarding the problem of what to do with State-Operated Schools.

2/2/73

HEALTH, WELFARE, EDUCATION COMMITTEE MEETING
February 6, 1973 - Tuesday
1:45 p.m.

Present: All members of the committee except Senator Young.
Also present were Mr. Bill Saville, Executive Director, National Council on Alcoholism; Deputy Commissioner Emmett Wilson, Department of Commerce; Mr. John O'Shea, Director, Division of Insurance; Mr. Gordon Evans, Attorney for Blue Cross Insurance Company; and Mr. John Keating, Coordinator, State Office of Alcoholism.

SB 35 Senator Thomas called the meeting to order and called upon Mr. Saville to make the opening presentation regarding SB 35 -- an Act requiring that the treatment of alcoholism be included in group health and disability insurance plans.

SAVILLE Mr. Bill Saville indicated the four main reasons the National Council on Alcoholism requested that SB 35 be introduced were:

- (1) To increase availability of treatment;
- (2) Remove the excuse of cost;
- (3) Create a climate in which Alaskan physicians will treat alcoholics, and
- (4) Decrease the cost of treatment.

Unavailability of Treatment

Generally alcoholics leave the state for treatment because Anchorage Community Hospital is the only

2/6/73

SAVILLE cont'd Alaskan hospital which treats alcoholics.
(SB 35)

Cost Excuse

A symptom of the disease of alcoholism is denial that a problem exists. Since insurance doesn't cover treatment of alcoholism, alcoholics go to the hospital, but are treated under some secondary, alcoholism related, diagnosis which their insurance will cover. Therefore, alcoholics fail to receive treatment for their real problem since the cost of 30 to 60 days hospitalization is prohibitive.

Getting Physicians to Treat Alcoholism

Many physicians still don't recognize alcoholism as a disease and even if they do won't treat alcoholics because there's no insurance and alcoholics are usually poor; and the physicians fear they can't collect their fees.

Decrease Cost of Treatment

Two-thirds of alcoholics treated in early stages never return to the hospital. If alcoholism is covered by insurance companies, people can go into treatment centers rather than expensive hospitals.

Anchorage Community Hospital

Over the last eight months statistics at Anchorage Community Hospital indicate that 90 per cent of alcoholics returning for additional treatment were first

2/6/73

SAVILLE
cont'd --
SB 35

treated for some condition other than alcoholism. Fifty per cent of the patients in the Intensive Care Unit and five per cent of the patients on the Surgical Floor have as their core problem the disease of alcoholism. Anchorage Community Hospital is averaging a 1-1/2 refusal per week because the applicants don't have insurance covering alcoholism. Mr. Saville advised that the Kaiser Foundation and sponsors of the Wisconsin Law confronted the same three problems:

- (1) Attitudinal -- alcoholism considered a moral condition rather than a disease.
- (2) The medical profession gave substitute diagnoses.
- (3) Employers and supervisors considered it a good idea to use the resources presently available for combatting alcoholism.

Mr. Saville stated that if the bill passes, his organization is planning a public information campaign and a seminar to train MDs in the treatment of alcoholism. He said union officials in Alaska have informed him they will support an alcoholism program for union members by union members. Wisconsin is the only state which now has insurance coverage of alcoholism. He further informed he didn't have figures on just how passage of SB 35 would effect insurance premiums.

WILSON --
SB 35

Deputy Commissioner Wilson requested the committee to delay action on SB 35 until his department could

2/6/73

WILSON --
SB 35

furnish statistics from the industry on how the bill would effect the pricing of group insurance.

Chairman Thomas responded that the committee would have to set a deadline if a long delay occurred.

Senator Croft commented that he would be concerned with insurance company statements on increased cost under SB 35 and he thought the state had some obligation to regulate insurance costs.

O'SHEA --
SB 35

Mr. John O'Shea, Director, Division of Insurance, said the division agreed with the intent of SB 35, but the practical aspects of its' mandatory provision precluded any strong recommendation for enactment. The 100% mandatory feature would create a crash program and Mr. O'Shea questioned whether there were facilities and/or practitioners available to render treatment. He requested time to research the Wisconsin Law and appear before the committee at a later time when he had further information.

Senator Croft told Mr. O'Shea the committee would like to know how many people are covered under group plans and what the renewal dates on major policies are.

EVANS --
SB 35

Mr. Gordon Evans, attorney representing Blue Cross Insurance Company, stated that Blue Cross supported the intent of SB 35, but saw as problems the failure to (1) define what was meant by licensed treatment

2/6/73

EVANS --
SB 35

facility, and (2) set out how much coverage is involved. He recommended the bill be amended to provide a uniform definition of a licensed treatment facility which would cover treatment of Alaskans outside the state. Mr. Evans said Blue Cross would submit its' definition of a licensed treatment facility within two weeks.

KEATING --
SB 35

Mr. John Keating, Coordinator, State Office of Alcoholism, stated his office supports passage of SB 35. He commented that most employees with alcoholism are terminated and with this legislation there should be a savings coupled with early treatment. Mr. Keating said the definition of an approved treatment facility would be one providing^a/24-hour rehabilitation program for alcoholics. He informed the 21 licensed facilities in Alaska provide a bed capacity of approximately 235. The best treatment leaves the alcoholic as close to his way of living as possible, and, thereby, he is able to contribute to his own treatment. Mr. Saville, with reference to SB 35 causing a rush for treatment, remarked that the Hughes Act (which provides insurance coverage for federal employees) had been in effect for two years, and FAA had nine employees now undergoing treatment with only one requiring hospitalization.

Adjournment The meeting was adjourned at 2:45 p.m.

2/6/73

HEALTH, WELFARE, EDUCATION COMMITTEE MEETING
February 12, 1973 - Monday
10:45 a.m.

Present: All members of the committee except Senator Young.

Senator Jalmar Kerttula was also present.

SB 18 Chairman Thomas called the Committee's attention to SB 18 -- an Act making a special appropriation of \$2,000,000 to the scholarship revolving loan fund.

Senator Kerttula remarked that \$2,000,000 was a conservative figure; that the need was there, this was an outstanding concept and would bring students back to Alaska for training.

Senator Thomas moved and asked unanimous consent that Senate Bill 18 pass out of committee with a do pass recommendation. Senators Sackett and Hensley concurred in the motion, and Senator Croft had no recommendation.

SB 6, 14 &
23

Senator Thomas asked the Committee for its recommendations with reference to Senate Bills 6, 14, and 23. Senator Croft commented that the bond issues provided for in SB 6 and 14 couldn't be placed on the ballot until 1974 and he thought the Committee should ascertain how the University of Alaska/^{specifically}proposes to spend the money, and he felt as to SB 23 that the bill should provide that the oceanographic institute be connected to the University of Alaska, Anchorage.

2/12/73

Senator Croft suggested that the HWE Committee should set priorities as to education rather than leaving the matter up to the Finance Committee.

SB 6, 14 &
23

Senator Sackett moved that Senate Bills 6, 14, and 23 pass out of committee with a do pass recommendation. Senator Thomas concurred in the motion, and Senators Hensley and Croft voted no recommendation.

SB 68

Senator Croft moved and asked unanimous consent that SB 68 (an Act relating to state aid for retirement of school construction debt) pass out of committee with a do pass recommendation. The motion was concurred in by Senator Thomas and Senators Hensley and Sackett voted no recommendation.

SJR 19

Senator Croft moved and asked unanimous consent that SJR 19 (relating to construction of a new school at Akiak) be brought out of committee with a do pass recommendation.

Senators Thomas and Sackett voiced objection and there was discussion concerning the fact that the BIA had only so much money appropriated for schools and some schools now in the planning stage might be cut out to give the Akiak school priority.

Senator Croft moved and asked unanimous consent that SJR 19 pass out of committee with a recommendation of do pass as amended. The amendment would at line 23

2/12/73

SJR 19
cont'd.

replace the period with a comma and add the following:

"provided implementation of this
request would not jeopardize present
construction priorities."

The motion to bring SJR 19 out of committee with a
as amended
do pass/recommendation was concurred in by Senators
Thomas and Hensley and Senator Sackett voted no recom-
mendation on the motion.

SJR 21

Senator Sackett moved and asked unanimous consent
that SJR 21 (relating to loss of P.L. 874 funds) pass
out of Committee with a do pass recommendation, and
there being no objection, the motion carried.

Senator Croft recommended that the Alaska State
Medical Association be requested to furnish the com-
mittee its comments on House Bill 32 (an Act relating
to persons engaged in the healing arts) and Senator
Thomas indicated they could be contacted.

HB 75

Senator Sackett moved and asked unanimous consent
that House Bill 75 (an Act relating to the scholarship
revolving loan fund) pass out of committee with a do
pass recommendation. The motion was concurred in by
all members present and so carried.

SB 88

Senator Thomas read a letter supporting SB 88 (an Act
making an appropriation of \$2,500 to Dept. of Education
for Alaska Health Sciences Information Center) to the
Committee. The letter was dated 2/6/73 from Ursula P.
Strash, Director, Alaska Health Sciences Information

2/12/73

SB 88

Center, to Senator Cliff Groh.

Senator Croft requested that Mr. Bill Vaudrin and Mr. Dave Osterbach be contacted and requested to appear before the Committee at 1:30 p.m., February 13 to discuss State Operated Schools.

SB 30

Senator Croft moved and asked unanimous consent that SB 30 be indefinitely postponed, and there being no objection, it was so ordered.

Adjournment

The meeting was adjourned at 11:30 a.m.

2/12/73

HEALTH, WELFARE, AND EDUCATION COMMITTEE MEETING

February 13, 1973 -- Tuesday

8:45 a.m.

Present: Senators Thomas, Sackett, Hensley, and Croft.

Bureau of Indian Affairs Emil Kowalczyk, Education, Bureau of Indian Affairs,
testified before the Committee. He had been requested to comment on the following points:

- (1) Plans regarding Bureau-operated schools
- (2) Practices regarding Bureau schools where a new government has been formed (such as in Barrow)
- (3) Wildwood and its future
- (4) How curriculum is developed
- (5) Plans for constructing school facilities next season
- (6) What agreements there are between the State and the Bureau regarding new school construction (such as Kiana and St. Lawrence Island)
- (7) Any new methods by which a community can contract to operate their own schools

#1 Regarding the first topic, Mr. Kowalczyk said that two or three years ago, the State said they couldn't take over any more BIA schools. It was a verbal message from the Department of Education. The switch from the Bureau to the State is the result of an agreement between the BIA, the State and the community. The BIA operates 53 day schools now with 4948 students.

#1 con't There are 536 students at the two boarding schools, Mt. Edgecumbe and Wrangell. There are 400 students at Chemawa and 170 at Wildwood. In November they submitted their '75 budget and construction request. The Bureau spends \$1901 per student in day schools, \$6106 per student at Mt. Edgecumbe, and \$6529 per student at Wrangell. They pay transportation to Chemawa. They have a cost reimbursable contract for \$898,000 at Wildwood for dormitory care for 200 students. Since there are fewer than 200, the cost will probably be \$750,000 to \$800,000.

#2 The schools at Point Hope and Anaktuvuk Pass are State-operated schools which were to be turned over to the North Slope Borough July 1, 1973. The BIA schools at Wainwright and Barter Island were to be turned over July 1, 1974, and the BIA school in Barrow, July 1, 1975. The Borough plans to take the schools over slowly, and there may be delays. There is no high school in the whole borough. A high school for 500 students is being planned now in Albuquerque. The cost is \$19.7 million. There are 200-250 students going out to high school now. The level of funding coming out of Congress doesn't look bright. There is no construction money for Alaska in the '74 budget.

Senator Hensley commented that under the Foundation Program the North Slope Borough would get as much money as the BIA is giving them.

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#2 con't Senator Sackett asked why there was reluctance to take over the operation of the schools.

Mr. Kowalczyk said that they are hoping that the BIA will build the proposed high school. Money for it is in the '75 budget request.

#3 Regarding Wildwood, Mr. Kowalczyk said that there is no new money. The level of funding for '74 will be the same as for '73. At Wildwood they say they want 200 students next year and 250 the next year. However, the BIA and the State say that Wildwood is an interim facility. There is a question whether OMB will release the property. Perhaps there will be no more lease permits granted. The facility will probably operate for another year.

#4 Regarding the development of curriculum, Mr. Kowalczyk said that advisory school boards are to be involved in the schools through a memo of agreement. The local boards are to be involved in the budgets. The local boards serve as the check-off agency for Title I projects. There is \$2.2 million in Title I funds. The boards are involved in planning, development of projects, implementation, and evaluation. The bilingual project is funded through Title I. There have been changes in curriculum at Mt. Edgecumbe, which has a course on Alaskan problems. There are seven schools with a bilingual program now. All 34 of the schools in the Bethel area want it. The children start first grade in their Native language,

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#4 con't with a Native teacher and teacher's aide. Those teachers are assisted by a certificated teacher. Title VII of ESEA might be cut back drastically, but programs are written up for St. Lawrence Island, Barrow, Tetlin, and Venetie.

#5 Senator Sackett asked if the acquisition of land was the greatest cost of building in Chevak.

Mr. Kowalczyk said that they were asking for 34,000 square feet without a high school. That is more than the existing space. The water and sewer, power plant, etc. will all be inadequate. It will cost over \$5 million. Normally the Bureau does not purchase land.

A replacement school costing \$1.8 million is planned for Napakiak from '73 money. The school in Kiana is from '72 or '73 money. All else is frozen. The money for kindergartens for Gambell and Pilot Station has been frozen by OMB. Hopefully, it will be freed by July 1. However, a whole construction year will have been lost. Dorm money, \$9-10 million (half old, half new), is frozen as of July 1. The Bureau is asking the Congressional committee to reprogram that money. \$9.7 million had been requested to expand Mt. Edgecumbe to 1000 students. That money was then reprogrammed to regional dorms. Now the Bureau is trying to get it reprogrammed for emergency needs for local schools. For example, the school at Alakanak is 4-10 feet from the river and

2/13/73

#5 con't about to fall in.

Senator Thomas asked if the Bureau had any requirement to use local labor.

Mr. Kowalczyk said that they always use local labor, and they don't have to go through union hiring halls.

Senator Thomas asked how the Bureau considers the resolutions passed by the Legislature relating to school construction.

Mr. Kowalczyk replied that emergencies are their first priority. Resolutions are usually in line with their overall plans.

Senator Thomas asked about the resolution regarding Akiak.

Mr. Kowalczyk said that the situation in Akiak is bad. It has been a high priority since 1959. They have run the school on double shifts for ten years. If the Bureau builds in Barrow, there will be no more building in Akiak for about 15 years. The new facility for Akiak is in the '75 budget, and was in the budget requests for '73 and '74. Money for designing a new school for Kotzebue is in the '75 request. There is planning money now. Many small projects are combining design and engineering.

#7 Local schools can be operated in one of three ways:

(1) A local community can contract with the

2/13/23

#7 con't

BIA and run their own school

(2) BIA can operate the school

(3) The school can be operated by the State
None have contracted, but the procedure for doing
so is established. The Northwest Alaska Native
Association asked about contracting for the operation
of the schools in that area about a year ago, but
have not yet requested to do so.

2/13/73

HEALTH, WELFARE, AND EDUCATION COMMITTEE MEETING

February 14, 1973 -- Wednesday

8:30 a.m.

Present: Senators Thomas, Croft, and Sackett.

SB 125 Senator Croft said that he introduced the bill in order that the Alaska law on abortions would conform to the ruling recently made by the Supreme Court. The two areas in which the present law does not conform are the following:

(1) During the first trimester of pregnancy, the State cannot regulate where the abortion is performed.

(2) The residency requirement

The Attorney General will send down a letter regarding the bill.

Fred McGinnis, Commissioner of Health and Social Services, said that if "where performed" is an issue, then the law should be changed. If abortions may be performed outside hospitals, there should be some restrictions made.

Senator Croft said that the decision said that abortion may not be singled out regarding where it may be performed. For instance, laws do not say where apendectomies may be performed.

Commissioner McGinnis said that all hospitals and two clinics have been approved, and there are special regulations for those two clinics.

SB 125

Dr. Tom McCabe from the Department of Health and Social Services said that the second part of the current statute gives the Medical Board the authority to make regulations about abortions. That is a possible source of ambiguity. The Medical Board is moving toward using hospitals only.

SB 45

Senator Croft asked the Department of Health and Social Services representatives to comment on the amount of space in facilities.

Commissioner McGinnis said that the Court thinks it can put a child in a particular place, and then the Department has to bear the burden of budget, facilities, etc. The Court makes all the placements all over the country, and then says it is the Department's problem. There are two ways to remedy the situation:

(1) The Court should put the child in the custody of the Department, which then can place him; OR

(2) The budget should come under the Court.

If they order it, they should pay for it.

2/14/73

HESS COMMITTEE MEETING
February 20, 1973 -- Tuesday
8:45 a.m.

Present: Senators Thomas and Sackett

Public School Found. Program
Marshall Lind, Commissioner of Education, supported the repeal of mini 874. There are inequalities in distribution as it presently exists. He preferred a Foundation basis allocation.

There is no formal position of the Board on repealing the requirement for local effort. It should stay as it presently exists. There are some problems, especially in determining local in-kind match. There will be more problems if we lose the 874 B students. Ten percent is the maximum amount for local effort. There will be an official position in two weeks.

Senator Thomas asked for his reaction to Joe Montgomery's position.

Commissioner Lind referred the question to Deputy Commissioner Bob Thomas.

Mr. Thomas said that the mini 874 was an attempt to equalize the distribution of money before the new Foundation program came into being. The new Foundation program rescaled things, and mini 874 is now an anachronism. The Department did an analysis, and where there is a high rate of State pay, there is highly taxable property. The rich districts get it, poor ones don't.

Senator Sackett asked how much it would cost.

Commissioner Lind said he would give the Committee the data later today.

Senator Thomas commented that Anchorage would probably lose \$600,000.

CSSB 81 Commissioner Lind said, that in regard to SB 81, the cost of living and an area differential should be included in Foundation support.

Senator Sackett asked where the House figure of \$20,300 per instructional unit came from.

Commissioner Lind said that it was probably a 5.4% increase over \$19,250.

Senator Thomas asked if the Department didn't take care of area differentials in allocating money.

Commissioner Lind said that it should be more specific, and take more factors into account.

Mr. Thomas said there is no administrative latitude under present law.

Commissioner Lind said that CSHB 29 was much better. (A copy of CSHB 29 is attached.)

Senator Sackett referred to CSSB 81, and asked if section (d) would take care of the problem.

Commissioner Lind said no.

Senator Sackett suggested repealing the present 5,

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CSSB 81 10, 15% section and inserting (d).
con't

Commissioner Lind said the cost would have to be determined. The Department would work it up. If \$20,500 plus area differential is used, it must also be used for SOS.

Senator Sackett asked if it could be done administratively rather than legislatively.

Mr. Thomas said that under current law, the entitlement is spelled out. If an area differential and cost of living were included administratively, it would be an untenable position.

Senator Thomas asked which bill would "do the trick"?

Commissioner Lind replied that section (d) would do if the 5,10, 15% section were repealed.

Mr. Thomas commented that the House said they would use the statistics without having the University of Alaska do the survey again.

Bill Overstreet, Association of Alaska School Boards, spoke regarding the State impact funds. In some very small districts, \$3200 per pupil is spent; in some major districts, only \$1600. Some areas are making no local effort, while Anchorage contributes 33% of its budget. We must make sure a change is for the better. He recommended increasing the instructional unit amount, keeping local effort and mini 874.

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CSSB 81
con't

Senator Sackett asked him how much the amount per instructional unit should be.

Mr. Overstreet said \$20,800.

Senator Sackett asked if the amount were changed to \$20,500, it would be an increase of what percent.

Commissioner Lind said that \$20,300 would be an increase of about 5.4%, and that \$20,500 would be an increase of about 6.5%.

Senator Sackett asked for Mr. Overstreet's position on CSHB 29.

Mr. Overstreet said that his Association had not addressed itself to it. It might not be desirable, but he was almost persuaded by the Commissioner.

Senator Sackett asked how much it would cost if the amount were changed to \$21,000.

Mr. Thomas said about \$6-7 million. There are 4150 instructional units.

Bob Van Houte, NEA Alaska, said that he supported having ten to twelve differentials rather than three. If the Foundation instructional unit amount were increased to \$21,000, that would cover any losses that might be suffered under the loss of State impact money. If there is a low increase in the Foundation program, the impact funds should remain. If there is a higher increase, the impact funds could

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be deleted.

Senator Thomas asked what he recommended if the increase were to \$20,000 or to \$20,500.

Mr. Van Houte said if \$20,000, keep impact funds; if \$20,500, it would just about cancel out mini 874 losses.

Senator Sackett asked what effect an increase to \$20,500 would have on Anchorage.

Mr. Van Houte said it would have a positive effect.

Senator Sackett asked Tay Thomas, Anchorage School Board Member, if \$20,500 would take care of many of Anchorage's problems.

Ms. Thomas said yes, they are faced with a \$9 million deficit. The Foundation program never did cover Anchorage. It is only 87% now. Eliminating the mini 874 funding would cause huge problems. Neither a tax increase or decrease was being counted on now.

SOS and
Found.
program

Senator Thomas asked if the Foundation program would have to be readjusted if SOS is restructured.

Commissioner Lind said they had it computed now on the basis of \$19,250. Except for the on-base schools, they used the 5, 10, 15%.

Mr. Thomas said that SOS service unit budgets were computed according to CSHB 29.

Commissioner Lind said that he preferred to have one system.

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SB 69 Commissioner Lind said he supported SB 69. If the additional money is used for acceleration, money would be saved in the long run. If the money can be also used for enrichment, the Legislature will have to decide about appropriating the additional money. It could be one way of bring about a rescheduling of the school year. It would be helpful if the legislation specifically said "for acceleration." He said the Department would suggest some wording.

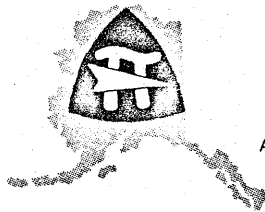
SB 48 Mr. Thomas said that SB 48 would provide for a major change that hasn't been analyzed. It may serve to offset any loss of mini 874.

Senator Thomas said that if depends on more money being allocated. The reception to the bill from the Finance Committee seemed cool.

Federal losses Senator Sackett asked if there was any new information on the loss of Federal money.

Commissioner Lind said that Nat Cole had been in Washington last week. There is a potential loss for Alaska of \$4-18 million. The preferential rate for rural schools is probably in jeopardy. Legislation regarding revenue sharing is being drafted in Washington. In the meantime, we work under the current laws.

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NEA - ALASKA

(ALASKA EDUCATION ASSOCIATION)

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

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REC'D FEB 15 1973

TO: Senator Lowell Thomas, Chairman
Health, Welfare and Education Committee
Alaska State Senate

FROM: Robert Van Houte, Executive Secretary
NEA-Alaska

SUBJECT: Public School Foundation Program Legislation

DATE: February 14, 1973

Since there have been a number of bills introduced which affect the present Public School Foundation Program, the following recommendation is presented in order to clarify NEA-Alaska's interest in and support of this very important matter.

✓ 1. The present \$19,250.00 per instructional unit amount should be changed to \$20,500.00 in order to help offset erosion in the purchasing power of the original figure since it was established in 1970. We realize \$20,500.00 does not fully cover the inflationary factor but feel it is a responsible request in light of your other budgetary considerations.

✓ 2. The cost-of-living concept in HB 29 should be written into your proposal in order to avoid erosion of State support in the future. An attractive feature of this suggestion is the fact that State support would be reduced in the event the cost of living should drop.

3. The five (5) and ten (10) percent area differentials for central and northwest Alaska respectively should be revised to more accurately reflect the actual cost of operating schools in those areas. This will be even more important with the encouragement of local and regional school districts in the Unorganized Borough.

✓ 4. We further feel that the concept of local effort should be retained. The present formula provides for a minimum of 90% State support and varies up to almost 100% for those communities which have little or no tax base. We strongly encourage local control of schools and feel that some sort of local support strengthens that philosophy.

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5. The \$20,500.00 per instructional unit would offset the financial losses to districts under the Mini 874 provisions and also the 10% required local effort, if the local support requirement is abolished.

✓ 6. We support legislation to correct the technical problems in funding the 50% concept of school construction reimbursement.

7. If school transportation is to be funded as in SB 91 then we propose two amendments.

- a. That no school district with pupil-miles equal to 72-73 will receive less money for 1973-74.
- b. That the cost of living formula for the Foundation Program would be applied to the district transportation funds on a district basis.

We appreciate your continued support of education and this important funding measure in particular. Our office stands ready to assist you in any way possible in the adoption of the above proposal.

cc: Health, Welfare and Education Committee Members

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Local Support (AS Sec. 14.17.071) 74-72

100% Maximum

	1	2	3	4	5	6
	Required Local Effort	Local Revenue per Audit	P.L. 874 Entitlement 74-72	Tuition	In Kind City Contr.	
Anchorage	3149203	10070999	1832344	478151		1
Bristol Bay	46691	85506	48250	4805		2
Cordova	41071	60000	9564	84202		3
Craig	10398	7211	9144	982		4
Dillingham	21857	30000	64620	22977		5
Erb	931773	2647487	389439	109234		6
Haines	35971	46186	9564	2567		7
Hoonah	7432	5075	83404	765		8
Hydaburg	4181	-	7163	-		9
Juneau	438239	35714 200000	197023	35229		10
Kake	4349	4723	17812	5155		11
Kenai	616000	1000000	168206	136352		12
Ketchikan	3-7250	318828	55398	10689		13
King Cove	4603	-	9100	-		14
Klawask	2423	-	16481	-		15
Kodiak	2:4672	292000	149271	204461		16
Mat-Su	208994	1643336	101737	16202		17
Nenana	9533	11200	16221	42313		18
Nome	34334	52000	47518	1384		19
Pelican	7937	-	-	486	9857	20
Petersburg	66616	73100	21762	48432		21
Sitka	211750	157535	212947	3231		22
Skagway	40425	40600	-	2490		23
St. Marys	1770	2147	26987	-		24
Unalakleet	26681	12378	14872	-		25
Valdez	56594	62762	-	19139		26
Wrangell	46899	50000	12585	23033		27
Yakutat	5034	-	3872	21974		28
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IN THE HOUSE

CS FOR HOUSE BILL NO. 29

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to the computation and allocation of state aid under the public school foundation program; and providing for an effective date."

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

* Section 1. AS 14.17.021(a) is amended to read:

(a) The amount of state aid for which each school district may qualify is calculated by multiplying the basic need as defined in (b) of this section by the equalized percentage as defined in (c) of this section, then multiplying the product of (b) and (c) by the cost-of-living factor as defined in (d) of this section.

* Sec. 2. AS 14.17.021 is amended by adding a new subsection to read:

(d) The value of the base instructional unit allotment shall be determined by annual reference to the most recent published figure for the Consumer Price Index for the Anchorage Metropolitan Area determined by the United States Department of Labor, Bureau of Labor Statistics. The adjusted value of the instructional unit for each succeeding fiscal year shall be in the same ratio to the 1970 value of the base instructional unit as the most recent Consumer Price Index is to the October, 1970 figure.

* Sec. 3. AS 14.17.051 is repealed and re-enacted to read:

Sec. 14.17.051. INSTRUCTIONAL UNIT ALLOTMENT. (a) The instructional unit allotment for each school district is as follows:

(1) if the school district is in that part of the state lying within the boundaries of election district 1, 7, or 8, the

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district shall receive the base instructional unit allotment;

(2) if the school district is in that part of the state lying within the boundaries of election district 2 or 9, the district shall receive 103.8 per cent of the base allotment;

(3) if the school district is in that part of the state lying within the boundaries of election district 3, 4, 5-E, or 16-S, the district shall receive 107.5 per cent of the base allotment;

(4) if the school district is in that part of the state lying within the boundaries of election district 10 or 11, the district shall receive 111.5 per cent of the base allotment;

(5) if the school district is in that part of the state lying within the boundaries of election district 6 or 15 (Nenana only), the district shall receive 115.8 per cent of the base allotment;

(6) if the school district is in that part of the state lying within the boundaries of election district 5-W or 12, the district shall receive 120 per cent of the base allotment;

(7) if the school district is in that part of the state lying within the boundaries of election district 18, the district shall receive 124.7 per cent of the base allotment;

(8) if the school district is in that part of the state lying within the boundaries of election district 13 or 15 (except Nenana), the district shall receive 129.4 per cent of the base allotment;

(9) if the school district is in that part of the state lying within the boundaries of election district 17, the district shall receive 134.2 per cent of the base allotment; and

(10) if the school district is in that part of the state lying within the boundaries of election district 14, 16-N, or 19, the district shall receive 139.3 per cent of the base allotment.

1 (b) The election districts used in (a) of this section are those
2 designated by the Proclamation of Reapportionment and Redistricting of
3 December 7, 1961, and retained for the house of representatives by
4 proclamation of the governor September 3, 1965.

5 * Sec. 4. AS 14.17.056 is amended to read:

6 Sec. 14.17.056. BASE INSTRUCTIONAL UNIT. The base instructional
7 unit is \$20,300 [\$19,250].

8 * Sec. 5. This Act takes effect July 1, 1973.
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HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING

February 22, 1973 -- Thursday

1:30 p.m.

Present: Senators Thomas, Croft, and Hensley

SB 43 Dr. Rodman Wilson, Alaska State Medical Association,
asked about the current status of SB 43.

Senator Thomas said the Committee was waiting to hear from the groups concerned. We have heard from the Commissioner of Health and Social Services.

Dr. Wilson said the Association was in general agreement with the rewriting. The Commissioner rewrote the definition of consumer, and the Association rewrote it in a positive way. No member of the CHAC should represent a particular group or association. The Commissioner should not be the chairman of the council which advises him. The council doesn't do anything; if the chairman were not a government person, perhaps more could be accomplished. The bill provides for alternating the chairmanship and vice-chairmanship between a provider and a consumer.

Dr. Carolyn Brown suggested that the Council should be able to choose the chairman, and if the Commissioner is chosen, it should be okay.

Dr. Wilson said that the composition of the membership is more important than the chairmanship, and the Association would trade one.

SB 43
con't

Senator Hensley asked what was the Nixon position on Hill-Burton money.

Dr. Wilson said there would be no more money after July 1, 1973.

Bob Ogden, Executive Secretary, Alaska State Medical Association, said that the Nixon administration is stressing the importance of planning councils, and will not reduce money for these councils across the country.

Dr. Wilson said it was questionable whether a member of the board of trustees of a hospital was a provider or a consumer.

Mental
Health

Dr. Ray Langdon, Langdon Clinic, said, regarding mental health, that last year was the first time a welfare recipient could see a psychiatrist. It was made possible through left-over money. The Commissioner says, according to Dr. Langdon, he would not ask for mental health to be added to Medicaid. The Department is evidently not planning to do anything for mental health outside of hospitals.

Drug
Abuse

Senator Hensley asked what was the ASMA's position on drug abuse treatment.

Dr. Wolf said he had seen about 300 people come through the Langdon Clinic. Most of them had been in the State for five years or more. There has been the question of whether methadone should be administered through methadone clinics or through a general hospital.

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Drug Abuse
con't

Dr. Wolf added that it would be good to set up a clinic as a satellite of a general hospital for this purpose.

Senator Croft asked if a \$500,000 appropriation would stop drugs at the border.

Dr. Wolf said that the wrong borders are being discussed.

Dr. Wilson said that it was impossible to police all of Alaska's borders.

Dr. Wolf said that the most widely used means of getting drugs into the State is by air cargo or 1st class mail.

Dr. Brown pointed out that everyone is avoiding asking the most important question -- why do people take drugs.

SB 125

Senator Thomas asked the doctors' opinion about SB 125, relating to abortions.

Dr. Wilson made two points:

(1) The price could come down if abortions were done in a doctor's office.

(2) How appropriate is it for the State to regulate the practice of medicine, and why single out this one issue?

Dr. Brown said that 25% of the abortions done in this State are performed on women under 19. She is in favor of maintaining some standards.

2/22/73

SB 125
con't

Senator Croft said that there probably were similar statistics for other problems, which are regulated by the Medical Practices Board.

Dr. Joseph Johnson, President ASMA, said that some regulations are practical, and that the doctors in this State need sufficient experience with the problem.

Dr. Brown said that she was sure the Committee would ask women who have had abortions to testify before they make up their minds.

Mr. Ogden questioned whether the Board could set up standards.

Senator Croft said that in New York during the first trimester of pregnancy, it is not required that an abortion be performed in a hospital.

Dr. Wilson said that doctors in Alaska were getting better and better at performing abortions, and an abortion in Alaska is the cheapest in the country.

Certificate
of Need

Senator Croft asked their opinion of the certificate of need legislation.

Dr. Wilson said that they were opposed to such legislation because it would stifle initiative and imagination. In almost every case there will be one anyway because Federal funds cannot be collected without one.

Dr. Wilson asked the Committee not to forget about

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Family
Planning

the need for more money for Family Planning

SB 88

Senator Thomas said that he had introduced a bill
appropriating \$2500 for the Health Information
Services.

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HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING

February 23, 1973 -- Friday

8:30 a.m.

Present: Senators Thomas, Croft, and Sackett

SB 122 Ed Frye from Clear testified about the proposed legislation regarding State-Operated Schools. He said he had no objection to "draft #5" from SOS but he did object to SB 122. Some feel that it would be good to go ahead with twelve regions.

Senator Thomas said that the bill provides for district boards, which can give as much power to local boards as they wish.

Mr. Frye said that there would be advisory local boards under SB 122. The Department of Education will make the decisions. Change should not happen overnight, but there should be a limit of five years.

Senator Thomas asked if the Tri-valley area would be ready now.

Mr. Frye said yes.

Senator Croft asked about the suit with the Department of Education.

Mr. Frye said that last year they wanted a full high school program. The SOS Board approved the 9th grade last year, so they will have the 9th grade this year, the 10th next, and the 11th and 12th the next year. The State Board passed the proposal.

SB 122
con't

In May the people were told that the Department of Education decision would be rescinded, and they would get just the 10th grade. Planning has been done for the 11th and 12th grades. The people were given no reason for the decision.

Senator Thomas commented that the problem was the Nenana High School, because children were bused up to Nenana.

Mr. Frye said that the 1970 census shows the same population in Anderson as in Nenana.

SB 102

Jim McClain from the Department of Health and Social Services said that he agreed with the concept of the bill. "Psychological associate" might not be the best term to use. He called attention to the two-year residency requirement on page two. He said the mental health staff in the Department feel the bill is generally in agreement with their personnel policies.

Chuck Gibson, Senator Sackett's aide, said that the bill was originally from Genie Chance and Frank Gold. There is a need to register psychologists with MA degrees. The Board would establish standards, and one would be recognized by the Board. The bill is an attempt to establish professional standards and guidelines.

Dr. Aaron Wolf, Langdon Clinic, said that he felt

2/23/73

SB 102
con't

we should "wait and see." The graduate level program in Alaska is very new.

Senator Sackett said that the graduates are just employed by firms.

Dr. Wolf said they can't call themselves licensed psychologists.

Senator Thomas asked what the position of the Board was.

Dr. Wolf said that two want to wait and see, Al Parker and one other.

Senator Croft said that he understood a majority of the Board supported the bill. Al Parker and Marie Doyle were the only ones who did not.

Dr. Wolf said the MA level courses don't give enough breadth. One needs a PhDD. Regarding jobs, many people with an MA in psychology are up against those with MSWs.

SB 149

Senator Sackett said that he introduced the bill on request on the Enepe'ut Foundation, a day care center in Fairbanks.

Mr. McClain said that the statute is not broad enough to include day care. Day care suffered greatly at the loss of Titles IV and XVI. He was concerned about how much it would cost. A quick estimate, he said, is \$.5 million.

2/23/12

SB 149
con't

Senator Sackett asked how many centers and how many children would be affected.

Roger Lange, Comptroller for the Department of Health and Social Services, said that day care is provided for 242 children, 178 full time and 64 half time, in 30 licensed day care centers. In Southeast, \$.75 an hour is paid, and \$.80 per hour is paid in other parts of the State. He estimated that full cost of care would be \$22.75 per full day and \$11 per half day. He took these figures from proposals for Title IV grants.

Mr. McClain said there was no question from the Department that it was a good thing.

Senator Croft moved and asked unanimous consent that the Committee send the bill on to the Finance Committee. There was no objection, and it was so ordered.

SB 35

Gordon Evans from Blue Cross said that coverage for treatment of alcoholism would cost 20 cents per person per month, and 20 cents per month for the spouse. It will cost \$15,000 per year for State employees. The bill would require that the benefit be made available if people wanted it. A proposed amendment would provide for uniformity of licensing standards between facilities in Alaska and Outside. He had not yet sent a copy to Mr. Keating.

Senator Croft said that the critical part is in-

2/23/73

SB 35
con't

patient treatment, and he didn't see any problem with the definition of "facility."

Mr. Evans said he wanted to make sure that they're qualified places.

Senator Thomas asked if the proposed definition would exclude some facilities in Juneau, Anchorage, and Fairbanks. There is a doctor on call in the Juneau program, and it is okay.

Mr. Evans said that approximately 8000 people are covered under the State program. This includes some municipal employees.

John O'Shea, Insurance Division, said that he had written to some of the major carriers, and some are already providing such a service. It is somewhat akin to psychiatric treatment, and many carriers take a dim view. Hospital treatment is already included. He asked for some lead time because there is no uniformity in the regulations of other states.

Senator Thomas said he would like to spend more time studying the bill and would like to talk with Mr. Keating again.

2/23/73

The Enep'ut Foundation
Box 80452
College, Alaska 99701

February 5, 1973

Mr. Lowell Thomas, Jr.
Chairman, Health, Education and Welfare
State Senate
State of Alaska
Juneau, Alaska 99801

Dear Mr. Thomas

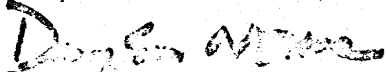
A year and a half ago a group of educated young people began a day care center for children of students and low income families here in College. We started in November of 1971 with five children and soon grew to the limit of twentyeight kids established by the state fire marshall. We continually have a large waiting list of families who would like to have their children enrolled here at Enep'ut.

During our first year of operation we grew and learned a lot about the care of large groups of young children who are forced by the extreme climate to remain indoors more than half the year. We also experienced a large financial loss during our first year of business--\$20,000. This was offset by several large donations. We are a non-profit organization, but we cannot continue to depend on large donations to ensure our survival.

The families who use our facilities are mostly students at the University of Alaska and/or low income families some of whom are enrolled in the state AFDC and WIN programs. The state pays us only \$5.00 per day per child while our operating expenses are \$9.25 per child per day. We urge you to work for passage of any legislation that would help the survival of day care centers in Alaska, especially that bill which would provide "full cost" of care for children whose parents are enrolled in state programs.

If you have any other suggestions as to where we might be able to obtain funding, please advise us.

Thank you for your support and any information you might be able to provide us.


Denny S. Mehner
Enep'ut Foundation

2/23/73

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING

February 28, 1973 -- Wednesday

8:30 a.m.

Present: Senators Thomas, Croft, and Hensley

SB 150 Rick Garnett and Peter Partnow from the Attorney General's Office testified.

Rick Garnett said that Sections 3 and 5(a) give the Department of Education the power to withdraw schools from State-Operated Schools. He suggested new language and alternatives for Sections 3, 4, and 5(a).

Senator Thomas said that we should make sure no Impact funds are lost until action is taken on the decentralization of SOS.

Peter Partnow, looking at it as though there were no other legislation pending, said there are three interpretations:

- (1) The borough takes over the schools
 - (a) if an area is no longer a base
 - (b) if the Department of Education approves the operation of the school by the borough
- (2) SOS will run the schools
- (3) SOS will operate the schools until the Department of Education decides otherwise, whether on a base or not.

SB 150
con't

Senator Thomas asked why not leave Section 5(a) as it is.

Senator Croft suggested waiting for Senator Rader's comments.

Mr. Garnett mentioned the importance of the time limit. Regarding the suggested language changes, he said that "and" gives the Department of Education maximum discrimination, and "or" means that both conditions must exist.

Senator Thomas said that he was opposed to giving the Department of Education the power to make this decision without the Legislature.

Mr. Garnett suggested striking (2).

Mr. Partnow said it would no longer pertain to an "adjoining borough" but would be part of it.

Mr. Garnett said that "or" maximized SOS' tenure.

Senator Thomas had two concerns:

- (1) to protect Impact funds
- (2) to preserve the right of the Legislature to make these decisions

Senator Croft said that he would pass it out as it is to get it out. The situation will probably change when we decide what to do about SOS.

Senator Hensley said he didn't mind passing it out

SB 150
con't

as long as it goes to the Finance Committee.

Senator Thomas asked if everyone was in favor of an amendment incorporating the changes suggested by Mr. Garnett and Mr. Partnow. The Committee agreed to the amendment and to passing out the bill.

2/28/23

A M E N D M E N T

IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

TO: CS FOR SENATE BILL NO. 150

Page 1, strike out lines 25 - 28, inclusive, and insert:

"A military reservation within an organized borough is not part of the borough school district until the military reservation status is terminated and, thereafter, until inclusion in the borough school district is approved by the Department of Education."

Page 2, line 5, strike out "Unless exer-" and strike out lines 6 - 9, inclusive, and insert:

"A military reservation within an organized borough is not part of the borough school district until the military reservation status is terminated and, thereafter, until inclusion in the borough school district is approved by the Department of Education."

Page 2, strike out lines 13 - 17, inclusive, and insert:

"The board of the state-operated schools manages and controls schools on military reservations located within an organized borough until the military reservation status is terminated and, thereafter, so long as management and control by the state-operated schools is approved by the Department of Education."

Page 3, strike lines 1-2, inclusive, and insert:

*Sec. 7. "Notwithstanding provisions of this Act, all agreements between organized boroughs and the Department of Education for the operation of schools on military reservations that were made prior to the effective date of this Act remain in force."

Page 3, Add *Sec. 8 - "This Act takes effect on the day after its passage and approval or on the day it becomes law without approval."

2/28/73

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING

March 1, 1973 -- Thursday

Present: Senators Thomas, Hensley, Croft, and Sackett.

SB 154 George Easley, Commissioner of Public Works, appeared to testify on the bill.

Senator Hensley explained why he introduced the bill and asked what does it mean if the Fire Code is being violated in these schools.

Commissioner Easley said that it was between State-Operated Schools and the Department of Education. They are assuming their own maintenance. Two years ago, Public Works estimated \$2 million plus to correct deficiencies. It is approximately \$2.6 million now. Most of the deficiencies involve minor structural or electrical changes. The buildings should meet the Fire Code.

Mr. Marshall from Alaska State-Operated Schools was present. He said he had been on the job only three weeks and felt at a disadvantage. He thought the money to correct fire deficiencies had been thrown out of the budget. He said the only choice was to close schools or correct the deficiencies. He said he would provide the members of the Committee with information on specific deficiencies.

SB 150 ~~also~~ Senator Thomas said that the Commissioner of Education had no problem with the proposed amendments on SB 150.

There is no

SB 150
con't

The last one takes care of the situation in Kodiak. He asked the Committee members if they preferred to make individual recommendations on this bill.

Senators Thomas and Croft recommended "do pass with attached amendment" and Senator Hensley recommended referring the bill to the Finance Committee to review the financial implications.

SB 139

Nat Cole, Department of Education, said that the bill provides that the State will give back to a school district have of the second prior year's money spent for construction. Now the cigarette tax, Federal money, and State money are all deducted, and then that amount is divided in half. The amount for FY 73-74 is \$12-13 million. In SB 114 the tobacco tax will be deducted.

SB 170

Senator Thomas said that regarding Senator Lewis' bill regarding recall of advisory school board members, he would like to wait until after the Department of Education and on-base school people had got together.

SB 171

Senator Sackett asked if it would provide more methadone programs.

Senator Thomas said that it would provide for whatever drug abuse programs were appropriate.

Senator Lewis said he had strong reservations but he would support it.

3/1/73

SB 171
con't

Senator Sackett asked if it would provide for drug abuse education in schools.

Senators Thomas and Hensley replied that it would provide such education on a state-wide basis as well as in local schools.

Senator Croft moved to pass the bill out of committee. There was no objection, and it was so ordered.

HEALTH, EDUCATION, SOCIAL SERVICES COMMITTEE MEETING
March 5, 1973 - Monday
8:30 a.m.

Present: All members of the committee except Senator Young.
Others present were Mr. Bill Overstreet, Lobbyist,
Association of Alaska School Boards; Mr. Bob Cooksey,
Lobbyist, NEA-Alaska; Mr. Duncan Read, Legislative
Chairman of the Consortium on Early Childhood Educa-
tion; and Mr. Melvin Charlie, Director of the Satellite
Tele-Communications Project. (Commissioner Lind and /
Chairman Thomas called the meeting to order and called
upon Mr. Melvin Charlie to testify on Senate Bill 165.

CHARLIE -- Mr. Charlie stated the Satellite Tele-Communications
SB 165 Project was started in 1971 with a Lister Hill Founda-
tion Grant and the decision was made to put in an
educational program involving approximately 21 villages.
He informed that federal OEO funds would be cut off
and SB 165 was introduced to continue the project.
Senator Croft moved and asked unanimous consent that
SB 165 pass out of committee with a do pass recommenda-
tion, and there being no objection, it was so ordered.

OVERSTREET -- Mr. Overstreet advised that the Association of Alaska
SB 56 School Boards' position was that SB 56 should be
changed to provide for a longer probationary period
SB 50 and elimination of the five year evaluation. He advised
regarding SB 50 that he would suggest it be amended to
delete all of proposed paragraph four. It was his

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OVERSTREET -- position that most school districts in the next few
SB 50 years are going to be forced to reduce their staffs
and they should be able to dismiss teachers based on
instructional needs, rather than dismissing ^{the} best tea-
chers just because of tenure.

COOKSEY -- Mr. Cooksey testified that the National Association
SCR 38 and of Teachers' recommendation on SCR 38 was that the
SB 50 State Board and Department of Education deal with the
teacher evaluation procedure through regulations. He
further commented that the association did not support
SB 50 since the children would get the brunt of reduc-
ing staff and he had a question as to who would determine
instructional needs of the district and the quality of
teachers. As regards SB 56, Mr. Cooksey stated he
supported the bill's position in connection with a five
year review, but felt the same logic should apply to
probationary teachers -- the evaluation procedure
should be given a trial period to ascertain how many
evaluations take place.

VAN HOUTE -- that
SB 56 Mr. Van Houte recommended the committee take
no action on SB 56 until an evaluation process is
developed.

LIND -- Commissioner Marshall Lind testified that he supported
SCR 38 SCR 38 which would involve the Department in establishing
SB 50 a mandatory system of teacher evaluation. He further
informed that he felt SB 50 should be given more study.

3/5/73

LIND --
SB 56

Commissioner Lind stated he favored a three year probationary period for teachers, but did not favor a five year periodic review where tenure rights are reviewed.

OVERSTREET

Mr. Overstreet informed that by definition all certificated people are teachers under tenure law and any reduction in staff necessary would include administrators.

STIMSON --
SB 56

Mr. Terry Stimson, Director of District One Education, said he opposed a three year probationary period and recommended that the committee not act on the bill at the present time.

Adjournment

The meeting was adjourned at 9:55 a.m.

3/5/73

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING
March 5, 1973 - Monday
2:15 p.m.

Present: All members of the committee except Senators Sackett and Young. Others present were Mr. John O'Shea, Director, Division of Insurance; Mr. Gordon Evans, Attorney for Blue Cross Insurance Company; and Mr. John Keating, Coordinator, State Office of Alcoholism.

SB 35 Chairman Thomas called the meeting to order and called upon Mr. Keating to comment on Mr. Gordon Evans' proposed amendments to SB 35.

KEATING Mr. Keating objected to Mr. Evans' proposal wherein it restricts treatment to 24-hour treatment facilities since most of the facilities in Alaska could not work with that provision. He informed that there are only three facilities which could meet that definition -- one in Juneau, one in Fairbanks, and one in Anchorage. These three facilities would be in addition to hospitals, but he asserted that most hospitals are not properly equipped to treat alcoholism per se -- they generally just treat the medical side effects. He stated that there would be a minimal effect on/^{the}State group policy because most people require only out-patient treatment. However, he thought that eventually regulations should be drawn which would permit coverage of outpatient treatment.

EVANS Mr. Evans informed that the insurance cost would be

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EVANS --
SB 35

approximately 20¢ a month per employee or about \$15,000. a year as far as the State's program was concerned.

KEATING

Mr. Keating, in response to a query by Senator Hensley, said he would research the question of whether or not the Public Health Service would be required to treat people for alcoholism under SB 35.

O'SHEA

Mr. O'Shea commented that most insurance carriers whom he asked to comment on SB 35 indicated that they felt the legislation should limit treatment to hospitals and not special treatment centers. He recommended that until it is determined that facilities other than hospitals are okay, only treatment in hospitals be covered.

KEATING

Mr. Keating stated that under SB 35 those receiving treatment in hospitals would only be treated for the side effects of alcoholism and then transferred to rehabilitation facilities for treatment of the disease of alcoholism.

Adjournment

The meeting was adjourned at 2:50 p.m.

3/5/73

HEALTH EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING
March 8, 1973 - Thursday
8:40 a.m.

Present: Senators Thomas, Sackett and Croft. Also present were Commissioner Fred McGinnis, Department of Health and Social Services; Mr. Lawrence Sullivan, Director, Division of Medical Assistance; and Mr. Ray Manning, Legislative Affairs Agency. Ms. Jeanette Pitcherella, Acting Coordinator, Office of Comprehensive Planning, was also present.

SB 88 and
SB 154 Before taking testimony from witnesses, Chairman Thomas moved and asked unanimous consent that Senate Bill 88 (special appropriation, Alaska Health Sciences Information Center) and Senate Bill 154 (special appropriation, State Operated Schools to correct fire inspection deficiencies) be reported out of committee with a do pass recommendation. There was no objection and it was so ordered.

MCGINNIS --
SB 43 Commissioner McGinnis informed that the definition of consumer could be found on page four of Ms. Pitcherella's letter. He further stated that the Feds take the position that a person who has been a provider or is married to a provider cannot be categorized as a consumer, but is a provider. The Commissioner had no strong feeling on whether the bill should provide for 3 or 4 government members on the advisory council, but stated he felt there was no evidence that the commissioner as

3/8/73

MCGINNIS --
SB 43

chairman of the advisory council had been harmful.
Under Federal law 51% of the advisory council have
to be consumers.

PITCHERELLA
SB 43

Ms. Pitcherella said the governmental membership of
the council should consist of one from local govern-
ment, one from state government, and one from federal
government. The nongovernmental membership would be
composed of eleven providers and thirteen consumers,
for a total membership of 24.

MCGINNIS --
SB 43

Commissioner McGinnis advised that if a vacancy or
consumer
death occurred dropping the/membership of the council
below the federally required 51%, any action of the
council during such a period could be questioned.

SACKETT --
SB 43

Senator Sackett moved and asked unanimous consent
Committee Substitute for
that/SB 43 be reported out of committee with a do
pass recommendation. There was no objection and it
was so ordered.

MCGINNIS -
SB 196

Commissioner McGinnis recommended that SB 196 (relating
to medical assistance for needy persons) be passed
since the additional wording "and intermediate" would
make it possible to get federal matching funds. The
Commissioner said if there were sufficient funds
available the Department would recommend adding mental
and dental services to the bill, but/^{he}didn't feel such
a recommendation was advisable this year.

SULLIVAN --
SB 196

Mr. Sullivan informed that intermediate nursing homes

3/8/73

2
SULLIVAN --
SB 196

will have to meet both state and federal standards.
Senator Thomas moved and asked unanimous consent
that SB 196 be reported out of committee with a do
pass recommendation; there being no objection, it
was so ordered.

MANNING --
SB 35

section 21 of
Mr. Manning recommended that/SB 35 (requiring treat-
ment of alcoholism be included in group health and
disability insurance plans) be left as originally
drafted, but accept change proposed by Mr. Gordon
Evans to section two.

Senator Thomas requested that Mr. Manning re-draft
Senate Bill 35.

Dr. Krause testifying in support of SB 156 (relating
to bilingual education) stated that the increased cost
created by SB 156 would not be due to lowering the
minimum number of pupils (thus creating more schools
which are eligible to participate in program), or
hiring more teachers, but to building more schools;
and this would depend on how many school boards request
a native language teacher.

Senator Thomas stated SB 156 would be hold for further
consideration on a later date.

Adjournment

The meeting was adjourned at 9:36 a.m.

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3/8/73

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING

March 17, 1973 - Saturday

8:45 a.m.

All members of the committee except Senator Sackett were present.

The committee agreed to pass out of the committee the following bills and resolutions:

SB 64 do pass recommendation

SB 208 do pass recommendation

SB 170 Senator Thomas, do pass; Senators Croft and
 Hensley, no recommendation

SCR 38 do pass recommendation

The meeting was adjourned at 9:00 a.m.

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING
March 20, 1973 - Tuesday
8:35 a.m.

Present: Senators Thomas, Croft and Sackett.

HB 314 The committee unanimously agreed to report HB 314 (relating to medical assistance for needy persons), which is identical to SB 196 (previously passed by the Senate) out of committee with a do pass recommendation.

SB 102 The committee considered Senate Bill 102 (relating to the licensing of psychologists and psychological associates) in view of receiving additional written testimony, and unanimously agreed to report it out of committee with a do pass recommendation. Those who have endorsed SB 102 are The Department of Health and Social Services; the Association of Psychologists; Dr. Koutsky, of the Alaska Psychiatric Institute, and Dr. Cliff Hunt of the Behavioral Sciences Division, University of Alaska.

SB 125 The committee also considered Senate Bill 125 (relating to abortions) and passed it out of committee with the following individual recommendations:

Senator Thomas - no recommendation, a Judiciary Committee decision

Senator Craft - do pass recommendation

Senator Sackett - do pass recommendation

Adjournment: The meeting was adjourned at 9:00 a.m.

3/20/73

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING
March 21, 1973 -- Wednesday
8:45 a.m.

Present were Senators Thomas, Croft, and Sackett.

Frank Eaton, Older Persons Action Group, testified before the committee. The minimum payment for Old Age Assistance has been \$250. After the Federal government takes over OAA January 1st, everyone will get only \$130. The people who need it the most aren't getting what they need. The minimum payment needs to be \$350. There has been a House bill introduced to provide for \$350.

The Foster Grandparent Program is in jeopardy. Thirty-two people have been involved. During the first six months of the program, there has been a 93% attendance rate, five days a week. The program has been a successful one. However, the \$1.65 per hour a person receives is deducted from his OAA payment. Many people won't be able to afford that deduction. The Veterans Administration can disregard the longevity bonus for one year, but then must take it into consideration when providing benefits. The waiver for OAA was denied, and ended last Thursday. The longevity bonus is considered income for determining eligibility for food stamps, too.

Mr. Eaton emphasized "holding the line on \$250."

The meeting was adjourned at 9:15.

HESS COMMITTEE MEETING
March 22, 1973 -- Thursday
9:00 a.m.

Present: Senators Thomas, Croft, and Sackett

HB 255 Representative Andy Warwick testified on HB 255.

He said that the one change would clarify what was passed last year. The bill affects about 100 teachers across the State. It will cost \$100,000 from the teachers' retirement fund this year, but it will cost less each year. The actuarians are not overly concerned about the cost.

He suggested an amendment to make the effective date retroactive to the 1st of this year when the law went into effect. That would make it more consistent with the intent of the bill.

Senator Croft asked what was the problem with the language being deleted.

Representative Warwick said that it would clarify the intent of the bill. It may entail a rate adjustment, but it wouldn't be much.

Senator Thomas asked if the members agreed to pass out the bill with the suggested amendment. All present agreed.

HB 277 Senator Thomas mentioned that this bill would be of help to Jamie Love and his project in Anchorage.

Marshall Lind, Commissioner of Education, said that the bill would be good for foreign study programs, for contracting with the University, and for many other

HB 277
con't

programs. He strongly supports the bill. It will be especially helpful for small districts. It will open up opportunities for districts to try new things.

Dan Turner from Dillingham supports the bill. It would make it financially feasible for small schools to offer special courses, such as aviation. It should not cost any more money.

Commissioner Lind added that districts will have to negotiate with providers of the educational services. It would not increase the number of instructional units to which a district is entitled.

Senator Thomas asked if the members agreed to pass the bill out of committee. All present agreed.

The meeting was adjourned at 9:20 a.m.

3/22/73

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING

March 23, 1973 -- Friday

9:00 a.m.

Present: Senators Thomas, Croft, and Sackett

SB 213 Bill Overstreet, Association of Alaska School Boards,

said that nearly everyone endorses and supports the bill, including school districts, the JC's, Native associations, the National School Board Association, and the State School Board Association. This bill is the biggest bargain in government. A district must have a plan acceptable to the Department of Education in order to receive a grant.

Marshall Lind, Commissioner of Education, supported the bill.

Senator Croft moved that the bill be sent to the Finance Committee with a unanimous "do pass" recommendation. There being no objection, it was so ordered.

Mr. Overstreet commented that the Anchorage REFOCUS had recommended the concept. A similar bill is still in the House Finance Committee; the only opposition is to the \$375,000.

HCR 63 Representative Lavell Wilson testified on his resolution. He presented to the Committee a written statement detailing why Delta Junction needs additional facilities in its high school. He said that it seems that the main objection to the resolution

3/23/73

HCR 63
con't

is that it is "robbing Peter to pay Paul." However, he noted, the bond proposal did not specify the locations.

Senator Thomas asked the Commissioner about the status of the twelve designated areas.

Commissioner Lind said that eight projects will be started this summer, and planning has been done for eight or nine areas. This is the first time that a bond issue passed in November and the projects began the next summer. He said he knows the need at Delta, but he didn't think the money should come from this already-designated \$16 million. He opposes the resolution. The Department is going ahead with planning for the other sites. He didn't know the feasibility of Delta Junction starting this summer if money were available.

Senator Sackett requested that the resolution be discussed the next day.

Senator Thomas agreed, and said that the tenure bills would be held until later, also.

Senator Croft asked which projects will not start this summer.

Commissioner Lind named Kipnuk, Kwethluk, St. Lawrence Island, Nunapitchuk, and Nelson Island. He said that planning and site acquisition will go ahead. Usually

3/23/73

HCR 63
con't

there is a 36 month time period from passing of a bond issue to completion. There is no high school facility in nearly every location on the list of twelve sites. If \$1.5 million comes out for Delta Junction, Commissioner Lind felt that the Committee should also recommend which location will not get its school.

Senator Croft mentioned the bill to correct fire deficiencies in State-operated schools, and said that the bill, requiring \$2 million, probably won't come out of Finance. There are 143 communities which don't have any school at all. It is a question of priorities.

Senator Thomas asked what effect a merger or contractual arrangement between Ft. Greeley and Delta Junction would have on this problem.

Commissioner Lind replied that it would not help. New money is needed for Delta Junction.

SB 225

By unanimous agreement of the Committee, SB 225 was passed out of the Committee.

3/23/73

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING

March 24, 1973 -- Saturday

9:00 a.m.

Present: Senators Thomas, Croft, and Sackett.

CSHB 181am Stuart Hall, Legislative Affairs Agency, explained the changes the bill would make:

(1) There would be a policy committee, rather than a selection committee.

(2) Members appointed by the Governor would serve at his pleasure.

The committee's name is changed throughout. The committee was not to be subject to the Administrative Procedures Act because the chairman of the subcommittee for Higher Education, Ed Merdes, thought it would be too cumbersome for this committee. As long as the students get a summary, it is sufficient.

Senator Croft thought the APA should apply.

Mr. Hall said that Section 6 was a matter of clarification. The change in Section 7 was because students at Sheldon Jackson paid less in fees than students at the community college in Sitka. The new language in Section 8 provides for a fiscal committee. The change in Section 9 clarifies language. In Section 10 "non-public sources" is more clearly defined.

Representative Beirne said that "tuition, fees, room and board" should not be included in "non-public

CSHB 181am
con't

than the grant itself is worth. Section 16 defines a consortium. Add between lines 28 and 29 a technical amendment, to change the name of the committee.

Senator Sackett asked about reducing 22.5% to 20%.

Mr. Hall said that the figure was a compromise one. Senator Groh had felt that 15% was right to Sheldon Jackson because it is a small school.

CSHB 180
(Finance)am

Mr. Hall said that under this bill the Commission is authorized to appoint an executive officer and staff as it feels are appropriate. There is a question about the legislators on the Commission. The Finance Committee reduced the number of public members to include two legislators. Legislators should be added to the Commission, which would raise the membership to 13. The State must have such a Commission in order to receive Federal planning money, especially for vocational and technical courses. In the past, the directors of the higher educational institutions have gotten together only as the result of crisis or on a whim. This will be the first voice community colleges will have had. The fiscal note for the House Finance Committee includes three positions. The Tuition Grant Program would come under the Commission.

Charles Ferguson, University of Alaska, said that the U of A would support the bill but that they have several concerns about the version which was passed by the House. He was particularly concerned about

CSHB 180
(Finance)am
con't

the language on page 4 (b) (1) which says that the Commission "shall" assist in the development of a comprehensive coordinated plan.

Senators Croft and Thomas suggested changing "coordinated" to "coordinating" on page 4, line 29.

Mr. Ferguson said that he favored five at-large or lay representatives.

Mr. Hall said that there was a problem with having all the members confirmed by the Legislature because at least two, and perhaps three, members would already have been confirmed. He said that members should serve at the pleasure of whoever has appointed them. He suggested an amendment on page 3, to line 2 (b).

Senator Thomas asked if there were any objections to the amendment. There were none, and it was adopted.

Mr. Hall said that no interest group had been left out in the drafting of this legislation.

Senator Thomas, with the concurrence of the members, held both the bills until the Committee could meet again.

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING
March 29, 1973 - Thursday
8:40 a.m.

Present: Senators Thomas, Croft and Hensley. Others present were Representatives Fritz, Specking, Haugen, and Dr. Roy Box, an optometrist practicing in Juneau. Chairman Thomas called the meeting to order and called upon Representative Ernie Haugen to comment on CSHB 42 (Fin.) amended.

HAUGEN - Representative Haugen stated that the original request CSHB 42 for each community owned hospital was for \$25,000, but amended sometime thereafter the formula of \$1,000 per bed was developed. He advised that the Alaska State Hospital Association, The Alaska State Medical Association, and the Department of Health and Social Services all fully supported CSHB 42 (Fin.) amended (revenue sharing for hospitals and health facilities). CSHB 42 amended will cost approximately \$300,000 and it specifies in the definition of hospital that the Department of Health and Social Services determines what constitutes a general hospital.

FRITZ - Representative Milo Fritz said that passage of CSHB 33 CSHB 33 amended is needed so that a board can be established for the licensing of dispensing opticians. At the present time anybody can legally advertize himself as an optician and with a prescription make artificial eyes and fit contact lenses. The bill, through establishment of a board,

3/29/73

FRITZ -
CSHB 33
amended

sets up basic educational, professional and technical requirements for opticians, and thereby protects the public against amateurs. Representative Fritz further informed that there is presently no control over who can fill contact lenses and eyeglasses prescriptions. Also, the bill requires no funding.

BOX -
CSHB 33
amended

Dr. Box commented that the optometry law implies that people, such as opticians, who fit contact lenses cannot do so without a license (an optometric license), however, the Attorney General refused to prosecute. (Dr. Box read an excerpt from a letter and presented proposed amendments to the bill -- both of these are attached.) Dr. Box stated he could only support CSHB 33 amended with his amendments making it illegal for opticians to fit contact lenses, since professional judgments were required in the fitting of contact lenses, and opticians are not trained or qualified to make such judgments.

FRITZ -
CSHB 33
amended

Representative Fritz testified that he wanted the bill left the way the committee received it since it now provides that opticians are to be under the general supervision of a licensed optometrist or ophthalmologist. He stated the bill would upgrade opticians, but would not give them anything they don't already have -- they cannot diagnose; they can only fill prescriptions.

CSHB 33 am
and
CSHB 42 am

By unanimous consent the committee passed CSHB 33 am^{with amendment} and CSHB 42 am out with a do pass recommendation.

Adjournment Meeting adjourned at 9:32 a.m., reconvened at 1:50 p.m., and then adjourned at 2:17 p.m.

DR. ROY A. BOX and DR. GILBERT H. KEMP
OPTOMETRISTS
611 WILLOUGHBY AVENUE • JUNEAU ALASKA 99801

-3-

Page 7, line 29 is probably the most important sentence in the entire legislation and would allow a layman to assume professional responsibility for which he is not trained. There is no requirement to show competency under this act to fit contact lenses. Courses given by contact lens companies do not provide adequate training in this field and usually are a sales type of program. The fitting of contact lenses requires a high degree of professional skill and knowledge which in my opinion can not be learned by the apprenticeship method. If you will examine the previous testimony presented to the Health and Welfare Committee concerning the fitting of contact lenses it is considered to be a mechanical process by the optician the same as assembling a pair of glasses is a mechanical process. Any time a person who attempts to adapt a foreign body to the tissue such as the cornea which has a highly complex and sensitive system of metabolism considers this a mechanical process there is demonstrated lack of appreciation for the function of this tissue and certainly a lack of sophistication in the approach to the problem. The problem of who shall fit contact lenses is further complicated by a relatively complex form of contact lens fitting called Ortho Keratology. This is a rapidly developing field wherein a series of contact lenses are fit over a period of time to reduce refractive errors. The practitioner who fits contact lenses to purposely change the shape of the anterior segment of the eye, the cornea, must be a well trained highly skilled individual. Do the opticians intend to engage in this field of contact lens fitting if this bill is passed as it is presently written.

If this legislation were rewritten to eliminate some of discrepancies so that who may and may not take the examination for opticianary and the requirements for examination were specifically stated so that there is no opportunity by the Board of Opticianary to decide who is and who is not qualified to take the examination, and; if the grandfather clause were written so that the persons granted licensure under the grandfather rights had at least the same qualifications as the person applying for licensure then it approaches a point where it would be acceptable to the profession of optometry. This legislation certainly is also not acceptable if the opticians with no academic training or background in the field of health care is allowed to engage in the art and science of contact lens fitting because he considers a contact lens a highly valuable piece of merchandise.

When licensure is granted to barbers, beauticians, etc. they must meet specific academic requirements and their training is uniform throughout the nation as is the training for the major health care professions. This legislation does not require any uniformity of training which in my opinion is vitally necessary if the State is going to license opticians as a group of people. No other profession or licensed vocation presently has this latitude in our State.

*If the grandfather right clause is held in its present form I could apply for license? After all I have past experience in your office and we have a lab. Gayle Bodda

3/29/73 HESS Committee

The
ALASKA OPTOMETRIC ASSOCIATION

AFFILIATED WITH
AMERICAN OPTOMETRIC ASSOCIATION

Proposed Amendments For HB No. 33
Submitted by the Alaska Optometric Association

Page 3, line 6 delete following: Contact lens technology,

Page 8, line 25 add period after human eye, delete remainder of line

Page 8, line 26 through line 29 delete

Page 9, line 1 and 2 delete

Page 8, line 25 after above deletion add: This act shall not be interpreted
to allow the fitting of contact lenses by anyone other than
an optometrist or physician.

Pg 2, line 24²⁵ delete "the dispensing of contact
lenses, or (2)" and the word "other".

3/29/73 HESS Committee

A M E N D M E N T

Offered in the SENATE

By Health, Education and
Social Services Committee

To: _____ SENATE BILL NO. _____

CS _____ HOUSE BILL NO. 33

AMENDMENT: Page 3 Line 14-19

Delete items "(1) through (4)" and renumber accordingly.

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING
March 31, 1973 - Saturday
10:00 a.m.

Present: Senators Croft, Hensley and Thomas. Also present were Representative Milo Fritz; Dr. Don Dafoe, Vice President for Public Service, University of Alaska; and Mr. Don Magnuson, Lobbyist for Alaska Retail Association.

Chairman Thomas called the meeting to order for consideration of House Bill 161 (relating to eyeglass and sunglass lenses) and House Bill 216 (relating to separate statewide administration, U of A).

FRITZ -- Representative Fritz stated HB 161 would bring our
HB 161 safety lenses and glass lenses into conformity with new federal regulations.

HB 161 and The committee unanimously voted to pass HB 161 and
CSHB 151 CSHB 151 (Alaska Council on the Arts -- Grants for youth cultural activities) out of committee with do pass recommendations.

DAFOE -- Dr. Don Dafoe testified in support of HB 216 (relating
HB 216 to separate statewide administration, U of A).

Adjournment The meeting was adjourned at 10:30 a.m.

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING

April 1, 1973 -- Sunday

1:00 p.m.

Present: Senators Thomas, Hensley, Croft, and Sackett.

CSHB 86 Representative Chance said that the bill allows the Board of Nursing to hire a person without a BA degree as their executive officer.

Representative Beirne said that the bill also provides for a nurse to become a sort of physician's assistant.

There were no objections to passing the bill out of Committee; it was so ordered.

CSHB 128 Representative Beirne explained the bill. It defines "group home" and allows the Department of Health and Social Services to make regulations especially for group homes. All licenses will be issued for a period of one year and they must then be renewed. A license may be revoked at any time without notice when the "health or well-being of children is in jeopardy." Otherwise the Department must give 30 (instead of 90) days' notice.

There were no objections to passing the bill out of Committee; it was so ordered.

HB 70am Representative Chance said that the bill had been worked on for two years by the Juneau Bar Association

HB 70am
con't

and the adoptions people. It is endorsed by the American Bar Association and by the Department of Health and Social Services. A position paper by the Department is attached.

Barry Jackson presented an amendment which would allow an adopted child to inherit from his natural parents.

Senator Croft said that he would really like to get to this bill this year. He thought Mr. Jackson's point was a very good one and would like to see it considered.

Representative Beirne said that the bill still allows for private adoptions, but it says "a person" should look over the home.

Representative Chance said that the Department approves of the bill and it has been studied by a number of groups around the State.

Senator Croft moved to pass the bill and Mr. Jackson's amendment out of the Committee. There were no objections, and it was so ordered.

HCR 79

The members of the Committee agreed to pass out of Committee HCR 79.

4/1/73

POSITION PAPER RELATIVE TO

HOUSE BILL 70

The Department is in favor of House Bill 70 because it is comprehensive, pertinent, and speaks to the needs of children. House Bill 70 is based on a revised uniform adoption act drafted by the National Conference of Commissioners on uniform state laws. It also received approval of the American Bar Association.

Several sections of this bill attempt to deal with the so-called "black market" operations in children. While the bill does not prohibit private placement of children, it attempts to discourage black market adoptions and cavalier planning when a child's future life is at stake.

Section 20.15.100 established the procedure for investigations. In private placements, the first opportunity to secure knowledge of the existence of the child may arise as a result of the adoption petition. The assumption of this section is that the court is entitled to the "expert" judgement of the placement agency or other official making the investigation. It speaks to the rights of the child to have an objective opinion that related to his future welfare.

Only one-seventh of the total number of adoptions in Alaska are agency related. In other states, the reverse is true because they have statutes that offer some safeguards to the placement of children.

The total number of completed adoptions in 1970 in Alaska was 742. Of this number, only 106 were through the aegis of an agency. (For 1971 a total of 733 adoptions were completed.)

Breakdown by Court

	<u>All Cases</u>	<u>Agency Cases</u>
Juneau	49	7
Ketchikan	34	4
Anchorage	466	64
Fairbanks	152	27
Nome	<u>41</u>	<u>4</u>
	742	106

Of the 742, 321 had a step-parent involved in adopting the child of their spouse. This section of the bill is not concerned with this group but with the 315 cases that neither an agency or a step-parent were involved.

The final sections of the bill relate to subsidized adoption. (Section 20.15.190 - 20.15.240)

4/1/73

Subsidized adoption must be seen as an adoption case, not as a case of continued foster care. An evaluation of the family's capacity to be adoptive parents is the essential first step. Consideration of the need for subsidy should follow the evaluation, not precede it, and become the determining factor.

Who are some of the children in Alaska who could benefit by the passage of this law?

Two brothers, ages 14 and 16 years, Native Alaskan and Caucasian, who lived in one home for the past five years. Yhrit godyrt mother no longer has a husband and she cannot afford to raise the children without financial help. But she would be willing to adopt them and they look on her as their mother.

An eight year old Caucasian girl. Her central nervous system was extensively damaged by a difficult birth. The first two years of her life she was grossly neglected by immature parents. She was placed in her present foster home when she was 2-1/2 years old but she tested at the mental age of three months. Her foster mother became involved in an educational course dealing with neurologically impaired children. By September 1969, the child's vocabulary included several hundred words and she knew the lyrics of 40 songs. She can spell many words and count to 50. Her speech is labored and stilted and she is on medication for the convulsions that she occasionally experiences. The relationship between this little girl and her foster father is necessary for her survival. They would like to legally adopt her, but they have five biological children and a modest income. They fear that by adopting her, they would deprive her of advantages of special schooling and unlimited medical care.

Society has assumed the responsibility for protecting children who lack families of their own. Many children have been legally and permanently separated from their biological parents for years. They face a bleak future as they grow up in institutions and agency boarding homes. They are subject to the hazards of multiple placements involving new adjustments and to feelings of rootless and being different.

There would be no increased cost to the State, since the public funds are already available and in use for foster care. There is also strong evidence that subsidized adoption would represent savings in community money now spent to repair the damage children sustain when deprived of permanent family ties.

KS/amc

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING
April 6, 1973 - Friday
1:35 p.m.

Present: Senators, Croft, Harris, Hensley, Sackett and Thomas.

Also present was Representative Helen Beirne.

Chairman Thomas called the meeting to order for consideration of Senate Bill 256 (exclusion of certain income from the computation of state old age assistance), and SB 258 (administration of the program of aid for preschool exceptional children).

SB 256 Senator Croft offered an amendment to Senate Bill 256 which at line 17 would delete "as a stipend by participation in a foster grandparent or similar program." and replace with "in any manner."

The committee by unanimous consent voted to report SB 256 out of committee with a do pass as amended, and it was so ordered.

SB 258 Information received on Senate Bill 258 indicates that it transfers funds from the Department of Health and Social Services to the Department of Education, if any funds are available. The Department of Health and Social Services and the Department of Education support the bill, and there is no cost involved. *

Adjournment The meeting was adjourned at 2:05 p.m.

* Senate Bill 258 was, by unanimous consent, passed out of committee with a do pass recommendation.

*Lowell called Bob Thompson
Dept of Education 2-25-73
was this language in SB 258
to be removed?*

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~~HOUSE.~~

HEALTH, EDUCATION AND SOCIAL SERVICES

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1/24/74

E.O. 34, D. of Ed. Commissioner Lind

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Rev

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING

January 23, 1974

9:00 a.m.

Present: Senators Thomas, Croft and Hensley

GENERAL: Prior to meeting being called to order, there was a general discussion between Senators Thomas and Croft concerning the runaway children's bill and drunk in public bill. Richard Hackett, the Committee's Staff Assistant, was asked to obtain current information on these problems and present it to the committee.

The meeting commenced with a general discussion of bills in committee from last session, with Senator Thomas asking the members to go over the list to see which ones should receive immediate attention.

SB 263 Senator Thomas asked Senator Croft if there would be an appropriation bill to go with SB 263, and Senator Croft stated that had not been resolved as yet and that he would have Ken Humphries in Legislative Affairs check on it.

SB 15 &
SB 30 Senator Thomas stated that Senator Harris had come in prior to the meeting -- he was presently attending another committee meeting -- and Senator Harris had

indicated he would like to discuss SB 15 and SB 30 at a subsequent committee meeting. Senator Croft asked if SB 30 had not been indefinitely postponed at one of the committee meetings last year and requested the secretary to check on that. He also stated that he would have no objection if Senator Harris wished to bring the bill up before the committee again. (NOTE: Secretary found that on February 12, 1973, a motion was made and unanimously passed to indefinitely postpone handling of SB 30.)

EXECUTIVE
ORDER NO. 34

Senator Thomas informed the committee that Commissioner Lind would appear before the committee at a meeting on January 24 in Committee Room No. 5 at 9:00 a.m., to testify concerning Executive Order No. 34. He said he had talked briefly with Comm. Lind over the telephone, and that Commissioner Lind did not seem to have any objections to the transfer of the Museum to the Department of Education, that it seemed to be a good idea because of the educational aspects involved. Senator Thomas stated that unless someone had an objection, he would suggest taking no action on E.O. 34. He stated that if the committee did not take any action within 60 days, the order would automatically go into effect. Senator Thomas also remarked that if any of the members had any other questions to pose to Commissioner Lind, concerning other matters, they would be able to do so at tomorrow's meeting.

SOS

Senator Hensley asked what resulted from the hearing in Anchorage on SOS as he was in Washington and not able to attend the meeting.

Senator Thomas said he had been unable to attend that meeting also, but that the committee would have a full report from Dr. Darnell, Center for Northern Educational Research, about the first week in February. He also stated that he felt the committee's first task, after receiving this report, would be to decide what action should be taken, but he did not see how the committee could be very effective in this regard until the report was received. Senator Thomas stated he felt the largest issue in the committee right now was rural schools and SOS and how to restructure that entity.

SB 264

Senator Thomas asked if SB 264 had the Governor's approval and Senator Croft said that it did.

SB 265

Senator Croft asked if anyone knew what the background was on Senator Ray's bill, SB 265. Senator Thomas asked the Staff Assistant to talk to Senator Ray and obtain any background material he might have for the committee on SB 265.

SB 267

Senator Croft explained that he had been requested by Dr. Carol Brown to introduce this bill, and

suggested that the committee hold this bill for consideration until such time as Dr. Brown could come to Juneau to testify. There was no objection.

SCR 2

Senator Hensley referred to SCR 2 and asked if this had not been taken care of previously and Senator Croft stated that he understood it had been. Senator Thomas said he felt it was related to the longevity bonus.

SB 274

Senator Thomas explained that he had been requested to introduce SB 274, that it related to diseases in horses that are brought in from out of State and then contaminates horses already in Alaska. He suggested that the committee defer consideration of this bill until the interested parties could appear before the committee to testify. Senator Croft suggested that some of the guides might be interested in testifying on this bill also. Senator Thomas said that some of the guides brought in horses from Canada, which was a problem, and also that some guides turned horses loose during the winter and if they did not survive, brought more in from Canada in the spring. He also stated that another bill relating to humane treatment of animals was being introduced in the session today and suggested that both bills be taken up by the committee at the same time, at a later date.

SB 275

Senator Croft referred to SB 275 and stated that he was introducing a bill today, also concerning the Professional Teaching Practices Commission. Senator Thomas stated he understood there was some trouble concerning the relationship of the school board and teachers, but Senator Croft said he did not think it would change the relationship of the school board with teachers.

SB 277

Senator Thomas referred to SB 277, asking if this were for funding of library facilities, or what, and Senator Croft stated he understood this was for buildings in Anchorage and Fairbanks--resource libraries, etc. Senator Thomas stated the committee could ask Commissioner Lind about this at the meeting tomorrow morning.

Meeting adjourned at 9:40 a.m.

SB 282, SB 283 Senator Thomas stated that the Committee had been
& SB 284

scheduled to consider SB 282, SB 283, and SB 284,
but that the interested parties in these bills were
unable to testify at this time, and that the bills
would be taken up at a later meeting.

SB 288

Senator Thomas said he had talked to Commissioner
McGinnis concerning Senator K. Miller's bill, SB 288,
relating to the creation of a Department of Health,
and that Commissioner McGinnis was not ready to testify
on the bill at this time, but would like to testify in
the very near future.

SB 265

Senator Thomas said he discussed Senator Ray's bill,
SB 265, relating to standardizing assistance payments
for child care, with Commissioner McGinnis, and that
the Commissioner would like to appear before the
committee tomorrow morning (February 1, 1974) and give
testimony concerning this bill.

GENERAL

Senator Thomas said he felt the Committee should divide
the work load by each Senator taking certain bills and
doing the necessary background work and then report to
the full Committee on their recommendations as to hand-
ling of the bills. It was agreed each Senator would
look over the list of bills in committee and would
indicate at tomorrow's meeting which bills they would
prefer to work on.

Meeting adjourned at 9:15 a.m.

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING

January 24, 1974

9:00 a.m.

PRESENT: All members of the committee. Also present were Commissioner Marshall Lind, Department of Education, W. D. Overstreet, Association of Alaska School Boards, Robert Van Houte, NEA-Alaska, William W. Hopkins, Alaska Oil & Gas Association, and other interested guests.

Senator Thomas called the meeting to order and stated the purpose of the meeting was to talk to Commissioner Lind and listen to his thoughts on education for this year. He asked Commissioner Lind to give the committee his general view or comments on education throughout the State, and also perhaps on bills that might be of particular interest to the Department. He also requested the Commissioner to inform the committee on his view concerning the transfer of the State Museum to the Department of Education.

EXEC.
ORDR.
NO. 34

Commissioner Lind stated that the Department of Education felt that since the primary function of the museum was educational, that it was logical to have it transferred to the Department of Education. He stated there was one program in particular that he felt was very effective and would like to see its services increased, and that is the traveling school. He felt

he had, but that Senator Ray had declined--said it was a simple bill, and he did not feel he needed to testify on it.

SB 265 &
SB 310

Mr. McClain stated that Senator Ray's concern was justified--that there were inequities in the AFDC and Foster Children Programs. Many times the mothers feel there is more incentive to place their children in foster homes because there would be more monies provided to take care of a child than under the AFDC Program. He felt these inadequacies had come about because of the fact that the AFDC Program had not been reviewed since July 1970, whereas the foster children's program was reviewed annually, there had been an increase in the foster care rates annually--rate hearings are held in February of each year for ^{the} foster care program. He submitted to the Committee (copies attached) tables showing the present rates and proposed rates under SB 265 and SB 310 for the AFDC programs, and also the rate structure for the foster home program. Mr. McClain stated the Department felt there should be some upward adjustment in the AFDC rate structure. He said there is an increase in the budget this year to make some upward adjustment to the AFDC rates and he felt this would help correct the inequities between the two programs.

There was then a general discussion concerning the minimum and maximum rates listed on the tables, and how

they were applied. Mr. McClain pointed out that the variance in the two figures was based on what area of the State the child resided in.

Senator Sackett said he felt there was still a policy decision to be made as to whether AFDC and foster program rates should be kept on the same level or keep them separate and raise both of them.

Mr. Harris explained one reason foster parents receive more funds was because of "supply and demand" and the fact that the rates were reviewed annually and reflected increased living cost adjustments. Mr. McClain said he felt the foster parents program was a good one, it was more desirable, and that it was actually less costly than institutional programs, so they had tried to keep the rates high for that reason. He felt that comparing the costs between foster plan and AFDC plan might not be fair in that the costs would be more, for instance, in putting a teenager into a foster parents home, as opposed to the costs under the AFDC plan where the child was already in the home--costs of living, i.e. under foster parents plan--child must have private sleeping quarters, whereas under AFDC he may share room with other members of the family.

Senator Thomas asked if there was an appropriation bill to go with SB 310, and Mr. McClain said the money was in the budget, half of which would be federal funds. Senator

Thomas asked Mr. McClain if he thought part of SB 265 should be incorporated into SB 310, and Mr. McClain said he would like to talk to Senator Ray about the bill and study it a little more.

Senator Croft brought up the point that for years there has not been enough monies available in the ~~sector care~~ ^{A.F.D.C.} program to adequately care for a child and that SB 310 would not provide enough--less than half of what would be necessary to properly care for a child.

Senator Sackett asked Mr. McClain if SB 310 followed the OEO guidelines. There was extensive discussion concerning the OEO guidelines for Alaska, particularly concerning the estimated 15% increase as of May 1974 which the Department had used in setting up their table. The question was brought up by Senator Sackett as to whether there shouldn't be a cost differential within Alaska, since costs were so varied throughout the State. Senator Thomas mentioned the cost differential used in teachers salaries and felt this same basis could be used in this case. Mr. McClain said he felt this was a valid consideration. Senator Sackett said the reason he had brought this up was that in his villages, it seemed the minimum payment of \$125 for a mother and one child was too low where the cost of living was so much greater as compared to other areas of the State. Mr. Harris explained that this payment structure was set by law, according to the age of the child, i.e. a child under 5 =

\$125, ages 5 to 13 = \$150, and over 13 = \$175. SB 310 would alleviate this problem. Senator Thomas asked Mr. McClain to check into the cost differential throughout the State and see if something could be worked out and possibly be incorporated into the bill. Mr. McClain said he would do so.

GROUP
FOSTER
HOMES

Senator Hensley asked Mr. McClain about the Group Foster Home program--how many children were in these homes, whether the Department felt it was a good program, etc. Mr. Harris said there were between 5 and 10 children in these group homes and that adolescents seemed to do very well in them. Mr. McClain said he felt the ones in the northern portion of the State were very good programs and it was a much better solution, rather than taking the children to Anchorage or elsewhere--he felt there was a great advantage in placing them close to their homes.

SCR 2

Senator Thoams stated that Senator Ziegler had introduced a resolution, SCR 2, for a study on the aged and asked if the Department felt there was a need for such a study. Mr. McClain said he felt there would be value in the study, especially in relation to the longevity bonus. He explained that the waiver of the longevity bonus as income was to have been terminated in December 73, but that new legislation was passed in Congress the first of the year which amended certain portions of the Social Security Act which includes a provision for continuation of certain demonstration projects,

He stated that Governor Egan had written to the Secretary of Health, Education & Welfare and asked for consideration of continuing this particular demonstration project, thus allowing the waiver for the longevity bonus to remain in effect for Alaska. Mr. McClain had talked to people in Region 10 and they were optimistic that the waiver will be continued and have extended the waiver to cover January and February, pending a final decision. There has been no decision as yet as to whether the waiver will be extended on a permanent basis, or even beyond February 1974.

Senator Thomas asked the committee if they would be agreeable to passing this Resolution out of committee. Senator Sackett pointed out the importance of keeping the aged in the State and the housing problem they have. Senator Croft indicated he would like to prepare an amendment to the resolution specifying the problem and how it affects the longevity bonus, and Senator Thomas asked him to prepare such an amendment. Senator Harris said he would like to prepare an amendment to reflect the importance of keeping the older people in Alaska so that we may have the benefit of their experience, knowledge, and participation on advisory boards, etc. Senator Thomas asked him to prepare such an amendment. The Committee agreed without objection to pass SCR 2 out of committee with the amendments discussed.

SB 263

Senator Croft asked the Chairman if he wanted to discuss the old aged assistance bill at this time--raising the assistance

from \$250 to \$350, and Senator Thomas asked Mr. McClain if he had any comments on SB 263.

Mr. McClain said he felt it was very necessary, but that the \$350 level gets right back to the longevity bonus issue. He also pointed out that under the present statute the payments were \$250, as opposed to the \$125 for AFDC--that the Department had to set spending priorities, and that if the old age assistance program was extended, then it would widen the gap between the two programs.

Senator Sackett asked if the longevity bonus issue would be affected as long as Alaska has the waiver. Mr. Pagenkopf said that as part of the State's supplement of HR 1, it is not considered as income provided that the income is based on need, but that the longevity bonus says it is ^{NOT} based on need so those two laws conflict. He felt any additional monies put in by the State would be taken by the Federal government as income. He said this was a very complex issue and almost had to be handled case by case as there were other factors involved, i.e. the income and source of the income.

WORKLOAD OF BILLS

The committee then discussed the possibility of each Senator taking specific bills he might be interested in, researching them, and then reporting back to the committee as a whole with his recommendations. Senator Harris stated he was very interested in bills relating to drug and alcohol rehabilitation and treatment facilities and said he would like to start

with SB 305, SB 307 and SB 299. Senator Croft indicated he would like to work on SB 290. Senator Hensley said he felt SB 251 should have early action and would work on this. Senator Sackett was interested in bills on higher education and said he would work on SB 123.

The meeting adjourned at 9:35 a.m.

HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE MEETING

January 31, 1974

8:30 a.m.

PRESENT: All members of the Committee were present. Also present were Jay Hammond, former President of the Senate, and Bill Overstreet, Association of Alaska School Boards.

HAMMOND
TESTIMONY
RE: SCHOOL
BOARD PROBLEM

Senator Thomas called the meeting to order at 8:45 a.m. He stated that former Senate President Jay Hammond would like to talk to the Committee concerning a problem that has arisen in his area in regard to education.

Mr. Hammond stated his community was having a problem with the school board-assembly relationship, in that the school board had taken action which will commit the municipality to a large debt. He then gave detailed background information to the effect that the school board had dismissed some untenured teachers, who then filed suit against the school board. The case went to the Supreme Court where that court handed down a decision that the School Board must give the teachers a hearing. There is a possibility that a judgment could be granted in the amount of approximately \$500,000 and that the school board would be obligated to pay this judgment, which they could not do due to lack of funds, and thus the payment would fall on the municipality.

Mr. Hammond told the Committee he was seeking some kind of action that would help protect a relatively unsophisticated school board from committing a municipality to such debts. He explained that the school board budget was not sufficient to cover such a judgment, and that the municipality was facing economic devastation in that area. He requested that the Committee consider drafting legislation to take care of this problem--limiting a school board's powers to commit a municipality to large expenditures of monies. He felt that the State should participate in this type of debt since the school board was acting under State law.

Mr. Overstreet was asked by Chairman Thomas to comment on this type situation. Mr. Overstreet said he was not familiar with the case. Mr. Thomas asked him if he knew of any way to solve the problem and he said he did not.

Senator Croft asked if there might be insurance to cover this type of problem. Mr. Hammond stated that school superintendents were bonded and asked Mr. Overstreet if that would cover this type situation. Mr. Overstreet replied it did not as far as he knew. Senator Croft suggested that possibly the State could pick up insurance premiums to cover these entities all over the State.

Senator Croft asked Mr. Hammond what the total school budget for the year was in his community and Mr. Hammond replied that it was about five or six hundred thousand dollars a year. Mr. Croft commented that the amount of the suit was about equal to one year's total budget.

Mr. Hammond stated he felt that if a judgment was rendered against a school board who had gotten into trouble by following a State law, then the 90-10 relationship should hold with paying off any such judgment.

Senator Thomas asked the Committee if they would be willing to check with the Legislative Affairs Agency concerning this problem and see if legislation could be drafted to solve the problem. The Committee was in agreement and Senator Thomas said he would check with them. Senator Croft asked the Committee Staff Assistant to check and see what insurance might be available to cover this problem.

REGIONAL
HEALTH &
SOCIAL SERV.
MEETING IN
SEATTLE

Senator Thomas informed the Committee that Senator Harris, Vice Chairman, was planning to attend a regional meeting in Seattle on February 7, regarding health and social services--Mrs. Beirne will be attending to represent the House HESS Committee--and asked if there were other members of the committee who would also like to attend the meeting. None of the other members of the Committee indicated interest in attending the meeting.

	<u>PRESENT AFDC PROGRAM</u>			<u>PROPOSED SB 265</u>			<u>PROPOSED SB 310</u>
other and:	MIN	MAX	AVERAGE	MIN	MAX	AVERAGE	AVERAGE
child	\$125	\$175	\$150	\$166	\$254	\$210	\$345
children	\$175	\$275	\$225	-	-	\$420	\$403
children	\$225	\$375	\$300	-	-	\$630	\$460
children.	\$275	\$450	\$362	-	-	\$840	\$520
children	\$325	\$500	\$412	-	-	\$1050	\$575
children	\$375	\$550	\$462	-	-	\$1260	\$633
children	\$425	\$600	\$512	\$1162	\$1778	\$1480	\$690

epared by Division of Family & Children Services
 Department of Health & Social Services
 January 31, 1974

INSIDE ALASKA
FOSTER HOME AND GROUP FOSTER HOME
RATE SCHEDULE
(Effective July 1, 1973)

JUNEAU AREA (SE)			KETCHIKAN AREA (SE)		SOUTHCENTRAL AREA		NORTHERN REGION (Includes Bethel)	
			<u>FOSTER HOMES</u>					
	<u>OLD RATE</u>	<u>NEW RATE</u>	<u>OLD RATE</u>	<u>NEW RATE</u>	<u>OLD RATE</u>	<u>NEW RATE</u>	<u>OLD RATE</u>	<u>NEW RATE</u>
& (Mo)	161.00	170.00	159.00	166.00	157.00	166.00 <i>new</i>	167.00	176.00
per (Day)	5.29	5.58	5.23	5.44	5.16	5.44	5.49	5.73
& (Mo)	228.00	241.00	227.00	233.00	221.00	233.00	235.00	<i>new</i> 248.00
per (Day)	7.50	7.91	7.46	7.67	7.27	7.67	7.73	8.11
			<u>GROUP FOSTER HOMES</u>					
& (Mo)	170.00	174.00	167.00	170.00	164.00	170.00	175.00	180.00
per (Day)	5.59	5.72	5.49	5.58	5.39	5.58	5.75	5.94
& (Mo)	240.00	247.00	235.00	239.00	232.00	239.00	248.00	254.00
per (Day)	7.89	8.11	7.73	7.86	7.63	7.86	8.15	8.33

FES:1. (a) New foster home rates reflected above include a 5.5% COLA (Cost of Living Adjustment) over current year rates. Group foster home rates are 2.5% above foster home rates. Included within above rates is a monthly clothing/spending allowance of \$20.00 for children 12 and under and \$25.00 for children 13 and over.

(b) Initial placement clothing allowance remains at \$150.00 per child.

- Crippled and handicapped children placed in foster homes by the MCH program of Division of Public Health are exempt from provisions of above schedule. Foster parents caring for these special category short-term placements will be authorized \$7.95 per day per child without regard to age in the Southcentral and Southeastern Regions. The rate of \$8.55 per day will be paid in the Northern Region.
- The above rate schedule is applicable only to foster parents residing in Alaska. The rates to be paid foster parents residing in the contiguous United States will be the same rate paid by the city, state, or county Welfare Department in which the foster parent resides.
- The new rates apply to the geographic location (city or regional area) of the foster parent -- not to the District or Region to which the case is assigned. For example: the Southcentral area rate would apply to a foster parent residing in Anchorage who is caring for a Ketchikan district child. The mailing address of the foster parent is the determining factor in all questionable cases.
- Petersburg, Kake and Wrangell are considered to be in the Ketchikan rather than Juneau area. This determination shall apply to all program divisions, including Corrections.

Lt. McLaughlin discussed the necessity of having some type of modified driver's license, and requested the Committee to consider the possibility of having an occupational license rather than a modified license. He explained that with an occupational license, a driver would be allowed to drive to and from work providing his driving record remained clear during the period of time his license had been suspended. If there is an infraction during this period of time, his occupational license will be taken away and he will not be allowed to drive at all. These are for those cases where it is considered a "last chance" is needed for drivers whose licenses have been suspended one or more times. Lt. McLaughlin said the State of Washington has resorted to this occupational licensing and it seems to work quite well. There was further discussion and explanation of license suspensions, modifications by the courts and hazardous drivers. Senator Thomas asked Lt. McLaughlin if he would provide the Committee with a copy of the Washington law and he said he would do so.

Senator Thomas asked the members of the Department of Health and Social Services for their views on increasing the penalties, and Mr. Adams said he had no qualms about increasing the penalties, since discretion/would still be provided by the judges. There was extensive discussion on penalties and the need to remove hazardous (multiple offenders) drivers from the roads.

Senator Thomas stated there was no time left to consider further testimony or discussion due to the fact it was almost time for the session. Meeting adjourned at 9:50 a.m.

Introduced: 1/30/74
Referred: Health, Education
and Social Services

IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

SENATE BILL NO. 310

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to aid to families with dependent children; and providing for an effective date."

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

Section 1. AS 47.25.320 is repealed and re-enacted to read:

THE AMOUNT OF ASSISTANCE.
(a) The department shall determine the amount of assistance for a dependent child and the relatives with whom the dependent child is living, with regard to the resource and necessary expenditures of the family and the condition existing in each case. Assistance is sufficient if, when added to all other income and support available to the child, the child and relatives have reasonable subsistence compatible with decency and health. However, the amount of assistance may not exceed the 1973 state assistance standard, established under Title IVA of the Social Security Act (42 U.S.C. sec. 601 et seq.), as adjusted by the department in May and effective in July, of each year to reflect the cost-of-living changes as determined by the United States Department of Labor statistics.

PROPOSED SUBSTITUTE FOR AS 47.25.320(b)

(b) The amount of assistance for a dependent child who is otherwise eligible for aid under secs 310 -- 420 of this chapter, or who is dependent or neglected and committed by the court to the department, and who is placed by the department in the home of a relative other than a parent (as listed in sec. 410(3) of this chapter), may not be less than the amount established, under AS 47.05.010(14), by the department for the care of a dependent child in a foster home. To be eligible for payment under this subsection, the home in which the child is placed must meet minimum foster home requirements as established by the department. For additional siblings or other related children in a single home, the additional payment under secs. 310 -- 420 of this chapter shall correspond to the assistance standards established by the department.



X-73-8-6-200

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FOR RELEASE: A.M. Editions
Wednesday, August 8, 1973

U. S. LABOR DEPARTMENT RAISES INCOME LEVELS DEFINING POOR FAMILIES

The U. S. Department of Labor has raised the family income levels the Manpower Administration uses in determining eligibility for some training programs.

The new levels range up to \$250 higher than those published in December 1972. The level for a nonfarm family of four in the Continental U. S. increased from \$4,200 to \$4,300.

The change follows a revision of the poverty income guidelines by the Office of Economic Opportunity. The 1972 amendments to the Economic Opportunity Act require an annual or more frequent revision of the income guidelines to reflect increases in the cost of living.

For program eligibility purposes, a person is considered poor, or "disadvantaged," if he or his family receives welfare payments or if annual adjusted gross cash income does not exceed the following limits:

Family Size	December 1972				July 1973		Reserve	
	Continental U.S.		Continental U.S.		Hawaii		Alaska	
	Nonfarm	Farm	Nonfarm	Farm	Nonfarm	Farm	Nonfarm	Farm
1	\$2,100	\$1,800	\$2,200	\$1,870	\$2,530	\$2,150	\$2,750	\$2,340
2	2,725	2,325	2,900	2,465	3,340	2,830	3,620	3,080
3	3,450	2,950	3,600	3,060	4,140	3,520	4,500	3,820
4	4,200	3,575	4,300	3,655	4,940	4,200	5,380	4,570
5	4,925	4,200	5,000	4,250	5,750	4,890	6,250	5,310
6	5,550	4,725	5,700	4,845	6,560	5,570	7,120	6,050
7	6,200	5,275	6,400	5,440	7,360	6,260	8,000	6,800

Income limits for families of more than seven persons can be determined by adding for the nonfarm and farm levels these amounts for each additional person: \$700 and \$600 for the Continental U.S., \$800 and \$680 for Hawaii, and \$870 and \$740 for Alaska.

The income guidelines were originally derived from a definition of poverty developed by the Social Security Administration in 1964.

The guidelines are used in Federal programs in which poverty level is an eligibility factor.

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HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

February 1, 1974

8:30 a.m.

PRESENT: All members of the Committee, Also present were members of the Department of Health and Social Services: Deputy Commissioner James F. McClain, Mr. Stanley P. Harris, Director of Division of Family & Children Services, and Mr. Ray C. Pagenkopf, Division of Family & Children Services.

SB 265 Senator Thomas called the meeting to order at 8:45 a.m. and stated the committee would hear testimony from the representatives of the Department of Health & Social Services on SB 265, Standardizing Assistance Payments for Child Care, introduced by Senator Ray. Senator Thomas said he had talked to Senator Ray about this bill and that he understood that Senator Ray was concerned about the payments made to foster parents in relation to relatives, i.e. if a child is going into a foster home--why couldn't a relative (such as a cousin or uncle) get as much for taking care of a child as a total stranger? Senator Ray felt it would be better for a child to be with relatives than total strangers. Senator Thomas agreed with this, but said he felt SB 265 did much more than this and would like to have Mr. McClain's comments on the bill.

Senator Croft asked if anyone had invited Senator Ray to come testify on behalf of the bill, and Senator Thomas said

there were other things that should also be done, i.e. museum items should be taken out across the State and into classrooms.

GENERAL Commissioner Lind then addressed himself to the Department's view of educational priorities. He stated they had been doing some planning and assessing of what local school districts wanted and needed throughout the State. He felt that in the past the Department had been too involved in regulatory functions and that they needed to work with the local communities. He said he felt educational issues could be taken care of without additional statutory acts. He was very interested in standard achievement testing, educational skills, etc., to determine needs and priorities for students.

SPECIAL He stated he was very pleased with what is happening in the
EDUCATION districts in regard to special education -- exceptional students. Each district is on a "plan of service," which is an attempt to identify students who qualify for special education. He stated the Department was taking a different approach--a consulting role--not saying that you must do this or that, but asking what are you doing and how may we help you. It was the Commissioner's feeling that they could not have the expertise needed on a full time basis to address all the problems of the local communities, but that the State does have the necessary talent in teachers throughout the State, and that they (the teachers) can be utilized as consultants in different districts throughout the State. He said this plan has been very receptive among teachers thus far.

S.O.S.

Commissioner Lind stated they have many concerns about SOS. One of his concerns was related to the unorganized boroughs. He felt it was necessary to have equalized funding for all districts. He said during the next year they would like to determine what the impact would be for some type of full State funding that would apply equally to all areas.

Senator Thomas made the comment that the committee was awaiting a report from Dr. Darnell, and that it was expected during the first week in February.

Commissioner Lind felt that as areas assess their problems, they must take into account what services they want to provide other than educational.

ON-BASE
SCHOOLS

The Commissioner stated that an early decision in regard to on-base schools would be very helpful, especially for the Fairbanks and Anchorage areas, because of the costs and lead time necessary to make an orderly transition. He said that Fairbanks has indicated they do not want to assume the Fort Wainwright and Eielson schools because of the pipeline impact, and the Commissioner plans to meet with Fairbanks and get their specific views and information in the near future.

DOMESTIC
SCHOOL
PROGRAM

Commissioner Lind stated that there were six area high schools under construction now and there would be others. He stated the Bethel dormitory was being used by the local native corporation and that the program was doing very well. He

stated the same kind of thing was also being done at Kodiak.

RURAL
SECONDARY
EDUCATION

Commissioner Lind said he felt that the rural secondary education is one of the top priorities of the State. He said they were looking for ways of educating students at home without a shoddy program and he felt that in a matter of a couple of years that the satellite program could be developed. He said in the communities where there are only ten to fifteen students, they would not be able to have a full scale program, but other means were available -- such as correspondence courses, itinerant teachers, etc., whatever possible. He felt good programs can be developed for these students in rural areas, but it will take imagination and hard work.

Senator Hensley asked the Commissioner if the Governor had included funding for this in his budget. The Commissioner said he could not say, but that the State Board did request funding. Senator Hensley asked if additional funding had been requested for the SOS program and the Commissioner said that it had been. He said he thought they were thinking of seventeen new communities or programs in varying parts of the state; adding 9th and 10th grades, or adding on an additional grade where they already have a 9th and 10th grade and have enough students to justify it.

Senator Thomas asked the Commissioner to elaborate on fuller State support as in Nome, and Commissioner Lind said what he

meant was that if funding was made available for small secondary programs around the State, he felt the State's level of support had to be equal to what they were doing at such places as Nome. He felt they had to work for a degree of equality in funding. Also, along with this, he said he felt it was necessary to look at the BIA schools and work out an arrangement to pick up those schools so that there is not a big load dropped on the State at one time.

Senator Thomas asked if the Governor was going to ask for one hundred percent support for the foundation program this year and Commissioner Lind said no -- there were very complex issues involved in this. He felt the biggest problem was how they would work out the equalization formula.

EDUCA-
TIONAL
T.V.

Senator Croft asked Commissioner Lind if he would care to comment on educational T.V. Commissioner Lind said they were working closely with ATSF, which is being handled out of the Governor's office and are extremely interested in it from two standpoints: (1) How does the technology lend itself to educational use throughout Alaska, and (2) what kind of reaction is received from teachers and students. He said they were also looking for ways to tie into the Canadian Satellite system. He said he would like to see one State-wide system for media distribution in one central location, and he felt it should be a central library--he did not feel libraries were for books only.

PIPELINE Senator Croft said the Anchorage Senators had met recently
IMPACT RE:
EDUCATION with representatives of the Borough School District about
their legislative program and they had given the Senators
various figures about increased costs, etc., but did not
really address the impact of pipeline construction or influx
of students....they felt they did not have enough information
for this, and several legislators asked them to get the facts.
Senator Croft asked if the Department was working on costs
along these lines. Commissioner Lind replied that they were
working with the office of planning and research and Governor's
office, and were trying to estimate the number of additional
students for various areas. He then discussed possible solu-
tions to the impact problem, such as double-shifting, opera-
tional cost determination and distribution of funds, construc-
tion of buildings in Valdez and other areas, and stated that
he felt the impact would be greatest in Valdez and Fairbanks.

RURAL
SCHOOLS Senator Hensley asked if there was redrafting being done on
the agreement between the State and BIA on the rural schools?
Commissioner Lind said it was being examined and needed to be
redrafted as the last edition was 1968.

S.O.S. Senator Hensley asked about the schools in the Kobuk Valley--
if SOS was going to try and get monies in the budget for
necessary materials for the schools during this session.
Commissioner Lind said yes, and that they were working on
plans as to how to tie these three schools together. He said

it would be necessary to have a sharing and transfer of people to be able to have the type of program they want. Teachers could be shared between the schools so that adequate programs could be available to the students. Senator Hensley asked if a bond issue had been recommended this year and the Commissioner said no, but there was a request from SOS for construction of additional facilities. Senator Sackett asked if that was where requests usually come from and the Commissioner said yes. Senator Sackett asked if the Department had any schools this year that will be transferred to the BIA and the Commissioner said he was not sure but thought SOS and the Bureau would be entering into a transfer agreement in those communities where the high schools would be opening next year.

Senator Thomas said that since it was almost time for the Session to begin, it would be necessary to adjourn the meeting. Meeting adjourned at 9:55 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

February 7, 1974

8:30 a.m.

PRESENT: Senators Thomas, Croft, Sackett and Hensley. Also present was Mr. John Spencer, attorney from Anchorage.

SB 305 Senator Thomas called the meeting to order at 8:40 a.m. and asked the Committee what they would like to do about SB 305 and SB 307 in light of the testimony given at the committee meeting on February 5. He suggested that the terminology in SB 305 to include "narcotic, stimulant, hallucinogenic, or depressant drugs" not be included as he felt it would be unworkable. He suggested that the current language (driving a motor vehicle while under the influence of intoxicating liquor) be retained and possibly increase the penalties. Senator Croft said he would like to have one of the city court judges from Anchorage appear before the Committee and give his views. There was discussion as to whether one of the Judges would be able to come to Juneau to testify. Senator Thomas asked the Staff Assistant to check on this, and also suggested that a local judge be asked to come testify. Senator Croft stated he would also like to have someone from the Office of Alcoholism testify on this bill. There was some discussion of possible changes to the penalty section, but it was decided to withhold action until testimony could be heard from a local and/or Anchorage judge.

SB 307 Senator Thomas asked what was being changed specifically in SB 307 and the Staff Assistant stated the wording "not less than" was being inserted, and the penalties were broken down for first, second and subsequent offenses rather than consolidated. Senator Thomas said he felt this should be deferred until such time as testimony was obtained from the judges. The committee was in agreement.

SB 264 Senator Thomas directed the Committee's attention to SB 264 relating to an appropriation for WAMI and asked the Committee for their opinion on this bill. Senator Croft stated the University of Washington is becoming crowded and there had been some pressure to restrict attendance to Washington State residents only. The thinking behind this bill was that if Alaska continued participation in the program by this appropriation of \$100,000, attendance for Alaskan students would be assured. It was pointed out that there are ten students participating in the medical studies at the University of Washington this year. The Staff Assistant passed out copies of figures showing how monies had been allocated for the University of Alaska and WAMI and said in the past it had been difficult to determine where monies allocated to U. of A. for WAMI had been spent. Senator Croft explained to the Committee that this special appropriation would allow the Department of Administration to have some control over the monies for WAMI, and he moved that the bill be passed out of Committee with a do pass recommendation. The Committee was in unanimous agreement.

SB 344 Senator Thomas said he had been unable to reach Senator Palmer to have him testify on SB 344, and since Senator Harris, one of the co-sponsors of the bill was out of town, that discussion of this bill should be deferred until the next meeting of the Committee. Other members were in agreement.

SB 327 Senator Thomas stated that SB 327 was similar to Senator Ray's
& SB 310 bill, SB 310, and felt this bill could be discussed and handled when the Committee takes up SB 310 next week. There was some discussion concerning paragraph (b) of the proposed substitute (by the Department of Health & Social Services) for SB 310. Senator Sackett felt paragraph (b) changed the concept of payments and he stated he wanted to be sure a minimum payment was included in the bill. There was further discussion concerning paragraph (b), and it was agreed further research was necessary on this subject. It was also pointed out that it would be necessary to wait until the fiscal note was prepared before further discussion of the bill.

HB 398 Senator Thomas introduced Mr. John Spencer, an attorney from Anchorage, and stated Mr. Spencer would like to give his views on the alcoholic problem. Senator Thomas stated it was his understanding that the Municipal League was preparing proposed legislation concerning this problem. He said the Committee had HB 398 before it, which seemed to turn the whole thing around so the Department would no longer be obligated to take care of alcoholics, and also that arrests and/or detention of

alcoholics by peace officers would be at their discretion. He asked Mr. Spencer to give the Committee the city's views on this problem.

Mr. Spencer stated his comments would not be restricted to the city's viewpoint, since he was also Chairman of the Legislative Committee of the Municipal League, and a bill was being drafted which expressed their solution to these problems. He stated the proposed legislation should be ready in a few days. Mr. Spencer stated their attitude was not to repeal the Uniform Alcoholism Act but to make it more workable as they felt the Department of Health & Social Services was not doing their job. He said he had talked to Commissioner McGinnis about this and that the Commissioner told him there were not enough funds available to handle the problems effectively. Mr. Spencer gave extensive testimony concerning the problems of caring for alcoholics. He felt facilities were needed where intoxicated people could be taken care of without being arrested and placed in jail for some alcohol-related infraction of the law. He felt the doctors and hospitals were not receptive to the fact that alcoholism was an illness and did not want to treat alcoholics. Mr. Spencer stated it was necessary for funds to be provided for treatment centers where counseling and medical help would be available. He felt if this was done, many of the problems with the present statutes would be minimized. Senator Croft stated he had requested drafting be done on a bill to provide funds for such facilities, and Senator Thomas said the Committee should ask

Commissioner McGinnis if any monies had been put into his budget this year for such treatment centers.

Meeting adjourned at 9:30 a.m.

SECRETARY'S NOTE: Prior to the meeting, Senator Hensley requested a meeting of the Committee for Tuesday morning, February 12, to hear testimony on SB 320.

BUDGET COMPONENT 45 12-1-03-14-00 BUDGET REQUEST UNIT 45 12-1-03-00-00 AGENCY UNIVERSITY OF ALASKA

LOCATION	CATEGORY	POST	PROGRAM	SUB-PROGRAM	ELEMENT	SUB-ELEMENT	FISCAL YEAR 1973		FY 1974		FISCAL YEAR 1975	
							LEG. APPROP.	FINAL AUTH.	MAINTENANCE	CHANGE	REQUEST	GOV. BUDGT
PERSONAL SERVICES			14.6	2.6	1.8		15.3	16.8	16.8	16.5		
TRAVEL			5.6	3.6	3.8		5.7	7.3	1.8-	5.5	5.5	
CONTRACTUAL SERVICES			4.7	2.7	2.3		3.1	4.2	1.0-	3.2	3.2	
COMMODITIES			2.0	2.0	.2		2.0	4.5		4.5	4.5	
EQUIPMENT			6.0	6.0	5.2		5.0	2.0		2.0	2.0	
LANDS, BUILDINGS, IMPROVEMENTS							14.4	16.5		16.5	16.5	
GRANTS, CLAIMS, SHARED REVENUE												
MISCELLANEOUS			16.7	2.7	1.9		2.7	1.5		1.5	1.5	
According to Bgt & Mgmt			49.6	19.6	15.2		48.2	52.8	2.8-	50.0	49.7	
INTER-AGENCY TRANSFERS			4.6	?	?		4.9 - Auth					
Not A WORKING BUDGET							4.4 - Planned expenditure					
FEDERAL RECEIPTS												
REQUIRED GEN. FUND MATCHING												
OTHER GENERAL FUND			4.6	25.4-	32.2-		4.4	4.6	2.8-	1.8	22.7	
INTER-AGENCY RECEIPTS												
U. OF A. OVERHEADS			45.0	45.0	47.4		43.8	48.2		48.2	27.0	
OTHER-												
OTHER-												
OTHER-												
POSITIONS												
PERMANENT FULL TIME												
PERMANENT PART TIME			.5	.3	.2		.5	.5		.5	.5	
TEMPORARY (FULL TIME EQUIV.)												
NUMBER OF MAN-MONTHS			6.0	3.6	2.4		6.0	6.0		6.0	6.0	

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

February 11, 1974

9:00 a.m.

PRESENT: All Senators present. Also present to testify from the Department of Health & Social Services were: Commissioner Frederick P. McGinnis, Deputy Commissioner James F. McClain, and Charles Ramage, Alcoholism Office.

HB 398 Senator Thomas called the meeting to order at 9:15 a.m. and asked the Commissioner, Mr. McGinnis, to give the Committee his views on HB 398. The Commissioner stated it was his understanding that HB 398 was developed by the House HESS Committee and that there was Departmental concern as to whether the State should render direct aid or provide local entities funds to provide for aid to combat alcoholism problems. He stated another concern was from law enforcement officials, having to do with their ability to hold someone for a 48 hour period. The Commissioner discussed these points and told the Committee he felt the State would be very ill advised to render direct aid or services, but should provide funds for local communities to do so. Senator Thomas told the Commissioner that the intent of the bill had been to have the State responsible. The Commissioner did not seem to be aware that this had been the intent of the bill, and stated this would require new funding procedures and a new look at the problem from the Department's viewpoint. Senator Thomas asked the Commissioner what affect there would be on the

Federal matching funds and Mr. Ramage responded that the Hughes Act does not require the State's to render direct aid.

Senator Croft asked the Commissioner to give the Committee his reasons for not wanting the State to render direct aid. Commissioner McGinnis felt the local communities would be more aware of the problems in their area, and thus would be more capable of handling them than could be done from Juneau. He felt the State could set standards and manage the funding, but that the actual direct services should be done on a local level. There was extensive discussion concerning local communities where it was desired that State assume responsibility for various reasons, primarily lack of finances and facilities. Senator Sackett asked what percentage matching funds were required by local communities and Mr. Ramage stated it was 25 percent.

Senator Croft stated he felt some kind of grant program to enable the communities to provide facilities was necessary. Commissioner McGinnis stated if funds were available to assist the local governments in building facilities, the Department would have no objection, but he did not want to see the State be responsible for direct treatment. There was extensive discussion concerning building facilities, cooperating with other agencies and sharing of facilities, and then discussion of the problem where no other facilities were available.

Senator Thomas asked the Commissioner to give his views on the portion of the bill pertaining to arrests, and if he thought they had found some solution to this problem. The Commissioner stated he felt the Committee should solicit information from law enforcement officials as he had not heard anything in the past few months in regard to this problem. Senator Harris stated that hearings had been held last summer by the Drug Abuse Committee and it was evident at that time that this still was very much a problem for law enforcement agencies.

There was further discussion concerning the 25 percent matching funds by local communities and Commissioner McGinnis stated that percentage was not necessarily a cash match, but "in kind". He also stated that the percentage figure might be adjusted on a population basis, which would help the small villages. He stated the Department would have no objection to a change in the formula so that the smaller villages would be able to come up with matching funds in some proportion.

Meeting adjourned at 10:00 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

February 12, 1974

8:30 a.m.

PRESENT: All Committee members. Present to testify on SB 320 were Mr. Lee Hayes from S.O.S., Mr. Emil Kowalczyk, Area Director of the B.I.A., and Mr. Bill Thompson from the Department of Education. Also present to testify from the Department of Health & Social Services were Commissioner McGinnis and Deputy Commissioner McClain.

SB 320 Senator Thomas called the meeting to order and stated the Committee would first consider SB 320. He asked why the State should rebuild this school if it was a BIA school. Mr. Hayes explained that SOS had the school under a use permit with the BIA, and that the terms of the permit were such that the State must carry a certain amount of insurance (in this case \$60,000) and that after a catastrophe of this sort, the BIA had no monies other than the insurance with which the school at Deering could be rebuilt. Mr. Kowalczyk stated that the BIA was unable to transfer title to the school until legal issues were resolved (Alaska Native Claims Settlement Act), but had issued the State a use permit. Under the terms of this permit, the State was responsible for damages to the school. Mr. Hayes told the Committee he understood from the Department of Administration that even though \$60,000 insurance had been required, that actually there had been close to \$130,000 in insurance and

that money was available to the State for reconstruction of the school. Senator Hensley expressed concern about construction of the school, and whether it would be possible to have a facility available for use by next fall. He asked if the \$400,000 would be sufficient to provide adequate facilities and Mr. Hayes gave approximate cost figures for the structure, roughly \$100 to \$120 per square foot. He was concerned about being able to bring water and sewer facilities up to State standards. There was further discussion concerning what was being done now with the students and it was explained that one building had not burned and classes were being held--double shifting--in that building.

Senator Croft moved that the bill be passed out of Committee with a do pass recommendation. There were no objections.

GENERAL
HEALTH &
SOCIAL
SERVICES

Senator Thomas said he had asked Commissioner McGinnis to appear and give testimony on some of the bills before the Committee, as well as his general view of Health & Social Service legislation. He asked the Commissioner for his views on the runaway minor bill which is now in Senator Ziegler's Judiciary Committee. Mr. McGinnis stated he felt the chronic runaway was a difficult problem and should be dealt with, but he did not feel the occasional runaway should be arrested and dealt with in the same manner as the chronic runaway. Senator Thomas asked Mr. McGinnis to give his thoughts to Senator Ziegler.

(SB 45)

(Medicaid)

Senator Thomas asked the Commissioner to give the Committee his thoughts on Medicaid. The Commissioner said he felt it was good--that more people were getting more services on a more equitable basis than ever before, at less cost to the State. He gave the Committee some facts and figures on this subject and stated that a comprehensive report on Medicaid would be submitted to the Committee within a few days--the report is now at the printers.

(Pipeline Impact)

Senator Thomas asked the Commissioner what the Department was doing about pipeline impact. Mr. McGinnis stated they had requested additional space and staff for the Anchorage area, they have started intensive training for both new and old staff, and they were planning to request the same for the Fairbanks area. The Department was trying to plan ahead and determine which communities would actually be impacted and what their needs would be.

SB 251

Senator Thomas asked about Health Maintenance Organizations and Mr. McGinnis stated the Department had no objection to the bill, but commented that the cash reserve needed to set up HMO's might be excessive in some cases and suggested a bond might be written to cover this, without having to tie up cash reserves. He stated he felt that HMO's could actually be formed under existing statutes, but he had no objection to the bill and felt every State should be able to organize HMO's.

Langdon
Clinic &
Methodone
Treatment

Senator Croft asked Commissioner McGinnis about the Langdon Clinic in Anchorage and if it was now operating. Mr. McGinnis stated they had been given an extension since the last inspection showed the clinic had cleared up the deficiencies, and that the Department would extend funding until June 30 if no new problems arose. There was extensive discussion on the clinic and methodone as a treatment. The Commissioner pointed out that the clinic deals with only 25 people and that according to the Anchorage Borough there are approximately 500 heroin addicts needing treatment. He said he had talked to officials in the borough in Anchorage to see what they were going to do about the problem, but no answers were forthcoming at the present time. He stated he felt the Department should supply funding, when available, and set standards, but that the local communities should be giving direct aid. Senator Croft asked if the Department had any figures on expense per person for the Langdon Clinic and the Commissioner indicated the Department would furnish this information to the Committee.

SB 288

Senator Thomas asked the Commissioner for his views on creating a Department of Health and Mr. McGinnis said he did not feel it was in the public interest to create a new Department. He felt this would be a step backward 20 years. There was extensive discussion on a separate department and the administration of such department being in the hands of doctors vs. administrators. He gave the Committee statistics on states who presently have departments of health vs. those

under the "umbrella" concept as Alaska is now, and the Commissioner did not feel it was in the State's best interest to pass this bill. (36 States have "umbrella" agency; 19 of the 36 have health department as part of the "umbrella" agency; rest of States have separate department of health.)

SB 299

Senator Thomas asked about work furloughs for prisoners and Mr. McGinnis stated he did not feel the Court should make those decisions--he did not feel they were adequately staffed to handle such a program. He stated the Department would have a report on this program within a week or ten days, which would be made available to the Committee.

SB 321

Senator Thomas asked for comments on amending the Uniform Narcotic Drug Act and Commissioner McGinnis stated he would like to defer testimony on that bill until he was able to study it further. There was no objection by the Committee.

SB 328

Senator Thomas asked for comments on SB 328 and the Commissioner stated he was wholeheartedly in agreement with this bill. He felt it was imperative to have funds provided for research and planning, especially in a Department where so many different programs were carried out. There was discussion pertaining to the percentage of budget that should be used for planning and evaluation, and whether this should apply only to the Department of Health & Social Services or all Departments; whether the percentage should

be 2%, 1% or 0.5%. After further discussion, Senator Croft moved that the bill be passed out of Committee with individual recommendations. There was no objection.

SCR 14

Senator Croft asked for comments on SCR 14 and Mr. McGinnis stated the Department was in support of the bill and felt such a study was long overdue. Senator Croft moved that the Committee pass this Resolution out of committee with a do pass recommendation with an amendment to add: "and to the First Session of the Ninth State Legislature" on Page 2, Line 1. There were no objections.

GENERAL
(SB 310
& SB 344)

Commissioner McGinnis stated the Department would prepare position papers on the various bills in Committee. Senator Thomas reminded Deputy Commissioner McClain that the Committee was waiting for the fiscal note for SB 310, and Mr. McClain said it would be available in a few days. Senator Thomas asked about SB 344 and Mr. McClain said there was a slight change in the language of the bill that the Department would like to submit for consideration by the Committee and it would be ready for review in a couple of days.

Meeting adjourned at 9:50 a.m.

JOINT HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEES MEETING

February 13, 1974

1:30 p.m.

PRESENT: Senate HESS: All members; House HESS: Mrs. Beirne, Dr. Fritz, Mr. Wingrove, Mrs. Chance (possibly others came in)

Mrs. Beirne called the meeting to order and introduced Mrs. Marion Lampman of the Association of Hospitals, who introduced Mr. Paul Ramey, asking him to explain the proposed health agency center.

Mr. Ramey said in effect they would construct a building which would house all health agencies--specifically designed and located, and restricted to use of health agencies. He went into great detail concerning the concept, planning, designing and funding of such a center. He stated that if the State would fund the feasibility study, the actual funding for the rest of the project could be acquired from national philanthropic organizations and the federal government.

Mrs. Lampman then introduced their Legislative Chairman, Gary ~~WANGZMO~~, who discussed various bills and their opinions concerning those bills. Summary of his comments is listed below:

SB 32 - Indicated support

HB 114 - Do not support.

HB 280 - Extremely expensive bill to administer so
do not support.

HB 285 - Support this program. (Passed both bodies and
sent to Governor.)

HB 288 - Endorse this program.

HB 302 - Felt this not needed.

HB 552 - Good concept but not needed.

HB 306 - Do not support this bill.

HB 307 - Do not support this bill.

HB 358 - Would like to drop this one and replace it
with HB 549 or SB 329.

HB 438 and/or SB 438 - Do not support.

HB 548 and/or SB 328 - Support on preliminary basis.

HB 440 and/or SB 264 - Endorse this bill.

HB 441 and/or SB 263 - Endorse this bill.

HB 112 (also proposed Hospital Assoc. Bill) - Certificate
of Need - Support this--feel it very necessary.

(Senator Thomas and secretary had to leave meeting at this
point -- Association of Hospitals supposed to furnish their
written comments on above legislation and any other discussed
at meeting after we left.)

JOINT HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEES MEETING

February 14, 1974

1:30 p.m.

PRESENT: Senate Hess: All members; House Hess: Rep. Beirne, Fritz, Wingrove, Malone, Hackney & Hartig.

Senator Thomas called the meeting to order and introduced Dr. Darnell of the Center for Northern Educational Research, University of Alaska, who prepared the Interim Committee on Prehigher Education report and recommendations.

Dr. Darnell went over the report and recommendations briefly for the Committee. Dr. Darnell felt it was important for the Legislature to give direction to the Departments--possibly through a Resolution--but recommended that legislation per se not be drawn up at this time. He felt that the Departments of Education and Community & Regional Affairs could work together to implement the recommendations in the report. He also suggested that the Department of Education set up a separate division to handle this problem. He felt it was necessary for representatives from each Department to work together out "in the field" to instruct the local communities in how to set up school districts, how to organize, to teach them the mechanics and bookkeeping necessary, etc., but that the decisions as to the form of educational priorities and school districts should come from the local communities and not be directed by the State.

Commissioner Lind stated he felt the report and recommendations were excellent and agreed with Dr. Darnell that the matter could be handled without specific legislation; possibly a Resolution that would direct the Department. Mr. Lind felt there was a large problem with the on-base schools and discussed their problems, the concern of the military in general, and how their problems and concerns could be alleviated. He then discussed the funding necessary, and the complications with federal funds. He felt that SOS could continue applying for the funds until such time as they are phased out of control and at that time the Department of Education could apply for the 874 funds. He did not see any problem with this arrangement. There was extensive discussion concerning the on-base schools, decentralization of SOS and how best this could be accomplished.

Mr. Stan Freese stated the military did not want to merge into civilian schools, but wanted to have their own schools with local control. There was extensive discussion concerning the military, on-base school problem.

Mr. Peter Partrow from the Department of Law testified that in his opinion the existing statutes allow the Department of Education to contract with another Department or school districts for services, so that the recommendation could be implemented. He had reservations on funding problems and other problem areas and felt a Resolution should be drawn to show legislative intent, as well as having a committee report attached.

There was extensive discussion concerning the mechanics of solving the SOS decentralization, the phasing out of BIA schools, the local entities assuming local control, and funding matters.

Dr. Darnell told the Committee he felt C.N.E.R. should do a financial study of the schools and discussed the possibilities of undertaking such a study.

Meeting adjourned at 2:50 p.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

February 15, 1974

8:30 a.m.

PRESENT: All committee members. Also present were Dr. Frank Darnell, E. Dean Coon & Kathy Hecht of Center for Northern Educational Research, University of Alaska; Byron Mallott and Jack Chenoweth of the Department of Community and Regional Affairs; Robert Issac, Department of Education; Peter Partrow, Department of Law; Peter E. Flisock, Galena City Schools; E. W. Borgen, Sr., Ketchikan Pulp Company, and Janet Borgen; Stuart Hall, Legislative Affairs; and Bill Overstreet, Association of Alaska School Boards.

RURAL
SCHOOL
PROBLEMS

Senator Thomas stated that this meeting would be a continuation of the discussion held during the Joint H.E.S.S.

Committee Meeting on February 14, concerning the rural school problem. Senator Thomas asked why the Native Regional Corporations did not form boroughs and take the education problem in hand. He stated some of the urban areas do not understand why they do not want to form a tax base.

Dr. Darnell stated the regional corporation boundaries might not work for school districts, that the regional corporations were set up with profit motive in mind, that they have other charges to deal with, and are not necessarily social agencies. He felt that while the boundaries of regional corporations are recognized to be the most logical divisions of Alaska,

that they are not necessarily what school district boundaries should be. He felt local interests in the larger corporations vary quite widely and that the school districts should not cut across regional corporation lines.

Senator Thomas stated that the recommendations in the report were broken down in three phases with two years as a transitional period and he wondered why this shouldn't move more quickly.

Dr. Darnell felt that a two year period was needed for special physical considerations, time for the communities to establish its needs and desires, adequate training for those who will be in charge to know what school operations entail, and time for the whole community to become involved and know what to expect. He said he felt it was very important that a special division within the Department of Education be organized and that it be independent of the rest of the Departmental functions so it would not be bogged down with other functions in the Department--and suggested that this Division (or whatever it is called) might even be located out of Juneau.

There was extensive discussion concerning areas that were ready for immediate acceptance of responsibility for education; the pros and cons of areas establishing second class cities for purposes of taking on school districts only; and possibility of changing requirements of first class cities on a population basis so that the basic structuring of first and second class cities would remain the same, but the criteria would be less for becoming first class cities--as that relates to educational needs.

Senator Croft asked if an analysis had been made in regard to the legal aspects of the problem in regard to equalization of education. Dr. Darnell said that it had been taken into consideration, especially in the provisions of the local areas assuming authority, but that financing was a problem and that this had not been adequately studied. He would like to see a financial study done as a sequel to this report. There was further discussion on school boards asking for monies from the legislature, but not wanting any controls over where the monies were spent.

Senator Croft indicated he would be interested in seeing an evaluation of the success of SOS in terms of educational attainment, compared with BIA schools, rural school districts, with Anchorage schools--on a quantitative basis. Dr. Darnell felt it would be very difficult to compare the effectiveness of urban areas and rural areas generally; that it might be possible to compare specific things, but felt a comparison might be more of a disservice than service.

Senator Hensley said he was concerned about the possibility of small districts rather than large ones, because the larger districts might be more effective in getting things done. Dr. Darnell agreed with that and said he did not want to imply that the emergence of small districts rather than large borough districts would be better--that one type would be better than the other--but what they wanted to emphasize was that the emergence of school districts needs to be field initiated rather than laid down by the State.

Senator Thomas asked if that decision wouldn't actually come from the Department of Community & Regional Affairs, and Dr. Darnell answered in the affirmative and explained this was why they felt it imperative the Department of Community & Regional Affairs and Department of Education work closely together.

Mr. Mallott expressed concern about the possibility of establishing local governments to handle only educational needs and he felt the problem had to be looked at in the whole context of the well being of the people in the community. He was concerned about third class boroughs that carry on only educational functions and do not address the problem of what these area will need in other service areas. Senator Thomas asked Mr. Mallott if he did not think the third class borough might lead on to a full borough. Mr. Mallot said he wasn't against this -- only concerned whether a third class borough in this concept had any real meaning, and if it shouldn't be a transitional measure.

Senator Thomas said he had the feeling that if the legislature was not definite in defining the way it wanted the two Departments to act, that one might want to set up entities to handle education and the other might hold out until all other governmental services could be supplied, and that might take forever. Mr. Mallott said he was not opposed to the mechanism that would allow these needs to be met, but was

opposed to methods that would stop that development. Senator Thomas asked Mr. Mallott if he felt the two Departments could work together on this problem and Mr. Mallott said his Department had worked with the Education Department in the past -- that his Departmental policy had always been to gather information and provide help which would enable the local entities to settle their own problems -- and he did not foresee any problems in working with the Department of Education.

Senator Sackett introduced Mr. Peter Flisock from Galena City Schools and asked him to tell the Committee the problems his area was experiencing. Mr. Flisock gave extensive testimony on the problems in Galena: why they became a first class city; funding problems; concern of being incorporated into a third class borough; difficulty of operating schools, etc.; and expressed a desire for legislation that would enable any school under the size of twelve instructional units to receive \$50,000 from the State to help take care of utility costs in the schools. He also expressed the opinion that forcing school boundaries on the local people would be a disastrous step for the State to take. He also suggested that a program be set up at the University of Alaska whereby individuals from communities around the state could come and learn how to cope with the problems and technicalities of the schools and then return to their local communities and inform/rest of their community -- this in lieu of the two Departments

sending people from their respective Departments to the local communities. Senator Thomas said the Committee would take this suggestion under consideration.

Senator Thomas said he would like the Departments of Education and Community & Regional Affairs get together and propose draft legislation, whether by Resolution or otherwise, to implement the recommendations contained in the report.

Dr. Darnell gave the Committee copies of a CNER proposal for a study of School Finance Planning and also copies of a proposed Resolution for that study. Senator Sackett asked Dr. Darnell if he had draft legislation based on the recommendations in the report, and Senator Thomas explained that Stuart Hall of Legislative Affairs had been assigned to help the Committee with this problem.

Meeting adjourned at 9:45 a.m.

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE MEETING

February 19, 1974

9:00 a.m.

PRESENT: Senators Thomas, Harris, Sackett & Croft.

SB 324 Senator Thomas called the meeting to order and asked the committee to consider SB 324. There was a very brief discussion of the bill and Senator Harris moved that it be passed out of committee with a do pass recommendation. There was no objection.

SB 344 Senator Thomas then asked the committee to consider SB 344. He gave the committee members copies of suggested changes in the language of the bill received from Commissioner McGinnis. There was discussion on the changes in the language and it was decided to amend the language. Senator Harris moved that the committee draft a Committee Substitute to incorporate the language suggested by the Department of Health and Social Services and pass CSSB 344 out of committee with a do pass recommendation. There were no objections.

SB 321 Senator Thomas brought up SB 321, Amending the Uniform Narcotic Drug Act, and said there had been discussion in a previous meeting concerning having a hearing on this. He asked the committee for their thoughts on having such a hearing in Anchorage rather than in Juneau so that it might be possible to have some of the judges in attendance to

testify on their views concerning the drug problems. There was further discussion on this matter and a tentative date was set for a hearing in Anchorage by both Senate and House HESS Committees on March 1. The Staff Assistant was requested to contact the House HESS Committee to see if this would be agreeable with them; to contact Jamie Love, Family House, and the Department of Health & Social Services. Senator Harris stated he would contact the judges in Anchorage. The Staff Assistant will also obtain a place for the meeting and make all arrangements for the hearing.

Senator Thomas then reminded the Committee of upcoming meetings: With the Vocational Advisory Council at 8:00 a.m., February 20; Joint HESS meeting with the State Medical Association on February 21; and also informed the committee that he and Mrs. Beirne would be meeting with the SOS Board at 1:30 p.m. today and any member of the committee would be welcome to attend.

Senator Thomas informed the Committee he had asked for a study on teachers' retirement fund from the Department of Education and the study is supposed to be furnished by the end of this week. This was due to the fact that there are several teachers' retirement bills pending before the Committee at the present time.

Meeting adjourned at 9:15 a.m.

JOINT HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEES MEETING

February 21, 1974

1:30 p.m.

PRESENT: SENATE HESS: Senators Thomas and Harris

HOUSE HESS: Reps. Beirne, Fritz, Hackney & Petersen

ALASKA MEDICAL ASSOCIATION: Dr. Rod Wilson, Chairman of
Legislative Committee, and Doctors Albrecht, Fraser, Langdon,
and Wallner of Anchorage; Dr. Hedges of Juneau

DEPARTMENT OF HEALTH & SOCIAL SERVICES: Commissioner McGinnis,
Deputy Commissioner McClain, and Dr. Donald K. Freedman,
Director of Division of Public Health.

Senator Thomas called the meeting to order. Introductions
were made and then Dr. Wilson gave a brief summary of the
topics to be discussed.

No-fault insurance - Dr. Wilson stated the Association hoped
this would pass. He expressed concern that the free con-
ference committee might rewrite the dollar amount in the bill,
and felt if lowered it could no longer be considered "no fault".
He also expressed concern that the tort ceiling might be
changed.

SB 35

Treatment of alcoholism in group health plans - Dr. Wilson
said the Association favored this bill except for some minor
changes in wording concerning hospitals.

SB 359 Coverage for newborns - The Association is in favor of this bill and stated it was their understanding there would be no great increases in the costs, based on information from other states. They would like to have the bill passed this year. Senator Thomas requested Dr. Wilson to furnish the committee with statistics from other states on costs, etc.

SB 264 WAMI Program - Dr. Wilson stated he hoped the committees continued to look with favor on the WAMI program; that in the future the State would probably be asked to participate to a larger extent in the program. Senator Thomas said the bill had passed out of Senate HESS and was now in Senate Finance Committee. Representative Beirne said there was also a bill in the House.

Alaska Health Sciences Information Center (Medical Library) - Dr. Wilson felt this facility was used by many different agencies, not just the medical profession, and was a very important contribution to Anchorage. He said it had been mostly funded by the Public Health Service; some funds from other sources, such as the National Library of Medicine; but funds from State are increasing each year. Total amount needed this year is \$47,000, thus a supplemental appropriation has been requested for an additional \$17,000 (only \$30,000 in budget) which will provide the salaries for two of the six employees (other salaries are funded from other sources). Dr. Wilson said the facility is used by all Alaskans in all walks of life. Dr. Beirne asked Dr. Wilson

to furnish the committee with statistics showing how many doctors use the facility, from what parts of the State and Dr. Wilson stated that 80 percent of the doctors in the State use the library. He felt this was a very large percentage indeed, and hoped the committee would look favorably on this facility in light of extraordinary benefits for low cost.

Medicaid - Dr. Wilson distributed copies of a result of a survey done by the Chairman of their Medicaid Committee, Dr. Robert Whaley, on attitudes concerning the Medicaid program. Report showed patients represented about five to six percent of the doctors' practice. Also showed that the doctors' bills are discounted by 20 to 30 percent. It was also indicated that payments to doctors were "low and slow". There was discussion concerning the ^{survey} report and was determined at the time the survey was made, payments to doctors were slow, but the problem had been rectified and at the present time, payments are made within eleven days of receipt of bills. There was further discussion concerning the doctors getting their bills in sooner for payment, particularly at the end of the year. Dr. John Dalton, Medical Officer for the Division of Medical Assistance stated that the law requires that they pay no more than what Medicare pays for similiar services and they do pay 100 percent of that figure.

SB 74 &
HB 44

Coroner's Inquests - Dr. Wilson said this bill would replace coroners determining cause of death with a modern medical

examiner. He felt the bill should be delayed for a year to enable the Association to work on the bill a little more. They were not satisfied with it as it was.

SB 251 H.M.O.'s - Dr. Wilson stated the Association was against this bill as it is written. They were not against H.M.O.'s and encourage the development of H.M.O.'s, but did not feel the bill was needed. He felt the federal legislation would supersede the state legislation anyway, and he felt this particular bill would discourage rather than encourage H.M.O.'s. Rep. Beirne stated that the Legislative Council is working on this--that Region 10 had indicated the federal legislation did not prohibit state's from having an enabling act and guidelines. There was further discussion concerning this subject -- Commissioner McGinnis stated he had been told the bill was needed, that state guidelines were needed in formation of H.M.O.'s.

HB 280 Alaska health security plan for catastrophe health insurance; establishing Health Security Commission - Dr. Wilson stated the Association was against this bill. He felt it was unwise for the state to get in this business this year because of pending federal legislation.

HB 112 Certificate of Need - The Association disfavors this bill.

SB 288 Creation of separate Department of Health - Extensive testimony was given by Dr. C. Earl Albrecht (copy attached). Dr. Langdon

stated there were differences of opinion in the Association concerning this bill. Some support the bill, others do not. He felt there were two points of contention in the bill: one was the Administrative Board concept and the other was taking the part of the Department; however he felt the Board was the major problem. He felt it was imperative that the Board members should not serve at the pleasure of the Governor, but should serve for five or six year terms and only be removed for cause. He felt the Department should be kept together as the "umbrella" concept, with possibly a policy making board. Senator Thomas asked about the advisory board the Department had now under the present set-up, and Dr. Langdon stated he was talking about an administrative board--a policy making board. Senator Thomas asked how many states had separate Departments of Health now and what the trend was. Dr. Albrecht said there were twenty-some-odd states with separate departments now; that the trend had been to have more "umbrella" departments formed but he felt their effectiveness has gone down. There was further discussion concerning funding of a separate department, and present budget figures for health programs in the Department of Health & Social Services. Mr. McGinnis stated that the present budget for all health programs was approximately \$61,000,000 and he suspected that \$70,000,000 for health programs throughout the State would not be far wrong. Rep. Fritz stated he felt the testimony given by Comm. McGinnis favored the creation of a separate Department of Health. Dr. Wilson said in the past Departments of Health helped to control infectious

diseases and that is not really needed now, and that as new programs are needed it must be decided which had priority. He felt it was imperative that there be a professional board to determine these needs and priorities.

SB 267 Health education - Dr. Langdon read a statement prepared by his wife, presently President of the State P.T.A., stating that health education was badly needed in the schools, but that she felt SB 267 would not begin to accomplish the desired results. Dr. Langdon said she suggested a Resolution encouraging the development of health education and making funding possible would be more appropriate than a mandatory bill. Dr. Wilson said he felt health education was an appropriate topic in the schools, but felt it was unwise to specify family (or whatever) topics. He felt the topics to be discussed in the schools should be anatomy and physiology--structure and function of the body--students should grow up knowing what it is and how it works, and these subjects can be taught effectively and interestingly in all grade levels. He agreed that this should be done by Resolution rather than mandatory bill. Dr. Fraser stated she felt it was most important to have preventive education--students should learn how to take care of themselves, and that there should be a closer working relationship between the doctors and schools. There was extensive discussion concerning this subject.

HCR 43
(1973)

Dr. Wilson urged support for several health-related resolutions, such as HCR 43 from 1973 pertaining to stretchers of a uniform

type in public buildings and hospitals for use in times of disasters.

GENERAL Dr. Wilson said they were also in favor of having more medical programs in the pioneer homes; that the Association was in favor of the Resolution introduced last year concerning health planning--he felt that all doctors and all health agencies should be talking together and planning what to do about health problems.

HB 358
SB 329 Community mental health clinics - Dr. Langdon stated the Association, in general, was in favor of this bill, but he personally did not feel it was needed due to the advent of Medicaid.

HCR 43
(1973) Rep. Beirne stated that the Hospital Association had indicated there was no need for this bill. Dr. Fritz explained this was emergency equipment for use in times of disasters. He gave an example of an airplane crash where many lives were lost because stretchers were not available and they could not get them in time.

Meeting adjourned at 3:00 p.m.

Testimony by Dr. C. Earl Albrecht, M.D. before the
Committees considering House Bill #438 "An Act Creating
the Department of Health, prescribing its organization,
powers and duties; and providing an effective date".

Thank you for the opportunity to appear before this committee. My testimony is in support of this bill in principle. There are some important modifications or amendments that I feel very strongly need to be changed. I will direct my remarks to these at a later time.

I am testifying on my own behalf and also as the current president of the Alaska Public Health Association. In the latter role I will be very specific as to the comments being made as the president of the Alaska Public Health Association.

It is my personal conviction that it would be desirable for the State of Alaska to establish a Board of Health as provided by the constitution in Section 26. Health is considered by all of us as a very precious possession and only when we lose it temporarily or for longer periods of time, do we realize in very clear perspective how valuable our health has been. The function of government is clearly defined in our constitution; namely, that the State shall promote and protect the public health in its broadest terms. This covers the maintenance of health as well as the delivery of health services. One responsibility of any department of health, therefore, is to maintain health and to prevent illness from becoming more serious or from occurring at all.

The responsibilities, programs and activities assigned to the Division of Health are of such importance that a separate department seems desirable so that a sharper focus on health can be achieved.

The promotion and protection of health is undergoing rapid advancement and change not only in Alaska but in every state as well as at the Federal level. A greater^{health} emphasis is developing and will intensify in the future. For example, Medicare was adopted recently, then came Medicaid, and now we are anticipating national health insurance. These many pressures for the change in the delivery of health services deserve the highest full time attention by the executive branch of government as well as the legislature. Such major responsibilities should be vested in a cabinet member as is provided for in this Bill.

Another reason that I advocate this change is the desirability of removing all of the health programs from the other social services and welfare functions. No matter how much one tries there is the indelible association between health and welfare when they are in the same department. The concept and the perceptions that people have in general is that in welfare, relief is given, public assistance is offered to a certain percentage of the population who are in need and are deserving of this type of assistance. However, when it comes to the administration of the public health, this reaches beyond the level of welfare need. It must be a service program to all people of the State without regard to the need for eligibility for welfare assistance. An argument against such separation is that social services are often needed by people who are not necessarily on relief or receiving assistance under the welfare programs. The ideal is to treat any person or individual to meet his physical, social and psychological needs in one package. There is no reason why a separate Department of Health cannot be concerned with a patient's physical, mental, psychological and indeed social service requirements. In many good departments

for example, there are medical social service staff to meet those special needs. Thus it is possible to offer the total services to any individual needing the services related to health. Furthermore, the Health Department can and would cooperate with this Department of Social Services whenever such needs exist in a patient coming to their attention.

It is my feeling that all of the health programs should be administered together thus pulling out the health programs from the Department of Health and Social Services. Health is an important program and is not a small part of a huge program as measured in dollars. I understand that the total Department of Health and Social Services budget this year may be in the neighbourhood of one hundred million dollars, whereas the total Health ^{Division} ~~Department~~ appropriation will be approximately six million dollars. This is a very small proportion of the total which causes an overshadowing by the huge appropriations that must go into the so-called social services or welfare programs. On the other hand, a Department with a budget of six million dollars and the many responsibilities assigned to such a Department of Health justifies Cabinet status and special consideration. This would not be a small department for there are several departments presently in our Alaskan State Government that are smaller but which do enjoy Cabinet status.

Another reason for a Department of Health is that this is a specialized type of governmental program. There is a close relationship with all of the programs in health administration which are included in the Bill before you. All of the Mental Hygiene programs would be carried out in a distinct Division. Other health related responsibilities deal with alcoholism and drug abuse. Health Services under Medicare and Medicaid would be included and

when National Health Insurance becomes a reality this would naturally be administered here. Thus all aspects of health would be conveniently housed in one Department with the Executive having Cabinet status.

My opinion and conviction for a separate department comes from having been an administrator at cabinet or assistant cabinet level in public health and mental health in three states with seven governors, four democrats and three republicans. I have also had the opportunity over the year of having personal knowledge of many of other state commissioners of health and am familiar with their programs. I have personal knowledge of the situation that has developed in some states where health has been a part of a large umbrella type Department such as we have in Alaska. Rarely do we find supporters of this type large administrative department among health administrators. In Pennsylvania attempts have been made to bring Health and Welfare Departments together but when it was attempted it was found not to be satisfactory largely because of the huge welfare program as compared to the Health Dept. primarily measured in dollars expended for the many varied programs. When one looks at the numerous programs presently housed in the Department of Health and Social Services, one is amazed at the broad scope of the many varied, complicated, difficult programs to administer.

To testify in support of this bill I recognize that it is pulling out a major portion of the present department. I hesitate to speak so firmly at the time when Commissioner Fred McGinnis is the responsible cabinet member for these programs. I have the greatest respect for him and find that he has done an outstanding and remarkable administrative piece of work with the numerous responsibilities and varied programs that he must administer. Not

everyone can always agree with any administrator and leader and I am sure that Commissioner McGinnis has at times not had agreement of all individuals. But let me make it very clear that any good administrator doing his job is subject to this in reality. I certainly wish to commend Commissioner McGinnis for the broad knowledge he has of his total department. I have heard him speak on several occasions when he has demonstrated a grasp of this large Department's scope of responsibility which can only be considered extraordinary and remarkable. My testimony today that all health programs should be grouped together into a distinct Department has no bearing whatsoever on the method that Commissioner McGinnis has administered his programs. I am looking at the long range value to Alaska citizens of the establishment of a Department of Health.

As the president of the Alaska Public Health Association I have requested comments from the membership ^(about 200) and I have received a fair number who have objected to two features of the bill in its present form. One of them deals with the requirement that at least four of the members shall be medical or osteopathic physicians licensed to practice in this state. On this point there is strong objection that the majority of the members be physicians. I am in agreement. The Board of Health should have competent concerned persons representing the Medical, ^{Dental} Nursing, Public Health and Allied Health professions as well as other deliverers of medical services such as the hospitals, nursing homes and the Voluntary Agencies. Finally, the consumer or non provider should have a voice on this board. I believe that there would be very little objection if two physicians were on the board since as a profession they are a pivotal factor in all aspects of medicine and the delivery of Health Service. The membership of the Board of Health is a detail of importance that this

legislative body can in its wisdom determine , one which certainly will be in the best interests of Alaska.

The other point about which there is objection and in which I concur is that the commissioner of health shall be a medical or osteopathic physician. I feel that this section should be amended as do a substantial number of the Alaska Public Health Association membership. Here again, I feel that if a competent board is appointed they will seek someone who has administrative ability, competence in public health, in mental hygiene, as well as the other program fields that he will administer. More than likely this will be a physician who has administrative experience and competence. This has been the pattern in the U.S. for many years at the state level; in fact at the present time with only one exception physician administrators serve as the Executives of the Departments of Health. Whether or not the qualification of the Commissioner of Health should be enumerated in the legislation is a matter for the legislature to decide. Certainly a competent Board of Health will appoint a well qualified executive.

In summary then I would say for myself that I am in favour of the passage of HB #438 with the two changes which I have suggested. Similarly I feel that a large number of the Alaska Public Health Association membership would be in favour of the concept of having all the health programs of our state government brought together into one new department with a section 26 board as the administrative body which would have the authority as stated in the constitution to appoint the executive officer with the approval of the governor. Some of the membership have also desired the two changes be made which have been described above. Finally, there are some members of the Alaska Public Health Association who do not wish any change from the present umbrella concept and the legislature may indeed hear from them

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE MEETING

February 25, 1974

8:30 a.m.

PRESENT: All committee members. Also present were: Mr. Robert Gates, Retirement & Benefits Division, Department of Administration; Mr. Robert C. Cooksey of NEA-Alaska; Mr. Robert Van Houte of NEA-Alaska.

Senator Thomas called the meeting to order and introduced Mr. Gates, and asked him to give the committee information on the teachers' retirement bills.

SB 342 Mr. Gates addressed himself first to SB 342, explaining that this bill should be passed in order to clarify the intent of bills passed last year (SB 101 and HB 65)--there was some doubt due to time element in passage of the bills last year--and SB 342 is merely a clarification of intent.

SB 384 Senator Thomas asked if the same thing couldn't be done by passage of SB 384 and Mr. Gates said that it could, but that there were no cost implications in SB 342, whereas there were in SB 384--that there was a considerable cost impact. He stated the total cost of SB 384 would be 96.6 million; it would reduce the retirement age from 60 to 55. Senator Thomas asked if there was any way to determine how many teachers would be eligible to retire at age 55. Mr. Gates stated there would be over 900 eligible, and further explained that the costs to local school districts would be approximately

\$343,000 and the remainder of \$729,000 would be the State's responsibility. He also explained that the percentage of 1.11 applies to the total payroll figure, so that the percentage figure does not change, although in future years the dollar amounts would change as they are dependent on total payroll.

Senator Thomas indicated he had been told that the Association of School Boards were in favor of SB 384.

Mr. Cooksey said NEA favored passage of SB 384 and also brought out that the cost figures that Mr. Gates had given was based on the premise that all 900 eligible teachers would retire and he did not think they all would.

Mr. Gates explained that there was no way to determine just how many of the 900 would retire, but that it was necessary to set aside the money in the event they elected to do so.

SB 362 Mr. Gates then addressed himself to SB 362. He stated this bill was somewhat confusing as it showed a reduction in service from 30 to 20 years, when in reality it should be from 25 to 20 years--pointing out again that SB 342 was needed to clarify that point. Mr. Gates stated that under this bill, there was no change in employees' contribution, but that the employer's rate would go from 11.22 percent (current) to 14.77 percent--an increase of 3.55 percent of covered payroll for \$3,429,000. The breakdown for local school districts

would be \$1,097,000 and the State's responsibility would be \$2,332,000. Mr. Gates also pointed out that the present system enables a teacher to have ten years prior service in another State, so that this legislation could enable a teacher who has taught in the State only 10 years, and who has 10 years prior service, to have fulfilled this creditable service requirement. He also pointed out that there is presently a provision that makes this retroactive to those who have already retired, so anyone who had a reduction previously, would have to be adjusted.

Senator Croft asked Mr. Gates if he knew how many teachers would be eligible to retire under this bill and he stated there were 512. Senator Croft pointed out there were almost twice as many under SB 384, but that SB 362 costs more and asked him to explain where SB 384 allocates any portion of the increased cost to the teachers, and that he could not understand the great variance between the two bills. Mr. Gates responded that SB 384 does not reduce the number of years of participation. There was further discussion on the differences in the two bills. Senator Thomas said the Anchorage School Board had informed him this would be a big problem for them unless the State allocated more funds as there was already a deficit in their budget.

Mr. Cooksey stated that if some teachers retired and were replaced by lower paid teachers, then the school boards might not have a funding problem.

There was extensive discussion on whether to move all of the teachers' retirement bills out of committee and on to finance, or just one or two of them. After discussion it was decided to hold the bills until information could be obtained from the Association of School Boards and teachers and other interested parties, and then to try and combine all the desired features of each bill into one bill.

SB 343 Mr. Gates stated that SB 343 essentially removes a former maximum percentage that could be granted in the post-retirement adjustment. He felt there was a conflict as to what cost of living index was to be used in determining a cost of living raise. Mr. Van Houte suggested that the Consumer Price Index be used and suggested this wording ^{it} could be incorporated into the bill by adding/after U. S. Bureau of Labor Statistics, since the Consumer Price Index was put out by them. Mr. Gates also stated that the bill as drafted would not present a funding problem as it is not mandatory funding under the present law. He did inform the committee that a bill introduced in the House would make the funding mandatory, but SB 343 does not.

Senator Sackett asked if the different organizations that are supporting this bill realize it is not mandatory and Mr. Van Houte said he felt they wanted to get the 1-1/2 percentage limitation removed.

It was decided to hold this bill also and to incorporate all

desirable features, if possible, into one bill.

Senator Thomas announced that the Committee would meet at 8:30 a.m. tomorrow morning (Feb. 26) to discuss the on-base school bills, SCR 25 and SB 405.

Meeting adjourned at 9:20 a.m.

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE MEETING

February 26, 1974

8:30 a.m.

PRESENT: Senators Thomas, Sackett, Croft and Hensley; Representatives Beirne, Hackney, Wingrove and Fritz.

Also present to testify were: Commissioner Marshall Lind, Department of Education; William Overstreet, Association of School Boards; and Stuart Hall, Legislative Affairs Agency.

SCR 25 Senator Thomas called the meeting to order and asked if there were any questions on the resolve clause in SCR 25. There were none, so Senator Thomas asked Commissioner Lind if the Fairbanks North Star Borough School District would have to incorporate the on-base schools within their district by next year, since there was nothing to so indicate in the Resolution. Commissioner Lind stated he had set up a meeting with the North Star Borough School District on Friday, March 8th to work out the problems and make all arrangements--he felt there would be no problems in solving this issue. Senator Thomas asked if there would be 100 percent funding of this absorption and Commissioner said yes--they were working on that now.

Senator Hensley expressed concern about any possible repercussion of funding on rural schools and Commissioner Lind stated he felt the opposite would be true. To alleviate Senator Hensley's concern, Senator Croft suggested an amendment

to SCR 25, page 2, line 28, to read: "provided that this level of funding will not impact rural education in Alaska." The Committee voted unanimously to pass SCR 25 out of committee with a do pass recommendation, with the above amendment.

SB 405 Senator Thomas then brought up SB 405 and asked Stuart Hall to explain the reason for this bill. Mr. Hall went into detail explaining that SB 405 was a "clean up" bill that basically revises the language that might have an inhibitive affect on a contract between the local school districts and the on-base schools. He said it also regularizes the election of the military school boards to the same time as the regular borough school board elections.

There was considerable discussion concerning the membership of the military advisory school board and election to that board. Mr. Hall brought out the fact that there was a question of Constitutionality if the State tried to regulate membership, or voting of the military, in regard to the advisory board.

After further discussion the Committee agreed to an amendment on page 2, line 1 -- remove "shall" and insert "only may". The Committee voted unanimously to pass SB 405 out of committee with a do pass recommendation, with the above amendment.

Meeting adjourned at 9:20 a.m.

JOINT HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

February 27, 1974

1:30 p.m.

PRESENT: Senators Thomas, Sackett, Hensley and Croft.
Representatives Beirne, Fritz, Wingrove, Hackney and Malone.
Present to testify from the Department of Health & Social Services were: Commissioner McGinnis, Deputy Commissioner McClain, Stanley Harris and Ray Pagenkopf (Division of Family & Children Services).

Also present to testify were: Mr. Donald E. Clocksin, Deputy Director, Alaska Legal Services; Mr. Vince Vitelli, Member of Governor's Advisory Board; and other interested parties.

Mrs. Beirne called the meeting to order, made the introductions, and asked for testimony on the social service bills.

SOCIAL
SERVICE
BILLS

Mr. Clocksin, Deputy Director for Alaska Legal Services, said he would like to give testimony in reference to: SB 263 (HB 441), SB 265, SB 310, SB 327 (HB 547), and SB 334 (HB 554). He felt it was imperative that a standard of need for Alaskan assistance payments be implemented and that the grant levels be commensurate with standard of need. As examples, he stated the standard of need for a mother and one child is presently \$300 per month, but that the grant level was \$125 per month; however, the adult programs (old age assistance) is currently \$250 per month--twice that of a mother and one child. Mr. Clocksin went into detail on the differences in the bills.

He stated he supported SB 334, with an amendment to reflect the standard of need and grant level would be the same.

Senator Croft asked if figures were available that reflected the increase of the various program levels. Mr. Pagenkopf informed the Committee the total figure for the current program was \$14,881,000 and the total figure would increase to \$17,730,000, an approximate increase of two million in the grant program. There was considerable discussion concerning the level of funding, the breakdown of this funding as it applied to SB 310 and SB 265 and the amount of increase in the program. Partial breakdown is as follows:

SB 310 - Monies in current budget	\$4,600,00
SB 265 - If SB 265 is incorporated as a portion of SB 310, with no limit on number of children - add to current budget	1,301,500
SB 265 - If SB 265 is incorporated as a portion of SB 310, with a limit of five children - add to current budget	528,300
Total needed in budget if SB 310 (with SB 265 incorporated) is passed	\$6,698,400

There was further discussion concerning these figures and Commissioner McGinnis stated the Department would have a fiscal note ready within a few days.

Mr. Vince Vitelli stated he felt it was very necessary for the committees, when considering these bills, to keep in mind a cost of living increase--possibly tied to the Consumers Price Index.

SB 263
(HB 441)

Mrs. Beirne asked Commissioner McGinnis for his views on these bills. The Commissioner stated he felt the \$350 was better than \$250 per month, but did not know whether the State could afford the increase. He stated a temporary waiver for the longevity bonus had now been obtained, extending it until December 1974, pending legislation in Congress to establish a permanent waiver for the longevity bonus. The Commissioner was requested to submit a fiscal note on these bills.

(Senator Thomas and Secretary left the meeting at this point.)

JOINT HEALTH, EDUCATION, & SOCIAL SERVICES COMMITTEE MEETING

February 28, 1974

1:30 p.m.

PRESENT: Senators Hensley, Harris and Croft; Representatives Beirne, Fritz, Wingrove, Peterson, Hackney
Mental Health Division: Joyce Munson & Buddy Eckles; Dr. Schrader, Director of Division of Mental Health; Commissioner McGinnis; Margaret Wolf from Welfare Advisory Committee, and Robert Gregovich, Coordinator, Office of Developmental Disabilities.

(Minutes typed from notes taken by Staff Assistant to Senate HESS Committee, Richard Hacker.)

MENTAL
HEALTH

The concept of community mental health was supported by everyone giving testimony at the meeting.

SB 329

Everyone testifying supported this bill, including Department of Health & Social Services. Mr. Howard Siple, Consultant for Interim Committee submitted a proposed amendment to SB 329 which would create an Advisory Board. There was discussion concerning the possibility of putting the passage of the bill in jeopardy if this amendment were included. There was other discussion indicating amendment should be included--that risk of failure was not too great. Commissioner McGinnis indicated the Department was not against the amendment, but felt the trend was not to have advisory boards.

B 333

Those testifying on this bill were in support of it. Mrs. Wolf was in support of the bill, but offered a proposed amendment setting out the make-up of the board and its powers.

Meeting adjourned at approximately 3:30 p.m.

HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE MEETING

March 1, 1974

9:00 a.m.

PRESENT: Senators Thomas, Harris, and Hensley

The Committee met briefly to go over bills that would be discussed at the hearing being held in Anchorage at 2:00 p.m. Friday afternoon (today), and to make certain all arrangements for the hearing were completed.

Richard Hacker, Staff Assistant, told the members he would be taking copies of all the bills for distribution at the hearing to interested parties. Mr. Hacker then gave the committee a brief summation of the text of the bills under discussion. These bills were:

- SB 15 Penalties--sale of drugs
- SB 120 Penalty for possession of cannabis
- SB 305 Driving while under influence of liquor or drugs
- SB 307 Penalties for driving while under influence of liquor or drugs
- SB 321 Amending the Uniform Narcotic Drug Act
- HB 89 Publishing of names of juveniles for certain offenses
- HB 571 Harboring of minors evading legal custody
- HB 572 Evasion of custody by minors

Meeting adjourned at 9:20 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

March 5, 1974

8:30 a.m.

PRESENT: Senators Thomas, Harris, Croft and Sackett.

Also present to testify were Commissioner McGinnis, Deputy Commissioner McClain, Stanley Harris and Ray Pagenkopf of the Department of Health & Social Services; and, Mr. Donald E. Clocksin, Deputy Director, Alaska Legal Services.

SB 310 Senator Thomas called the meeting to order and stated the Department of Health & Social Services had submitted a fiscal note for SB 310, which should be discussed at this time. He asked Richard Hacker, the Staff Assistant, to give the committee his suggestions concerning the wording of the bill and questions he might have pertaining to the fiscal note.

Mr. Hacker stated that if the Committee desired to equalize the grant level with the State assistance level, the bill would have to be changed to reflect that intent.. He then suggested wording which would establish that intent in the bill by establishing a floor as well as a ceiling.

Senator Thomas asked the Committee if they wanted to consider having a floor (or minimum payment) inserted in the bill. There was considerable discussion concerning the current and proposed payments under SB 310, and whether or not a floor

and ceiling (minimum and maximum) should be incorporated into the bill. Mr. Clocksin pointed out that unless wording was inserted into the bill concerning a cost of living adjustment, that the bill would probably have to be amended each year. Commissioner McGinnis stated he felt this would not be a problem, and that when dealing with monies of this amount, it probably should be reviewed each year. Senator Croft pointed out that wording could be inserted such as is used in SB 334, setting the minimum grant at the same level as the OEO guidelines.

In discussing the increased cost of SB 310 as reflected in the fiscal note, Commissioner McGinnis pointed out that the choices were either a supplemental appropriation, which he was not in favor of, or the Legislature would have to fund the difference between the Governor's bill and the proposed CSSB 310, incorporating Senator Ray's bill, SB 265, and recognizing the increased case load since the first estimates were made. The amount of this additional funding would depend on whether there would be a ceiling equal to the level of payment for five persons (\$996,300), or no ceiling (\$1,769,500). He stated the Department preferred to avoid supplemental appropriations if at all possible.

There was then considerable discussion pertaining to the \$500 per family assistance standard listed in the proposed CSSB 310, rather than using \$520 which is the proposed payment listed in the fiscal note for five persons. Mr. Harris stated that \$500 was used simply as an arbitrary cut-off figure. It

was the concensus of the Committee that this should be changed to \$520.

Commissioner McGinnis expressed concern that since the Federal regulations prohibit reduction in assistance payments, that there might be future problems after enactment of the bill, since anyone applying for assistance subsequent to the effective date of the bill might be receiving less assistance than those who are already receiving assistance. He did not know of any solution to this problem.

Senator Thomas asked Mr. Hacker to get together with the Department of Health & Social Services and go over the bill, incorporating the changes discussed, and to have a Committee Substitute drafted by Legislative Affairs; and he also asked the Department to update their fiscal note to show the increase from \$500 to \$520. Senator Thomas suggested the Committee meet in the morning (March 6) at 8:30 a.m. to make final disposition of the bill.

Meeting adjourned at 9:25 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

March 6, 1974

8:30 a.m.

PRESENT: Senators Thomas, Harris, Croft, Sackett & Hensley.

Present to testify from Department of Health & Social Services were: Commissioner McGinnis, Deputy Commissioner McClain, Stanley Harris, Ray Pagenkopf, and Lawrence Sullivan; also, Mr. Donald Clocksin, Deputy Director for Alaska Legal Services.

SB 278 Senator Thomas called the meeting to order and asked the committee to consider SB 278, Humane Treatment of Animals. Senator Thomas stated that the bill would help protect the health of animals, and was especially directed to those people who turn horses loose during the winter to fend for themselves. Senator Harris said he had no objection to the bill, but would like to contact someone whom he knew was interested in the bill. It was decided to hold the bill without further consideration until tomorrow morning's meeting.

SB 277 Senator Thomas asked the committee to consider SB 277, General Obligation Bonds for libraries, and asked Senator Croft if he had any comments concerning the bill. Senator Croft stated the figures had been supplied by the Library Association and also explained that the Resources Library would, in effect, be a storage facility for microfilm, etc., for research purposes. Senator Sackett moved that the bill be passed out of committee with a "do pass" recommendation. There was no

objection.

SB 310 Senator Thomas asked Richard Hacker, Staff Assistant, to go over the proposed Committee Substitute for SB 310 and point out the changes made in the Committee Substitute as discussed in the meeting yesterday (March 5). Mr. Hacker explained that the new language, beginning on line 16, establishes a floor (minimum) and the further language in the next few lines establishes a ceiling (maximum). He briefly referred to other minor changes as discussed in the committee meeting of March 5. Commissioner McGinnis passed out copies of the corrected fiscal note for CSSB 310, and indicated the corrections therein. Senator Croft moved that the committee pass SB 310 out of committee as a Committee Substitute for SB 310, with a do pass recommendation. There was no objection.

SB 437 Senator Thomas requested the committee to consider SB 437, and asked Commissioner McGinnis for his views on the bill. Mr. McGinnis stated the Department was not against the bill but was concerned that there might be future problems since the bill covered only refractions and not purchase of glasses; however, he felt that the State could not, at this time, afford to include purchase of glasses in the bill. Senator Sackett asked the Commissioner how many people would be eligible for refractions under this bill, and Mr. McGinnis said he would estimate about 10,000. He said he felt the committee could make an assumption that of the 10,000 only ten percent would

would actually have refractions, at an estimated cost of approximately \$35,000. Senator Sackett stated that in some areas the Lions Clubs had provided glasses for needy persons. Senator Harris asked if optometrists performed refractions and was informed by Mr. Sullivan that they did on persons under 21 years of age. Senator Harris said one of his reasons for introducing this bill was that he had been told only ophthalmologists could perform refractions. Mr. Sullivan explained that optometrists were servicing those under 21 and that ophthalmology is designated as a service under the federal regulations for medicaid, and therefore, ophthalmologists serviced those over 21 years of age. Senator Harris stated he felt the bill would enable more people to obtain eye examinations. Senator Sackett moved that the Committee pass SB 437 out of committee with a do pass recommendation, with an amendment to line 14, deleting the words "ophthalmologists or." There was no objection.

SB 423 Senator Thomas asked the committee to look at SB 423 and stated he recalled that when this program was initiated or discussed that the feeling was unless a community would participate at the 25 percent level, they were not willing to participate in a meaningful way. He asked if the ratio should be dropped to 10 percent in view of this and asked Commissioner McGinnis for the Department's view on SB 423. Mr. McGinnis stated this bill would enable the smaller communities to participate in the program since it would probably be easier for them to come up with ten percent

instead of 25 percent matching funds. There was discussion concerning funding for this bill and Senator Croft pointed out that there is a companion bill presently in the Senate Finance Committee which provides for general obligation bonds for funding the bill. Senator Harris moved that the bill be passed out of committee with a do pass recommendation. There was no objection.

SB 442. Senator Thomas asked Commissioner McGinnis for the Department's view on SB 442. Mr. McGinnis stated he felt that physician assistants were doing a lot of good across the country, providing sophisticated first aid to accident victims. Senator Thomas asked the Commissioner if he was in favor of the bill and Mr. McGinnis replied he was not against it. There was further discussion concerning training of physician assistants or paramedics by licensed physicians, medical school or military service. Mr. McGinnis stated he would be concerned if the training of these individuals were by other than licensed physicians. Senator Harris moved that the bill be passed out of committee with a do pass recommendation. There was no objection.

SB 359. Senator Thomas asked Commissioner McGinnis for his comments on SB 359 and Mr. McGinnis stated he had not studied the bill thoroughly and would prefer to defer testimony until a later meeting.

The meeting adjourned at 9:30 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

March 7, 1974

8:30 a.m.

PRESENT: Senators Thomas, Harris, Croft & Hensley

Also present to testify were: Mr. Marshall Lind, Commissioner, and Dr. Nathaniel Cole, Deputy Commissioner, Department of Education; Mr. Robert Van Houte and Robert C. Cooksey, NEA-Alaska.

SCR 36 Senator Thomas called the meeting to order and asked Mr. Lind for his views on SCR 36. The Commissioner said the Department was in favor of this bill; that a study should be done; that he felt \$20,000 would be just a beginning, but that other foundations had indicated interest and thought further funding would be provided through foundations. Senator Harris moved that SCR 36 be passed out of committee with a do pass recommendation, and an amendment to add the word "proposed" before "decentralization". There was no objection.

SCR 30 Senator Harris stated he would like to have the committee consider SCR 30. He felt passage of this bill was needed to insure construction was begun this year, and pointed out that if construction would be delayed until next year when pipeline construction is going on, it may well be impossible to find contractors to do any school construction. Commissioner Lind pointed out that by using standardized plans for schools,

much time and money could be saved in design and construction of many rural schools. Senator Harris moved that SCR 30 be passed out of committee with a do pass recommendation. There was no objection.

SB 456 Senator Thomas asked the committee to consider SB 456 and requested the Commissioner to give his views on this bill. Mr. Lind stated he had not had time to fully analyze this bill and would like to defer testimony until a later time.

SB 457 Senator Thomas asked Commissioner Lind for his views on SB 457 and Mr. Lind stated the Department recommended passage of the bill. He felt there were inequities in the boarding home program in the State and that this bill would help solve those inequities. Senator Thomas asked if there was anyway to estimate the fiscal impact and the Commissioner said it would be approximately \$150,000; that they were working on a fiscal note. Senator Harris moved that the bill be passed out of committee with a do pass recommendation, and hold it until the fiscal note could be provided. There was no objection.

SJR 51 Senator Thomas asked the committee what they wanted to do about SJR 51, and Mr. Van Houte stated he felt there was no need for this bill due to a U. S. Supreme Court decision handed down on a California case pertaining to education in Chinese. He further stated this decision was not based on the Constitution but on the Civil Rights Act, but that the implication was very plain. Senator Thomas suggested that the bill be held until Senator Sackett returned from out-of-town.

SB 275 Senator Thomas asked the committee to consider SB 275 and said he thought the Board's feeling on this bill was that it should be a State responsibility and not teachers' responsibility, for expenses incurred. Commissioner Lind said he took the opposite view on this bill---he felt the costs should be the Board's obligation. He said there were only five teachers involved and that as the Department had had problems in obtaining funds to run the PCTC as a Commission, that the local school districts should be willing to pick up these costs. There was discussion as to how many days per diem would be involved, and the Commissioner said he thought no more than ten to fifteen days. Mr. Van Houte stated he felt fifteen days would be sufficient in most cases; that a principal or superintendent would be automatically covered, and that not all of the staff would be traveling at the same time. He did not feel it would be a burden for the local school districts to bear responsibility for this funding. There was further discussion and it was decided that Senator Croft would prepare a Committee Substitute for SB 275 and present it at tomorrow's meeting for the committee's consideration.

SB 290 Senator Thomas stated that he would prefer to delay discussion of SB 290 until Mr. Overstreet returned to town and could appear before the committee for testimony on this bill. There was no objection.

SB 267 Senator Thomas called the attention of the committee to the proposed substitute for SB 267, prepared by the Department of Education. Mr. Cole stated that the Department had previously thought of holding out for a Resolution only, but this language did not change the statutes too much and they feel they can live with this language. Senator Croft asked if there was a fiscal note for this bill, and Dr. Cole said one could be provided. Senator Croft moved that this bill be passed out of committee as a committee substitute, which he would have prepared this afternoon for presentation to the committee at its next meeting, and also obtain a fiscal note. There was no objection. The committee will consider proposed CS SB 267 tomorrow morning.

SB 342 There was brief discussion on SB 342, concerning the fact that it was a "clean-up" bill and should not be held for review of other teachers' retirement bills. Senator Croft moved that SB 342 be passed out of committee with a do pass recommendation. There was no objection.

SB 343 Senator Thomas asked the committee what they wanted to do about SB 343 and Senator Croft said he thought the committee was waiting for a fiscal note. Senator Harris moved that the committee pass SB 343 out of committee with a do pass recommendation and hold it for a fiscal note. (NOTE: After committee meeting, secretary checked with Mr. Gates on fiscal note and was told none was necessary for this bill since there was no mandatory funding. Therefore, bill was passed on to Senate Secretary on March 7, 1974.)

SB 384 Senator Thomas asked the committee what they wanted to do with SB 384 and Senator Croft moved that the bill be passed out of committee with a do pass recommendation. There was no objection.

SB 362 Senator Croft moved that SB 362 be passed out of committee with individual recommendations. Senator Thomas objected, but agreed to passing it out with individual recommendations.

SB 389 Senator Thomas asked Senator Croft if he would like to explain SB 389 to the committee and Senator Croft stated the bill did not actually require attendance for students on a four-day basis--that the title was misleading; that is, the students have four days of instruction and one day of some other kind of school activity. He stated this had been tried in schools in the northeast and seemed to be working out very well. He felt this concept might be of help in coping with impact problems in Alaska during construction of pipeline. Mr. Lind stated he liked the possibilities of the bill in relation to standpoint of teachers and students, but did not feel it would help with impact problems. He stated achievement tests, in his opinion, would show no difference if taken from those schools using this program and those schools using standard program. After more discussion, Senator Thomas suggested the committee hold this bill until further testimony could be obtained.

GENERAL Senator Thomas stated he felt the committee should take up

the rural school problem--possibly next Monday or Tuesday. He stated there would be a committee meeting in the morning (March 8) at 8:30 a.m. and that the committee would consider the two committee substitutes (SB 267 and SB 275), as well as the law and order bills that were discussed at the hearing held in Anchorage on March 1.

Meeting adjourned at 9:30 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

March 8, 1974

8:30 a.m.

PRESENT: Senators Thomas, Harris, Croft & Hensley

Present to testify was Mrs. Mary Beth Hilburn, Coordinator, Office of Drug Abuse, Department of Health & Social Services.

GENERAL
DRUG RE-
HABILITA-
TION

Senator Thomas called the meeting to order and stated the Committee would discuss the law and order bills that had received testimony at the Anchorage hearing on March 1. He also stated he had been impressed with the testimony given at that hearing by Terry Stahlman of Family House, as well as testimony by the two judges. Senator Thomas said he now understood why the judges wanted tough sentences--so they could force drug addicts to go through Family House or some other drug rehabilitation center. He asked Mrs. Hilburn to tell the committee about the drug programs currently being presented around the State.

Mrs. Hilburn stated she felt treatment of alcoholism was not too much different from treatment of drug addiction and that she would like to see facilities treating both alcoholism and drug addiction, especially in the smaller communities where financing, facilities, and staffing are problems. She felt adequate programs could be initiated at a savings in many areas. Mrs. Hilburn stated that her office had been in the process of evaluating programs which came under the \$500,000 appropriation made last year. She stated there were twelve programs and each one had been evaluated at

least twice. She stated she had spent 24 hours at Family House to observe the whole routine there and had been very impressed with their program. She felt Family House was an excellent program and should be expanded, but only at the rate Mr. Stahlman feels it should be expanded. She stated she felt many addicts, rather than rehabilitated, should be habilitated--that they have never learned the maturation steps others have learned. She also stated that Family House deals with "hard core addicts" and that there was a definite need for programs for those addicts who are not "hard core" as yet. Mrs. Hilburn told the Committee about a proposed intermediate program which would last only one year, and she felt there was a definite need for such a program; however, due to lack of funds, new programs could only be initiated after funding was provided for all current programs. Mrs. Hilburn said she had also spent 24 hours at Arctic Cache in Fairbanks and found profound differences in that program and Family House. She said she would have to make several recommended changes to the Arctic Cache program as it was not now adequate. Mrs. Hilburn said she would like to see additional drug programs initiated, but ones that will do some good. Senator Thomas asked if the State should do something more at this time, or wait until the evaluations of the present program were completed. Mrs. Hilburn stated the programs now were to help addicts, and she felt there was a definite need for drug prevention programs. Senator Thomas asked if this was something that should be in the schools and Senator Harris stated that it had been tried in some schools and the results were opposite to what had been intended.

Mrs. Hilburn indicated she would like to do a pilot program around the State rather than initiate several prevention programs and have them fail to do what was needed. She said the need for the programs was there, but it should be done carefully. Mrs. Hilburn also pointed out that they would have \$5,000 less funding in the budget this year, with two new programs to be initiated, and she felt they would not be able to do any expansion of the present programs. Senator Harris asked if Family House would be fully funded and Mrs. Hilburn stated she did not know--that she expected Family House to apply for twice as much this year, and she did not know how the Advisory Board would apportion the funds. Senator Harris stated he felt that rather than go into new programs, they should fund those that are presently working. Mrs. Hilburn stated that was their first priority.

SB 321

SB 15

Senator Thomas stated the committee had two bills which dealt with penalties and rehabilitation and that this testimony tied in with those bills, SB 321 and SB 15. The committee discussed the minor changes made by SB 321 briefly, and decided to direct their attention to SB 15. Senator Harris stated many people were making a great deal of money selling drugs and this bill was directed at the pushers. He felt strong penalties were needed. He also pointed out that judges could force addicts to enter Family House for two years where they could be rehabilitated, or send them to jail for five years. Senator Thomas stated that in testimony during the Anchorage hearing, he understood the judges felt they should have the option of placing an addict in a rehabilitation program rather than a

mandatory sentence. Senator Harris stated he did not want an option in the bill for a defendant to be able to choose jail or rehabilitation, but that he would not object to leaving it to the discretion of a judge. Senator Thomas requested Richard Hacker to take the bill to Legislative Affairs and have language drafted that would provide for judges to have the option of sentencing addicts--either to a rehabilitation center or jail.

GENERAL

Senator Hensley asked Mrs. Hilburn how much had been budgeted for the drug programs this year and she replied \$500,000. She also stated that Family House would probably receive approximately \$200,000 of that and stated more money would be needed if the current programs were to be funded. There was discussion concerning putting in a supplemental appropriation and in what amount. The committee decided to have a supplemental appropriation drafted by Legislative Affairs in the amount of \$300,000 for drug rehabilitation programs.

SB 15

There was further discussion concerning the definition section of SB 15, and Richard Hacker was requested to come up with suggested language to clear up the definition section of this bill.

SB 305

Senator Thomas asked the committee to look at the DWI bills, SB 305 and 307, and stated that the testimony given previously was that licenses should be revoked if drunk drivers were to be taken off the highways. There was discussion concerning

the inclusion of narcotic, stimulant, hallucinogenic or depressant drugs (rather than just intoxicating liquor) in SB 305, and the committee decided to eliminate "stimulant, hallucinogenic or depressant drugs" from SB 305, so that it would deal only with intoxicating liquor. There was further discussion concerning the penalty section of this bill and Senator Harris pointed out that even if a drunk had his license suspended, it did not keep him off the highways if he wanted to drive. Senator Harris suggested the committee defer further discussion of SB 305 and direct its attention to SB 307. There was no objection.

SB 307

There was discussion concerning elimination of any reference to narcotic drugs in this bill. Senator Harris moved that the reference to "narcotic drugs" on lines 6 and 7, 11 and 12 be deleted. There was no objection. Richard Hacker pointed out that by deleting the reference to narcotic drugs in SB 307, it would also be deleted from the present law. There was further discussion and the committee decided to delay further consideration of the bill until next week when testimony could be taken from the State Troopers, one of the judges and anyone else who might be interested in this bill.

The meeting adjourned at 9:30 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

March 12, 1974

9:00 a.m.

PRESENT: Senators Thomas, Harris, Croft & Hensley

Also present to testify from the Department of Health & Social Services were: Commissioner McGinnis, Deputy Commissioner McClain, and Lawrence Sullivan, Director, Division of Medical Assistance.

SB 275 Senator Thomas called the meeting to order and reminded the members this bill had been discussed at the Committee Meeting on March 7, and the Committee Substitute prepared by Senator Croft was now ready for consideration. The Committee Substitute was briefly reviewed by the members and CSSB 275 was passed out of committee with a "do pass" recommendation.

SB 307
(SB 322) Senator Thomas informed the members that since SB 322 had passed out of Senator Ziegler's Judiciary Committee yesterday (March 11), that he felt there was no need to further consider SB 307. Richard Hacker passed out copies of a comparison sheet on SB 307 and SB 322 and explained the differences and similarities of the two bills. After a brief discussion, Senator Harris moved that the bill be passed out of committee with individual recommendations. There was no objection.

SB 465 Senator Thomas asked the members to consider SB 465 and

stated the Department of Health & Social Services had recommended quick action on this bill to avoid loss of federal funds. Mr. Hacker pointed out that the last sentence in the current statutes had been left out of this bill and asked Commissioner McGinnis the reason for this. The Commissioner responded he felt it was inadvertently left out during typing--that it was not intended it be omitted. It was unanimously agreed that this sentence would be added to the bill.

Commissioner McGinnis stated the Department had prepared a proposed Committee Substitute for SB 465 and they had asked the Attorney General's office to prepare a report on the revised version which should be available to the Committee today or tomorrow. The Commissioner stated there was some necessary change in the language of the bill to conform to federal language, that they had contacted the necessary people in Region 10 and were awaiting word from Washington before they felt they could proceed with the Committee Substitute for SB 465. The Commissioner also stated this bill would need a fiscal note and that was being prepared. After further discussion, Senator Thomas stated the Committee would hold SB 465 until the Department had a corrected Committee Substitute for SB 465 (after they have heard from Washington), and would take the bill up for consideration at a later time.

GENERAL
DEFINITION
OF
HOSPITAL

Commissioner McGinnis stated the Department would like to have legislation passed clarifying the definition of a "hospital". He stated there was a suit pending against the Department at the present time concerning this; that the current law states a hospital provides 24 hours of service per week. He felt the intention had been that a hospital provide 24 hours of service per day, and he felt this should be cleared up. The Commissioner stated the Department would provide specific language in a proposed bill, and Senator Thomas stated the Committee would certainly consider it.

GENERAL
MEDICAID
PAYMENTS

Commissioner McGinnis stated another problem the Department was having was with Medicaid payments. He said physicians were sending in bills for payment that were as much as three or four years old--that yesterday (March 11) the Department had received bills for services rendered in April 1971. He pointed out that it takes a special legislative action in order to pay bills over two years old, and also that it creates problems in their budgeting since they have no way of knowing in advance when these old bills will be submitted. They are required to set aside funds in their budget to cover Medicaid payments and then have problems with these "holdover funds" when bills are not submitted promptly. The current law states that bills should be submitted promptly, but no time limit is set. Mr. McGinnis stated he would like to see legislation passed which would require that bills be submitted for payment within sixty days. He stated he has discussed this problem with Dr. Rodman Wilson and that the

doctor had indicated he could see no reason why sixty days would not be a reasonable length of time in which physicians should submit their billings. Mr. McGinnis stated they were having trouble only with individual physicians--not institutions. Senator Thomas stated the Committee would consider a proposed bill if the Department would like to submit one with specific language directed to this problem.

SB 278 Senator Thomas requested the committee to consider SB 278 and stated the only change from present law in this bill was the addition of the word "shelter"--requiring that shelter be provided. Senator Harris stated he had seen horses turned loose during the winter by guides and felt this bill was necessary to stop that practice. Senator Thomas stated he had talked with someone (Carrol Martin) from the Juneau Horseman's Association and this gentlemen had suggested the penalty be raised from \$100 to \$500, and requested the committee to consider an amendment to that effect. Senator Hensley expressed concern that there was no definition shown in the bill, and he did not feel shelters were necessary for husky dogs. After discussion, Senator Thomas moved that the committee pass SB 278 out of committee with an amendment to increase the penalty from \$100 to \$500, and with individual recommendations. There was no objection.

Meeting adjourned at 9:30 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

March 13, 1974

9:00 a.m.

PRESENT: Senators Thomas, Harris, Croft & Hensley

Also present to testify was Mr. Jamie Love, Anchorage Council on Drug Aid.

SB 15 Senator Thomas called the meeting to order and asked the Committee to consider the Committee Substitute for SB 15 which had been drafted to reflect a provision for rehabilitation. Mr. Hacker stated this provision for rehabilitation was directed to the user of drugs and not the pusher, since he was not aware of the committee's feeling on this point when the bill was being drafted. Senator Thomas said his feeling was that if it could be determined that a pusher was also an addict, that the pusher should also be included in the rehabilitation provision. There was discussion concerning this provision and Mr. Jamie Love stated he felt tough penalties for users of heroin were very necessary and did not feel there were adequate rehabilitation programs or facilities in the State to cope with heroin addicts. Mr. Hacker stated that by deleting the wording: "when his possession or control is for his own use", the rehabilitation provision would then apply to both users and pushers. There was no objection to deleting the wording suggested by Mr. Hacker.

Mr. Love pointed out to the Committee that all narcotic drugs have been "lumped" together; that he was in favor of tough penalties for heroin addicts, but that he did not feel tough sentences should be imposed for use of depressants, hallucinogenic or stimulent drugs. He stated that some of the users of these type drugs were legitimate users--that is, these drugs had been prescribed by physicians, and he felt there was a double stand being effected--that hallucinogenic drugs were not a serious threat to society. He did not feel mandatory penalties for these type drugs would serve a useful purpose. Mr. Love also pointed out that judges should have the option to refer an addict to a rehabilitation program, but even if the judges did not make this referral, that under the present law, the Department of Corrections could do so. Senator Thomas pointed out that the judges do not have to pay any attention to mandatory sentences, and that the present statute relating to hallucinogenic drugs provides for penalties--and asked the committee for their feelings of leaving the current statute as it is. Senator Harris suggested the committee delete Sections 3, 4, and 5 from the proposed Committee Substitute, and have Mr. Hacker draw up another Committee Substitute incorporating the changes discussed. There was no objection.

Meeting adjourned at 9:30 a.m.

(SB 457)

(SECRETARY'S NOTE: The fiscal note for SB 457 was received today and since Committee Report had been signed for SB 457, the bill was passed on to the Senate Secretary for further referral.)

IN THE SENATE

CS FOR SENATE BILL NO. 15

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to penalties for the sale of drugs;
and providing for an effective date."

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

* Section 1. AS 17.10.200(a) is amended to read:

(a) A person who violates any provision of this chapter except a provision relating to the keeping of records, upon conviction, is punishable by a fine of not more than \$5,000 and by imprisonment for not less than two nor more than 10 years; however, a person who violates a provision of this chapter relating to the possession or control of a narcotic drug, when his possession or control is for the purpose of sale to another person, is punishable by imprisonment for not less than five years. For a second offense, or for a first offense where the offender has previously been convicted of a violation of the laws of the United States or of any other state, territory or district relating to narcotic drugs, the offender is punishable by a fine of not more than \$7,500 and by imprisonment for not less than 10 nor more than 20 years. For a third or subsequent offense, or if the offender has previously been convicted two or more times of a violation of the laws of the United States or of any other state, territory or district relating to narcotic drugs, the offender is punishable by a fine of not more than \$10,000 and by imprisonment for not less than 20 nor more than 40 years.

* Sec. 2. AS 17.10.200(d) is amended to read:

(d) The imposition or execution of sentence shall not be suspended

and probation or parole shall not be granted until the minimum imprisonment provided in this section for the offense is served; however, a person who violates a provision of this chapter relating to the possession or control of a narcotic drug, [when his possession or control is for his own use] may, in place of a fine or imprisonment, be committed to the custody of the department for rehabilitative treatment.

* Sec. 3. AS 17.12.110(b)(1) is amended to read:

(1) for the first offense, by imprisonment for not more than 25 years, or by a fine of not more than \$20,000, or by both; however, if a person violates a provision of this chapter relating to the possession or control of depressant, hallucinogenic or stimulant drugs, when his possession or control is for the purpose of sale or other disposal to another person, upon conviction, he is punishable for the first offense, by imprisonment for not less than five years;

* Sec. 4. AS 17.12.110(b)(2) is amended to read:

(2) for the second and subsequent offenses, by imprisonment for any term of years or life, or by a fine of not more than \$25,000, or by both; however, if a person violates a provision of this chapter relating to the possession or control of depressant, hallucinogenic or stimulant drugs, when his possession or control is for the purpose of sale or other disposal to another person, upon conviction, he is punishable for the second and subsequent offenses, by imprisonment for not less than five years.

* Sec. 5. AS 17.12.110(c) is amended to read:

(c) A person who violates a provision of this chapter by selling or otherwise disposing of a depressant, hallucinogenic or stimulant drug to a person less than 19 years of age is guilty of a felony and upon conviction is punishable by imprisonment for any term of years

1 or life, or by a fine of not more than \$25,000, or by both, but
2 ~~in no case shall the person be imprisoned for less than five years.~~

3 * Sec. 6. This Act takes effect on the day after its passage and
4 approval or on the day it becomes law without approval.
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HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

March 14, 1974

8:30 a.m.

PRESENT: Senator Thomas, Harris, Croft & Hensley

Also present to testify were Commissioner Marshall Lind, Department of Education, and Mr. Robert Van Houte, NEA-Alaska.

SB 15 The committee members briefly reviewed the corrected Committee Substitute for SB 15 (see minutes of March 13) and then signed the committee report with individual recommendations. CSSB 15 was passed out of Committee.

SB 447 Senator Thomas asked the committee to consider SB 447 and stated Mr. Overstreet had told him the School Board Association did not object to the bill, but that he did not see any real need for it. Senator Thomas asked the Commissioner for the Department's views on the bill. Mr. Lind stated he did not have any strong feelings, one way or the other, toward the bill but that the school principals felt it was needed to clarify their positions. Mr. Lind pointed out that in some areas the principals do not have authority to recommend that personnel be hired or fired and this bill would provide principals with this authority. Senator Harris asked if the principals in remote areas now have the authority to hire and/or fire teachers or custodial personnel. Mr. Lind stated that no principal has the

authority to hire and/or fire any personnel, but that in most areas they can make such recommendations to the superintendent or school board. He explained that there were some areas where, at the present time, the principals did not have this authority to make recommendations and that was the reason the Principals Association had passed a Resolution last fall to request this legislation. It was the recommendation of Commissioner Lind that the committee defer further consideration of the bill until they were contacted by the Principals Association. Senator Thomas stated that the committee would defer further action if there were no objections -- there were none.

SB 353 Senator Thomas directed the committee's attention to SB 353 and stated Mr. Overstreet had expressed no objection to this bill. Commissioner Lind stated the Department had no objection to the bill. Mr. Van Houte stated NEA-Alaska was in full support of this bill -- that they felt it was a "clean-up" bill which would remove a 1971 restriction on teachers' leaves of absence. He felt this restriction was inadvertently put in the bill a year or two ago. Senator Thomas asked if there would be any financial impact, and Mr. Van Houte stated there would be no increase in funding; that this would merely allow the people involved to pay themselves. Senator Harris moved that SB 353 be passed out of committee with a "do pass" recommendation. There were no objections.

SB 456

Senator Thomas asked the committee to consider SB 456. Commissioner Lind stated the Department did not have any objection to the bill and that he knew the School Board Association was in favor of it. Senator Thomas pointed out that the bill was subject to legislative appropriations. Mr. Van Houte stated NEA-Alaska had no objection to the bill, but felt that legal counsel should be consulted as to whether there would be language in the bill that might jeopardize the relationship between boroughs and school districts, i.e. in those areas where boroughs are not responsible for what goes on in school districts. It was the consensus of opinion of the committee, after further discussion, that the bill should be held until such time as Commissioner Lind could consult with Peter Partnow concerning any possible legal ramifications in the bill.

GENERAL
RURAL
SCHOOLS

Senator Thomas stated the Committee would meet at 8:30 a.m. on Monday morning to take up the rural school problem. Commissioner Lind stated he felt there were many things that could be done and gave a brief explanation of some of the areas that had been considered. Senator Thomas said the committee would like to have the Commissioner's thoughts on Monday morning and he agreed to be at the meeting.

Meeting adjourned at 9:20 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

March 18, 1974

8:30 a.m.

PRESENT: Senators Thomas, Harris, Croft & Sackett

Also present to testify from the Department of Education were Commissioner Marshall Lind and Nat Cole; from the Department of Community & Regional Affairs were Commissioner Byron Mallott and John Chenoweth; also, Mr. Bill Overstreet, Association of School Boards; and Mr. Stu Hall, Legislative Affairs.

RURAL
EDUCATION

Senator Thomas called the meeting to order and stated the meeting should address itself to the problem of rural education. It was Senator Thomas' feeling that both the Education Department and Community & Regional Affairs Department had indicated there was no need for new statutes to handle the problems of education in the rural areas, and asked them to comment on what they felt was needed at this time.

Commissioner Lind stated the resources of the Department were limited in the matter of going out into the communities and explaining problems; that they would need additional people and travel monies. He felt that the local areas needed incentive grants for planning what level of control they wanted. The Commissioner recommended planning grants based on a per capita amount. He also suggested that a look at boundaries in terms of regions for informational

purposes would be a beginning, and he felt that local patterns and concerns would form into some type of boroughs. He did not feel that boundaries should be dictated by the State, and that starting at the region level would be for information purposes only. He felt that these steps should be taken over a two or three year period, i.e. a planning process where State dollars are going out to regions for planning purposes, after which time something must happen within the regions -- contracting with BIA for schools in those areas until such time as they can form a borough or city to handle their own problems. He stated he had found that when people understand how the State can assist them to form their own local control, that they are then anxious to take hold.

Senator Thomas asked Commissioner Lind how he felt about having a separate division within his Department to handle this, as was recommended in the CNER report. Mr. Lind stated he did not feel a separate division was necessary; he felt this could be handled by three or four full time people and did not feel that warranted a separate division.

Commissioner Mallott then testified that the letter he had sent to the committee was a policy statement from the Department. He stated the Department was trying now to respond to municipalities on specific problems rather than a general overall view of problems and they were having financial difficulties and staffing problems in trying to

respond to the problems, since they were moving beyond the informational stage. He referred to two recommendations contained in his letter: (1) the third class boroughs can by referendum adopt other services than educational; (2) third class borough school districts could contract with communities within the boroughs for educational services.

Senator Thomas asked if it wouldn't be possible to have a community that would be ideal for formation of borough for education purposes, but not for other services. Mr. Mallot said in order to do that, there would have to be major surgery done on the municipal code because the code goes beyond what is needed for educational purposes, but he did not feel this was a large difficulty. Mr. Mallott explained that under the present regulations, a petition is brought up at the local level and presented to the local boundary commission, who have the statutory and constitutional responsibility to make judgments on that petition. The boundary commission can modify boundaries or expand the powers that the petitioners might desire, with the understanding that it goes back to the voters in the area for final determination.

Senator Sackett asked how much money would be needed this year to implement these recommendations. Commissioner Lind stated he felt approximately \$250,000 would be needed, for funding of positions and travel, and about \$900,000 for

planning grants to local communities. Mr. Mallot stated he would need two additional people on his staff and pointed out that he had referred to HB 404 in his letter to the committee -- that if HB 404 were funded it would take approximately \$250,000.

Commissioner Lind pointed out that his feeling was that the planning grants would go to the Department of Community & Regional Affairs rather than his department; that these grants would be for all services--not just educational.

Commissioner Mallott stated this would allow the communities to look at all services and to be able to assume the initiative that is required.

There was further discussion concerning HB 404--whether it would sufficiently solve the problems, and Commissioner Lind stated he felt that he and Mr. Mallott could get together with Stu Hall and go over the bill and suggest any necessary changes. Mr. Mallot stated he had mentioned HB 404 because it was the only bill introduced that addressed the problem of grants to the communities--that the bill provides for ten dollars per person for planning purposes. Mr. Mallott said the bill passed out of the House Community & Regional Affairs Committee just last week and he thought it was now in the House Judiciary Committee.

Senator Croft stated it was his understanding from the testimony given, that both Departments feel there is no need for significant structural changes in statutes at this time, and that it is a question of financing planning grants to meet the varying problems of the communities. Mr. Mallot said that was true; that they felt the State needed to create the proper incentive in the local communities -- that if there was a need for roads, sewers, water, electricity, and other services, that these could be achieved with proper planning and the State needed to help the people be aware of their options in solving these problems.

Senator Croft asked how S.O.S. felt about this and Mr. Lind stated he could not speak for them, but felt they would be in agreement with this move towards recognizing local control. He stated he felt that the city or borough form of government works extremely well and could not see any reason for changing it or trying to create something else as long as they have something that is working well.

There was further discussion concerning funding and budgeting and Mr. Overstreet pointed out that if the State was really trying to make it possible for the local communities to serve themselves then they should not have constraints put on them, they should be able to use their monies for whatever educational purposes they need--not primarily for teachers' salaries as it is now stipulated.

Mr. Hall asked what adjustment would be made in those areas that do not have a tax base -- as far as local effort was concerned. Commissioner Lind pointed out that it did not have to be a cash basis, that it could be "in kind" services and he did not feel this was a problem at the present time. Mr. Overstreet stated he felt this information was reaching the smaller communities and that it is making an impact. He felt the foundation planning pretty well recognizes that most of these areas do not have a tax base.

Senator Thomas stated then that what was needed by the Departments was more money and that the committee should introduce a Resolution giving direction to the departments. He suggested that the committee draft a Resolution; submit an appropriation measure; and handle the matter of incentive planning grants. He requested Stu Hall to get together with Commissioners Lind and Mallot and come up with the necessary drafts of legislation. The committee was in agreement with this procedure.

Meeting adjourned at 9:45 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE HEARING

March 20, 1974

(8:30 a.m. & 3:15 p.m.; March 21, 1974 @ 8:30 a.m.)

March 20, 8:30 a.m.

PRESENT: Senators Thomas, Harris, Croft, Sackett & Hensley

Present to testify from the University of Alaska Planning Office were Donald Moyer and Richard Holden. Also present were Morgan DeBoer and James Woodard, Students from U. of A.

SB 283 Senator Thomas stated the committee had received a recommendation to add additional funds to the G. O. Bond bill (SB 283) to allow the purchase by the University of Alaska of 80 acres of land owned by Rogers & Babler. He asked Mr. Moyer to explain why this land was needed and where it was located.

Mr. Moyer stated it was the University's feeling that they must consider long range plans for the University now and that lands for expansion would definitely be needed. He presented a copy of a small map to the committee (copy attached) and then showed the committee on a large map which portion of lands the University was considering as necessary. He stated they might possibly work with the City of Anchorage on including a cultural, sport and research complex within some of the proposed land for purchase, assuming it was acquired by the University. Basically the lands presently under consideration are the 80 acres owned by Rogers & Babler and for an additional

long range view, a parcel of the north end of the Campbell air strip.

Senator Thomas asked how much money they felt would be needed to acquire the land and Mr. Moyer stated approximately 4.8 million dollars.

Mr. Moyer then referred to the Proposed FY 1975 Capital Budget Statewide and Regional Summary report, showing \$29,200,000 in G.O. Bonds for University of Alaska capital improvements. He gave each member of the committee a copy of this summary (copy attached) and then proceeded to discuss items listed therein.

Senator Croft stated the major items of construction in the Anchorage area did not seem to be for more academic facilities, and Mr. Moyer explained they were expecting to have a bond issue every two years, and pointed out that there seemed to be a feeling at the present time that the public school facilities should be used rather than providing more new facilities at this time. Mr. Moyer also pointed out that in their original submission to the Governor they had included \$4.5 million for a health-science building but that had been deleted, so they now have 2.4 million for a health-science building and 1.5 million for a maintenance building which would include shops and a warehouse. There was discussion as to square footage of space involved in the deletion of the 4.5 million dollars for a health-science building and

Mr. Moyer responded that originally there had been 75,000 square feet and that had been cut to about 30,000 square feet. Senator Croft asked how much of the deleted 45,000 square feet would have been used for the Community College and how much for the Senior College. Mr. Holden responded that there was a theoretical division between the Community College and the Senior College but that it was difficult to define. Mr. Moyer also pointed out that they were dealing with a philosophy of whether the full college should have their own facilities, or use public school facilities which would be available to them. There was further discussion concerning this--necessities and convenience factors, and relationship between Community College and Senior College. Senator Croft said he was not convinced that the University shouldn't consider using the present facilities as a stop-gap measure and try and find land in another location for a full four-year college. Mr. Moyer responded they did not feel there was another central location that would be available. There was further discussion concerning possible locations of land and Senator Sackett asked if the University could trade land for land elsewhere. Mr. Holden responded that the Division of Lands controls all University lands and they had indicated there were no lands in the Anchorage area of comparable value to the present University land. Also, that the Division of Lands did not approve of trading rural land for urban land, or vice versa. Senator Thomas asked why the University couldn't make that determination and if there was a reason they should not be allowed to do so.

Mr. Holden responded that the University had no powers of eminent domain, but the law could be changed.

Senator Thomas stated it would be necessary to adjourn the meeting due to the Senate Session and that the committee would meet again at 2:00 p.m. to continue the discussion. Meeting adjourned at 9:45 a.m.

SB 283 3:15 p.m. (Could not meet at 2:00 p.m. due to Senate Session.)
(Cont'd)

PRESENT: Senators Thomas, Harris, Croft, Hensley -- Senator Hohman,
Senator Palmer, Rep. Malone.

From the University of Alaska: Mr. Moyer and Mr. Holden and also Dr. Dafoe.

Senator Thomas stated that before the committee asked questions, that Mr. Moyer should finish his presentation begun during the meeting this morning.

Mr. Moyer referred to the summary report dealing with the Southcentral Region and pointed out that in addition to the G.O. Bonds, there were three Revenue Bond items proposed: \$6 million for a Student Center; 1.5 million for a Total Energy Utilities System; and 3 million for a parking structure. He also pointed^{out}/that there was \$80,000 in G.O. Bonds for site improvements and equipment at Bethel that were needed for the Community College under construction there.

Senator Thomas stated that before proceeding to another Region, that Senator Palmer, Senator Hohman and Rep. Malone would like to speak on concerns in their areas. He asked Senator Palmer if he would like to testify concerning Kenai Community College since it was in the Southcentral Region. Senator Palmer stated he had received a recommendation from the Advisory Committee for an expansion of facilities in the amount of \$1.350 million due to student growth. He asked Mr. Moyer how the University felt about this. Mr. Moyer stated that since the time the Regents had submitted their requests, there had been a tremendous growth in students, particularly in the Kenai Community College. Dr. Dafoe pointed out that at the time this report was prepared, they did not have the fall enrollment figures. Mr. Moyer stated there was no question that there was a need for expansion of facilities there.

Senator Croft stated he would like to enquire about the Phase III that applies to the Matanuska-Susitna area, and Mr. Moyer stated that Kodiak, Kenai and Mat-Su Community Colleges each have Phase I and II constructions--that both phases have been completed for Mat-Su, and that Phase II's are under construction at Kenai and Kodiak--and that these were shop facilities. He stated they were now facing the need for Phase III construction to provide more classrooms, libraries and some additional shop facilities. He also pointed out that Kuskokwim had experienced the most phenomenal growth they had ever experienced -- that the credit hours

had doubled during this year and were expected to go higher next year. Dr. Dafoe pointed out that this increase was in academic programs and did not reflect changes in vocational programs. Senator Thomas asked Mr. Moyer to relate credit hours into number of students, and Mr. Moyer stated approximately 189 students this year and about 250 predicted for next year.

Senator Palmer stated he would like to see the figure for the Research Center in Homer increased from \$300,000 to \$2.5 million, as the people involved had indicated this amount was needed to complete facilities properly.

There was discussion at this point as to whether to increase the total amount of SB 283 and let the University decide how the money was to be spent, or whether it should be designated by Regions, or how. Dr. Dafoe pointed out that the law now states that there be a descriptive paragraph concerning each major item. After further discussion Senator Thomas requested Mr. Holden to prepare a list of the projects and the dollar amounts for each one that could be considered for incorporation in a Committee Substitute for SB 283, and present it for the Committee's consideration in the morning. Mr. Holden agreed to do this.

There was further discussion of the Kenai facilities and Mr. Holden stated their estimate for Phase III construction at Kenai was \$1.350.

Senator Hohman stated Kuskokwim Community College also needed additional facilities, and stated a need for \$1,620,000 for Phase II construction, which would include the \$80,000 presently listed in the budget for site improvements and equipment. There was discussion on how estimates of space were made and the relation to construction costs and budget preparation, etc. There was also discussion concerning the addition of Phase II construction for Kuskokwim, and Phase III construction for both Kodiak and Mat-su. The committee agreed that the following should be added:

Kuskokwim - Phase II	-	\$1,620,000
Kodiak - Phase III	-	1,000,000
Mat-Su - Phase III	-	750,000

Senator Croft asked if an appropriation was made for a law school in Anchorage if there would be any problem from a planning point of view. Mr. Moyer said from a planning point of view there would be no problem, but from a program view which they felt should precede facilities, there might be a problem. Dr. Dafoe pointed out that President Hiatt had testified last week that a study was being made in conjunction with the Criminal Justice Division and he would like to see a comparable study of a law school tied in with that so that there would be planning as well as a facility. Dr. Dafoe also stated that if the Legislature appropriated funds for a law school the University would see that it was done, but they did not feel a law school was a priority item. There was further discussion concerning a law school and the WICHE program. It was pointed out that there were

currently ten students participating in the WICHE program, another 50 who had applied this year, and another 46 students being supported under student loans. The discussion continued concerning facilities needed and number of students that might attend a law school.

Mr. Moyer referred to the Statewide Research items listed in the summary report and stated that Senator Palmer had indicated a need for \$2.5 million for the Homer Research Center. He pointed out that \$650,000 in construction was just being completed in Homer and that the agricultural people who had been working on the planning for that facility indicated they felt the \$300,000 listed in the summary report Phase II of would be sufficient for that project.

Senator Hensley asked if the University planned to provide dormitory space for students in Anchorage and Mr. Moyer said the Board of Regents did not want to provide for housing facilities in this bond issue, but that housing facilities were included in the six-year plan. There was considerable discussion concerning housing facilities, i.e. apartment-type complexes rather than dormitory-type facilities.

Senator Hensley asked what the University planned for the Nome, Kotzebue, Barrow, Anatuviik Pass, and the rest of his part of the country. Dr. Dafoe stated the University had a full time man in Nome now and plans for a small building this Spring. He stated he felt that each of these areas should have a full time person and a small center--for a

beginning and see what interest could be generated on the local level--that a request for a community college had to come from the local level.

Mr. Moyer then briefly reviewed the items for Southeastern Region contained in the summary report and then reviewed the items in the Fairbanks area; pointing out that most of the items there were maintenance items with the exception of a warehouse building.

Senator Thomas asked if Mr. Moyer had obtained further information since the morning meeting concerning the proposed land acquisition. Mr. Moyer stated they had received information that the land in question was Section 16, that it was a school "trust" land that the Legislature could not pass a statute transferring this land to the University, that there would have to be a fair market compensation since it was a "trust" land. He stated the price discussed with the Division of Lands was \$400,000 for 160 acres. (O'Malley Road).

Senator Thomas stated the meeting would be continued in the morning (March 21) at 8:30 a.m. Meeting adjourned at 4:00 p.m.

SB 283
(Cont'd)

March 21, 8:30 a.m. (Present: Thomas, Croft, Hensley, Sackett and Richard Holden from U. of A.)

Senator Thomas called the meeting to order and asked Mr. Holden to review the listing of items to be incorporated into SB 283 which he had prepared last night.

Mr. Holden stated the total amount was now \$39,448,000 and pointed out the new items:

Kotzebue - Extension Center & Community College Building	\$ 750,000
Anchorage - Health Occupations Building	4,500,000
Bethel - Kuskokwim Community College Phase II	1,600,000
Kodiak - Community College, Phase III	1,000,000
Mat-Su - Community College, Phase III	750,000

Mr. Holden then briefly discussed the other items listed and made a brief explanation of some of them.

Senator Thomas asked the Committee what they would like to do with the bill -- if a Committee Substitute should be drafted to include all of these items prepared by Mr. Holden.

Senator Croft moved that \$2 million be added for a law school in Anchorage. Senator Thomas did not agree. Senator Hensley stated he did not feel some of the other items were needed, but that if money was appropriated for a law school, he felt a definite need had been shown for one. There was considerable discussion concerning the addition of a law school, whether there was a need for one at the present time, etc. After further discussion Senator Croft withdrew his motion and made a new motion to delete the Classroom and Laboratory Building in the amount of \$2,400,000 and replace it with a Law School in the amount of \$2,000,000. Senator Thomas voted no, and Senators Croft, Sackett and Hensley voted "Yes". Senator Croft then moved that the bill be passed out of committee

as a Committee Substitute with individual recommendations.
There were no objections. (NOTE: Committee Substitute
will be drawn up and Committee Report signed at time CS SB 283
is ready.)

There was brief discussion concerning the need to change
the amounts in the bill to cover the sale of the G. O. Bonds
and Richard Hacker was asked to obtain correct figures from
Mr. Holden and Legislative Affairs and incorporate that change
into the Committee Substitute.

Senator Thomas stated the committee would meet in the morning
at 8:30 a.m. Meeting adjourned at 9:15 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

March 22, 1974

8:30 a.m.

PRESENT: Senators Thomas, Harris & Croft. Also present was Rep. Laktonen.

HJR 78 Senator Thomas asked the Committee to consider HJR 78 and asked Rep. Laktonen if he wished to comment on this bill. Rep. Laktonen stated that the purpose of the Resolution was to urge Congress to pass legislation to provide funding to upgrade native schools. He said many of them are in a deteriorated condition or need replacing and the State would not accept transfer of the schools in their present condition. Senator Croft moved that the committee pass HJR 78 out of committee with a "do pass" recommendation. There was no objection.

HJR 84 Rep. Laktonen stated that HJR 84 was introduced because the school at Akiak seemed to be in worse condition than any of the others and needed immediate attention. Senator Harris moved the committee pass HJR 84 out of committee with a "do pass" recommendation. There was no objection.

HCR 2 Senator Thomas stated he had talked to Commissioner McGinnis concerning HCR 2 and the Department had no objections to the bill. Senator Croft moved that HCR 2 be moved out of Committee with a "do pass" recommendation. There were no objections.

HJR 88

Senator Thomas directed the attention of the committee to HJR 88. After a brief discussion, Senator Croft moved that HJR 88 be passed out of Committee with a "do pass" recommendation. There was no objection.

SB 487

Senator Thomas asked the committee to consider SB 487, dealing with humane treatment of animals, especially directed to horses. Richard Hacker stated he had talked to Dr. Honsinger about this bill, and he had no objections to SB 487--his objections had been directed to the previous "horse bill". There was a brief discussion of the bill and Senator Harris moved the Committee pass SB 487 out without recommendation. There was no objection.

SB 447

Senator Thomas stated this bill had been discussed previously and the Committee had been awaiting information from the principals. He stated he had now received a telegram from the Principals Association expressing their desire for passage of the bill. Testimony given previously did not show any objection to the bill. Senators Harris and Croft were concerned that the local school districts should clarify the position of the principals and not by statute. Senator Thomas moved that the bill be passed out of committee with individual recommendations. There was no objection.

GENERAL

Senator Thomas stated that Commissioner McGinnis had indicated he could meet with the Committee at 10:30 a.m. to discuss the Medicaid bill (SB 465), and asked the committee to meet at

that time.

HB 760

Senator Thomas stated that Rep. Milo Fritz wanted to testify concerning HB 760, but since he was in session at the time, the committee would consider HB 760 sometime next week.

Meeting adjourned at 9:00 a.m.

Senator Thomas called the meeting to order at 10:30 a.m.

Present were Senators Thomas, Croft, Hensley, and Senator Hohman. Also present was Commissioner McGinnis.

SB 465

Senator Thomas asked the committee to consider the proposed committee substitute for SB 465 which the Commissioner had passed out to the members. Mr. McGinnis stated the language in the proposed committee substitute had been approved by the Attorney General's office, Region X people and also the Washington people. He stated the sentence which had been inadvertently dropped in the previous bill had been put back in and also a change in the language had been made on page 2, line 12, as the Attorney General's office felt this would clarify that in the future no groups or services could be added without legislative action. After further discussion Senator Thomas asked that a Committee Substitute be drafted over the weekend and the committee could take action on it on Monday. Mr. McGinnis reminded the committee that if this were passed before March 31, the State could apply for funds retroactive to January 1.

(SECRETARY'S NOTE: SB 465 was passed out of Committee with
do pass recommendation on Monday, March 25, 1974)

SB 283 Senator Thomas stated the Committee Substitute for SB 283
was ready to be reviewed. After a brief discussion it was
moved that CSSB 283 be passed out of committee with a "do
pass" recommendation.

Meeting adjourned at 11:15 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

March 26, 1974

8:30 a.m.

PRESENT: Senators Thomas, Croft, Sackett & Hensley.

Present to testify from the Department of Education were Commissioner Marshall Lind, Robert Isaac and William Thompson; from the Department of Community & Regional Affairs were Commissioner Byron Mallott and John Chenoweth; and Stuart Hall from Legislative Affairs.

RURAL
EDUCATION

Senator Thomas called the meeting to order and asked the committee to review the proposed bills drafted by Stuart Hall as a result of the meeting of March 18th. He suggested that the committee discuss each bill separately.

#1 - Providing for advisory school boards in borough school districts. There was considerable discussion as to whether this bill was actually needed. Commissioner Lind stated he felt it was not needed and that the districts should have latitude to set up boards as they saw fit. Commissioner Mallott said he did not like the concept of advisory school boards, but that the language had been extracted from an existing statute. After further discussion, Commissioner Lind suggested incorporating the concept of this bill into the present statute (Sec. 14.14.090), dealing with the duties of local school boards which sets out six powers, by adding a new section (#7) stating the districts could provide for advisory school boards, but leaving the mechanics up to them. There were no objections.

#2 - Providing for planning, platting and zoning in third class boroughs. Senator Croft asked if this would be effective only after an area-wide election and was assured this was the case. There was further discussion concerning the differences between second class and third class boroughs and what services are provided under each. Senator Thomas asked if there were any objections to the bill and there were none.

#3 - Relating to school boards in third class boroughs.

Mr. Hall stated this bill simply allowed the boroughs to have the size of school board they desired. There was a brief discussion and the committee had no objection to this bill.

#4 - Providing for state aid to unincorporated communities.

Mr. Hall stated this bill was basically a committee substitute for HB 404, as discussed last week. Mr. Mallott stated the amounts had been changed from \$1,000 per community in HB 404 to \$1,500 in this bill, and \$10 per capita in HB 404 to \$15.00 in this bill. He said that HB 404 was presently in the House Judiciary Committee. There was discussion concerning the payment section, i.e. whether communities have to be incorporated, etc. Senator Sackett expressed concern over this section of the bill, and stated some areas were afraid of incorporating. After further discussion it was agreed to insert on page 1, line 21 "or traditional councils". There were no objections to the bill.

Commissioner Lind stated he would like to present some suggestions to the committee in written form within a few days pertaining to this bill -- some ideas on what they might want to do in education services and specific duties. He did not think it would be necessary to hold this bill and had no objection to it.

#5 - Making a special appropriation to the Department of Community & Regional Affairs for the unincorporated communities governmental organization and services account. There was a brief discussion of the bill and Senator Croft suggested that the effective date clause be changed to read "takes effect on the effective date of 43.18.500" so that if the CS for HB 404 (bill #4) does not pass, then there would not be a problem with this. There were no objections to the change. There was further discussion concerning the amount of appropriation (\$700,000), whether this was for one, or three years, and whether any surplus should lapse into the general fund. After further discussion it was the committee's decision to leave the bill as drafted as far as the appropriation amount was concerned. There were no further objections to the bill.

#6 - Making special appropriations to the Departments of Education and Community & Regional Affairs for the dissemination of information concerning future local governmental and school district organization to unorganized communities.

Commissioner Lind stated the amount shown in the bill (\$250,000)

should be reduced to \$130,000 -- he felt this amount would be sufficient after making a study since last week. He also requested that the effective date clause be changed from July 1, 1974, to immediately upon passage as they had already received several requests and needed the funds as soon as possible. There were no objections to these changes.

Mr. Hall stated he could have all of the bills typed by this afternoon and Senator Thomas said if it was agreeable the committee would introduce them tomorrow. There were no objections.

Meeting adjourned at 9:30 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

March 27, 1974

8:30 a.m.

PRESENT: Senators Thomas, Harris, Croft, Sackett & Hensley

Also present to testify were Representative Milo Fritz; Mrs. V. Lennon of the Alaska Nursing Board; Mr. V. L. Iverson of Department of Health & Social Services; and Mrs. Dorothy Benson, Administrator, Violent Crimes Compensation Board.

HB 760
am

Senator Thomas called the meeting to order and requested the Committee consider HB 760am. He asked Representative Fritz to testify on the bill, and Rep. Fritz stated that acupuncture was a form of treatment and anaesthesia that has been practiced in the Far East for many centuries and has recently been of interest in this country. He then explained briefly why it was important to restrict acupuncture to licensed physicians and dentists, i.e. the fact that it could be dangerous if not used correctly. There was considerable discussion concerning the bill and then Senator Thomas moved that the bill be passed out of committee with individual recommendations. There was no objection.

HCR 7

Senator Thomas asked the Committee to consider HCR 7, and asked Mrs. Val Lennon to testify concerning this bill.

Mrs. Lennon passed out to the Committee a position paper pointing out the necessity of having refresher courses and relicensure of nurses (copy attached). Senator Harris

asked if the State presently required a test of some sort for nurses who come into the State from other States and Mrs. Lennon stated they could come in by endorsement from their home states, and she felt this was one of the problems, i.e. under the present law the Board cannot deny a license to nurses who have come in under endorsements. After further discussion, Senator Croft moved that the bill be passed out of Committee with a do pass recommendation. There was no objection.

SB 477 Senator Thomas asked the Committee to consider SB 477 and said Mr. Iverson and Mrs. Benson would like to testify on this bill. Mrs. Benson passed out copies of a position paper (copy attached) supporting recommended changes to the present statute. Mrs. Benson discussed these changes to be made, which is the basis of SB 477. She then explained what the Violent Crimes Compensation Board had been doing and gave each member a copy of their first annual report. The committee then reviewed SB 477 and suggested changes, as amendments, were made. Senator Croft was concerned with the wording on page 2, lines 1 and 2, referring to the decision of the board not being subject to judicial review and felt the board would have problems with that wording. It was agreed that "and is not subject to judicial review" would be deleted by amendment. There was discussion concerning Section 3, page 2, line 5, and it was agreed for purposes of clarification that after the word "responsible" on line 5, that "or who had been responsible" would be added.

Also in Section 3, and for the purpose of clarification, it was agreed to delete the ";" at the end of line 6 and add "or death;". In Section 4 on page 2, it was agreed that in order to give the Board necessary discretion, it would be necessary on line 20 to delete all material on that line which followed the comma and insert instead "the board may require that he refund". Senator Croft then moved that SB 477, with amendments, be passed out of committee with a do pass recommendation. There were no objections. Mr. Iverson stated that there might be future problems with funding and wanted the committee to be aware of the fact that there might possibly have to be a supplemental request at some time in the future, due to the fact that the Board was receiving more claims than previously, thus the workload of the board was increasing, and due to the fact that monies cannot be encumbered beyond the end of the fiscal year, thus having to lapse for one particular year.

Meeting was adjourned at 9:25 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

March 28, 1974

8:30 a.m.

PRESENT: Senators Thomas, Harris & Croft. Also present was Senator Hohman; Stuart Hall from Legislative Affairs; and Representative Genie Chance (who came in during discussion on SCR 39).

SB 497 Senator Thomas asked the committee to consider SB 497 and SB 498, which were two of the bills on rural education that had been drawn up by the committee and discussed in the meeting on March 26. He asked the members of the committee if there were any questions or discussion on SB 497. Senator Croft moved that SB 497 be passed out of committee with a "do pass" recommendation. There was no objection.

SB 498 Senator Thomas stated that testimony given during the meeting of March 26 on SB 498 by Commissioner Lind was that this be included in 14.14.090. He asked Stuart Hall why the bill had been drawn up as being under 14.12.035. Mr. Hall explained that 14.14.090 concerned duties which were mandatory, and it was his understanding that the committee desired this to be discretionary, and that 14.12.035 was concerned with discretionary powers. The committee agreed unanimously this was the correct placement. Senator Croft recommended that the bill be passed out of committee with a "do pass" recommendation. There was no objection.

SCR 39 Senator Thomas asked the committee to consider SCR 39 and

asked Rep. Chance if she would like to testify on the bill. Rep. Chance declined to testify and Senator Croft stated that he and Rep. Chance had met with several people the previous afternoon for approximately five hours, working on HB 70 concerning the adoption code. He requested that the committee defer further discussion of SCR 39 until such time as they could complete work on a bill that would remove some of the objections to HB 70. Senator Thomas stated he would not object to holding SCR 39 for a reasonable length of time, but that due to the session nearing an end, he did not feel it should be held too long. It was unanimously agreed to hold SCR 39 for a reasonable length of time.

9:00 a.m.

BOARDING
HOME
PROGRAM

PRESENT: Mr. Dan Johnson, Supervisor of the Dormitory Program; Mr. Weinberg, Regional Superintendent of Bethel Schools; and Mrs. Murphy, representing the Native Corporations; (all from Bethel, Alaska, who came to testify on the Boarding Home Program); also to testify were Commissioner Lind and Bill Thompson from the Department of Education.

Senator Thomas made the appropriate introductions and asked for testimony. Mrs. Murphy pointed out that the boarding home program would not be funded by Johnson-O'Malley funds this year, that the Johnson-O'Malley Committee (of which she is secretary) and the Regional Corporations felt that the education of the children was the responsibility of the State. She said the only reason that Johnson-O'Malley funds had been used was due to an emergency situation where about

1500 students would not be able to go to school had not the funds been provided by the Johnson-O'Malley Committee. She said last year they had funded about \$190 per student.

Mrs. Murphy also stated another factor that enters into the picture is the fact that parents do not want their children sent away from home for their schooling, that they felt the children should be educated at home whenever possible. But, due to the fact that there were not high schools in the small villages, that if the children were sent to Bethel they could at least have the children home on weekends and holidays. She stated they had, at parental request, also looked into the possibility of mandatory attendance areas within the State. Mrs. Murphy stated they were requesting the H.E.S.S. Committee to recommend an appropriation that had been made by the Department of Education, but that also they did not feel the appropriation was large enough, since it was predicated on several schools being completed and ready for use this fall, and she did not feel these schools would be ready at that time.

Mr. Thompson stated the Department had requested 1.8 million dollars based on about 780 students for the boarding home program this year; that Johnson-O'Malley had funded about 2.3 million dollars for 1100 students, and there were about 1300 students in the program this year. He stated the figure of 780 students had been made on the assumption that the new high schools in that area would be operating next year.

Senator Thomas said that he felt it would be imperative that they appear before the Finance Committee because if the Department had requested 1.8 million dollars, it would be difficult to increase an appropriation without justification. The group indicated they would like to appear before the Finance Committee while they were in Juneau.

There was considerable discussion concerning the boarding home program, i.e. improvements made within the last year in the dormitory in Bethel, and discussion of the program in general. Mrs. Murphy referred to the report done by Judith Kleinfeld and said she questioned the validity of the report, that she did not feel a report should be based on a program only one year old, and she felt the report was unjustly critical of the boarding home dormitory at Bethel.

Mrs. Murphy also pointed out that they realized it was not feasible to have high schools where only a few children would attend, but that there were areas where 50 to 60 students could attend if schools were available. She also stated they were very much against the correspondence courses in lieu of classroom education; citing some reasons why the correspondence course-type education was not feasible -- no adequate libraries or reading materials, no guidance available, etc. She stated that education by T.V. and satellite was a possible solution for the future, but their problem was immediate and pointed out that in the long run it would cost the State less money to educate these children, rather than

have them grow up as additions to the welfare rolls or overcrowded jails and be supported by the State in that way.

Mr. Johnson stated the Department of Education was requesting an increase for boarding home students in Anchorage to \$220, and that the increase for Bethel which had been requested was an increase of only \$30 -- he felt Bethel should receive an increase to \$250 per student.

Senator Hohman asked Mr. Thompson to explain why the Department did not request funding for the dormitory at Bethel for this year and Mr. Thompson stated because of the high cost factor of the boarding home program per student and because of the social and academic problems resulting from living in an institutionalized situation. There was further discussion concerning the report by Judith Kleinfeld and the differences in the boarding home program this year as compared to last year when the report was made.

Mr. Weinberg stated he felt the report was non-scientific; that in the Bethel area it was based on 20 students with no prior background on the students; and he questioned some of data contained in the report. He then gave some comparisons of operation of the dormitory at Bethel in the past year. Mr. Weinberg told the committee that, based on the period between October to January, the absentee rate at the high school last year was 16 percent -- this year it was 5%.

He said the drop out rate last year had been 26 students, whereas this year only 10 students had withdrawn for various reasons -- this was from a total of 440 students.

Mr. Weinberg stated that during the first semester of school this year, students who were in school last year and returned this year, those students had earned more credits this year than last over the same period of time. He also stated that last year they had serious drinking and drug problems in the school, and especially at class dances; whereas, this year they have had no incidents at all.

Senator Thomas asked Mr. Thompson to clarify the reason the Department did not request sufficient funds to operate the boarding home program--if it was based on the high schools that were to be opened next year. Mr. Thompson stated there was a note in the budget document that says if those high schools are not ready, that the additional monies will have to be put into the boarding home program.

Senator Thomas asked Commissioner Lind if he could clarify this further and Mr. Lind stated it was a complicated arrangement as to what was to be funded. He pointed out that their budget document had been prepared last fall, and actually started in August and September, and had been based on the assumption that these schools would be ready by next year. He said if the boarding school program was to be funded for next year something would have to be done because the figures were not in the budget. Senator Hohman asked the Commissioner

if the Department would support a request for additional funding for the dormitory at Bethel, and Commissioner Lind replied they would do everything they could to see that the students were educated in Bethel. There was further discussion concerning this need for additional funding.

Senator Thomas announced that a definite appointment had been made for the group from Bethel with the Finance Committee for later in the day, and he hoped they would be able to explain the problems to the members of that committee. He stated that it was almost time for the session to begin and that the discussion would have to come to a close very shortly.

Senator Hohman pointed out that there was approximately \$7 million left from ^a bond issue in '72 and that construction had not been started, consequently those funds were being eroded by inflation. Commissioner Lind stated that the bond issue (\$16 million) had been passed in the fall of 1972 and that in the spring of 1973 there were seven schools ready to go out to bid. He said SOS had requested remaining funds be transferred to them to complete projects already underway and the Department had transferred these funds to SOS. Since that time, Mr. Lind stated he had asked several times what problems were being encountered and why the construction had not been done. There was some further discussion concerning this, but due to time factor it was decided the issue would be discussed with SOS and the Department at a later date.

Meeting adjourned at 9:55 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

March 29, 1974

11:10 a.m.

PRESENT: Senators Thomas, Harris, Croft & Hensley

Present to testify was Mr. Alfred Kehl, Director of Forest Lawn Memorial Chapel & Crematory in Anchorage.

CS SB344 Amended Senator Thomas stated that Mr. Kehl was appearing before the committee to give testimony concerning CSSB 344 am.

Mr. Kehl stated he would like to see this bill "die" in committee this session. He said that while he did have the Alaska Funeral Directors' Association approval of the bill, it was their feeling they would like to work on the bill this year and have a new bill introduced during the next session that would be more understandable.

Senator Croft asked if that was the official position of the Association and Mr. Kehl replied that it was. Senator Hensley moved that CSSB 344 am be buried in committee. There was no objection.

Meeting adjourned at 11:15 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

April 2, 1974

8:30 a.m.

PRESENT: Senators Thomas, Harris, Croft, Sackett & Hensley. Also present to testify was Representative Hackney.

HB 796 am Senator Thomas called the meeting to order and asked the committee members to consider HB 796am. He said that Rep. Hackney was appearing to testify on HB 796am and asked Mr. Hackney for his comments.

Rep. Hackney stated that HB 796, in its original form, had been a mandatory death bill, but failed to pass the House; that an effort had been made to put in a substitute bill; that had failed also and the resulting bill is HB 796am. He stated that in talking with judges in two cities of the State, he had been told their feelings on mandatory death penalty was that it would never be used -- not because the judges would not use it, but because juries would not bring in a conviction if they felt a death penalty would be imposed. Rep. Hackney stated he felt that if a jury were to bring in convictions with life sentences in mind, that they might occasionally do so, but he felt they would not bring in a conviction if a death penalty would be imposed. He pointed out that if a jury brings in a conviction, it is the judge who imposes the sentences. Rep. Hackney said he had been told that some of these criminals

are back on the streets in five or ten years. He felt the public is wondering about our justice system.

There was further discussion concerning the mandatory death provision, and Senator Thomas pointed out that the other committee of referral had indicated to him that the bill would not be passed out of that committee. After further discussion Senator Harris moved that the bill be passed out of committee with individual recommendations. Motion failed.

Senator Croft stated he would like to know whether there had been any instances in the past ten years where a criminal had been convicted of any of the crimes listed in the bill and had not been given a life sentence. Rep. Hackney stated he had been told this had happened but was unable to cite specific cases.

Richard Hacker stated Mr. Snowden of the Court System from Anchorage was in town and had been requested to appear before the committee this morning, but had not shown up. Senator Croft said he would like to obtain this information before further consideration of the bill.

Senator Thomas asked Richard Hacker to contact Mr. Snowden and ask him to appear before the committee in the morning.

SB 290 Senator Croft asked that the committee consider SB 290 on Thursday morning, and it was agreed to do so.

Meeting adjourned at 9:00 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

April 4, 1974

9:00 a.m.

PRESENT: Senators Thomas, Harris, Croft & Hensley

Also present to testify were Commissioner Marshall Lind from the Department of Education; Robert Van Houte from NEA-Alaska; Peter Partnow from Attorney General's Office; and Robert Lintott from PTPC; Mrs. Sharon Lobaugh, Juneau School Board.

SB 290 Senator Thomas called the meeting to order and asked the committee to consider SB 290, and asked for testimony on the bill.

Mr. Lintott stated this bill had been requested by the PTPC Commission because they had had problems in policing the decisions that have been made in cases and there seems to be too much distance between the agencies making the determination of cases that come before the PTPC and the agencies that deal out the punishment or whatever is merited in the case. He explained that the Commission had requested the bill because they felt they needed the authority to suspend or revoke certificates--not because every case would merit a suspension or revocation, but because those matters of lesser severity are difficult to police and they have no way to make sure the recommendations are carried out. He also pointed out that the Commission felt they should have the same control that Boards of Control and Licensures have over their professional groups.

Mr. Lintott pointed out that the second half of this measure provides for bringing the PTPC procedures in line with the Administrative procedures and also would allow the PTPC to have legal council to serve as a hearing officer. There was considerable discussion concerning the points Mr. Lintott had brought up and then Senator Thomas asked Dr. Lind for his views on the bill.

Commissioner Lind stated they did not feel the Commission should have the power to suspend or revoke these certificates as he felt that power would make them both judge and jury and there would be no process for review by another agency, therefore, their decision would be final. He stated the Commission is relative new and there had been only one case where they have asked for a revocation, but that the Department had revoked four certificates--only one of which came from the PTPC as a recommendation. He stated the Department would like to see this portion of the bill deleted, and that they supported the remainder of the bill completely.

Mr. Partnow went through the bill and pointed out some minor technical changes that should be made for clarification purposes.

Senator Thomas asked Commissioner Lind if the letter the committee had received from Mr. Robert Jacobs was a Departmental view and the Commissioner stated that Mr. Jacobs was speaking strictly for himself--not for the Department even though he had used departmental stationery.

There was then a brief discussion as to the appointment of members to the PTPC Commission, and Mr. Van Houte pointed out that any group of teachers could submit a list of names to the Governor for his consideration for appointment--that there were no restrictions on who could submit the list of names.

Mrs. Lobaugh, a member of the Juneau School Board, stated she felt the PTPC should not have the authority to revoke or suspend certificates, and cited an example of a case in the Juneau School District that had been given only a cursory investigation and no satisfactory solution to their problem. She felt that the Commissioner of Education should have greater powers in dealing with teacher problems. Senator Croft asked Mrs. Lobaugh if the Juneau School problem had been brought to the PTPC before or after it had obtained an Executive Director and Mrs. Lobaugh stated it was before.

There was further discussion concerning the portion of the bill dealing with revocation and suspension of teacher's certificates and Mr. Lintott asked Commissioner Lind, in order to assist the Commission in policing those findings of fact in cases of lesser severity than revocation, if he would be willing to support an authority of suspension of some sort for a limited time by the Commission rather than authority of revocation by the Commission. Commissioner Lind replied that if the Commission were to recommend a suspension, and the Department could legally do so, then

then the Department's position would be "yes." Mr. Van Houte asked the Commissioner if he would support the bill if the word "revoke" were removed from the bill, and Mr. Lind stated "possibly".

Mr. Partnow suggested a possible compromise might be found by adding a fourth paragraph under AS 14.20.030 which would say in effect "...ethical or professional teacher performance, contractual obligations, and professional teaching misconduct, upon investigation and recommendation by the PTPC..." After further discussion, it was agreed that the bill would be redrafted and the committee would meet on April 5 at 9:00 a.m. to review the bill.

Meeting adjourned at 9:45 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

April 5, 1974

9:00 a.m.

PRESENT: Senators Thomas, Croft & Hensley. Also present were Rep. Banfield and Rep. Chance; Robert Van Houte, NEA-Alaska; Peter Partnow, Attorney General's Office; and Mr. Nat Cole, Department of Education.

CSSB 290 Senator Thomas asked the committee to consider the redraft of SB 290, and after a brief discussion, it was agreed to move it out of committee as a committee substitute. CSSB 290 was passed out of committee with a "do pass" recommendation with no objections.

CS SSHB 428 Senator Thomas asked Rep. Banfield to comment on CS SSHB 428. Mrs. Banfield stated this legislation had been introduced at the request of local people who had had problems with animals coming in on the ferries, and also by the local Veterinarian, Dr. Lobaugh. She stated that when the bill went to the House H.E.S.S. Committee they had added a section "Evidence of Ownership", and then when the bill went to House Judiciary, it was suggested by Dr. Honsinger that this section be removed, which it was, except for the title on page 1, line 13. She requested that the Committee delete that wording by amendment. Mrs. Banfield also stated that specific diseases had not been listed in the bill, at the suggestion of Dr. Honsinger, due to the fact that one or more might inadvertently be omitted.

After a brief discussion, the committee agreed without objection to move CSSSHB 428 out of committee with a "do pass" recommendation, with amendment to delete "Evidence of Ownership" on page 1, line 13.

At this time Senator Hensley had to leave the meeting, and since there was no longer a quorum, no further bills could be discussed. Senator Thomas assured Rep. Chance that the committee would discuss CSHB429am next week, since she had appeared to testify on that bill.

Meeting adjourned at 9:30 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

April 9, 1974

8:30 a.m.

PRESENT: Senators Thomas, Harris & Croft. Also present was Rep. Genie Chance.

Present to testify on SB 284 was Mr. Michael Kennedy, Director of State Museum; Dick Engen and other interested persons. Present to testify on CSHB 429am was Rep. Chance and Mr. Morley from the Division of Environmental Health, Department of Health & Social Services.

SB 284 Senator Thomas asked Mr. Kennedy for comments on SB 284 and information concerning the museum program.

Mr. Kennedy stated that a large portion of the funds would be used for the transportation museum in Anchorage which had burned in a fire last year. He stated there were two possible sites for the new transportation museum, one near Earthquake Park (which he felt was a dangerous area due to earthquake) and approximately five acres near the Bicentennial Park area. There was discussion pertaining to site acquisition and type of museum, i.e. "museum of science" or "science of man" which would encompass the transportation museum as well as other related collections. Mr. Kennedy also discussed the appalling security situation which prevails at the present time in the museum in Anchorage and stated a new wing on that building would relieve the security problem. He said that when the new student center at Fairbanks was completed, the museum would be able to use the old student center building to house the collection that is scattered throughout the campus at the present time.

Senator Thomas asked Mr. Kennedy if he and his staff had talked to the Finance Committee about this bill and Mr. Kennedy said they had not as yet, though they planned to do so. Senator Thomas pointed out that the bill would go to Finance when it left the H.E.S.S. Committee.

After a brief discussion, Senator Harris moved that SB 284 be moved out of committee with a "do pass" recommendation. There was no objection.

CSHB 429am Senator Thomas asked the committee to consider CSHB 429am and asked Rep. Chance to comment on the bill. Mrs. Chance stated she had introduced the bill as the result of complaints from constituents who had gone out to dinner at a restaurant where no toilet facilities were provided for the public. After receiving the complaint she checked with Legislative Affairs and was told the present law requires toilet facilities for employees, but not the public. Mrs. Chance said the bill was originally drafted to apply only to restaurants and bars; however, the Division of Environmental Health requested that the bill be expanded to cover all public facilities. The House H.E.S.S. Committee had incorporated the proposed amendments into a Committee Substitute, and then CSHB 429 was amended on the floor to include the wording concerning toilet facilities "where practical," resulting in the bill now being considered by Senate H.E.S.S. Rep. Chance said some questions were raised on the House floor concerning whether this would be applicable

to a small carnival-type operation in the parking lot of a shopping center, and other similar type operations, and it was determined that an operation of this sort would have toilet facilities within the shopping center that would be available to the public (under this bill) so that there would not be a requirement for the carnival or pony-ride type operation to furnish separate facilities. Mrs. Chance stated the rural areas supported the bill during debate in the House, and that the ones who expressed concern were those who were interested in snowmobiling and motorcycling--they had requested "where practical" be inserted in the bill. Rep. Chance said a question had come up concerning a fiscal note and what financial impact there would be and Mr. Morley of the Division of Environmental Health had explained there would be no fiscal impact since they were routinely inspecting employee-required toilet facilities anyway. She stated Mr. Morley was on his way to the meeting and would be available for questions shortly.

Senator Harris asked Mrs. Chance if it was necessary to have in the bill that the Department of Health & Social Services promulgate regulations regarding these facilities, and Mrs. Chance explained that someone had to enforce the requirements and determine whether the facilities were necessary in certain cases.

Mr. Morley came into the meeting and when asked about the fiscal impact, stated that since they make routine inspections

of toilet facilities which are required by law for employees, there would not be any additional financial impact as they would simply inspect the public facilities at the same time as they inspect the employee facilities. Senator Croft asked Mr. Morley if he would supply a written statement to the committee stating there would be no fiscal impact to the bill, and Mr. Morley agreed to do so.

Senator Croft moved that CSHB 429am be passed out of committee with a "do pass" recommendation. There were no objections.

Meeting adjourned at 9:35 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

April 11, 1974

9:00 a.m.

PRESENT: Senators Thomas, Harris, Croft & Hensley. Also present was Commissioner McGinnis and Mr. McCabe from the Department of Health & Social Services.

SB 282 Senator Thomas asked the committee to consider SB 282, and expressed his concern over the position paper the committee had received from Mr. Jerry Madden, Office of Comprehensive Health Planning. Mr. McGinnis stated that even though he had signed this paper, with a qualifying statement, that normally a position paper of this type would not be circulated--that it was the view of Mr. Madden and the Commissioner did not concur with it. Senator Thomas asked the Commissioner to comment on the bill.

Commissioner McGinnis pointed out that this bill provides a total amount for ten facilities--it is not broken down by dollar amounts per facility within the bill--and due to the lag time from planning and designing to actual construction, that costs escalate and it would probably be necessary to make adjustments in plans for the facilities to bring them within the dollar amounts available. He also pointed out that all bond bills include the statement providing that the use of all proceeds of bonds shall be determined by the

Governor, so that would be a further refinement in determination at that time. The Commissioner stated the Department felt these projects to be reasonable, even though there had been considerable criticism concerning the funds for Alcantra. The Commissioner gave lengthy testimony concerning Alcantra, pointing out that he could not envision anytime in the near future when Alcantra, or similar State institution, would not be needed because children placed in private institutions could be kicked out, or not accepted at all, whereas Alcantra was fully responsible for the children. He stated he had just received figures which indicated that eighteen children presently in the Alcantra facility had had 55 previous placements and asked if Alcantra were to be phased out, where would these children go since there was no where else for them to go but Alcantra? The Commissioner also pointed out that in some of the private institutions he had received evidence of physical abuse. He stated that placement could be ordered at Alcantra, but not at a private institution--they were free of responsibility and could refuse admittance if they so desired. There was continued discussion concerning the facility and whether additional funds should be spent for additional capital improvements in the event it should be decided in the near future to phase out Alcantra. Senator Hensley pointed out that if the State were responsible for the children, he would rather see them in facilities closer to their own communities, as he felt rehabilitation would be more effective in their own environment. The Commissioner stated that the

Department was responsible for about 2,000 children at the present time--that most of these are in foster care homes near their own, but questioned what could be done with those who could not be placed in this type situation--some provision had to be made for these children and at the present time Alcantra was the only facility that would assume full responsibility. He further stated that if there was a different solution for dealing with these children that would provide responsibility and care, then he would be willing to go along with it, but he knew of no better solution. After further discussion, it was agreed to defer discussion of Alcantra until the committee reviewed some of the testimony.

There was then discussion of the API facility in Anchorage, the Ketchikan jail and other jail facilities throughout the State. Senator Croft asked if \$480,000 would be enough to provide a suitable facility for the criminally insane, and the Commissioner stated they had been told it would take about \$680,000 to renovate the wing for that purpose. He also stated that the jail facilities throughout the State were deplorable and stated that a great amount of money was going to have to be spent in the future to improve these facilities. There was a brief discussion concerning some of the other facilities listed in the bill, and then Senator Croft stated he would like to defer consideration of the bill for a couple of days until the committee had time to go over some of the testimony. There was no objection.

SB 359

Senator Thomas asked the committee to consider SB 359 and asked Mr. McCabe if he would like to comment on the bill. Mr. McCabe stated the bill would require insurance companies in the State to provide insurance coverage for newborns, since this was not a requirement at the present time. He stated some insurance companies already provide this coverage. Mr. McCabe stated he supported the bill and that the insurance could be provided for low cost, and that the incidence of use was not very high, but when problems occur they can run as high as \$20 to \$25,000. He cited some costs which Blue Cross of California had provided to a Doctor in California in 1962 which showed a premium increase of twenty-five cents. Even though the figure was out of date, he felt this would be a "ball park" figure to give the committee some indication of the low cost of increase in premium. He stated the Committee might want to talk to the Director of Insurance, whom he knew had some opinions on the bill. He suggested the committee consider the bill carefully as it could provide benefits for low cost. Senator Thomas said the committee would like to get testimony also from Blue Cross, and that further testimony should be deferred until that time. There was no objection.

CPC

At this time several members of the Citizens Participation Conference Education Committee came in to discuss problems of rural education with the committee.

Senator Thomas made necessary introductions and asked Mr. John Monfor, Chairman of the Education Committee, if he would like to ask questions or give testimony. Mr. Monfor

stated the conference delegates were concerned with the problem of local control of education and asked what had been done to provide local control and what was the status of any such legislation.

Both Senators Thomas and Hensley explained what legislation had been drafted and the current status of the bills, and explained the resulting effect if the legislation was passed. (i.e. primarily the rural education package, SB 495 thru 500)

Mr. Monfor stated another concern was special or basic training for native students and explained there was a problem when native students went into the urban areas for schooling--that they were having trouble with basic mathematics and reading, etc. After a brief discussion of this problem Senator Thomas asked Mr. Monfor what he thought about the boarding home program and Mr. Monfor replied they would rather have schools in the villages so it would not be necessary for the children to leave their homes.

Mr. Monfor stated another problem with students was that there were no native counselors and they would not go to a non-native counselor. He wondered if the State might relax their requirements on counselors so that there could be some native counselors in the schools. There was a brief discussion of this problem.

Mr. Wally Frank, member of the Education Committee of CPC from Angoon, talked briefly about the need for teachers' aides. He felt teachers' aides were an asset to the schools. Senator Thomas stated he had heard that after they were trained as teachers; they left and obtained better teaching jobs elsewhere. Mr. Frank said he felt this might be true of the teachers corps, because many of them were Caucasian, but the ones he was speaking of were the Native teachers aides, and he felt they were more concerned with the children and stayed in the villages and small towns and did not leave.

Mrs. Fannie Nelligan, member of the committee from Klawock, stated they had for the past few years been trying to get the Commissioner of Education, or an official from that Department, to come to Klawock to discuss the problems with them, but they had not been able to do so. She stated they were always short of funds for teachers aides and she felt they were very much needed. Mrs. Nelligan informed the committee they have about 80 students and they are just completing a much needed multi-purpose room. She said the students have been using the gym at the Craig school, which is about six or seven miles away, and there have been problems in the past driving back and forth, i.e. storms, mechanical troubles with bus, etc. She stated they were asking for a regional school near Klawock, or if that was not possible, they would like to have the present Klawock school, which is almost a new school, added onto--possibly

adding a second floor, as they needed more space. She said they have a population now of about 250 people, and more are moving in all the time. She stated both Craig and Klawock would be needing a high school before too long. She also said she would like to see more money given to Craig for their hot lunch program, to improve both quality and quantity of the food, as the Craig school supplies hot lunches for the Klawock school.

Mr. Lee Stalker of Kotzebue asked what the status was of HB 728 and HB 731. Senator Thomas informed Mr. Stalker that both of these bills were in the House H.E.S.S. Committee.

After a brief general discussion concerning these problems Senator Thomas thanked the Education Committee for appearing before the H.E.S.S. Committee.

Meeting adjourned at 10:30 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

April 12, 1974

9:00 a.m.

PRESENT: Senators Thomas, Harris, Croft & Hensley. Also present to testify were Mr. Robert Cooksey, NEA-Alaska, and Dr. Marshall Lind, Commissioner, Department of Education.

HB 573. Senator Thomas called the meeting to order and asked the committee to consider HB 573, and asked Dr. Lind for his comments on the bill. Dr. Lind stated that the Department supported the bill because it would allow the Department to grant a transfer of accumulated sick leave of a teacher who transferred from a district into employment with the Department. He explained, at the present time, the salaries between a district and the Department were comparable, but that sick leave could not be transferred, so if this bill passed, a teacher would not lose a benefit by coming to work for the Department. He further explained that if a transfer was presently made between districts, there is no loss of sick leave--that occurs only when transferring from a district to the Department and this bill will rectify that inequity. After a brief discussion it was moved that HB 573 be passed out of committee with a "do pass" recommendation. There was no objection.

GENERAL There was then a general discussion of bills relative to education that are presently in other committees, or in

the House, that Dr. Lind felt were of importance and should be passed prior to adjournment of the session. Senator Thomas suggested that Dr. Lind speak to the various chairmen of these committees concerning the bills. (Those mentioned were: Community schools, Special Education, Public School Foundation Program, and SCR 30.)

HB 796am Senator Thomas asked the committee to consider HB 796am, and asked what the committee recommended be done with this bill to restore the original intent? He read a portion of a memorandum from Mr. Elliott, pertaining to the necessity of a 2/3 vote of the membership to change court rules, and there was a brief discussion of the bill. Senator Thomas stated he would like to defer action on this bill until he could explore the possibility of redrafting the bill to make it more meaningful. There was no objection.

Meeting adjourned at 9:30 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

April 15, 1974

8:30 a.m.

PRESENT: Senator Thomas, Croft, Harris & Hensley

Also present were Stuart Hall from Legislative Affairs and Mr. Don Dafoe and Charles Ferguson from U. of A.

CSSB 282 Senator Thomas called the meeting to order and informed the committee that the Committee Substitute for SB 282 had been drafted. It was moved and unanimously agreed to pass CSSB 282 out of committee with a "do pass" recommendation.

) CSHB 541am Senator Thomas asked the committee to consider CSHB 541am and asked Senator Harris if he would chair the meeting as it was necessary for Senator Thomas to attend another meeting.

Mr. Hall passed out to the committee some changes in the form of an amendment to CSHB 541am, and explained that a new Committee Substitute could be drafted to incorporate the changes, or they could be done by amendment.

Senator Croft asked what was the purpose of the bill and Mr. Dafoe explained that it would replace the old Community College Act which did not actually define a community college. He stated they had been working on this bill for about two years and felt it was a great improvement. He

further explained the new bill makes distinctions between the community colleges and extension centers in low populated areas.

Senator Croft asked if the establishment of a community college at the present time was determined by the Board of Regents and Mr. Dafoe answered that presently there has to be an application from a local community and they must have 75 high school students. Mr. Dafoe stated that the new bill would broaden the method for establishing community colleges and also pointed out that the bill would clarify and simplify the budgeting process. He explained that at the present time the local government, as well as the community college, had to keep separate books and separate budgets, whereas under the new bill they would not. He said the communities can provide funds for certain programs (under the new bill), however, the primary funding would be borne by the State. Mr. Hall pointed out that the local governments that do contribute funds for certain programs would be allowed to audit, but all funds will be kept within the college books. He said in the past when monies had gone into the local governments' general funds, then the colleges had difficulty in obtaining the funds to pay for the cost of the course or supplies, and that the dual bookkeeping had been a problem. Senator Croft asked what the local municipalities thought about the bill and Mr. Dafoe stated that as far as he knew they were in favor of it. He stated they had also worked with local school superintendents and they also seemed to be

in favor of the bill. He stated they were pleased with the provision enabling optional funding for certain programs they are interested in. Mr. Dafoe said the bill still provides for group utilization of facilities, which he thought was very important because facilities should be utilized by both colleges and schools since they were State funded. Mr. Dafoe stated there had been a high degree of cooperation in developing the legislation.

Mr. Ferguson stated he felt it was a combination of a number of years of work with many people and everyone seemed to strongly support it. He felt it would greatly improve the overall administration.

Senator Harris expressed concern with the section beginning on line 15, page 2, as to who would be able to request a community college. Mr. Dafoe explained that part of this section was carried over from the present law, and this was intended to provide definite ways to go about obtaining a community college. Mr. Hall stated this section basically set out the procedures to be followed in establishing a community college.

There was considerable discussion concerning this section, and Senators Harris, Croft and Hensley expressed concern that unless the Board of Regents wanted a community college in an area, that there would be no way one could be established, because even if the community made a feasibility study it would have to be approved by the Board of Regents. It was

also pointed out that smaller communities might not be able to fund a feasibility study. Senator Croft asked if there had been a community college established that the Board of Regents did not feel was desirable, and Mr. Dafoe stated that several years ago Sitka Community College had been created simply by putting an amount in the budget, and then the sanction of the Board of Regents had to be obtained, and he felt it was a poor way to establish a college. He also stated that in the past the Regents had been reluctant to provide for new programs when existing programs were having problems, and that was why a feasibility study was important.

Senator Croft stated he felt the bill insulated the Board of Regents from political pressure, but did provide through the Advisory Board some response from the community. Mr. Dafoe stated he felt it gave the Legislature a better basis for instituting a community college--through a feasibility study rather than pressure or emotion. Senator Croft pointed out that he did not feel there had been any dissatisfaction in the past within the Legislature to expansion or establishment of college facilities, but possibly dissatisfaction that there had not been enough expansion or establishment of facilities. Senator Croft stated he felt this bill provided two types of vetoes by the Board of Regents for establishing a community college.

After further discussion, it was decided to defer action on the bill. Meeting adjourned at 9:40 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

April 16, 1974

9:00 a.m.

PRESENT: Senators Thomas, Croft & Harris. Also present were Dr. Dafoe from U. of A., and Stuart Hall from Legislative Affairs

CSHB 541am Senator Thomas called the meeting to order and asked the committee to consider CSHB 541am.

Dr. Dafoe stated he would like to explain something that he did not express in his testimony on the bill yesterday. He stated that the bill was not a proponent of the University of Alaska Board of Regents, but had come out of the Interim Committee on Higher Education, and had been two years in the making. He said that Committee's reports had consistently pointed out the problems within the present law, and particularly the problems of financing, concerning community colleges. Mr. Dafoe explained that this bill could consolidate the financing, but still allow local municipalities a process for funding programs of interest to them. He felt the bill would provide for more local involvement in the planning stages and feasibility study, and that the bill is more specific in terms of the community advisory committee being involved in local planning and budgeting. Mr. Dafoe further stated that under the present Act, the Legislature cannot establish a community college--they can appropriate funds for one, but that there still must be local community involvement, and he reiterated

his feelings of the importance of planning and completion of a feasibility study.

Senator Croft expressed his concern over who could initiate the feasibility study; expressed concern that there was no reference in the bill to the purpose of expanding higher education throughout the State; and concern that in the past the emphasis for establishing community colleges has not been from the Board of Regents, but from the Legislature, and this bill would leave it up to the Board of Regents.

Dr. Dafoe replied he did not feel that was a correct statement and cited as examples the community colleges at Kodiak and Tanana. He also stated that they hoped to expand in Fort Yukon and Barrow, and are trying to work with the local people to expand programs throughout that area.

Senator Croft stated he felt the major emphasis in the past has been from the Legislature and he felt this bill would remove powers of the Legislature insofar as community college funding for expansion of colleges was concerned, since the bill specifically says that no funds will be appropriated by the Legislature prior to a feasibility study being completed. He also pointed out that he did not find any reference in the bill to any obligation of the Board of Regents to expansion of colleges.

Mr. Dafoe stated his reply was simply that the attitude of the Board of Regents toward community college expansion had changed considerably.

Senator Thomas suggested that the committee insert wording to the effect that the Legislature could initiate a feasibility study. There was considerable discussion concerning the appropriate wording and placement within the bill. Senator Thomas requested Mr. Hall to draft appropriate wording and submit it to the committee for their consideration.

Mr. Dafoe pointed out that the Legislature could pass a Resolution directing that a feasibility study be made if there was an area of concern in the future.

There was then discussion concerning the proposed amendments distributed to each member by Stuart Hall. Mr. Hall explained that most of the amendments were of a technical nature, except for the three dealing with page 3, lines 18 and 29. He explained he had drafted these proposed amendments to possibly alleviate some of the concern of the committee members. He stated when a decision was reached by the committee as to what changes should be made, that he felt a Committee Substitute should be drafted rather than make the changes by amendment.

There was then a brief discussion concerning the allocation of funding to the Department of Education, or directly to colleges, and Mr. Dafoe stated that Commissioner Lind felt the funding should be directly to the community colleges and be a part of their budgets rather than through the Department of Education. He stated the Commissioner had

indicated he wanted funding for pilot programs, but did not feel it was necessary to have funding for the colleges come through his Department. Mr. Dafoe stated that the funding would be allocated by the same formula used at the present time.

Meeting adjourned at 9:45 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

April 17, 1974

9:00 a.m.

PRESENT: Senators Thomas, Croft & Hensley. Also present was Mr. Stuart Hall from Legislative Affairs

CSHB
54lam

Senator Thomas called the meeting to order and asked Mr. Hall to explain changes in the new draft of a Committee Substitute for CSHB 54lam. Mr. Hall stated he had tried to include language in this new draft of the bill that would incorporate some of the thoughts expressed in the meeting yesterday in regard to expanding the higher education concept throughout the State. He pointed out new wording on page 1, lines 15 and 16, and said he was not particularly happy with that wording, but had not been able to come up with improved language in the short time he had had to work on it. He referred to page 2, line 19, which provided for inclusion of the Legislature in the listing of who might propose establishment of a community college or extension center. Mr. Hall stated the language concerning funding by the Legislature had been removed in this draft, but that the requirement for a feasibility study to be approved by the Board of Regents had been left in because he felt that was one of their Constitutional powers.

Senator Thomas asked Mr. Hall who pays for the feasibility study and Mr. Hall replied it was paid for by the proponent

who contracts for the study. Mr. Hall then referred to page 3, section (f), and said he had simplified the section by deleting references to other sections in the bill that he felt were unnecessary. Mr. Hall stated he had also incorporated all other technical amendments which had been submitted to the committee during the meeting yesterday, and also had clarified the wording pertaining to existing colleges, beginning on line 27, page 8.

After a brief discussion of the draft, Senator Thomas said he would like to see the committee take action on the bill. Senator Croft stated he would like to review the bill--that the elimination of the section regarding funding had been helpful, and he did not object to the feasibility study since he felt that might be helpful in expanding community colleges--but he would like to study the bill overnight, and would be ready to act on it by tomorrow morning. Mr. Hall stated he would like to have Senator Croft's advice on the new language on page 1, and Senator Croft said that was one of the things he wanted to study.

Without objection it was agreed to defer action on CSHB 541am until the following morning.

HB 796am Senator Thomas stated this bill had a further referral to the Judiciary Committee and he would like to pass the bill out of the HESS Committee. Senator Croft stated he would agree to the Chairman's request, but he was not in agreement with the bill. Without objection, it was agreed to pass

HB 796am out of committee with individual recommendations since it had further referral to the Judiciary Committee.

SJR 65 Senator Thomas asked the committee to consider SJR 65, relating to the quality of day care programs. Senator Croft stated this had been requested by the CPC and moved that SJR 65 be passed out of Committee with a "do pass" recommendation. There was no objection.

SJR 67 Senator Thomas asked the committee to consider SJR 67, relating to the Governor's Committee on Education, and request for a study. He asked the Committee Staff Assistant for comments on the Resolution. Mr. Hacker reminded the members that on March 7 they had passed out SCR 36 asking for a study of the public school foundation program, as does SJR 67. Mr. Hacker pointed out that SCR 36 asks the Department of Education to contract with CNER to do the study and authorizes expenditure of \$20,000 for the contract; whereas, SJR 67 asks the Governor to order a study be made by the Department of Education with SOS and BIA. Mr. Hacker pointed that SCR 36 refers to the decentralization of SOS and that SJR 67 requests SOS be involved in the study. Mr. Hacker wonder if it might be possible to amend SCR 36 to expand the study. After a brief discussion, Senator Thomas suggested action should be deferred on the Resolution until the Department of Education could be contacted to obtain their views and comments. There was no objection.

HJR 81

Senator Thomas asked the committee to consider HJR 81, amending the Social Security Act. Senator Hensley asked if the Conference referred to in the Resolution was still in session and was told that it was. After a brief discussion, it was unanimously agreed to pass HJR 81 out of committee with a "do pass" recommendation.

Meeting adjourned at 9:45 a.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

April 20, 1974

9:00 a.m.

PRESENT: Senators Thomas, Croft, Sackett & Harris. Also present to testify were Commissioner McGinnis and Deputy Commissioner McClain of the Department of Health & Social Services, and Representative Genie Chance

HB 646 Senator Thomas called the meeting to order and asked the Committee to consider HB 646. Commissioner McGinnis stated at the present time the court makes the decision on the placement of a delinquent minor and he felt this decision of placement should be made by the Department. He explained that the Department contracted for child care services and these contracts had to be budgeted; however, the court has in many instances in the past ruled that a delinquent minor be sent to an agency or home outside the State, or ones inside the State, with which the Department did not have contracts, or to homes that had not been licensed, and this created serious problems within the Department, especially in their budgetary process. Mr. McGinnis further stated he felt the Department was better able to choose the facility for a delinquent, and this was done by a classification committee who took into consideration the background of the minor and specific problems. There was considerable discussion concerning this section of the bill and the Commissioner cited several examples to the committee where the court's decision to place a child in an unlicensed home or outside the State had created severe problems within the Department.

Senator Thomas asked the Commissioner about the change of wording on lines 21 and 22 pertaining to the release of the delinquent, i.e. that release could be approved by the Department. Mr. McGinnis stated this was in the present law and had merely been repeated in this bill.

There was then discussion concerning the change of wording from "ward of the court" to "ward of the State" and Senator Thomas referred to a letter from the Attorney General's Office which stated this change was for clarification purposes since "ward of the court" is not defined in the Statutes, but "ward of the State" is so defined.

There was then considerable discussion concerning the change on page 2, line 5 which states a minor "may be afforded the opportunity to be present" rather than a minor "need not be present." Commissioner McGinnis stated he did not know who had requested this change; that he could see there might be those occasions when discussions concerning a minor should not be held in the presence of that minor, but that he also felt there were times when decisions were being made that would affect the minor's life that the minor should be present. Senator Harris stated he did not feel a minor should be present during these discussions or decisions because it might be harmful and hinder rehabilitation possibilities for the minor. After further discussion Commissioner McGinnis stated the Department would rather the language in the original bill (Need not be present) be retained.

Senator Harris moved that the committee strike the language on line 5, page 2, and revert to the original language.

The vote was two for and two against, and so the motion failed. Senator Harris stated he would like to talk to someone in the court system before further consideration of the bill. Senator Thomas stated he would delay further consideration until 2:00 p.m. this afternoon.

Commissioner McGinnis asked the Committee to consider that the legislation had for the past three years made its way through the Legislature to this committee and then was stopped. He further stated that if the legislation did not pass, he felt the funding for placement of minor delinquents should be in the Court system budget rather than in the Department of Health & Social Services budget. He did not feel it was right for the court to make the determinations for placement and the Department be responsible for the funding for these placements without any adjustments possible to their budget.

Mrs. Chance stated that there had not been any problem with this placement of minors until the Legislature had passed the law lowering the age of majority; and at the time when that law was passed and changes were made in existing laws, there was confusion created in this determination of placement. Prior to that time the Department had jurisdiction over the placement of minor delinquents.

Senator Thomas asked the committee to consider HB 774 concerning physical therapists. He asked Commissioner McGinnis if he had any comments to make on the bill and Deputy Commissioner McClain passed out a position paper from the Department concerning the bill which was made by the Public Health Division. Mr. McClain stated that there was one technical change they would like made on page 2, line 17, subparagraph (3) -- they would like to delete "from the professional examination service of the American Public Health Association" and replace with "prepared by the Professional Examination Service." He explained that this change was to correct a nomenclature problem; that this was a service located in New York that prepares examinations for licenses.

Senator Thomas asked if a fiscal note had been prepared for the bill and was told there was none accompanying the bill. Senator Sackett said he did not think one would be needed. Senator Thomas stated that Mrs. Beirne had considerable testimony to give on this bill, but she was unavailable at the present time, and he would like to defer further consideration until the meeting at 2:00 p.m. when she might be available. There was no objection.

Meeting adjourned at 9:50 a.m. to be reconvened at 2:00 p.m.

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

April 22, 1974

9:30 a.m.

PRESENT: Senators Thomas, Harris, Croft & Hensley. Also present to testify were Commissioner Lind and Deputy Commissioner Cole from Department of Education; Mr. Bill Overstreet and Mr. Robert Van Houte

CSHB592
am

Senator Thomas asked the Committee to consider CSHB 592am and stated that the fiscal note for the amended bill showed \$392,000. Commissioner Lind stated the bill would allow school districts to provide programs for exceptional children at age three. He said they were not sure how many students would be covered by this lowering of age to three years (present language is related to kindergarten students and above), but they had estimated the fiscal note should be about \$392,000. Senator Harris asked how and who made the determination whether or not a child was exceptional and the Commissioner stated that there were various evaluation procedures that had to be made, including a diagnosis by a medical doctor or psychiatrist. Senator Harris and Croft expressed concern about an exceptional student being sent out of the State without parental approval and was assured that the present law requires that approval be obtained not only from the school board, but also the parents. The Commissioner was

asked if there would be any objection to amending the bill to add that parental approval must be obtained, and the Commissioner said he certainly had no objection since it was already in the Statutes and would merely be repeated in this bill. Senator Thomas stated he would request Stuart Hall of Legislative Affairs to draft an appropriate amendment, and Senator Croft suggested that it be a separate section (f) on page 3. There were no objections.

There was then discussion concerning the instructional units for special education and Dr. Cole stated there was a special education formula, and the only difference they had suggested be incorporated in this bill would make it almost three to one, which is the national figure for special education programs (it is now about two to one).

After further discussion it was moved that CSHB 592am be passed out of committee with a "do pass" recommendation with amendment. There was no objection.

HCR 91 Senator Thomas asked the committee to consider HCR 91. Commissioner Lind said the Department supported the Resolution. After a brief discussion, it was moved that the Resolution (HCR 91) be passed out of committee with a "do pass" recommendation. There was no objection.

HCR 13 Senator Thomas asked the committee to consider HCR 13 and stated Rep. Fritz was not able to come testify on

this Resolution but had stated that after the airline crash in Anchorage there were not enough stretchers or emergency equipment available to provide for those injured. After a brief discussion it was moved the HCR 13 be passed out of committee with a "do pass" recommendation. There was no objection.

HCR 86 Senator Thomas asked the Committee to consider HCR 86, relating to a study of the penal institutions in Alaska. The committee was in agreement that such a study should be made and it was moved that HCR 86 be passed out of committee with a "do pass" recommendation. There was no objection.

Meeting adjourned at 9:55 a.m.

HB 854 NOTE: Prior to the 2:00 p.m. Session, Senator Thomas met briefly with Senators Harris, Croft & Hensley, and it was agreed to move HB 854 out of committee with an amendment to page 1, line 13, deleting "six months" and inserting "90 days."

HB 774am NOTE: After the 4:00 p.m. Session, Senator Thomas met briefly with Senators Harris, Hensley & Croft, and it was agreed to move HB 774am out of committee. Senators Thomas and Hensley recommended "do pass" and Senators Croft and Harris had "no recommendation."

HEALTH, EDUCATION & SOCIAL SERVICES COMMITTEE MEETING

April 23, 1974

2:45 p.m.

PRESENT: Senators Thomas, Harris, Croft, Hensley & Sackett
Also present to testify was Rep. Genie Chance

HCR 3am Senator Thomas called the meeting to order and requested the committee consider HCR 3am. Mrs. Chance explained that presently all group homes must be in compliance with fire code for institutions, and it was felt this was an unnecessary restriction in some cases. She also explained that there had been a number of letters from fire marshalls opposing this, but it was due to a misunderstanding of what was desired in the Resolution. Mrs. Chance stated they wanted fire code regulations adopted for group homes; separate and apart from regulations for institutions. She said at the present time, if group homes do not meet fire codes for institutions, they must go through a waiver process which is quite lengthy. She also explained that the fire codes for group homes for physically handicapped or mentally retarded should be more stringent than for other group homes, but that regulations should be made for group homes with distinctions for various types of group homes. After some discussion on the matter, Senator Harris moved that the Committee pass HCR 3am out of committee with a "do pass" recommendation with an amendment to page 2, line 1, after "and" insert "where deemed appropriate". There was no objection.

SJR 67 Senator Thomas asked the committee to consider SJR 67, and stated that he had talked to Commissioner Lind who had no objection to the bill. It was moved that the committee pass SJR 67 out of committee with a "do pass" recommendation. There was no objection.

CSHCR 93 Senator Thomas asked the committee to consider CSHCR 93 and read a portion of a letter from Commissioner McGinnis concerning the Resolution. After noting that there was a fiscal note in the amount of \$30,000, it was moved that the committee pass CSHCR 93 out of committee with individual recommendations. There was no objection.

HB 646am Senator Thomas requested the committee consider HB 646am. After a brief discussion of this bill, Senator Croft moved that a Committee Substitute for HB 646am be drafted by Legislative Affairs, to include the Senate passed version of SB 310am, and that the bill be passed out of committee with a "do pass" recommendation. There was no objection.

HB 778 Senator Thomas asked the committee to consider HB 778 and stated that Commissioner McGinnis did not feel the Director of Division of Corrections should replace him on the Commission. After a brief discussion it was moved that an amendment be prepared to reinstate the Commissioner of Health & Social Services and also add Director of Division of Corrections to this Commission. The secretary was instructed to prepare the amendment. It was then moved

that HB 778 be passed out of committee with a "do pass with amendment" recommendation. There was no objection.

Meeting adjourned at 3:15 p.m.